Urban Land Institute Leadership Class 2025

Palm Beach County Transfer of Development Rights and Workforce Housing Program Optimization



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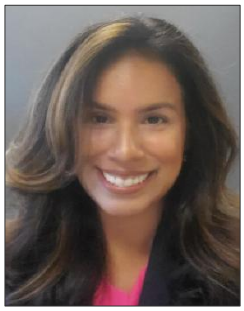


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Team



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With special thanks to the leadership project advisor, Margina Demmer





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Project Introduction

Palm Beach County stands at a crossroads in its growth and land use planning efforts. As one of Florida's largest and fastest-growing counties, it continues to grapple with the dual challenge of preserving its environmentally sensitive and agricultural lands while responding to urgent demands for housing—particularly for the local workforce. Against this backdrop, two innovative tools developed decades ago—the Transfer of Development Rights (TDR) Program and the Workforce Housing Program (WHP)—have served as cornerstones of the County's commitment to sustainable development and equitable housing access.

The TDR Program, established in 1980, was designed to shift development away from rural and conservation areas and toward more appropriate urban and suburban zones. It enabled the County to direct density where infrastructure already exists, while simultaneously protecting valuable land from urban encroachment. The Workforce Housing Program, which provides density bonuses in exchange for the inclusion of affordable units, complements the TDR initiative by ensuring that economic development does not come at the expense of affordability or inclusivity.

However, as Palm Beach County evolves, so too must these programs. In recent years, developers seeking higher densities have increasingly relied on a complex mix of tools—including WHP bonuses, TDRs, and Plan Amendments—to achieve their objectives. This

mosaic of processes, while technically legal and occasionally effective, has created a procedural bottleneck. Developers, landowners, municipal staff, and residents alike describe the process as overly complex, inconsistent, and difficult to navigate. What once worked efficiently has now become burdensome, opaque, and vulnerable to misinterpretation.

Compounding this issue is the fragmented nature of how TDR and WHP information is presented to the public. Critical materials are spread across disconnected documents, web pages, and regulatory texts, making it difficult for stakeholders to understand, much less engage with, these programs. Despite their importance, both programs currently lack the user-friendly digital infrastructure and visual tools needed to meet modern expectations for accessibility, transparency, and engagement.

Recognizing these challenges—and with a major evaluation of the County's Comprehensive Plan due in 2026—the Palm Beach County Planning Division initiated this leadership project in partnership with the Urban Land Institute (ULI). The purpose is to provide forward-thinking yet practical recommendations to streamline, unify, and modernize the TDR and Workforce Housing programs. The goal is not only to optimize these tools but to ensure that they continue to reflect the County's evolving policy priorities: preservation, affordability, economic competitiveness, and community trust.

As part of this effort, the ULI team was tasked with conducting a holistic evaluation of the TDR and WHP frameworks, engaging with County staff, examining peer jurisdictions across Florida, and offering realistic, actionable solutions. Special consideration has been given to the County's staffing and budgeting constraints, public perception, development market trends, and regulatory environment.

This report is structured to support decision-making at multiple levels—planning staff, County administrators, elected officials, and external stakeholders. It divides recommendations into short-term (less than three years) and long-term (three years or more) categories and includes detailed comparisons to other jurisdictions, opportunities for digital innovation, and a unified policy vision that can guide Palm Beach County through the next generation of growth.

In short, this project asks and seeks to answer four critical questions:

- How can Palm Beach County simplify the intersection and increase the predictability of its density bonus programs for the benefit of all stakeholders?
- What is the best way to integrate the TDR program into the amendment process so that it remains a central part of future density increases?
- How can the Workforce Housing Program be streamlined and better coordinated with the TDR program and other planning tools?

- What can Palm Beach County learn from peer jurisdictions that have successfully implemented transparent, predictable, and developer-friendly programs?

In tackling these questions, this report offers a roadmap to ensure that Palm Beach County continues to lead in sustainable development and equitable housing policy—not only for today's residents but for generations to come.



https://www.pinterest.com/pin/lake-worth-inlet-in-palm-beach-county-florida-aerial-view--656329345681319461/

Project Summary

Palm Beach County has long been recognized as a pioneer in the implementation of innovative land use and housing programs. Two cornerstone initiatives—its TDR Program, established in 1980, and its WHP—were created to help preserve environmentally sensitive and agricultural lands while increasing residential density in appropriate urban and suburban locations. By offering incentives and alternative pathways to achieve higher development potential, these programs were intended to help the County balance conservation goals with housing and growth needs without overburdening the amendment process.

For many years, these programs performed as intended. The TDR program successfully preserved thousands of acres of critical land by allowing property owners in designated "sending areas" to sell their development rights to developers working in "receiving areas." At the same time, the WHP provided density bonuses in exchange for incorporating affordable units, thereby creating mixed-income communities and enabling more residents to live near their workplaces, schools, and transit options.

However, in recent years, a confluence of policy layering, market pressures, and legal complexity

has caused the system to become inefficient, unpredictable, and difficult to navigate. As developers increasingly pursue density increases, they often engage in a confusing and inconsistent combination of TDR purchases, WHP bonuses, and formal Comprehensive Plan Amendments. While technically allowable, this fragmented approach has outpaced the original design of the programs. It presents a series of administrative and operational challenges for staff, delays and uncertainty for developers, and a lack of clarity for the public.

The County's Planning Division has acknowledged that while the foundational goals of these programs remain sound, their administration no longer aligns with the demands of today's development climate. These challenges are magnified by limited user education, gaps in public engagement, and a lack of cohesive, centralized access to program resources. Moreover, the existing online infrastructure supporting the TDR and WHP programs is fragmented, uncoordinated, and difficult to navigate, especially for those without technical land use backgrounds.

Against this backdrop, and with the County preparing for its next Evaluation and Appraisal Review (EAR) of the Comprehensive Plan in 2026, the ULI team was engaged to analyze and provide guidance on how Palm Beach County could modernize, consolidate, and better align its density bonus programs.

This leadership project was guided by the following key objectives:

- Evaluate the TDR and WHP programs in terms of operational effectiveness, transparency, user experience, and policy alignment.
- Identify inefficiencies in the current structure and implementation of these programs.
- Recommend process, policy, and platform improvements that are scalable and achievable given the County's staffing and budget realities.
- Provide case studies and benchmarking analysis from peer jurisdictions to highlight best practices and alternative models.

- Support the County's long-term land use planning vision through recommendations that preserve its environmental assets, expand workforce housing opportunities, and maintain market predictability.

Through stakeholder discussions, document reviews, and comparative research, the ULI team found clear areas where enhancements can be made. These include simplifying the application process, integrating the TDR and WHP programs under a unified bonus structure, improving public-facing digital resources, stabilizing TDR pricing mechanisms, and increasing transparency and education for all program users.

The report divides these opportunities into two timelines:

- **Short-Term Recommendations** (0–3 years): These are pragmatic, actionable improvements that require limited policy change but will significantly improve program function and public interaction—such as developing a centralized online application portal, improving the program website with GIS tools and calculators, establishing predictable pricing guidelines, and enhancing workforce housing integration.
- **Long-Term Recommendations** (3+ years): These are structural reforms that would position the County as a state leader in density and affordability incentives—such as replacing the TDR program with a simplified, by-right bonus system and establishing a dedicated environmental impact fee to preserve conservation goals as the TDR program sunsets.

Throughout this report, the ULI team also highlights comparative programs from municipalities such as Tallahassee, Lee County, Collier County, and Alachua County, providing tangible examples of how other jurisdictions have addressed similar policy goals. These comparisons inform the strategic vision outlined here, particularly around streamlining density increases and incentivizing mixed-income housing development.

As Palm Beach County continues to grow and attract new residents, businesses, and institutions, the need for responsive, efficient, and equitable land use tools becomes even more pressing. The findings and recommendations included in this report are intended to support the County's planning staff in delivering a next-generation approach—one that reinforces the County's historic preservation ethos while expanding opportunity and livability for all who call Palm Beach County home.



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Evaluation of the Existing TDR Program

Palm Beach County's TDR Program has long served as a pivotal planning mechanism, enabling the County to preserve environmentally sensitive and agricultural lands while directing growth toward appropriate receiving areas. Enacted in 1993 and further codified in Article 5.G.3 of the Unified Land Development Code (ULDC), the program reflects national best practices by linking land conservation to market-based incentives for urban development. While foundational goals remain intact, the program's day-to-day operations reveal significant areas for modernization and strategic realignment—particularly in light of the County's upcoming 2026 Comprehensive Plan update.

Synopsis of Current Operations

The TDR Program is a voluntary, incentive-based tool that allows landowners in designated "sending areas"—typically lands with significant conservation or agricultural value—to sell their development rights. These rights may then be transferred to "receiving areas" where the County supports higher-density development. The receiving areas are generally within the Urban/Suburban Tier, consistent with infrastructure capacity and proximity to services.

Key features include:

- **Sending Areas:** Designations such as Rural Residential (RR-20), Agricultural Reserve (AGR), and Conservation (CON) serve as sources of development rights.
- **Receiving Areas:** Located in areas suitable for higher density, as determined by future land use and zoning compatibility.
- **TDR Bank:** The County maintains a publicly managed TDR bank, holding credits derived from previously acquired conservation lands. Developers may purchase credits either from the County bank or private landowners.
- **Pricing:** TDR prices are reset annually and based on 10% of the median home sale price for single-family and multifamily units. Discounted rates are available for projects that include workforce or affordable housing units, including special pricing for developments located within revitalization, redevelopment, and infill overlays (e.g., RRIO districts).
- **Administrative Oversight:** The program is administered by the Planning, Zoning & Building Department (PZB), requiring coordination among staff, developers, and legal counsel.
- **Application Process:** Developers must submit a multi-step application to qualify for receiving area status, confirm eligibility, purchase credits, and record deed restrictions accordingly.

Identified Program Inefficiencies

Despite its ambitious mission and historical success, the TDR Program exhibits several operational inefficiencies that inhibit its broader use:

1. Complexity and Length of Process
The application process requires several layers of approval and interdepartmental coordination. As currently structured, it can be time-consuming and daunting to navigate, especially for small- to mid-size developers. The lack of streamlined checklists, centralized communication, or digital application tools adds to administrative burdens and contributes to unpredictable project timelines.

2. Limited Awareness and Utilization
Anecdotal evidence and stakeholder feedback indicate that the program is significantly underutilized. Developers, landowners, and even planning professionals may not be fully aware of the TDR option or its benefits. Furthermore, the lack of outreach, public education, and training opportunities contributes to its limited visibility and uptake.

3. Pricing Volatility and Budgeting Uncertainty
Because the program's credit prices are tied to fluctuating market-based housing data, significant year-to-year variation can occur. This undermines financial predictability and

complicates early-stage pro forma development for large-scale projects. Developers have expressed the need for more stable pricing—such as multi-year averages or capped rate adjustments—to support long-term planning.

4. Inconsistent Integration with the Workforce Housing Program
Although the TDR and WHP were conceptually aligned as complementary tools, their integration remains unclear in practice. Both programs are governed by different criteria, incentives, and administrative processes. This misalignment often requires developers to piece together separate compliance strategies, which increases confusion and transactional complexity. For instance, developers using TDRs are required to meet workforce housing obligations, but the terms, unit thresholds, and monitoring mechanisms vary and are not always intuitive.

5. Lack of Transparency and Digital Accessibility
The County's web presence for the TDR program is fragmented, outdated, and difficult to navigate. Key program materials—including policies, application forms, maps, pricing tables, and FAQs—are housed across multiple pages or buried within lengthy PDF documents. There is no central hub where stakeholders can clearly see available credits, designated areas, or application status. Additionally, the absence of interactive tools (such as GIS-based mapping, credit calculators, or virtual consultations) hampers user engagement and hinders program adoption.

6. Disparate Policy and Legislative Frameworks
The TDR program has evolved through a patchwork of policies, ordinances, amendments, and interpretations over the decades. While each change addressed specific issues in its time, the cumulative effect is a fragmented legal framework. This has created room for ambiguity and inconsistent enforcement, especially when TDRs are combined with other tools like Plan Amendments or WHP incentives.

The current iteration of the TDR Program remains fundamentally sound but is in need of modernization. The core principles—land preservation, market flexibility, and density

redistribution—continue to align with contemporary land use planning best practices. However, without reforms to streamline operations, clarify integration with workforce housing initiatives, and expand digital accessibility, the program risks becoming obsolete at a time when Palm Beach County needs it most.

These issues provide a clear mandate for reform, and the following sections of this report present both short- and long-term recommendations to reposition the TDR Program as a nationally competitive model for sustainable, equitable growth.



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Short-Term Recommendations (0-3 Years)

Palm Beach County's TDR Program and WHP are foundational components of the County's land use and housing policy frameworks. However, increasing complexity, lack of user-friendly tools, and insufficient integration between the programs have hindered their full potential. Informed by peer county comparisons, feedback from Palm Beach County staff, and best practices from jurisdictions across Florida, the following short-term recommendations aim to modernize the County's TDR and WHP systems.

For the purposes of this report, "short-term" refers to actions implementable within the next three years. These reforms are intended to be actionable, budget-sensitive, and aligned with the County's forthcoming Comprehensive Plan update in 2026.

1. Streamline the Application Process

- Develop a centralized online portal that consolidates TDR and WHP applications in one digital location. This portal should support document uploads, allow applicants to track their submission status in real-time, and facilitate direct communication with County staff.

- Create comprehensive and standardized application packages, including plain-language instructions, step-by-step process checklists, and fillable forms that cover all aspects of the review cycle from initial eligibility to credit transfers.

2. Enhance Outreach and Education

- Launch educational campaigns to raise awareness of TDR and WHP benefits. This includes webinars, community workshops, developer roundtables, and lunch-and-learn events for real estate professionals.
- Design visually engaging educational materials, such as infographics, case studies, and short video explainers, to help all stakeholders—developers, landowners, and the public—understand the programs' value and mechanics.

3. Stabilize Pricing Mechanisms

- Replace annual volatility with a three-year rolling average of median home sale prices for calculating the cost of TDR credits. This approach offers developers greater cost predictability and enhances long-term project planning.
- Introduce pricing caps and floors to avoid significant year-to-year swings, which can deter participation and disrupt project financing strategies.

4. Integrate Workforce Housing Guidelines

- Develop templated workforce housing compliance checklists for use with all TDR applications. These should clarify required unit counts, income targeting thresholds, affordability periods, and reporting expectations.
- Establish technical assistance programs to provide hands-on support for applicants navigating both TDR and WHP requirements. Consider dedicated staff or contracted consultants to serve as program liaisons.

5. Monitor and Evaluate Program Performance

- Define key performance indicators (KPIs) that track program success, including number of TDR credits transferred, acres of land preserved, workforce housing units created, and average review times.
- Publish annual reports and dashboards that provide transparent updates on program performance and highlight success stories. This increases public confidence and accountability while offering insights for continuous improvement.

6. Redesign TDR Web Platform

- Create a consolidated digital hub for the TDR Program with an intuitive user interface, replacing the current fragmented pages and PDF documents.

- Integrate GIS-based tools showing eligible sending and receiving areas, real-time credit availability, and project mapping capabilities.
- Ensure mobile responsiveness and enable users to download all required forms, access FAQs, and track the status of applications through a user dashboard.

7. Implement Unique Online Features Not Found Elsewhere in Florida

- **Online Benefit Calculators:** Allow users to estimate development potential, required credits, and anticipated cost or savings for including workforce units.
- **Virtual Appointment Scheduling:** Offer streamlined booking for consultations with staff, including Q&A sessions, application assistance, or pre-submittal meetings.
- **Interactive Success Stories:** Highlight recent projects that successfully leveraged TDRs and WHP incentives, illustrating real-world value and encouraging participation.
- **Dynamic Performance Dashboards:** Provide real-time data on total TDR activity, preserved land, workforce housing creation, and processing times.

Comparable Research and Peer Jurisdictional Analysis

Palm Beach County is not alone in grappling with the complexities of TDR administration. A review of Florida jurisdictions reveals varying levels of program sophistication and transparency:

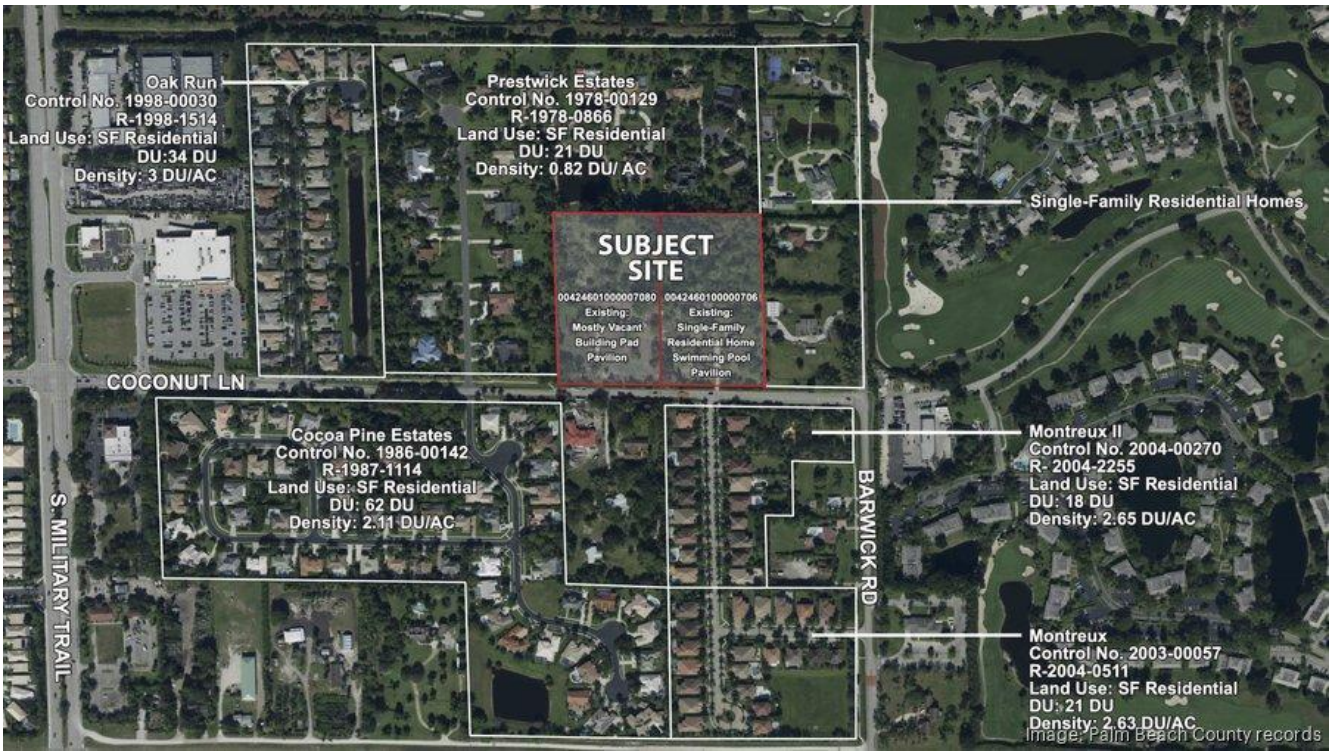
- **West Palm Beach:** The city's TDR content is embedded in an enCodePlus platform. While technically comprehensive, the interface is geared toward zoning professionals and lacks user-friendly visuals or summaries.
- **Collier County:** Offers a well-structured and clearly written TDR webpage, but the lack of interactive tools (e.g., GIS mapping, calculators) limits accessibility and innovation.
- **Lee County:** Demonstrates a strong policy foundation with accessible regulatory guidance, but minimal digital interactivity or tracking tools.
- **Alachua County:** Excels in FAQ resources and program clarity but falls short on visual aids, GIS mapping, or integrated application workflows.
- **Fort Lauderdale:** The City's TDR incentives are embedded within its Historic Preservation framework and are difficult to locate or understand as a stand-alone TDR program.

These findings underscore that while Palm Beach County's core TDR framework is on par with peer jurisdictions, the County has a timely opportunity to differentiate itself through user-centric reforms and digital modernization.

Final Observations

By adopting these short-term recommendations, Palm Beach County can significantly enhance the usability, transparency, and effectiveness of its TDR and WHP programs. Improving digital tools, simplifying procedures, and increasing programmatic clarity will not only reduce administrative burden but also improve stakeholder satisfaction, making the programs more competitive in the marketplace.

These foundational improvements set the stage for longer-term policy reforms, which are addressed in the following section.



*https://media.bizj.us/view/img/12224308/colony-estates-1*900xx3966-2231-0-34.jpg*

Long-Term Recommendations (3+ Years)

The long-term strategy outlined in this section builds on foundational improvements already proposed for the TDR and WHP, addressing the structural limitations embedded in their current design. While the programs share commendable objectives—such as preserving land and expanding affordable housing—their current configuration is inefficient, overly complex, and misaligned with modern development needs.

This section presents a comprehensive vision for long-term reform, grounded in peer county analysis, stakeholder feedback, and alignment with the 2026 EAR of the Comprehensive Plan. These reforms are designed to:

- Simplify and consolidate density bonus tools.
- Eliminate duplicative and outdated mechanisms.
- Enhance transparency and predictability for developers.
- Sustain conservation goals through a new dedicated funding stream.

Program Diagnostic: Current Landscape in Palm Beach County

WHP and TDR Programs Overview

Palm Beach County's TDR program allows landowners in conservation and agricultural zones (RR-20, AGR, CON) to sell development credits to developers seeking increased density in urban/suburban areas. The WHP, meanwhile, enables developers to receive additional density by providing a portion of housing units at affordable or workforce levels. Both programs offer voluntary incentives but rely on layered compliance with detailed procedures, unclear thresholds, and time-consuming approvals.

While TDR transactions can be private or drawn from the County's TDR Bank, pricing is tied annually to 10% of median sale prices, making long-term project budgeting difficult. WHP requirements are often inconsistent with those tied to TDR purchases, creating regulatory friction. Administration of both programs resides within the Planning, Zoning & Building (PZB) Department, which faces challenges managing demand, monitoring compliance, and educating stakeholders.

Navigating the Path to Additional Density

Developers seeking density bonuses typically have to:

- Use WHP for a moderate increase.
- Purchase TDRs to go beyond WHP thresholds.
- Submit FLUA amendments if WHP and TDR are insufficient.

This layering often results in redundant processes, costly delays, and legal uncertainties. Conflicting interpretations of eligibility, fluctuating pricing, and lack of digital support tools exacerbate the problem. The process demands intense staff coordination and does not offer a by-right or predictable path to entitlement.

Stakeholder Feedback Summary

Stakeholder engagement, including input from developers, planners, and public commenters, revealed key pain points:

- Lack of Predictability: Developers are unclear about density limits, TDR needs, and WHP expectations.
- Process Complexity: Many developers opt for FLUA amendments because WHP and TDR procedures are seen as more complex.
- Digital Gaps: Lack of GIS maps, online tools, and user-friendly content hinders participation.
- Limited Awareness: Landowners are unaware of the ability to sell TDR credits; workforce housing guidelines feel burdensome**.**

Barriers to Predictable and Feasible Implementation

- Unclear Criteria: Disparate WHP and TDR rules cause confusion.
- Inconsistent Reviews: Staff interpretations vary project to project.
- Pricing Volatility: Year-to-year pricing shifts prevent long-range budgeting.
- Administrative Overload: Staff are stretched thin and reliant on manual processes.
- Public Trust: Lack of transparency and complex legal language erode community confidence.

Peer County Analysis – Lessons for Palm Beach County

Pinellas County

- **Context:** Densely developed, urbanized county with a focus on housing diversification.
- **Tools:** Offers bonus density for mixed-income housing, by-right incentives in select zones.
- **Lessons:** Strong GIS integration, public dashboards, and pre-approved overlays simplify developer engagement.
- **Takeaways:** Palm Beach County should emulate pre-approved overlays and GIS-backed transparency.

Miami-Dade County

- **Context:** Florida's largest county, with massive housing needs and land constraints.
- **Tools:** Uses inclusionary zoning, height/density bonuses, and targeted tax incentives.

- **Lessons:** Affordable housing incentives are built into base zoning codes, reducing need for FLUA amendments.
- **Takeaways:** Align affordable housing bonuses directly with land use designations to eliminate administrative layering.

Leon County / Tallahassee

- **Context:** University-driven city with a younger population and high housing cost burden.
- **Tools:** Inclusionary Housing Ordinance since 2005, requiring 10% of units in 50+ unit
- developments to be affordable.
- **Incentives:** Expedited permits, waived impact fees, and 25% bonus density in applicable zones.
- **Lessons:** Strong interdepartmental coordination, public-facing tools, and clear incentives.
- **Takeaways:** Palm Beach County can borrow Tallahassee's density table models and interdepartmental support approach.

Strategic Long-Term Recommendations

1. Replace TDR and Simplify WHP with a Single, Predictable Bonus System

- Eliminate the current TDR framework in favor of a new by-right bonus system.
- Incorporate affordability incentives into the base zoning code, allowing developers to know in advance how many units can be built based on clear, published standards.
- Structure bonuses around income tiers, affordability duration, and location (proximity to transit, employment centers, etc.).
- Codify unit thresholds and fee-in-lieu options to streamline developer choice**.**

2. Maintain Environmental Use of TDR Proceeds; Introduce a Dedicated Impact Fee

- Preserve the original TDR program's conservation purpose by retaining existing TDR revenues for land preservation.
- As TDR phases out, introduce a dedicated environmental impact fee tied to future density increases, with proceeds restricted to conservation, resilience, and green space acquisition.

- Develop a conservation investment plan aligned with the County's Climate Resilience Action Plan.

3. Address the Ripple Effects of TDR Elimination

- Market Transition: Grandfather in existing TDR credits for a defined time horizon (e.g., 3–5 years).
- Landowner Equity: Offer a buy-back or tax credit program for landowners who acquired TDR credits in good faith.
- Public Communication: Roll out a public education campaign to explain the change, rationale, and benefits.

Conclusion and Path Forward

Palm Beach County's TDR and WHP were designed with forward-thinking goals—preserving environmentally sensitive land and expanding affordable housing. Yet, over time, these programs have become burdened with procedural complexity, fragmented administration, and reduced predictability, all of which hinder their effectiveness.

This report has laid out a comprehensive long-term strategy for reforming these programs. It began with a diagnostic review of the current landscape, examining how developers today must navigate multiple layers of incentive programs—including WHP, TDR, and sometimes full Comprehensive Plan amendments—just to achieve viable density. The challenges facing developers, staff, and the public were further explored through stakeholder feedback, which highlighted issues such as unclear criteria, pricing volatility, and digital inaccessibility.

To help reimagine a more effective path forward, we looked outward—to Pinellas County's transparent overlays and GIS dashboards, to Miami-Dade's integration of affordable housing bonuses into its base zoning, and to Tallahassee/Leon County's practical incentives like density tables, fee waivers, and coordinated departmental support. These peer comparisons reinforced the opportunity Palm Beach County has to modernize while preserving the spirit of its programs.

Three long-term recommendations emerged:

1. **Replace the TDR and Simplify WHP** – Collapse both systems into a unified, by-right bonus framework that incentivizes affordability and is embedded in the zoning code.
2. **Sustain Conservation Goals Through Dedicated Fees** – Retire the TDR market in favor of an environmental impact fee structure tied to development intensity, ensuring ongoing support for conservation and resilience.

3. **Manage the Transition Thoughtfully** – Offer equity to landowners with existing TDR credits, communicate changes publicly, and phase in new rules alongside the 2026 Comprehensive Plan update.

These recommendations are not merely administrative updates—they reflect a strategic pivot toward clarity, fairness, and long-term sustainability. The proposed reforms address inefficiencies without compromising on policy goals. By simplifying compliance, aligning incentives, and adopting best practices in digital engagement and public transparency, Palm Beach County can create a more intuitive and efficient system that fosters smart growth and inclusive development.

The upcoming 2026 Evaluation and Appraisal Review of the Comprehensive Plan offers the perfect policy window to align these reforms with the County's broader land use framework. Updating the codebase and incentive structure in tandem with the EAR will provide legal clarity, administrative cohesion, and implementation momentum.

In conclusion, Palm Beach County stands at a pivotal moment. The path forward is not just about improving internal systems—it's about reaffirming the County's commitment to environmental preservation, housing affordability, and smart growth. By embracing this long-term strategy, the County can lead with innovation, meet its future housing needs, and uphold its values for generations to come. The 2026 Evaluation and Appraisal Review of the Comprehensive Plan presents a rare and timely opportunity to enact these long-term reforms. Aligning the codebase, incentive structures, and administrative procedures within this window will ensure legal consistency and implementation efficiency.

Summary of High-Level Strategy

- **Eliminate the TDR Program**: Modern market conditions and implementation realities no longer support it.
- **Streamline WHP into a Single Bonus Framework**: Predictable, by-right, and aligned with zoning.
- **Sustain Conservation through Impact Fees**: Dedicated funding tied to future growth.

Together, these reforms offer a simplified, equitable, and future-ready alternative to Palm Beach County's current bonus density ecosystem. They honor past preservation achievements while equipping the County to meet the housing and sustainability needs of its next generation.



https://www.pearlantonacci.com/uploads/agent-1/Blog/downtown-west-palm-beach.jpg

General Conclusion

The TDR and WHP have historically been two of Palm Beach County's most powerful land use and housing tools—designed to achieve environmental conservation while expanding housing opportunity. These voluntary incentive programs are rooted in strong policy goals but have become increasingly difficult to navigate and underutilized in their current form. If left unchanged, the County risks continuing with systems that are too opaque, administratively complex, and misaligned with the pace and nature of modern development.

This report offers a bold yet practical roadmap to guide the reform of these programs, recognizing the urgent need to align long-standing policy goals with today's economic, environmental, and housing realities. Through a comprehensive analysis of the current landscape, stakeholder input, and lessons from comparable jurisdictions like Tallahassee, Pinellas County, and Miami-Dade, the report sets the stage for a more streamlined, transparent, and equitable system.

The findings make clear that without reform, developers will continue to face unpredictable entitlement pathways, landowners will miss out on valuable opportunities to monetize conservation lands, and the County will fall short of its affordable housing production goals. But with strategic modernization, Palm Beach County can reassert its leadership in both housing innovation and land stewardship.

The recommendations outlined here—including the phasing out of the TDR market, the creation of a predictable, by-right bonus system, and the introduction of a dedicated conservation impact fee—are not just operational upgrades. They are transformative steps to ensure that these programs are accessible, scalable, and sustainable well into the future.

With focused investments in digital infrastructure, program clarity, and stakeholder engagement, Palm Beach County can modernize these tools in a way that both respects their original mission and prepares them for the challenges ahead. Doing so will empower the County to meet its evolving housing needs, protect critical environmental assets, and ensure long-term growth that is inclusive, resilient, and consistent with community values.

Appendix

1. BCC Memo Recap WFH WS of June.18.2024
2. BCC WHP DB Workshop Feb.27.2025
3. Colony-Estates-At-Boynton
4. GCBA Letter WFH Feb.24.2025
5. HLC Comments on County WHP Changes Feb.24.2025
6. PBC Future Land Use Aug.22.2024
7. PBC Housing Aug.22.2019
8. Table and Flow Three Density Scenarios
9. Tallahassee Zoning Handbook

Department of Planning, Zoning & Building

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb

Palm Beach County Board of County Commissioners

Maria Sachs, Mayor

Maria G. Marino, Vice Mayor

Gregg K. Weiss

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

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MEMORANDUM

TO: The Honorable Mayor Maria Sachs and the Board of County Commissioners

FROM: Whitney Carroll, Esq., AICP, Executive Director
Planning, Zoning and Building Department

DATE: June 25, 2024

RE: **Recap of June 18, 2024 BCC Workforce Housing Workshop**

At the June 18, 2024 workshop, a number of possible changes to the Workforce Housing Program (WHP) were outlined for Board consideration and further evaluation. Attached is a summary of the Commissioners' comments received for each topic discussed. While not directly related to the WHP, the Board also directed that eligibility for the Impact Fee Affordable Housing Assistance Program (IFAHAP) be limited to housing affordable to ≤ 110% of Area Median Income.

As indicated at the workshop, the next steps in the process will include convening a meeting of industry representatives, to include the Gold Coast Builders Association, the Economic Council, market rate and non-profit homebuilders, real estate professionals, bankers, and property management companies. This meeting is anticipated to be scheduled in August, followed by discussion with the Board for direction. As noted at the workshop, any proposed changes would then be subject to economic feasibility analysis, to ensure that proposed changes do not cause the profitability of residential developments to fall below acceptable levels. Subsequently, for any changes directed by the Board, the necessary Comprehensive Plan and ULDC changes would be drafted for Board consideration and action.

Finally, attached is a map requested during the workshop, depicting projects with workforce housing units, the number of units, and whether rental or for sale.

For additional information, please contact me at (561) 233-5008

Attachments:
Summary of Commissioner Comments
Workforce Housing Projects Map

cc: Verdenia Baker, County Administrator
Patrick W. Rutter, Deputy County Administrator
Darren Leiser, Esq., Assistant County Attorney
Cindy Hoskin, Deputy Executive Director, PZ&B
Thuy Shutt, AIA, FRA-RA, Planning Director, PZ&B
Jeffrey W. Gagnon, AICP, Deputy Planning Director, PZ&B
Maria Bello, Principal Planner

Workforce Housing Program Key Policy Issues – Board of County Commissioners' Workshop Discussion – June 18, 2024

red text - no consensus green text - consensus

	Topics	Possible Changes for Further Evaluation	Barnett	Baxter	Bernard	Marino	Weiss	Woodward	Sachs (absent 6/18/24)
Applicability	**Tier Applicability**	• Extend program to Exurban, Rural and AGR Tiers		• No		• No		• Yes	
	Voluntary WHP for Projects < 10 units	• Allow projects with <10 units to participate		• Allow			• Allow	• Allow	
	Affordability Periods	• Per recommendations of the Florida Housing Finance Corporation: ○ Extend to 50 years for new rental projects				• No changes	• Rentals: 50+	• Rentals: 50	
		○ Restrict in perpetuity on County-owned land		• Restrict in perpetuity				• Restrict in perpetuity	
		• Extend to 30 years for-sale units		• For-sale: not 30 yrs • Shorten recurring term for for-sale	For-sale: 15	• No changes	• For-sale: 15		
	Annual Eligibility Determination	• Require annual income verification/eligibility determination at lease renewal, to make available units when household income has exceeded income limits				• Require	• Require	• Require	
Disposition Options	**In-Lieu Fees**	• Eliminate In Lieu Fee option, OR • Revise In Lieu Fee Structure to set fee based on differential between median market rate price and WH sales price, square footage or other measure		• Eliminate		• Eliminate		• Eliminate	
	Limited Incentive Option	• Eliminate Limited Incentive option, so all projects contribute same base percentage							
	Exchange Options	• Eliminate the uncommitted exchange sub-option						• Reduce 3 year window	
	Default Disposition of WH Units	• Set default disposition as "on site;" require BCC waiver to use other options							
	On-site, For-Sale WHP Units	• Require "Like for Like" , OR • Provide further discount obligation for providing WH units as for-sale, on-site. • Require WH units located on civic sites to be SF, For-sale		• Institute bedrooms for bedrooms		• Institute bedrooms for bedrooms		• Institute bedrooms for bedrooms	
	Separate MF/TH/SF Pricing	• Create new WH for-sale price schedule, to add a TH price and allow for lower prices for MF and higher for SF			• Explore				
	WH Rent/For-sale Pricing Schedules	• Identify different source, or use percentage of prices from current • Include a lower bracket 40-60% • Shift obligation distribution to require more units at lower end • Eliminate "Middle" (highest) rent category; reinstitute as a for-sale category					• Include 40-60%		
Dev Process/Regs	**Reduced Development Costs and Obstacles**	• Use some In Lieu Fee proceeds to assist with development costs • Reduce land/development costs ○ Offer county-owned civic or other sites ○ Provide Land Development Regulation relief ○ Allow for other construction methods, provide ready plans			• Explore		• Explore		
	Reduced Parking Requirements	• Reduce Parking Requirements		• Explore	• Explore	• Explore			
OTHER TOPICS				• Prohibit Density Bonus where roads are deficient?		• TH are OK	• Post-TDR ESL funding plan?		

Palm Beach County

Workforce Housing Developments

Map ID	Name	Status	Workforce Units	Rent or Sale
1	Merryplace	Builtout	36 TH	Rent
2	Hamlet Estates at Lake Worth	Unbuilt	9 SF	Sale
3	Indian Trails PUD	Unbuilt	390 SF	Sale
4	Green Lake Apartments	Builtout	2 MF	Rent
5	Town Commons MUPD	Builtout	10 TH	Sale
6	Gulfstream Villas	Builtout	3 MF	Rent
7	Windsor Place	Unbuilt	30 MF	Rent
8	Elan Polo Gardens	Builtout	65 MF	Rent
10	Brentwood of Wellington	Unbuilt	33 MF	Rent
11	Vista Village Park Apartments	Builtout	14 MF	Rent
12	Blu Atlantic Apartments	Builtout	62 MF	Rent
13	Aviara Lake Worth	Builtout	8 MF	Rent
14	Silverwood Estates	Builtout	32 SF	Sale
16	Herbertz Apartments	Builtout	11 MF	Rent
18	Wellington Club	Builtout	154 MF	Rent
19	Oasis Apartments	Builtout	5 MF	Rent
21	Elysium	Builtout	37 MF	Rent
22	Cambria Parc	Builtout	34 TH	Sale
23	The Groves	Builtout	1 SF	Sale
24	Colony Reserve	Builtout	11 TH	Sale
25	Aviara Green	Builtout	12 MF	Rent
27	Serafica	Unbuilt	11 MF	Rent
28	Palazzo at Casa Brera	Builtout	142 MF	Rent
29	Pine Bay	Unbuilt	26 MF	Rent
30	Gulfstream Preserve	Builtout	37 MF	Rent
31	10x Living at Delray	Builtout	63 MF	Rent
34	The Point at North Palm Beach	Builtout	63 MF	Rent
35	Wellington Vista	Builtout	70 MF	Rent
36	Uptown Boca Raton	Builtout	114 MF	Rent
38	Palm Beach Preserve	Builtout	57 MF	Rent
39	Luma Delray	Builtout	25 MF	Rent
40	Saddlewood	Builtout	2 TH, 28 MF	Sale
41	Trails Landing	Unbuilt	5 MF	Rent
42	Alora at Haverhill	Builtout	133 MF	Rent
43	Boca Vue	Developing	17 MF	Rent
44	Atlantico/Sienna at Tuscany	Builtout	13 MF	Rent
45	Catalina Townhomes	Builtout	4 TH	Sale
46	Brandon Estates	Builtout	60 MF	Rent
47	Altis Blue Lake	Builtout	12 MF	Rent
48	Lee Square	Unbuilt	4 MF	Rent
49	Rose of Sharon	Unbuilt	1 SF	Sale
50	Resia Pine Ridge	Builtout	288 MF	Rent
51	Windsong Estates	Builtout	7 TH	Sale
52	Icon Residential Community	Unbuilt	7 MF	Rent
53	Palm Ridge Apartments	Unbuilt	6 MF	Rent
54	Forest Oaks Residential	Unbuilt	11 TH	Sale
55	Wagner Homes Subdivision	Developing	4 TH	Sale
56	Fount MUPD	Unbuilt	177 MF	Rent
57	Covenant Villas	Unbuilt	1 MF	Rent
58	Autumn Ridge Apartments	Unbuilt	32 MF	Rent
59	La Hacienda	Developing	9 MF	Rent
60	Elan Palm Reserve	Builtout	88 MF	Rent
61	Mathis Apartments	Unbuilt	3 MF	Rent
62	Summertime Apartments	Developing	9 MF	Rent
63	Mariana Palms	Unbuilt	2 TH	Rent
64	Southport Grove	Unbuilt	14 MF	Rent
65	Reserve at Atlantic	Unbuilt	119 MF	Rent
67	Towns at Tidewater	Unbuilt	16 TH	Rent
68	Carver Square	Builtout	9 SF	Sale
69	The Bohemian	Builtout	42 MF	Rent
70	Logan Ranch	Unbuilt	79 MF	Rent
71	Westgate Terrace	Unbuilt	9 MF	Rent
72	River Trail	Unbuilt	18 MF	Rent
73	Villages of Windsor	Unbuilt	47 MF	Rent
74	Hendrix Reserve	Unbuilt	9 TH	Sale
75	Lake Worth Station	Unbuilt	78 MF	Rent
76	Colony Estates at Boyton	Unbuilt	6 SF	Sale

SF = Single Family, TH = Townhome, MF = Multi-Family

MARTIN COUNTY

BROWARD COUNTY

Indiantown Rd
Alternate A1A
PGA Blvd
Bee Line Hwy
US Highway 1
Northlake Blvd
Orange Blvd
Forest Hill Blvd
Blue Heron Blvd
Military Trl
Haverhill Rd
Royal Palm Beach Blvd
Okeechobee Blvd
Dixie Hwy
Lake Worth Rd
Southern Blvd
Jog Rd
Congress Ave
Lantana Rd
Hypoluxo Rd
I-95
State Road 7
Boynton Beach Blvd
FL Turnpike
Federal Hwy
Atlantic Ave
Clint Moore Rd
Yamato Rd
Glades Rd
Palmetto Park Rd
US Highway 98
State Road 80
Gator Blvd
US Highway 27
County Road 880

Commissioner District
1
2
3
4
5
6
7

Date: 6/25/2024
Contact: K.Andrews PBC PZB
Filename: U:\Zoning\Data-Analytics\ResProjects\WHP

Note: Map is not official, for presentation purposes only.

Approved - Unbuilt
Developing
Builtout

For Rent
For Sale

Miles
0 0.7 1.4 2.1

Planning, Zoning & Building
2300 N Jog Rd
West Palm Beach, FL 33411
Phone (561) 233-5300

Palm Beach County Workforce Housing Program



Agenda

- **Overview of Workforce Housing Program**
  - History
  - Program Basics
- **WHP Potential Changes**
  - Interested Party Input
  - Staff Recommendations
- **Board Discussion**
  - 13 Direction Items



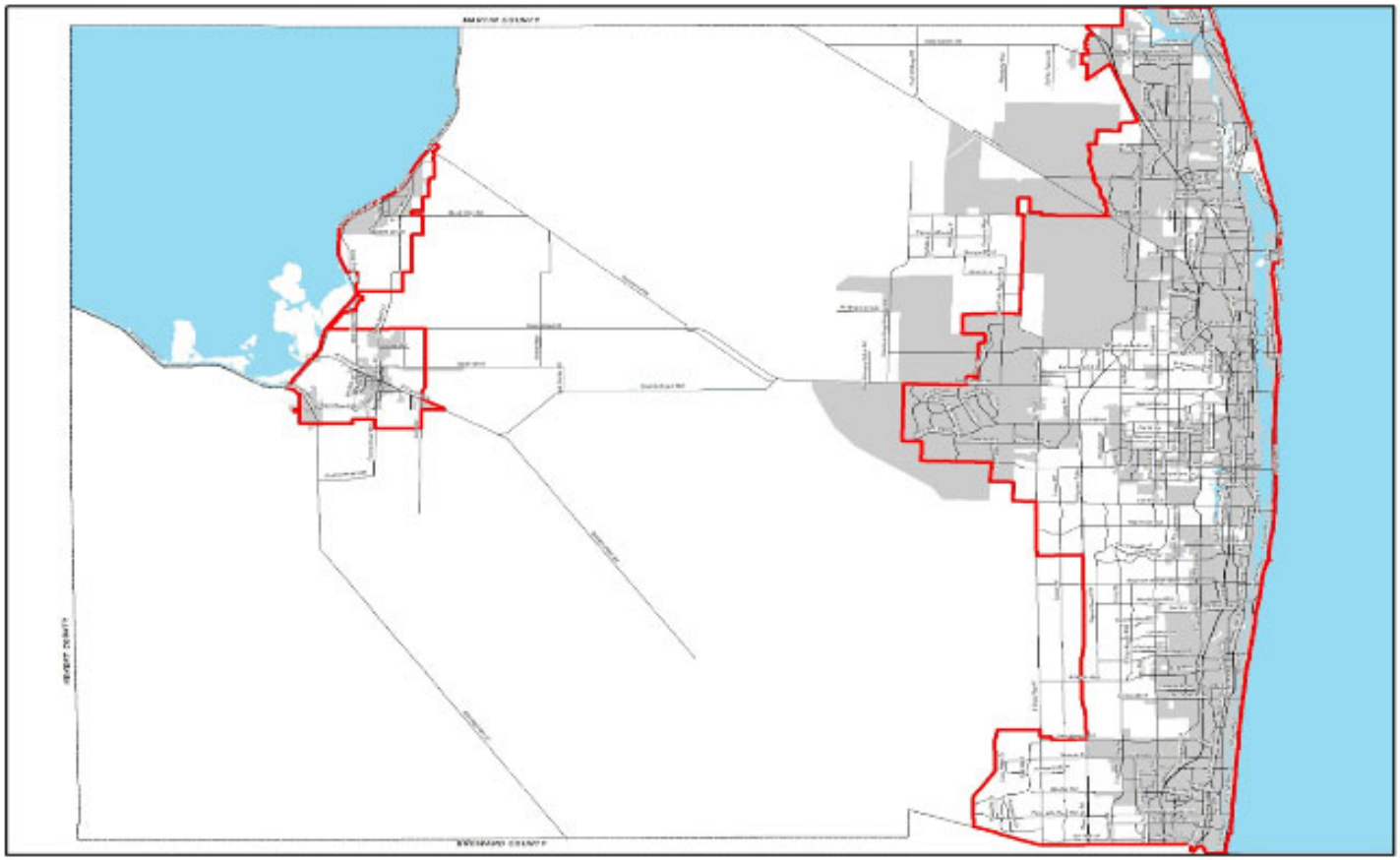
Workforce Housing Program

- August 2006 - BCC adopted mandatory WHP
  - 2007: Also required % of TDRs as workforce
- January 2010 - Revised due to economic conditions
  - Reduced required percentages, affordability periods
- August 2019 - WHP revised to:
  - Incentivize SF, for-sale, on site WHP; streamline density bonus up to 50%;
  - Increase in lieu fees; add new exchange builder option
- October 2023 – WHP revised to:
  - Improve compliance monitoring, address fees charged to tenants
- June 2024 – BCC Workshop and Direction

Workforce Housing Program

Inclusionary:	Mandatory obligation for 10+ units in U/S Tier Voluntary density bonus in exchange for additional WH
Disposition:	On or off-site, in lieu fee, restrict existing unit, donate land, exchange
Restriction:	For-sale units 15 yrs, recurring; rentals 30 yrs
Eligibility:	Low (60 to 80% of AMI) Moderate 1 (>80 to 100%) Moderate 2 (>100 to 120%) Middle Income (>120 to 140%, rentals only)

Urban Suburban Tier



2024 WHP Income Ranges

Based on Area Median Income published annually for Palm Beach County by U.S. Dept. of Housing and Urban Development

2024 Palm Beach County Area Median Income = $104,000

Income Category	Income Range
Low (60% to 80%)	$62,400 – 83,200
Mod 1 (>80% to 100%)	>$83,200 – 104,000
Mod 2 (>100% to 120%)	$104,000 – 124,800
Middle (>120% to 140)	$124,800 – 145,600

2024 Rental Prices

Based on ranges published annually by Florida Housing Finance Corporation Multifamily Rental Programs

WHP Income Category			Studio	1 BR	2 BR	3BR	4BR
Low	60-70%	$62,400 - $72,800	$1,125 - $1,313	$1,205 - $1,406	$1,446 - $1,687	$1,671 - $1,950	$1,864 - $2,175
	>70-80%	>$72,800- $83,200	$1,313 - $1,500	$1,406 - $1,607	$1,687 - $1,928	$1,950 - $2,228	$2,175 - $2,486
Moderate 1	>80-90%	>$83,200 - $93,600	$1,500 - $1,688	$1,607 - $1,808	$1,928 - $2,169	$2,228 - $2,507	$2,486 - $2,797
	>90-100%	>$93,600- $104,000	$1,688 - $1,875	$1,808 - $2,009	$2,169 - $2,410	$2,507 - $2,785	$2,797 - $3,108
Moderate 2	>100-110%	>$104,000 - $114,400	$1,875 - $2,063	$2,009 - $2,210	$2,410 - $2,651	$2,785 - $3,064	$3,108 - $3,419
	>110-120%	>$114,400- $124,800	$2,063 - $2,250	$2,210 - $2,410	$2,651 - $2,892	$3,064 - $3,342	$3,419 - $3,729
Middle	>120-130%	>$124,800 - $135,200	$2,250 - $2,438	$2,410 - $2,611	$2,892 - $3,133	$3,342 - $3,621	$3,729 - $4,040
	>130-140%	>$135,200- $145,600	$2,438 - $2,625	$2,611 - $2,812	$3,133 - $3,374	$3,621 - $3,899	$4,040 - $4,350

2024 For-sale Prices

WHP Income Category			2024 WHP Sales Prices
Low	60 - 80%	$62,400 - $83,200	$218,400
Moderate 1	>80 -100%	>$83,200 - $104,000	$280,800
Moderate 2	>100 -120%	>$104,000 - $124,800	$343,200
Middle*	>120 -140%	>$124,800 - $145,600	$405,600
	* Post 2019 projects only		

Sales prices based on Area Median Income published annually for Palm Beach County by U.S. Dept. of Housing and Urban Development, and adjusted to the midpoint of each income category.

WHP Units to Date

- 117 projects with 28,178 units subject to WHP since inception
- Obligation of 3,441 WHP units (12% of total units)
- Completed:
  - 1548 rented or available for rent
  - 229 units sold
- Pipeline:
  - 1,333 under construction or approved/unbuilt (primarily rentals)
- In lieu: 331 units (10%), totaling $29.2 M.



Workforce Housing Program
Potential Changes

June 2024

Workforce Housing Program Key Policy Issues – Board of County Commissioners' Workshop Discussion – June 18, 2024

red text - no consensus green text - consensus

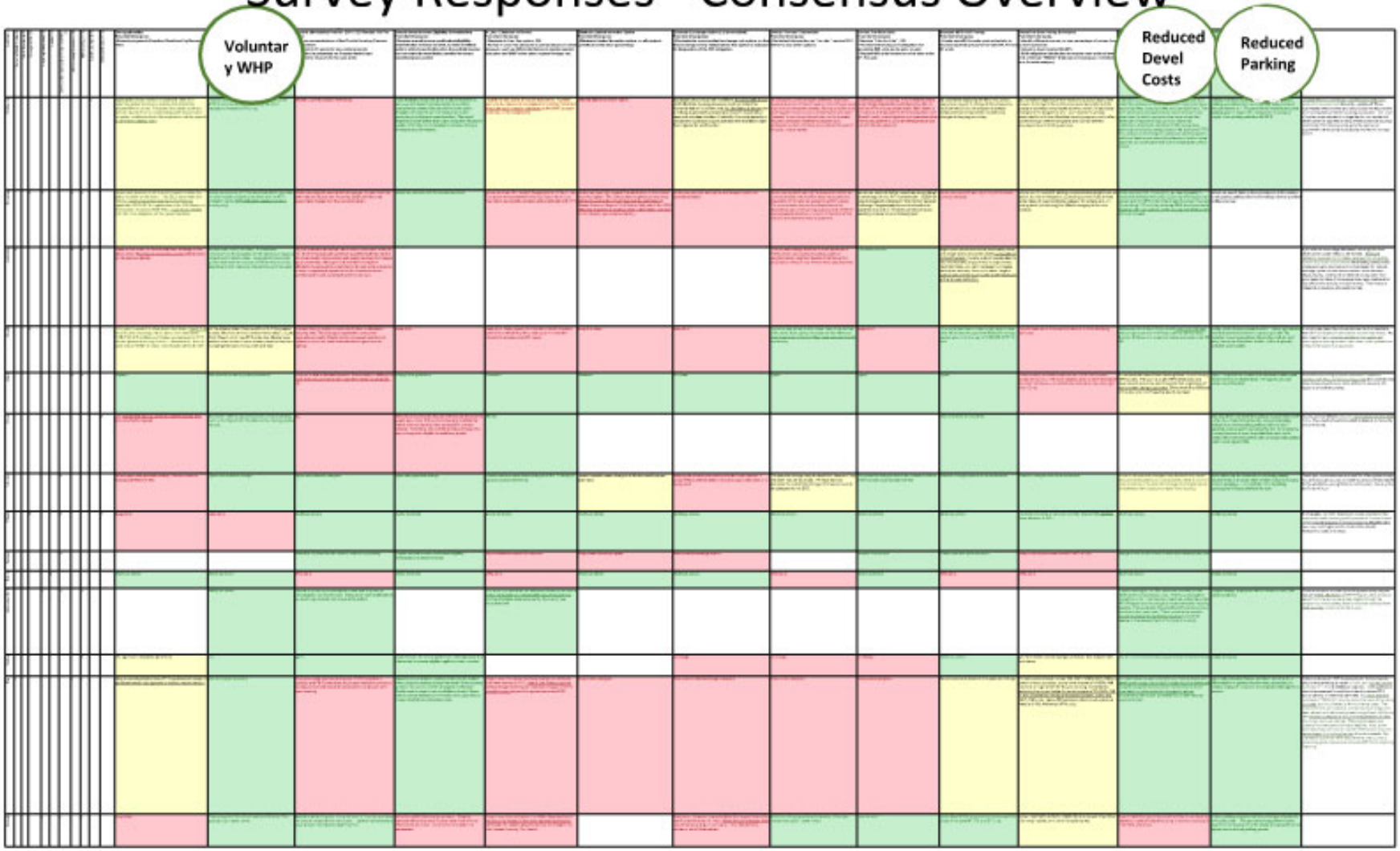
	Topics	Possible Changes for Further Evaluation	Barnett	Baxter	Bernard	Marino	Weiss	Woodward	Sachs (absent 6/18/24)
Applicability	Tier Applicability	• Extend program to Exurban, Rural and AGR Tiers		• No		• No		• Yes	
	Voluntary WHP for Projects < 10 units	• Allow projects with <10 units to participate		• Allow			• Allow	• Allow	
	Affordability Periods	• Per recommendations of the Florida Housing Finance Corporation: ○ Extend to 50 years for new rental projects				• No changes	• Rentals: 50+	• Rentals: 50	
		○ Restrict in perpetuity on County-owned land		• Restrict in perpetuity				• Restrict in perpetuity	
		• Extend to 30 years for for-sale units		• For-sale: not 30 yrs • Shorten recurring term for for-sale	For-sale: 15	• No changes	• For-sale: 15		
	Annual Eligibility Determination	• Require annual income verification/eligibility determination at lease renewal, to make available units when household income has exceeded income limits				• Require	• Require	• Require	
Disposition Options	In-Lieu Fees	• Eliminate In Lieu Fee option, OR • Revise In Lieu Fee Structure to set fee based on differential between median market rate price and WH sales price, square footage or other measure		• Eliminate		• Eliminate		• Eliminate	
	Limited Incentive Option	• Eliminate Limited Incentive option, so all projects contribute same base percentage							
	Exchange Options	• Eliminate the uncommitted exchange sub-option						• Reduce 3 year window	
	Default Disposition of WH Units	• Set default disposition as "on site;" require BCC waiver to use other options							
	On-site, For-Sale WHP Units	• Require "Like for Like" , OR • Provide further discount obligation for providing WH units as for-sale, on-site. • Require WH units located on civic sites to be SF, For-sale		• Institute bedrooms for bedrooms		• Institute bedrooms for bedrooms		• Institute bedrooms for bedrooms	
	Separate MF/TH/SF Pricing	• Create new WH for-sale price schedule, to add a TH price and allow for lower prices for MF and higher for SF			• Explore				
	WH Rent/For-sale Pricing Schedules	• Identify different source, or use percentage of prices from current • Include a lower bracket 40-60% • Shift obligation distribution to require more units at lower end • Eliminate "Middle" (highest) rent category; reinstitute as a for-sale category					• Include 40-60%		
Dev Process/Regs	Reduced Development Costs and Obstacles	• Use some In Lieu Fee proceeds to assist with development costs • Reduce land/development costs ○ Offer county-owned civic or other sites ○ Provide Land Development Regulation relief ○ Allow for other construction methods, provide ready plans			• Explore		• Explore		
	Reduced Parking Requirements	• Reduce Parking Requirements		• Explore	• Explore	• Explore			
OTHER TOPICS				• Prohibit Density Bonus where roads are deficient?		• TH are OK	• Post-TDR ESL funding plan?		

August 2024

- Interested Party Meeting
  - 400+ Interested Parties Invited:
  - WHP property owners, non-profits, agents, developers, property managers, lenders
- Online Survey
  - 14 Responses – provided in workshop backup

August 2024

Survey Responses - Consensus Overview



Summary of Proposed Changes

Topics		Proposed Change
Applicability	Tier Applicability	Extend program to Exurban, Rural and AGR Tiers
	Voluntary WHP for < 10 units	Allow projects with <10 units to participate
	Affordability Periods	Extend to 50 years for new rental projects
		Implement case by case
		No change to 15 year recurring
	Annual Eligibility Determination	□Require recertification w/ grace period if household becomes ineligible □Will apply only to new projects
Disposition Options	In-Lieu Fees	Eliminate In Lieu Fee option
	Limited Incentive Option	Eliminate Limited Incentive option
	Exchange Options	Eliminate the uncommitted exchange sub-option
	Default Disposition of WH Units	□Set default disposition as "on site" □Require BCC waiver to use other options
	On-site, For-Sale WHP Units	□Rentals: institute minimum unit size □For-sale: require bedroom for bedroom equivalency
	Separate MF/TH/SF Pricing	Explore creation of new WH for-sale price schedule
	WH Rent/For-sale Pricing Schedules	No change to current approach
Dev Regs & Process	Reduced Development Costs and Obstacles	□Continue to offer county-owned civic or other sites □Provide Land Development Regulation relief □Explore model program with ready plans, other construction methods
	Reduced Parking Requirements	No change
OTHER TOPICS		From interested party survey: Explore Linkage Fees

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Tier Applicability	• U/S Tier only • Other tiers by BCC condition of approval; Essential Housing in the Ag Reserve	• Extend program to Exurban, Rural and AGR Tiers	*Extend program to Exurban, Rural and AGR Tiers*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Voluntary WHP for < 10 units	NA	• Allow projects with <10 units to participate	*Allow projects with <10 units to participate*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Affordability Periods	Rentals: 30 years For-sale: 15 year, recurring if sold within the 15 year period	• Per recommendations of the Florida Housing Finance Corporation: ○ Extend to 50 years for new rental projects	*Extend to 50 years for new rental projects*
		○ Restrict in perpetuity on County-owned land	*Implement case by case*
		• Extend to 30 years for for-sale units	*No change to 15 year recurring*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Annual Eligibility Determination	Eligibility certification required only at initial lease; recertification at renewal at property manager's discretion	• Require eligibility certification at lease renewal, to make available units when household income has exceeded income limits	• *Require recertification with grace period for households that become ineligible* • *Will apply only to new projects*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
In-Lieu Fees	$142,633 for single-family $118,860 for townhouses $89,145 for multi-family (indexed to CPI)	• Eliminate In Lieu Fee option, OR • Revise In Lieu Fee Structure to set fee based on differential between median market rate price and WH sales price, square footage or other measure	*Eliminate In Lieu Fee option*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Limited Incentive Option	Option available to developer-- reduces WHP obligation by 50%, if project does not exceed a 50% WH density bonus and provides all WH units in lowest 2 income categories	• Eliminate Limited Incentive option, so all projects contribute same percentage based on the land use; only projects using density bonus would have an additional, higher exaction	*Eliminate Limited Incentive option*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Exchange Options	Exchange option allows developers to pay another builder to provide WH units off-site. An "uncommitted" sub-option was included that offers extra time for developers with no exchange agreement in place by 1st building permit.	• Eliminate the uncommitted exchange sub-option	*Eliminate the uncommitted exchange sub-option*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Default Disposition of WH Units	Developer declares selected disposition at project approval; any changes require approval through same process	• Set default disposition as "on site;" • Require BCC waiver to use other options	• *Set default disposition as "on site"* • *Require BCC waiver to use other options*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
On-site, For-Sale WHP Units	• Discounted WH obligation for projects that provide WH units as on site, for-sale, SF or TH • 1.5x multiplier (For-sale to off-site rental WH units)	• Require "Like for Like", OR • Provide further discount obligation for providing WH units as for-sale, on-site. • Require WH units located on civic sites to be SF, For-sale	• *Rentals: institute minimum unit size* • *For-sale: require bedroom for bedroom equivalency*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Separate MF/TH/SF Pricing	Single for-sale price schedule	• Create new WH for-sale price schedule, to add a TH price and allow for lower prices for MF and higher for SF	*Explore creation of new WH for-sale price schedule*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
WH Rent/For-sale Pricing Schedules	• For-sale prices based on annual median income, for 60-80, 80-100, and 100-120% AMI; no 120-140% AMI • Rental rates based on FHFC (HUD derived) Multi-family Rental Program price schedule; includes Middle income category for rentals at 120-140% of AMI	• Identify different source, or use percentage of prices from current • Include a lower bracket 40-60% • Shift obligation distribution to require more units at lower end • Eliminate "Middle" (highest) rent category; reinstitute it in the for-sale schedule	*No change to current approach*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation

Reduced Development Costs and Obstacles	• 2022 Housing Bond
	• Impact Fee Credit Program
		• Use some In Lieu Fee proceeds to assist with development costs
		• Reduce land/development costs
		  ○ Offer county-owned civic or other sites
		  ○ Provide Land Development Regulation relief
		  ○ Allow for other construction methods, provide ready plans
			• *Continue to offer county-owned civic or other sites*
			• *Provide Land Development Regulation relief*
			• *Explore model program with ready plans, other construction methods*

Proposed Changes

Topic	Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Reduced Parking Requirements	NA	• Reduce Parking Requirements	*No change*
OTHER TOPICS			*From interested party survey: Explore Linkage Fees*



Board Discussion and Direction

In Lieu Fees

Unit Type	In Lieu Fee
Single Family	$142,633
Townhouse	$118, 860
Multifamily	$89,145

Interested Party Notification

Item	Date Sent	Recipients
Notice of 8/14/24 Industry Meeting	8/05/24	All Interested Parties List
Reminder for 08/14/24 Industry Meeting	8/13/24	All Interested Parties List
Link to Online Survey	8/15/24	All Interested Parties List
Notice of Spring 2025 “return to Board”	10/22/24	All Interested Parties List
Notice of 2/27/25 BCC Workshop	10/22/24	All Interested Parties List
Reminder of 2/27/25 Workshop	2/21/25	All Interested Parties List

Interested Party Notification

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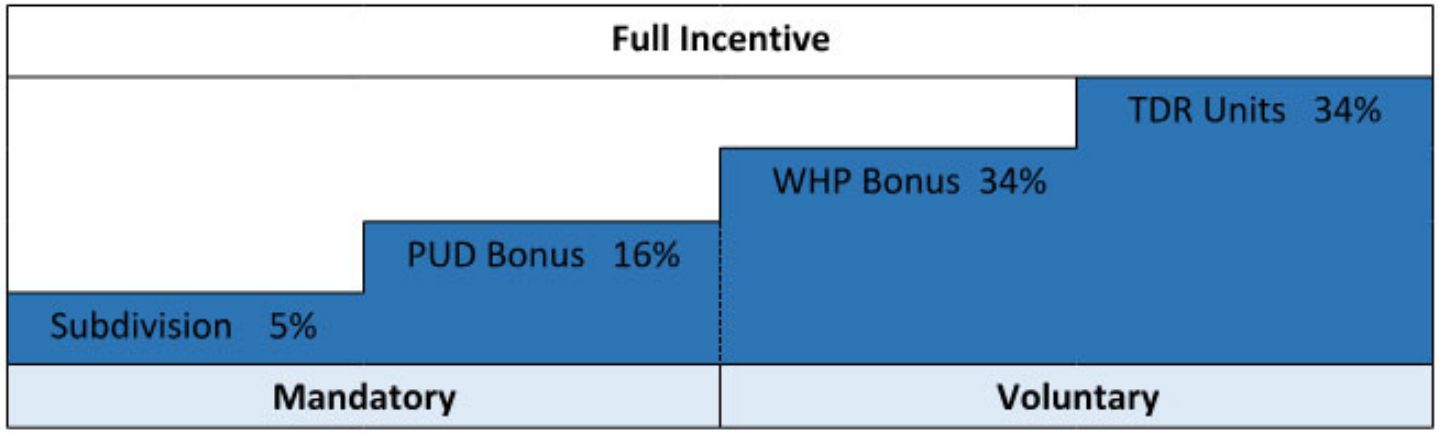
Commission on Affordable Housing members: awhidby@bocahousing.org; bcabrera@thebrandxco.com; serazo@dbha.org; ezra202055@outlook.com; lcharles@cp-cto.org; nicholasryanbixler@gmail.com; arobbins@valley.com; timothy.kubrick@palmbeachschools.org; elliott@manorhouseconstruction.com; acampbell@ibew728.org ; BPowell@pbc.gov

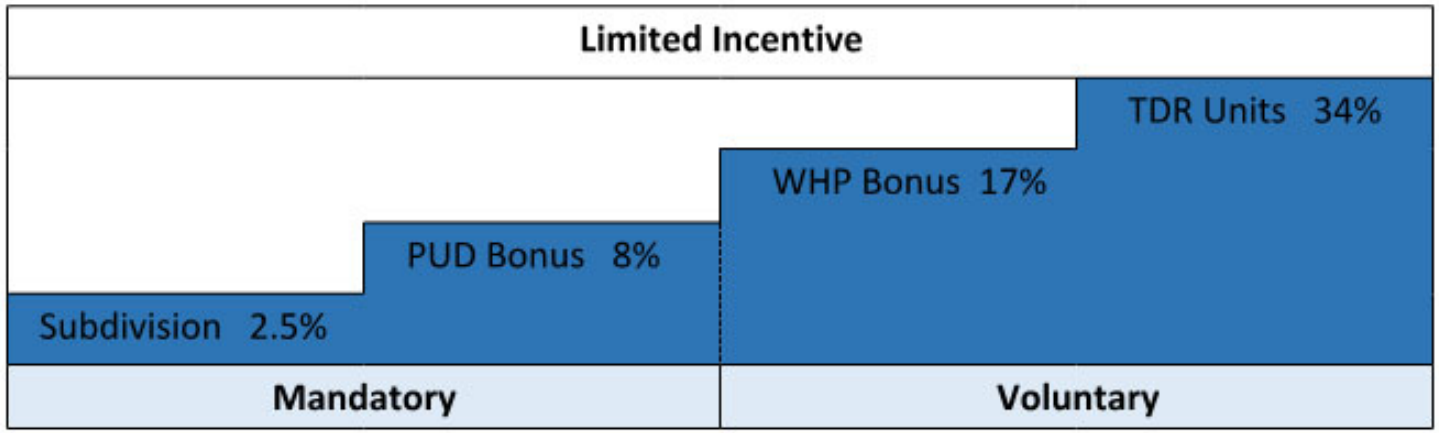
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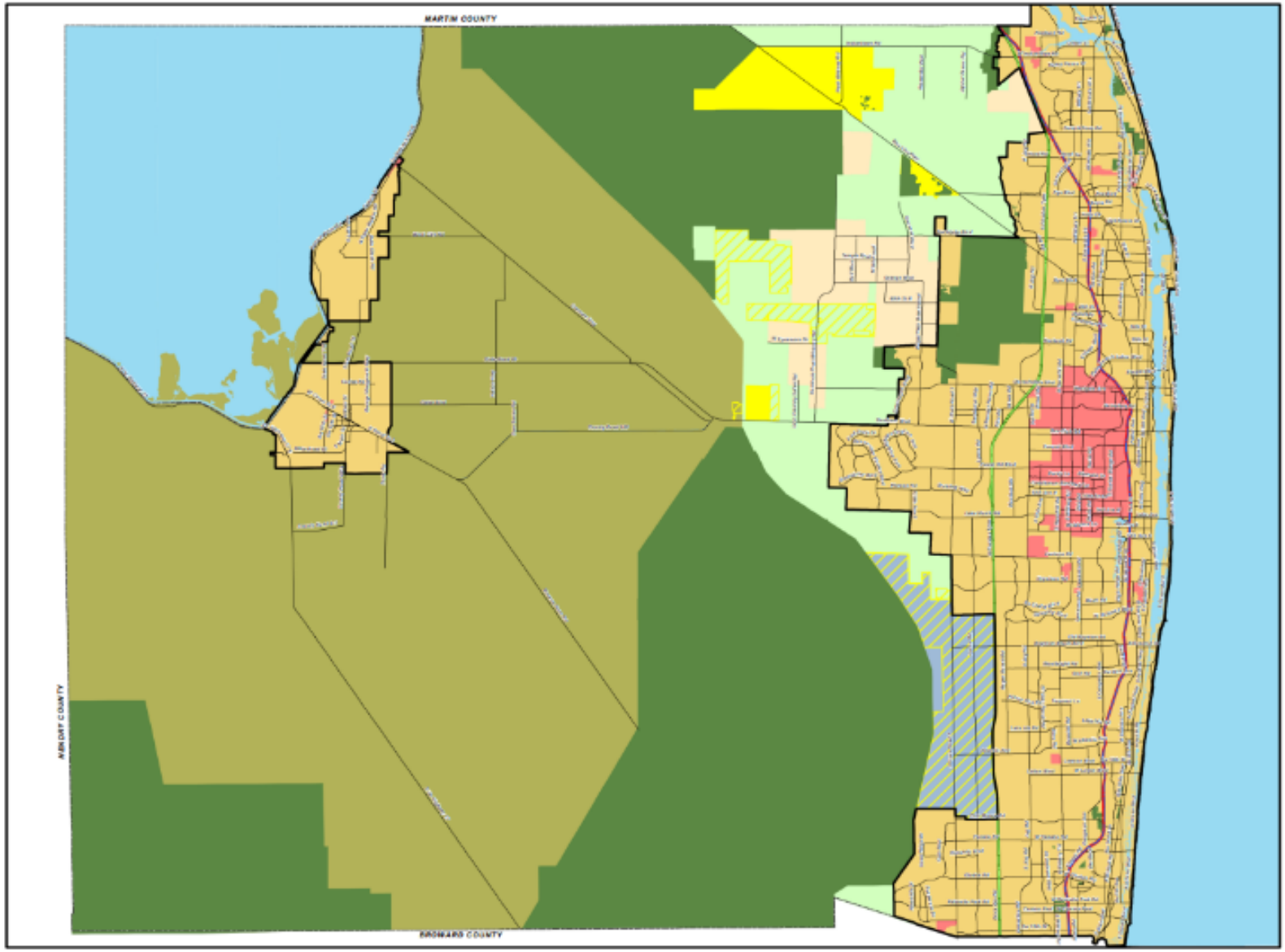
Affordability Periods

Government Name	WHP Time Frames		Notes
	Rentals	For Sale	
Palm Beach County	30 years	15 years (recurring)	
Delray Beach	40 years	40 years	
Jupiter	30 years	99 years	
Lake Worth Beach	25 years	25 years	
Palm Beach Gardens	20-30 years*	20-30 years*	*time frame based on funding
West Palm Beach	20-30 years*	20-30 years*	*time frame based on funding & location: downtown: 20 years; elsewhere: 30 years
Florida Counties			
Broward County	20-30 years	20-30 years*	*time frame based on funding requirement
Lee County	7 years	7 years	
Monroe County	99 years 30 years*	99 years 30 years*	*30 year for market rate units being used for employee housing
Hillsborough County	30 years	30 years	
Sarasota County	30 years	30 years	
Florida Municipalities			
Miami	-	30 years*	*2 10 year automatic extensions for rentals that may be released by City Commission
Naples	15 years	15 years	
Ft. Lauderdale	30 years	30 years	
St. Petersburg	30 years	30 years	
Clearwater	30 years	20 years	
Coral Springs	30 years	30 years	
Charlotte County	20-30 years	20-30 years*	*time frame based on funding requirement

Incentive Option Comparison







MAP LU 1.1
MANAGED GROWTH TIER SYSTEM

- Urban/Suburban Tier
- Exurban Tier
- Rural Tier
- Agricultural Reserve Tier
- Glades Tier
- United Technologies Area Overlay/ North PBC General Aviation Airport/ Glades Area Protection Overlay Limited Urban Service Area
- Revitalization & Redevelopment Infill Overlay
- Conservation
- Urban Service Area Boundary
- Municipalities

Administrative Notes:

The official boundaries of each LUSA are identified on Service Area Map LU 2.1. The boundaries of the Minto, Indian Trails Grove, Trotting Center and Ag Reserve LUSAs are depicted on this map for informational purposes only.

The official boundaries of the conservation areas are identified on Greenways and Linked Open Space System Map LU 8.1. The boundaries of the conservation areas are depicted on this map for informational purposes only.

SOURCES:
PBC Planning Division
FWC, Dept. of Environmental Resources Management
South Florida Water Management District
Intergovernmental Plan Amendment Review C2014-Base
Last Amended in Round 14-A by Ord. 2014-007

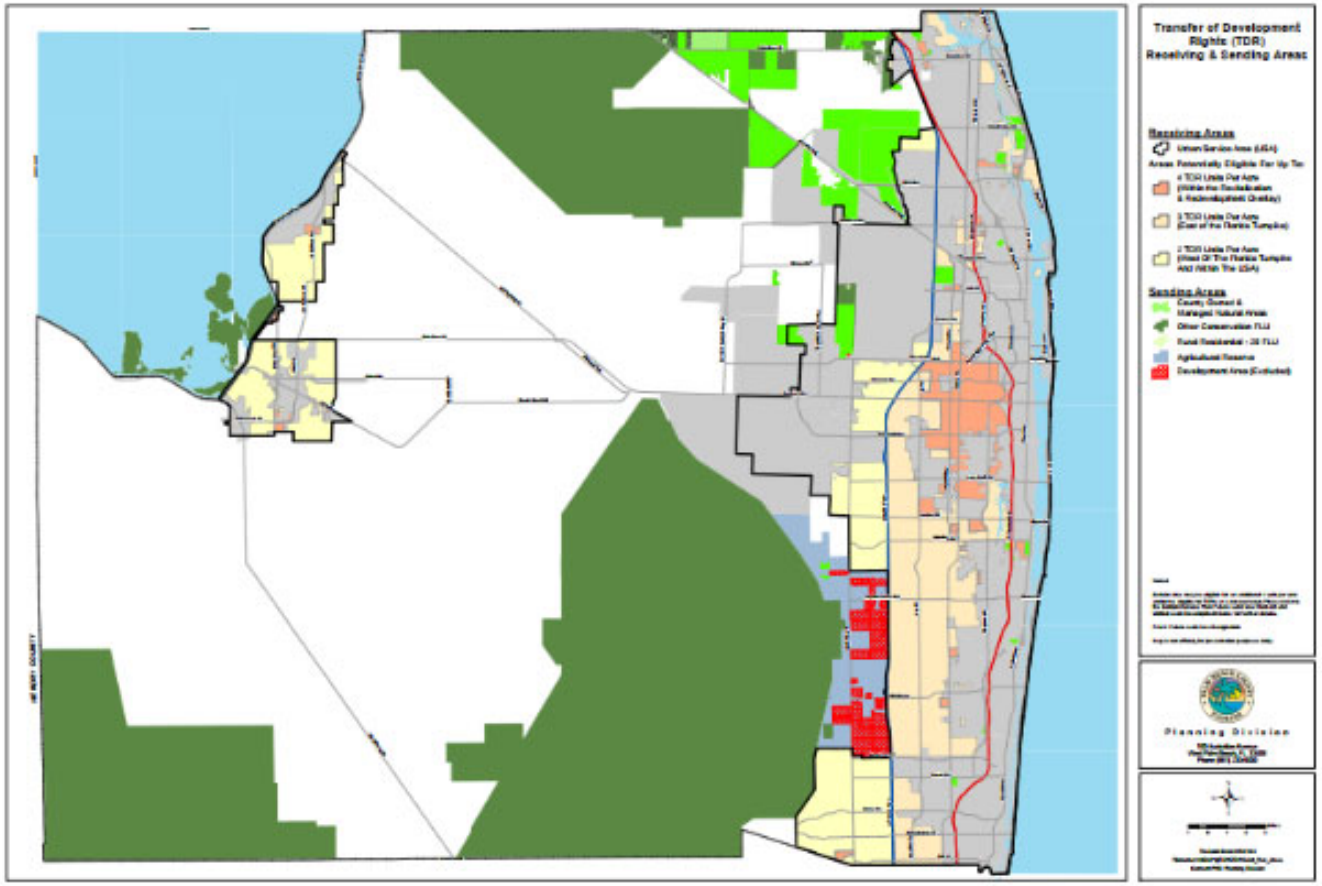
PALM BEACH COUNTY
COMPREHENSIVE PLAN
MAP SERIES

Effective Date: 5/31/2016
Filename: N:\Map Series\MXD\Adopted
Contact: PBC Planning Div.

Transfer of Development Rights

- 1990's: BCC-directed TDR study & TDR task force
  - Recommend improvements to encourage use
- 1998: BCC adopted Policy 2.4-b, establishing TDRs as required method of increasing density
  - Set specific sending/receiving rates reflecting County objectives
  - Created County TDR bank from County-purchased environmentallands, with proceeds from TDR sales to support ESL maintenance
- 2007: Required % of TDRs as Workforce Housing
- Today: Used for planned developments and single lots
  - Staff recommends full use of TDRs in amendments
  - BCC Class A approval when used in PUD and/or exceed 2 du/ac

TDR Sending & Receiving Areas



2023 TDR Bank Prices

Unit Type[1]	Full TDR Price (10% of Median Sales Price)	Workforce Housing (WHP) Price (5% of Full TDR Price)	Affordable Housing (AHP) Price (1% of Full TDR Price)
Single Family[2]	$57,500	$2,875	$ 575
Multi Family	$31,200	$1,560	$ 312
Unit Type[1]	**Neighborhood Plan Price[3]** (75% of Full TDR Price)	**Neighborhood Plan WHP Price** (5% of NHP TDR Price)	**Neighborhood Plan AHP Price** (1% of NHP TDR Price)
Single Family[2]	$43,125	$2,156	$ 431
Multi Family	$23,400	$1,170	$ 234
Unit Type[1]	**Revitalization, Redevelopment, and Infill Overlay (RRIO) Price[4]** (25% of Full TDR Price)	**RRIO WHP Price** (5% of RRIO TDR Price)	**RRIO AHP Price** (1% of RRIO TDR Price)
Single Family[2]	$14,375	$ 719	$ 144
Multi Family	$ 7,800	$ 390	$ 78

WHP Typical Examples

Property (10 acres)	Lower Density	Higher Density
FLU Designation	LR-2	HR-8
WHP Incentive Option	Limited (minimizes obligation)	Full (maximizes density)
Maximum Density Bonus	50%	100%
Total Maximum Units	30	160
WHP Obligation		
From FLU (Standard)	1.5 x 10 ac x 2.5% = .375	6 x 10 x 5% = 3
From FLU (Maximum)	0.5 x 10 ac x 8% = .4	2 x 10 x 16% = 3.2
From WHP Density Bonus	2 x 10 x 50% x 17% = 1.7	8 x 10 x 100% x 34% = 27.2
Total WHP Obligation	2.475 or 2 units (7%)	33.4 or 33 units (21%)
For-sale Incentive (reduced obligation)	NA (not available in Limited Incentive Option)	Obligation reduced 12.5% if WHP units are for-sale units
Disposition Options	All options available, but units provided only in lowest 2 categories	All options available

ORDINANCE NO. 2023 - 002

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR THE SITE SPECIFIC AMENDMENT **COLONY ESTATES AT BOYNTON (SCA 2022-022)**, MODIFYING PAGE 94 OF THE FLUA FOR APPROXIMATELY 9.73 ACRES OF LAND, GENERALLY LOCATED ON THE NORTHSIDE OF COCONUT LANE, APPROXIMATELY 1,700 FEET EAST OF SOUTH MILITARY TRAIL, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM LOW RESIDENTIAL, 1 UNIT PER ACRE (LR-1) TO LOW RESIDENTIAL, 2 UNITS PER ACRE (LR-2) WITH CONDITIONS; AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(2), Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

WHEREAS, a property owner has requested an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearing on December 9, 2022 to review the proposed amendment to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on January 26, 2023 to review the recommendations of the Local Planning Agency and to consider adoption of the amendment; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with the requirements of the Community Planning Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance as Exhibit 1:

A. **Future Land Use Atlas page 94** is amended as follows:

Application: **Colony Estates at Boynton Beach (SCA 2022-022)**

Amendment: From Low Residential, 1 units per acre (LR-1) to Low Residential, 2 units per acre (LR-2),

Location: North side of Coconut Lane, approximately 1,700 feet east of South Military Trail,

Size: 9.78 acres approximately,

Conditions: See Exhibit 1;

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

This amendment shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission, respectively, enters a final order determining the adopted amendment is in compliance.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 26th day of January, 2023.

ATTEST:
JOSEPH ABRUZZO, CLERK
& COMPTROLLER

By _____
Deputy Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By _____
Gregg K. Weiss, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By _____
County Attorney

Filed with the Department of State on the 30th day of January, 2023.

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EXHIBIT 1

A. Future Land Use Atlas page **94** is amended as follows:

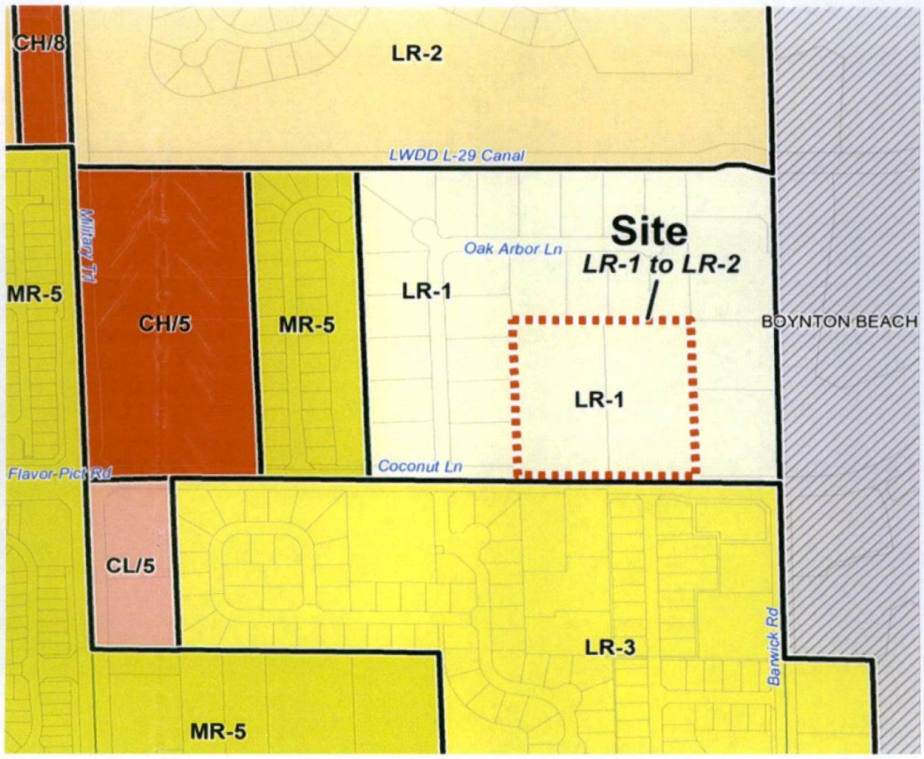
Amendment No:	**Colony Estates at Boynton (SCA 2022-022)**
FLUA Page No:	94
Amendment:	From Low Residential, 1 unit per acre (LR-1) to Low Residential, 2 units per acre (LR-2) with conditions
Location:	North side of Coconut Lane approximately 1,700 feet east of S. Military Trail
Size:	9.78 acres
Property No:	00-42-46-01-00-000-7080 and 00-42-46-01-00-000-7060

Conditions: Development of the site is subject to the following conditions:

1. Residential dwelling units shall be limited to a maximum of 38 units with no further density increases through density bonus programs.

2. The zoning development order shall require a minimum of 16% of the total dwelling units to be built as on-site workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of the ULDC.

3. A total of 10 Transfer of Development Rights (TDR) units shall be purchased and constructed. The thirty four percent workforce housing obligation of the TDR units, pursuant to the ULDC, shall apply to the minimum number of workforce housing units required by this ordinance. TDRs may be purchased at the WHP rate for WHP units provided on-site.



Legal Description

The West half (W ½) of the Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of the Southwest quarter (SW ¼) less road right of way, Section 1, Township 46 South, Range 42 East, Palm Beach County, Florida.

And

The following described five-acre parcel of land situate, lying, and being in the SW ¼ of Sec. 1, Township 46S., Range 42E., Palm Beach County, Florida, and more particularly described as follows:

Commence at the SE corner of the NW ¼ of said section: thence run S2°05'56"E, a distance of 65 ft. to the South line of LWDD right of way; thence run S89°43'14"W, a distance of 334.24 ft. to a point; thence run S2°08'51"W, a distance of 612.04 ft to a point, thence run S89°49'34"W a distance of 333.52 ft. to the Point of Beginning of the land sought to be described herein:

Thence run S2°15'30"E, a distance of 625.70 ft. to the North boundary of Coconut Lane; thence run along said boundary N89°59'44"W, a distance of 348.09 ft. to a point; thence run N2°15'30"W, a distance of 625.70 ft. to a point; thence run S89°59'44"E, a distance of 348.09 ft. to the Point of Beginning of the parcel sought to be described herein.

FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT
SMALL SCALE AMENDMENT

FINAL REPORT, JANUARY 26, 2023

A. Application Summary

I. General

Project Name:	**Colony Estates at Boynton (SCA 2022-022)**
Request:	**LR-1 to LR-2**
Acres:	9.78 total acres
Location:	North side of Coconut Lane, approx.1,700 feet east of South Military Trail
Project Manager:	Jerry Lodge, Planner II
Applicant:	Elliot Monter, Colony Estates at Boynton Beach LLC (contract purchaser)
Owner:	Willis Family Trust
Agent:	Yoan Machado, WGI
Staff Recommendation:	Staff recommends ***approval with modifications*** based upon the following findings and conclusions found in this report.

II. Assessment & Conclusion

The intent of this amendment is to change 9.78 acres of Low Residential, 1 unit per acre (LR-1) to Low Residential, 2 units per acre (LR-2). This amendment results in an increase in residential development potential from 10 units to 20 units. In addition, the concurrent zoning application includes a requested 9 unit (50%) density bonus through the Workforce Housing Program (WHP) and the purchase of 10 Transfer of Development Rights (TDR) in order to develop a total of 39 zero lot line homes at a density of 3.99 units per acre. The site is located in an area largely consisting of low to medium residential future land use designations ranging from 1 to 5 units per acre. The proposed amendment with bonus density is requesting a higher density than the immediately adjacent neighborhood, but is appropriate at this location considering the low and medium residential future land uses surrounding the site.

Through the zoning application, the applicant is proposing to provide 6 WHP units (15%) with all units to be provided as on-site for sale, zero lot line homes. The amendment is inconsistent with the Comprehensive Plan policy that establishes TDRs as the required method of increasing density as the applicant is only requesting 10 of the 20 TDRs available. By not using the maximum available TDRs and by assuming the percentages associated with the Limited Incentive Option of the WHP the proposed development is minimizing the amount of WHP units that would be required. Consistent with past amendments, staff recommends conditions of approval capping the number of units at 39, requiring the purchase of all available TDR units (19 units), and requiring 8 units (21%) of the total dwelling units to be provided as on-site workforce housing units. Staff recognizes that the applicant is the first to provide all the required workforce units as for sale, detached, on-site units, which the Board has expressed as a key goal for the workforce housing program. Staff also acknowledges that low density amendments will have a disproportionate number of required TDRs due to Policy 2.4-b. Therefore, at the January 2023 BCC workshop, staff will present for Board direction policy options as part of a larger density discussion.

III. Hearing History

Local Planning Agency: ***Approval with conditions (as recommended by staff),*** motion by Glenn Gromann, seconded by Lori Vinikoor, passed in an 8 to 3 vote (with Dagmar Brahs, Barbara Roth, and Lori Vinikoor dissenting) at the December 9, 2022 public hearing. The motion included the conditions of approval recommended by staff in Exhibit 1. A substitute motion was made by Barbara Roth, seconded by Dagmar Brahs, failed in a 3 to 8 vote (with Penny Pompei, Glen Gromann, John Carr, Marcia Hayden, Rick Stopek, Kiley Harper-Larsen, Sarah Pardue and Jay Nisberg dissenting) for approval with modifications including a maximum of 32 units, purchase of 12 TDRs and requiring 6 workforce housing units onsite. Board discussion included concerns related to the number of proposed units given the size of the site and had questions regarding the technical aspects of the Workforce Housing Program, and the applicant's reason for not purchasing all available TDRs. Five members of the public, including a representative of Montreux and Prestwick Estates, spoke in opposition citing that the amendment was incompatible and would introduce additional traffic on Coconut Lane. One member of the public spoke in support, citing a need to develop for-sale, zero lot line, workforce housing units and submitted a document regarding WHP prices and units for the record (see Exhibit 9).

Board of County Commissioners Adoption Public Hearing: ***Adopt with modifications,*** motion by Commissioner Woodward, seconded by Commissioner Marino, passed in a 7 to 0 vote at the January 26, 2023 public hearing. The modifications include revisions to the conditions of approval to limit the site to 38 units, require the purchase of 10 TDRs, and to require 16% of the total units (6 units) to be provided as onsite workforce housing units, as shown in underline and strikethrough in Exhibit 1. Board discussion included questions regarding the recommendations made by COBWRA to limit the site to 32 units, the applicability of the TDR policy in the Comprehensive Plan, and the amount of required workforce housing. The Board expressed support for the applicant's development plan which provides for-sale, detached, onsite workforce housing units. Five members of the public, including representatives of Montreux, Prestwick Estates, and COBWRA spoke in opposition citing that the amendment was incompatible, would introduce additional traffic on Coconut Lane but would be supportive of 32 units on the site with a workforce housing requirement. One member of the public, representing the property owner, spoke in support citing a need to develop for-sale workforce housing units. **Ord. 2023-002.**

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B. Petition Summary

I. Site Data

	Current Future Land Use
Current FLU:	Low Residential, 1 unit per acre (LR-1)
Existing Land Use:	Residential, Vacant
Current Zoning:	Agricultural Residential (AR)
Current Dev. Potential Max:	Residential, up to 10 dwelling units (without TDR or WHP)
	Proposed Future Land Use Change
Proposed FLU:	Low Residential, 2 units per acre (LR-2)
Proposed Use:	Residential
Proposed Zoning:	Residential Single Family (RS)
Dev. Potential Max/Conditioned:	Residential, up to 39 units (includes TDR and WHP density bonuses)
	General Area Information for Site
Tier/Tier Change:	Urban/Suburban Tier - No change
Utility Service:	City of Boynton Beach Utilities
Overlay/Study:	West Boynton Community Plan
Comm. District:	Marci Woodward, District 4

Future Land Use Atlas Amendment

Colony Estates at Boynton (SCA 2022-022)



Site Data

Size:	9.78 acres
Existing Use:	Vacant and Residential
Proposed Use:	Residential
Current FLU:	LR-1
Proposed FLU:	LR-2

Future Land Use Designations

LR-1	Low Residential, 1 unit/acre	HR-8	High Residential, 8 units/acre
LR-2	Low Residential, 2 units/acre	CL/5	Commercial Low, underlying MR-5
LR-3	Low Residential, 3 units/acre	CH/5	Commercial High, underlying MR-5
MR-5	Medium Residential, 5 units/acre	CH/8	Commercial High, underlying HR-8

Date: 8/17/2022
Contact: PBC Planning
Filename: T:Planning/Amend/22-SCA/SiteSpecific
Note: Map is not official, for presentation purposes only.

Site

140 0 140 280 Feet

N W E S

Planning, Zoning & Building
2300 N. Jog Rd, WPB, FL 33411
Phone (561) 233-5300

C. Introduction & Review

I. Intent of the Amendment

This is a privately proposed amendment on a 9.78 acre site located within the Urban/Suburban Tier on the north side of Coconut Lane, approximately 1,700 feet east of South Military Trail. The site is also located within the West Boynton Area Community Plan.

Proposed Amendment: The intent of the amendment is to change the future land use designation to increase density through the future land use amendment process, with additional density to be obtained through the use of TDRs and WHP density bonuses in the associated zoning applications. The request is to change the LR-1 future land use designation to LR-2. The current LR-1 designation allows a future land use density of 10 dwelling units, or up to 30 units with the maximum use of TDR and WHP bonus density. The requested LR-2 designation allows a base density of 20 units and up to 60 units maximizing the TDR and WHP bonus density.

Background: The subject site consists of two parcels totaling 9.78 acres. The parcel to the west is vacant and the parcel on the east contains a single family residence. The site has not been the subject of a previous future land use amendment.

Zoning Application: The concurrent zoning application, Z/CA-2022-00488, consists of three requests. The first is a request to rezone the site from the Agricultural Residential (AR) to the Single Family Residential (RS) zoning district, and the other two requests are for Class A Conditional Use approvals; to allow zero lot line homes in the RS zoning district and to allow a combined density increase through the WHP and TDR Program that exceeds two units per acre.

II. Data and Analysis Summary

This section of the report summarizes the consistency of the amendment with the County's Comprehensive Plan. Exhibit 2 provides the analysis of the amendment's consistency with the Comprehensive Plan, including the applicant's justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans.

Overview of the Area: The amendment is located within the boundaries of the West Boynton Area Community Plan (WBACP), with surrounding uses consisting of low density residential and low intensity commercial uses.

- **Community Plan:** The subject site is within the boundaries of the West Boynton Area Community Plan (WBACP), which identifies two subareas. Subarea 1 being the properties between Congress Avenue and the Florida's Turnpike and is identified as being primarily residential, with commercial nodes up to 300,000 square feet. Subarea 2 consists of all land west of the Florida's Turnpike and is noted as primarily agricultural land and the Agricultural Reserve lies within Subarea 2. The site is located within Subarea 1 and is described as being a residential and commercial area. Therefore, this amendment is not inconsistent with the recommendations of the WBACP.

Consistency with the Comprehensive Plan

- **Compatibility.** The Comprehensive Plan requires that the proposed future land use be determined to be compatible with the surrounding area, and that residential uses be protected from encroachment of incompatible future land uses. The subject site is adjacent to Prestwick Estates to the north and west, a single family community with a LR-1 future land use and built at a density of less than 1 unit per acre. Montreux, a single-family neighborhood with a LR-3 future land use and built at a density of 2.64 units per acre, is located to the south of the site. To the east, are residential lots over 2 acres in size. Further residential uses surrounding the site are low density residential planned unit developments with densities between 2 and 3 units per acre. The applicant's request for LR-2 allows a base density of 2 units per acre (20 units), and with the requested TDR and WHP density bonus is requesting 39 zero lot line units with a density of 3.99 units per acre. Therefore, the proposed density is compatible with the surrounding single family planned unit developments. There is no connectivity between the site and Prestwick Estates, and buffers will separate the residential uses. The proposed zero lot line development adjacent to single family housing represents compatible residential uses and is consistent with the character of the surrounding area and corridor.

- **Appropriateness of the FLU.** In its assessment of a proposed amendment, staff assesses the lowest FLU designation necessary to achieve the target density, in conjunction with available density bonuses. The lowest FLU required to achieve the applicant's target of 39 units, in combination with available density bonuses, is the requested LR-2 FLU. However, under the applicant's proposal of LR-2 in combination with TDRs and WHP density bonuses, less than the maximum available TDRs will be used, which is inconsistent with the density provisions within the Comprehensive Plan as discussed below.

- **Mandatory Use of TDRs.** At the current LR-1 designation with the addition of the maximum TDRs and WHP density bonus available yields 30 units, which is not sufficient to achieve the target 39 units. The applicant is proposing to attain the target 39 units for this site through a FLUA amendment to LR-2, in conjunction with TDR and WHP density bonus, but without the use of all available TDRs.

  Policy 2.4-b of the Comprehensive Plan Future Land Use Element requires that density increases be accomplished through the use of TDRs, unless an applicant meets the criteria for an amendment, is using the workforce or affordable housing programs, or proposes density up to, but not exceeding, density proposed and supported by the West Lake Worth Road neighborhood plan.

  In order to meet the criteria for an amendment without use of the mandatory TDRs, an applicant must both justify and demonstrate a need for a FLUA amendment and demonstrate that the current FLUA designation is inappropriate. The applicant has stated that the current designation of LR-1 is no longer appropriate given the current development pattern of the corridor, and that the higher density is justified given market demands for low density residential options. However, the current LR-1 designation provides a low density residential option and is compatible with the surrounding developments and therefore is not inappropriate. In addition, the current LR-1 designation has the potential to achieve higher densities, up to a density of 3 units per acre, with full use of the TDR and WHP density bonus programs. Therefore, the applicant has not met this criterion for an amendment without the use of mandatory TDRs.

TDRs are available to this site at a rate of a maximum of 2 units per acre with the proposed LR-2 future land use designation. Previously, a portion of any TDRs used would need to be provided as WHP units, on-site. However, on October 27, 2022, the Board adopted revisions to the Unified land Development Code (ULDC) to delete the on-site requirement for WHP obligation resulting from the use of TDRs so that workforce housing units resulting from the use of TDRs are subject to the same regulations as workforce housing units that result from the Workforce Housing Program (WHP). Through the zoning application, the applicant is proposing approximately 50% of available TDRs be used, in conjunction with a WHP density bonus, to achieve the target of 39 units. The amendment is inconsistent with the Comprehensive Plan policy that establishes TDRs as the required method of increasing density.

- **Workforce Housing.** When a future land use amendment is involved, staff recommends to the Board the lowest FLU designation necessary to achieve the target number of units, and the use of available TDRs. Based on prior Board direction, staff also recommends to the Board that a percentage of the project units be provided as WHP units, on-site. The recommended percentage is the greater of either 10% (for single family or zero lot line projects), or the percentage required by the Unified Land Development Code resulting from application of the WHP Full Incentive option, as applied to the project using the lowest FLU and TDRs.

  Staff applies the percentages associated with the Full Incentive Option of the WHP, as opposed to the Limited Incentive Option because the Full Incentive Option is applied to projects that are seeking to maximize density, and any project seeking a FLUA amendment is considered to be maximizing density. However, the applicant's zoning application identifies a 6 WHP unit obligation which reflects the obligation if this parcel already had the requested FLU designation, TDR and WHP density bonuses, and with the requested Limited Incentive Option of the WHP in the Zoning process which substantially reduces the workforce obligation. Applying the LR-2 FLU, all of the available TDRs and the Full Incentive Option percentages, the amount of WHP required would be 8 units, or 21%.

Assessment and Conclusion. The intent of this amendment is to change 9.78 acres of Low Residential, 1 unit per acre (LR-1) to Low Residential, 2 units per acre (LR-2). This amendment results in an increase in residential development potential from 10 units to 20 units. In addition, the concurrent zoning application includes a requested 9 unit (50%) density bonus through the Workforce Housing Program (WHP) and the purchase of 10 Transfer of Development Rights (TDR) in order to develop a total of 39 zero lot line homes at a density of 3.99 units per acre.

The site is located in an area largely consisting of low to medium residential densities ranging from 1 to 5 units per acre. The proposed amendment with bonus density is requesting a higher density than the immediately adjacent neighborhood, but is appropriate at this location considering the low and medium residential future land uses surrounding the site.

Through the zoning application, the applicant is proposing to provide 6 WHP units (15%) with all units to be provided as on site for sale, zero lot line homes. The amendment is inconsistent with the Comprehensive Plan policy that establishes TDRs as the required method of increasing density as the applicant is only requesting 10 of the 20 TDRs available. By not using the maximum available TDRs and by assuming the percentages associated with the Limited Incentive Option of the WHP the proposed development is minimizing the amount of WHP units that would be required. Consistent with past amendments, staff recommends conditions of approval capping the maximum units at 39, requiring the purchase of all available TDR units (19 units), and requiring 8 units (21%) of the total dwelling units to be provided as on-site workforce housing units. Staff

recognizes that the applicant is the first to provide all the required workforce units as for sale, detached, on-site units, which the Board has expressed as a key goal for the workforce housing program. Staff also acknowledges that low density amendments will have a disproportionate number of required TDRs due to Policy 2.4-b. Therefore, at the January 2023 BCC workshop, staff will present for Board direction policy options as part of a larger density discussion.

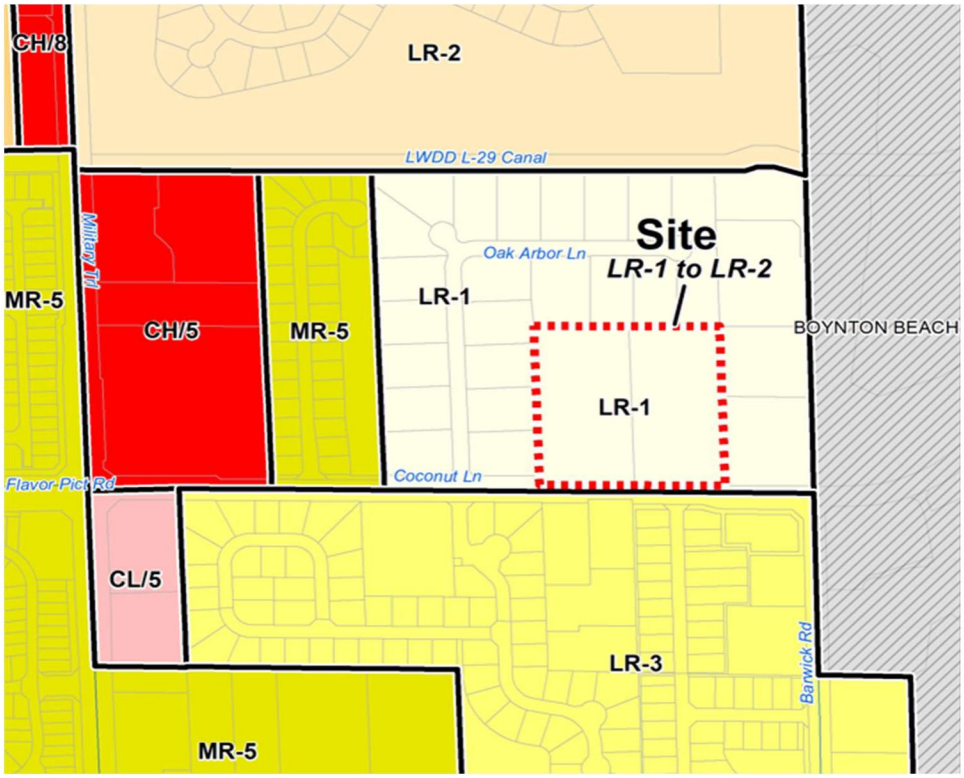
Exhibits		Page
1.	Future Land Use Map & Legal Description	E-1
2.	Consistency with the Comprehensive Plan	E-3
3.	Applicant's Justification/Consistency with Comprehensive Plan and Florida Statutes	E-12
4.	Applicant's Public Facility Impacts Table	E-27
5.	Palm Beach County Traffic Division Letter	E-30
6.	Water & Wastewater Provider LOS Letter	E-32
7.	Applicant's Disclosure of Ownership Interests	E-33
8.	School Capacity Availability Determination (SCAD) Letter	E-41
9.	Correspondence	E-42

Exhibit 1

Amendment No:	**Colony Estates at Boynton (SCA 2022-022)**
FLUA Page No:	94
Amendment:	From Low Residential, 1 unit per acre (LR-1) to Low Residential, 2 units per acre (LR-2)
Location:	North side of Coconut Lane approximately 1,700 feet East of S Military Trail.
Size:	9.78 acres
Property No:	00-42-46-01-00-000-7080 and 00-42-46-01-00-000-7060

Conditions: Development of the site is subject to the following conditions:

1. Residential dwelling units shall be limited to a maximum of ~~39~~ 38 units with no further density increases through density bonus programs.
2. The zoning development order shall require a minimum of ~~21~~ 16% of the total dwelling units to be built as on-site workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of the ULDC.
3. A total of ~~19~~ 10 Transfer of Development Rights (TDR) units shall be purchased and constructed. The thirty four percent workforce housing obligation of the TDR units, pursuant to the ULDC, shall apply to the minimum number of workforce housing units required by this ordinance. TDRs may be purchased at the WHP rate for WHP units provided on-site.



Legal Description

Acres: 9.78

The West half (W ½) of the Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of the Southwest quarter (SW ¼) less road right of way, Section 1, Township 46 South, Range 42 East, Palm Beach County, Florida.

And

The following described five-acre parcel of land situate, lying, and being in the SW ¼ of Sec. 1, Township 46S., Range 42E., Palm Beach County, Florida, and more particularly described as follows:

Commence at the SE corner of the NW ¼ of said section: thence run S2°05’56”E, a distance of 65 ft. to the South line of LWDD right of way; thence run S89°43’14”W, a distance of 334.24 ft. to a point; thence run S2°08’51”W, a distance of 612.04 ft to a point, thence run S89°49’34”W a distance of 333.52 ft. to the Point of Beginning of the land sought to be described herein:

Thence run S2°15’30”E, a distance of 625.70 ft. to the North boundary of Coconut Lane; thence run along said boundary N89°59’44”W, a distance of 348.09 ft. to a point; thence run N2°15’30”W, a distance of 625.70 ft. to a point; thence run S89°59’44”E, a distance of 348.09 ft. to the Point of Beginning of the parcel sought to be described herein.

Exhibit 2

Consistency with Comprehensive Plan

This Exhibit examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

A. Consistency with the Comprehensive Plan - General

1. Justification: FLUE Policy 2.1-f: *Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*

1. *The natural environment, including topography, soils and other natural resources;* (see Public Facilities Section)
2. *The availability of facilities and services;* (see Public Facilities Section)
3. *The adjacent and surrounding development;* (see Compatibility Section)
4. *The future land use balance;*
5. *The prevention of prevention of urban sprawl as defined by 163.3164(51), F.S.;*
6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and* (see Neighborhood Plans and Overlays Section)
7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.* (see Public and Municipal Review Section)

The applicant has prepared a Justification Statement (Exhibit 2) which is summarized as follows:

- Residential uses with similar densities are prominent along Coconut Lane, especially in the surrounding neighborhoods of Montreux, Cocoa Pines, Hunters Court, and Prestwick Estates.
- Utilization of the County's TDR and WHP opportunities, allows for the additional density needed to develop a residential neighborhood that is compatible with the surrounding area, addresses the County's housing shortage, and promotes the development of WFH units onsite.

Staff Analysis: This policy is the umbrella policy over the entire FLUA amendment analysis and many of the items are addressed elsewhere in this report as identified above.

The request is to change 9.78 acres of Low Residential, 1 unit per acre (LR-1) to Low Residential, 2 units per acre (LR-2). The current LR-1 designation allows a base of 10 dwelling units or up to 30 units (3 units per acre) by maximizing the Transfer of Development Rights (TDR) and Workforce Housing Program (WHP) bonus density. The requested LR-2 designation allows a base of 20 dwelling units and up to 60 units (6 units per acre) by maximizing the TDR and WHP bonus density. The concurrent zoning

application is requesting 39 dwelling units (3.99 units per acre) with 10 TDRs and 9 WHP density bonus units. All 39 units are proposed as zero-lot line single family homes.

The applicant's justification statement indicates that the proposed development of 39 single family homes is consistent with the development pattern along Coconut Lane and the site is more suitable to be developed with a density comparable to the existing residential uses. The applicant also states that proposed use of density bonuses will allow for the delivery of for-sale, single family workforce housing units on site.

Prestwick Estates, a 25.75 acre low density residential community with 21 units (0.82 units per acre) surrounds the north and west sides of the subject site. West of Prestwick Estates is Hunter's Court PUD (Oak Run of Boynton Beach HOA) which was the subject of a future land use amendment in 2000 that changed the FLU from Commercial with an underlying 5 units per acre (C/5) to MR-5 on 11.52 acres. Hunter's Court PUD is developed with 34 single family homes on 12.77 acres (2.66 units per acre). South of the site across Coconut Lane, is Montreux Estates, a 39 unit PUD on approximately 14.78 acres (2.64 units per acre). West of Montreux is Cocoa Pine Estates, another PUD with 62 units on 130.82 acres (2.11 units per acre). Therefore, the amendment is consistent with the low density residential development along Coconut Lane which varies from 1 to almost 3 units per acre and a majority of the units are within PUDs of a similar scale, mass and character as the applicant has proposed on the subject site.

While the applicant has proposed to provide on-site and for sale workforce housing units, the proposal does not utilize TDRs as the required method of increasing density as identified in FLUE Policy 2.4-b of the Comprehensive Plan's Future Land Use Element. The implications of this aspect of the proposal are discussed later in this report under Section B. Consistency with Density Provisions of the Comprehensive Plan. Staff finds the applicant has adequately justified the amendment request.

2. County Directions – FLUE Policy 2.1-g: *The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.*

Direction 1. Livable Communities. *Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.*

Direction 2. Growth Management. *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl,*

providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.

Direction 4. Land Use Compatibility. *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

Direction 7. Housing Opportunity. *Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of very-low and low-income housing, Countywide, through the Workforce Housing Program.*

Staff Analysis: The site is located in the Urban/Suburban Tier where an increase in density would make the most efficient use of available public facilities and services making this amendment consistent with Direction 1. Livable Communities. Providing a housing type and density in a location with communities of a similar type, density and form while making efficient use of available public services accomplishes the intent of Direction 2. Growth Management. In order to be fully consistent with the intent of Direction 2, staff has included conditions of approval requiring the applicant to utilize all available TDRs before any other density bonuses may be applied. Direction 4. Land Use Compatibility is discussed later in Section C of this report. By providing WHP units for sale and on-site the applicant is ensuring that housing opportunities are available for a range of residents within the Urban/Suburban Tier. Therefore, this amendment consistent with Direction 7. Housing Opportunity.

3. Piecemeal Development - Policy 2.1-h: *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.*

Staff Analysis: The definition of piecemeal development in the Comprehensive Plan describes *"A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole."* The amendment is being processed for all of the land area in ownership by the applicant, and is not piecemeal development.

4. FLUE Policy 1.2-a: *Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*

1. *Allowing services and facilities consistent with the needs of urban and suburban development;*
2. *Providing for affordable housing and employment opportunities;*
3. *Providing for open space and recreational opportunities;*
4. *Protecting historic, and cultural resources;*
5. *Preserving and enhancing natural resources and environmental systems; and,*
6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

Staff Analysis: The proposed amendment to LR-2 would allow a development that would be in character with the scale, mass, intensity, and height of other uses along the Coconut

Lane corridor and the West Boynton Area Community Planning area. See the Compatibility Section for additional analysis.

B. Consistency with Density Provisions of the Comprehensive Plan

The Comprehensive Plan offers several methods to increase density, including the TDR program, and the WHP density bonus program. Per Policy 2.4-b, TDRs are the required method unless using the WHP density bonus to increase density, or an amendment has been justified. Density increases obtained through the TDR program and the WHP density bonus are subject to higher percentages of WHP than density increases through the amendment process, to further certain County objectives. This section addresses consistency with the Comprehensive Plan density policies.

2. Density Increases - Policy 2.4-b: *The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:*

1. *an applicant can **both justify and demonstrate a need** for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current **FLUA designation is inappropriate**, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or*
2. *an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or*
3. *an applicant proposes a **density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan** prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:*
    a. *West Lake Worth Road Neighborhood Plan.*

Staff Analysis. This policy requires that density increases be accomplished through the use of TDRs, unless an applicant meets the criteria for an amendment, is using the workforce or affordable housing programs, or proposes density up to, but not exceeding, density proposed and supported by the WLWR neighborhood plan. The applicant is not proposing to use the maximum available TDRs to increase density on this site, instead are proposing to add additional density through the WHP density bonus program.

In order to meet the criteria for an amendment without use of the mandatory TDRs, an applicant must both justify and demonstrate a need for a FLUA amendment and demonstrate that the current FLUA designation is inappropriate. The applicant has stated that the current designation of LR-1 is no longer appropriate or suitable to enable the development of this site with a functional single-family residential community. However, the current LR-1 designation is compatible with the surrounding developments and has the potential to achieve higher densities, up to 3 units per acre, with full use of the TDR and WHP density bonus programs. Therefore, the applicant has not met the criteria for an amendment without the use of mandatory TDRs.

If available TDRs are used, the proposed 39 units can be achieved with a FLU designation of LR-2 rather than the requested LR-2 future land use designation and a combination of the WHP and TDR density bonus programs. The TDR program requires that a minimum

of 34% of TDRs used must be provided as workforce housing units. Previously, a portion of any TDRs used would need to be provided as WHP units, on site. However, on October 27, 2022, the Board adopted revisions to the Unified land Development Code (ULDC) to delete the on-site requirement for WHP obligation resulting from the use of TDRs so that workforce housing units resulting from the use of TDRs are subject to the same regulations as workforce housing units that result from the Workforce Housing Program (WHP).

3. **Housing Element, Policy 1.1-o:** *The County shall preserve affordability of affordable housing units developed through the Workforce Housing Program and the Affordable Housing Program as follows:*

   1. *The Workforce Housing Program will target households with incomes ranging from 60%-140% of area median income.*
   2. *The Affordable Housing Program will target households at or below 60% of area median income.*

   The Workforce Housing Program and Affordable Housing Program units shall be made available at a rate affordable to the specified income groups, and only to income-eligible households for a period of time to be set forth in the Unified Land Development Code (ULDC). All Workforce Housing Program and Affordable Housing Program criteria shall be subject to the review and approval of the Board of County Commissioners.

   Staff Analysis: The County has a mandatory workforce housing requirement for all housing developments in the Urban/Suburban Tier with 10 units and greater (whether they are increasing density or not), and offers a density bonus in exchange for additional workforce housing units. The density bonus is based on how the WHP units to be provided further County objectives, with the highest density bonuses (up to 100%) available for projects that will provide the WHP as on-site, for sale, single family units in areas with low concentrations of workforce housing. The WHP is also supported by the TDR program: a minimum of 34% of TDRs used must be provided as workforce housing units.

   The applicant is proposing to attain the target 39 units for this site through a FLUA amendment from LR-1 to LR-2, with 50% of the allowed density applied as WHP density bonus available to this development for 9 units, and 10 of 20 available TDRs. In its assessment of a proposed amendment, staff first determines if the applicant's target of 39 units is achievable with a lower-designation, in combination with TDRs and WHP density bonus. In this case, LR-2 is the lowest FLU which achieves the target 39 units. In addition, in assessing the potential workforce housing obligation, staff applies the percentages associated with the Full Incentive Option of the WHP, as opposed to the Limited Incentive proposed by the applicant. This is because the Full Incentive Option is applied to projects that are seeking to maximize density, and any project seeking a FLUA amendment is considered to be maximizing density. The applicant's zoning application reflects the obligation if this parcel already had the requested FLU designations and were requesting the Limited Incentive Option of the WHP in the Zoning process, which substantially reduces the workforce obligation. Under the applicant's proposal, the WHP obligation would be 6 WHP units (15%) to be provided on-site for-sale zero lot line units.

   Table 1 provides a comparison of the density available on the subject site using a combination of the TDR and WHP bonus programs to increase density, at various future land use designations.

Table 1. Current and Potential Density with TDR and WHP Bonus

	FLU	FLU Units	TDR Bonus	WHP Bonus	Total Units	Density - du/ac	Workforce	
						Gross	Units	%
Current land use (Full Incentive)	LR-1	10	+10	+10 (100%)	30	3	6	20%
Staff Proposal (Full Incentive)	LR-2	20	+19	---	39	3.99	8	21%
As Proposed by Applicant (Limited Incentive)	LR-2	20	+10	+9 (50%)	39	3.99	6	15%

As shown in Table 1, the 9.78 acre site could achieve up to 39 dwelling units using the proposed LR-2 designation and available TDRs, and would result in a WHP obligation of 8 units (21%). In comparison, the proposed amendment would change the future land use density from LR-1 to LR-2, but the applicant's proposed use of TDRs and WHP density bonus would result in 6 units (15%) of the dwelling units as workforce housing and built as on-site, for-sale zero lot line units.

In recent years, staff sought direction from the Board of County Commissioners on the suitable minimum percentages of workforce housing to be required when density increases are being requested through the future land use amendment process. The Board directed staff to recommend a minimum of 10% for single family projects, 20% for townhomes, and 25% for multifamily developments. However, these minimums are exceeded in cases such as this one, where the percentages resulting from the Staff Analysis and application of Code provisions yield a higher percentage than would result from applying these minimums. As explained above, applying the staff recommended LR-2 FLU, the available TDRs and the Full Incentive percentages, the amount of WHP required would be 8 units, or 21%.

C. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use.

FLUE Policy 2.1-f states that ***"the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity."*** And **FLUE Policy 2.2.1-b** states that *"Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan."*

The surrounding land uses immediately abutting the site are the following:

North and West: To the north and west side of the property is Prestwick Estates, a low density, residential subdivision with 21 dwelling units on approximately 25.75 acres (0.82 units per acre). Prestwick Estates has a future land use designation of Low Residential, 1 unit per acre (LR-1). Further north, across the Lake Worth Drainage District (LWDD) L-29 Canal is a

golf course community named Delray Dunes, which has a LR-2 FLU and is developed with single family and multifamily residential uses. West of Prestwick Estate is a single family neighborhood called Oak Run (Hunter's Court PUD) which has a future land use designation of Medium Residential, 5 units per acre (MR-5). Oak Run was the subject of a future land use amendment in 2000 which changed the future land use designation on the 11.52 acre site from Commercial, with an underlying 5 units per acre (C/5) to MR-5. This was a County initiated amendment for the purpose of removing non-utilized land use designations. The site is currently developed with 34 single family homes on 12.77 acres (2.66 units per acre).

South: On the south side of Coconut Lane are various residential uses with a future land use designation of Low Residential, 3 units per acre (LR-3). Directly south of the eastern parcel of the site is Montreux PUD. This development contains a total of 39 single family dwelling units on 14.78 acres (2.64 units per acre). West of Montreux is Cocoa Pine Estates, another PUD with 62 units on 130.82 acres (2.11 units per acre). In between Montreux and Cocoa Pine Estates are 4 residential lots, none of which are associated with the surrounding PUDs.

East: Directly east are four single family dwelling units with various acreages ranging from 1 to 3 acres in size with a future land use designation of Low Residential, 1 unit per acre. Further east, on the east side of Barwick Road is Hunters Run, a golf course community and country club within the municipal limits of the City of Boynton Beach which has single family and multifamily residential uses.

Applicant's Comments: The applicant states in Exhibit 3 that Coconut Lane contains a mix of land uses ranging from low and medium density residential, to low and high intensity commercial at the Military Trail node and that the proposed development will be compatible with adjacent residential uses.

Staff Analysis: While assessing the compatibility of a proposed land use amendment, staff must take into consideration the potential for additional density increases resulting from the density bonus programs, and the impacts of this density on the surrounding area, as part of the amendment process.

The subject site is located in close proximity to residential uses of a similar mass, scale and unit type. The proposed application would allow for a density of 3.99 units per acre and a majority of residential uses along Coconut Lane are developed with densities between 2 and 3 units per acre. Even though the proposed density is slightly higher (including TDR and WHP density bonuses) than the residential immediately adjacent to the site, the applicant is proposing a similar unit type (zero lot line) and is generally consistent with the character of this corridor.

D. Consistency with County Overlays, Plans, and Studies

1. Neighborhood Plans and Studies – FLUE Policy 4.1-c states *"The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval……"*

Staff Analysis: The site is located within the West Boynton Community Area Plan. The amendment is not inconsistent with the objectives and recommendations of this Community Plan area.

E. Public Facilities and Services Impacts

The proposed amendment will change the Future Land Use designation from LR-1 to LR-2 (from 10 to 39 units) for the purposes of developing 39 zero lot line homes. Public facilities impacts are detailed in the table in Exhibit 4.

1. Facilities and Services – FLUE Policy 2.1-a: *The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

Staff Analysis: The proposed amendment was distributed to the County service departments for review. There are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. Staff sent a request for departmental review of the proposed amendment to various County departments and external agencies for review of public facility impacts. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Mass Transit (Palm Tran), Potable Water & Wastewater (Boynton Beach Utilities), Environmental (Environmental Resource Management), Historic Resources (PBC Archaeologist), Parks and Recreation, Office of Community Revitalization (OCR), ULDC (Zoning), Land Development (Engineering), School Board, Health (PBC Dept. of Health), Fire Rescue, Lake Worth Drainage District.

2. Long Range Traffic - Policy 3.5-d: *The County shall not approve a change to the Future Land Use Atlas which:*

1) results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d):……

Staff Analysis: The Traffic Division reviewed this amendment based on the existing potential of 10 dwelling units and a proposed potential of 40 dwelling units. According to the County's Traffic Engineering Department (see letter dated February 7, 2022 in Exhibit 5) the amendment would result in 300 net daily trips, and 30 AM and 42 PM net peak hour trips.

The Traffic letter concludes *"Based on the review, the Traffic Division has determined the proposed amendment meets Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan at the proposed potential density shown above. Therefore, this amendment requires a condition of approval based on Transfer of Development Rights (TDR) and density bonus programs, to cap the project at the proposed development potential or equivalent trips".*

The Traffic Study was prepared by JFO Group, INC., 6671 W Indiantown Road, Suite 50-324, Jupiter, FL 33458. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at: http://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx

F. Public and Municipal Review

The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *"Palm Beach County will continue to ensure coordination between the County's Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities….."*

A. **Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on November 18, 2022.

B. **Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on November 18, 2022. The following nearby Homeowners Associations were also notified by mail: Oak Run of Boynton Homeowners Association, Cocoa Pine Estates HOA Inc. and Montreux Community Association Inc. Any correspondence received will be added to Exhibit 9 throughout the public hearing process.

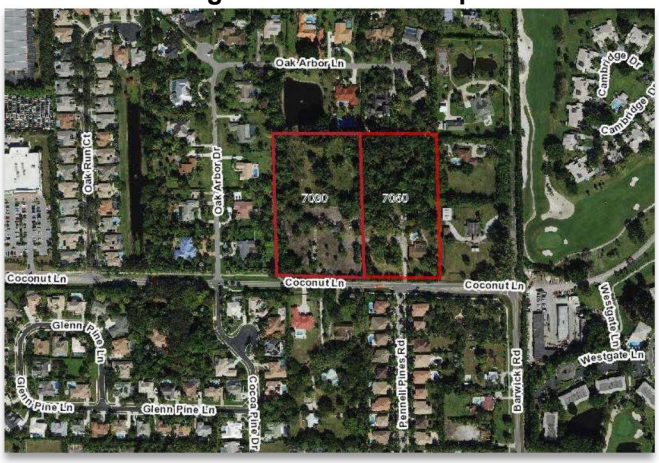
Exhibit 3

Applicant's Justification

Introduction

The 9.78-acre subject site, also referred to as Colony Estates at Boynton, is located approximately 1/3 mile east of the Military Trail and Coconut Lane intersection and is identified by the following Parcel Control Numbers (PCNs): 00-42-46-01-00-000-7080 and 00-42-46-01-00-000-7060. The site has a Future Land Use (FLU) designation of Low Residential – one dwelling unit per acre (LR-1), a Zoning District classification of Agricultural Residential (AR), and is primarily unimproved and vacant except for one single-family residential structure. The site is located east of the Military Trail Corridor and is included within the West Boynton Area Community Plan, as adopted by Resolution in 1995. An aerial of the subject site (outlined in red) and surrounding areas has been provided below in **Figure 1**:

Figure 1: Location Map



Request

On behalf of the Applicant, WGI, Inc. requests a **Comprehensive Plan Future Land Use Atlas (FLUA) Amendment** to re-designate the FLU on two parcels from the Low Residential, one unit per acre (LR-1) FLU designation to the Low Residential, two units per acre (LR-2) FLU designation. The proposed residential development will accommodate 39 zero lot line, single family dwelling units. Of these units, the required 6 workforce housing (WFH) units will be included - the Applicant intends to build WFH units onsite, which is consistent with the Applicant's continued commitment to provide actual WFH units in Palm Beach County.

The current request to modify the FLU designation from LR-1 to LR-2 is being processed concurrently with a request to utilize density through the County's Transfer of Development Rights (TDR) Program and Workforce Housing Program (WHP), for an ultimate density of 3.99 dwelling units per acre. The following is a summary of the proposed density analysis for the subject site, including the WHP calculation:

Proposed LR-2 FLU Designation	19.56 du (9.78-acres x 2 du/ac)
TDR Program Density Bonus	10 du
WHP Density Bonus	9.78 dwelling units (50% density bonus)
Total	**39 dwelling units**

		Acreage	Permitted DU	WHP %	WHP Obligation
Standard	1.5	9.78	14.67	2.5%	0.37
Max	0.5	9.78	4.89	8%	0.39
WHP	50%		9.78	17%	1.66
TDR Units			10	34%	3.40
				Total	**6 WFH du**

Concurrent/Pending Zoning Applications

A Rezoning application from Agricultural Residential (AR) to Single-Family Residential (RS) will be submitted to the Zoning Division contingent upon the approval of the FLU Amendment, TDR and WHP applications.

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Surrounding Uses

Adjacent Land	Use	Future Land Use	Zoning
North	**Prestwick Estates** Control No. 1978-00129 R-1978-0866 Land Use: Single-Family Residential DU: 21 DUs Gross Density: 0.82 DU/ Acre	Low Residential, 1 Unit per Acre (LR-1)	Residential Transitional (RT)
South	**Cocoa Pine Estates** Control No. 1986-00142 R-1987-1114 Land Use: Single-Family Residential DU: 62 DU Gross Density: 2.11 DU/AC	Low Residential, 3 Units per Acre (LR-3)	Single Family Residential (RS)
	Montreux Control No. 2003-00057 R-2004-0511 Land Use: Single-Family Residential DU: 21 Gross Density: 2.63 DU/AC	Low Residential, 3 Units per Acre (LR-3)	Residential Transitional (RT)
	Montreux II Control No. 2004-00270 R- 2004-2255 Land Use: Single-Family Residential DU: 18 DU Gross Density: 2.65 DU/Acre	Low Residential, 1 Unit per Acre (LR-1)	Agricultural Residential (AR)
	Single-Family Residential Homes		
East	**Single-Family Residential Homes**	Low Residential, 3 Units per Acre (LR-3)	Agricultural Residential (AR) & Residential Estate (RE)
West	**Prestwick Estates** Control No. 1978-00129 R-1978-0866 Land Use: Single-Family Residential DU: 21 DUs Gross Density: 0.82 DU/ Acre	Low Residential, 1 Units per Acre (LR-1)	Residential Transitional (RT)
	Oak Run Control No. 1998-00030 R-1998-1514 Land Use: Single-Family Residential DU: 34 DU Gross Density: 3 DU/AC	Medium Residential, 5 Units per Acre (R-5)	Single Family Residential (RS)

G1. Justification for Future Land Use Atlas Amendment

Pursuant to Policy 2.1-f, this justification statement demonstrates the requests are consistent and in compliance with the County's Comprehensive Plan, Tier Requirements and the impacts on public facilities and services:

> ***Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:***
>
> 1. ***The natural environment, including topography, soils and other natural resources; (see Public Facilities Section);***
> 2. ***The availability of facilities and services; (see Public Facilities Section);***
> 3. ***The adjacent and surrounding development; (see Compatibility Section);***
> 4. ***The future land use balance;***
> 5. ***The prevention of prevention of urban sprawl as defined by 163.3164(51), F.S.;***
> 6. ***Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section);***
> 7. ***Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (see Public and Municipal Review Section).***

This FLUA Amendment request is consistent with Policy 2.1-f of the County's Future Land Use Element, as the proposal to modify the FLU designation on the subject site from LR-1 to LR-2 represents a more appropriate FLU designation for the site and location. The proposed LR-2 FLU designation is consistent with the Goals, Objectives and Policies of the County's Comprehensive Plan, is complimentary to the development pattern that exists in the area, is compatible with the surrounding neighborhoods, and meets the intent of the West Boynton Area Community Plan, as outlined below.

The subject site currently represents a tract of underutilized land, appropriate for infill residential development along Coconut Lane/Flavor Pict Road and Military Trail corridor. While the current LR-1 FLU designation may have once been appropriate for the location, the development pattern in this area has shifted over the decades, from one that was once primarily low residential and agriculture, to one that has been developed at densities and intensities that are necessary to support population growth in Palm Beach County. The West Boynton Area Community Plan states on page 19 that, "Residential developments range in densities from Low Residential 2 (2 dwelling units per acre) to High Residential 12 (12 dwelling units per acre)," in the Eastern Subarea 1 which spans from Congress Avenue to Military Trail, which includes the subject site. Therefore, the existing residential FLU designated for the subject site appears to be inconsistent with desired FLU designations in this area.

The West Boynton Area Community Plan supports increasing density in appropriate areas. The existing site is largely vacant, with only one single-family home located on the property. Infill development on underutilized land, such as the subject site, is an appropriate measure to increase the housing supply in Palm Beach County, included building much needed workforce housing on site, with residential uses that are compatible with the existing single-family nature of this area. The subject site represents an opportunity to develop residential units at a density consistent with the current development pattern of the area, in line with market demands, and consistent with the overall vision set forth in the West Boynton Area Community Plan. The request to re-designate the existing land use to the LR-2 FLU designation is justifiable and necessary. More specifically, the request is compliant with the specific items identified in FLUE Policy 2.1-f, as outlined below:

1) The proposed use is suitable and appropriate for the subject site;

The request to modify the FLU designation of the subject site from LR-1 to LR-2 to accommodate the development of 39 dwelling units, including onsite workforce housing, is consistent with the development pattern in the immediate area. Residential uses with similar densities are prominent along Coconut Lane, especially in the surrounding neighborhoods of Montreux, Cocoa Pines, Hunters Court, and Prestwick Estates. The subject site's proximity to Military Trail, accessibility to public transportation, and ideal location between two major highway systems, the Florida Turnpike and Interstate 95, make this site ideal for the development of single-family homes at the proposed density. The subject site is less than half a mile from the Walmart Neighborhood Market on Military Trail, allowing residents to walk or bike to shop without the need to use their cars. The new residents would have access to essential commercial uses such as a grocery store, pharmacy, and a coffee shop within walking distance, supporting the West Boynton Area Community Plans goal of limiting car dependence to access goods and services. This also supports the West Boynton Area Community Plan's goal to support alternate mobility options, which make this an ideal location to develop a residential use with onsite workforce housing at the density being proposed.

The current LR-1 FLU designation limits the potential residential units on the site to one unit per acre. The proposed amendment to modify the FLU designation to LR-2, combined with the Applicant's utilization of the County's TDR and WHP opportunities, allows for the additional density needed to develop a residential neighborhood that is compatible with the surrounding area, addresses the County's housing shortage, and promotes the development of WFH units onsite to promote mixed-income neighborhoods, while offsetting the rising costs of land and construction without seeking high density residential development.

The proposed development of 39 zero lot line homes within walking distance of the commercial node on Military Trail, as opposed to high density residential, is consistent with the single-family residential along Coconut Lane/Flavor Pict Road and is consistent with the residential vision for an increase in single-family residential density along existing corridors that was part of the West Boynton Area Community Plan.

2) There is a basis for the proposed amendment for the particular subject site based on one or more of the following:

a. Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site

The subject site is located on the Coconut Lane/Flavor Pict Road urban collector, between Barwick Road to the east and Military Trail to the west. The area west of Military Trail along Flavor Pict Road contains a land use of Medium Density Residential with a density of 5 units per acre. Coconut Lane contains a mix of land uses ranging from low and medium density residential, to low and high intensity commercial at the Military Trail node. The West Boynton Area Community Plan anticipated continued population growth that would require infill residential development, similar to what is being proposed. The West Boynton Area Community Plan expresses concern over too much density that could cause gridlock on local streets, which would not occur with this proposal, as evidenced by the Traffic Study provided in Attachment H of this FLU Application. The Traffic Study anticipates net trips on the site to equal 100 trips with 15 peak hour trips in the AM and 22 peak hour trips in the PM. This analysis shows the proposed FLU Amendment will be in compliance with Policy 3.5-d of the Land Use Element of the County's Comprehensive Plan.

Aerials provided in **Figure 2**, **Figure 3**, **Figure 4,** and **Figure 5** demonstrate the changes in the land uses between 1968 to 2021 on the subject site and the surrounding area**. Figure 2** depicts the site in 1968 when the area was undeveloped. **Figure 3** is an aerial from 1989, which shows the LR-1 (Prestwick Estate and single-family homes) and the LR-2 (Delray Dunes) developments, the last two LR-1 and LR-2 projects in the area. **Figure 4,** from 1999, shows

the beginning of the LR-3 developments on the south side of Coconut Lane. **Figure 5** is the most recent aerial, from 2021. These aerials show the change in development pattern over time. As can be seen, as the County population grew over time, single-family residential land uses characterized the development pattern in the vicinity of the subject site. As the change shown between **Figures 3 and 5,** development patterns on the Coconut Lane/Flavor Pict Road corridor have continuously increased in density, and a commercial node has taken shape on Military Trail. Therefore, the LR-2 land use would more appropriately reflect the development patterns that have occurred over time in the area. The proposed 39 zero lot line homes increase the density on the Coconut Lane/Flavor Pict urban collector, while maintaining a compatible use with the slightly lower density residential uses that were developed in the 1970s and 1980s. Residential uses such as townhomes and multifamily apartments would not be compatible with the estate style homes to the east of the subject site and single-family homes in Prestwick Estates located to the north and west of the subject site. Zero lot line units adjacent to the existing homes to the north, south, east, and west is a compatible development pattern, that still reasonably increases the housing supply in Palm Beach County.

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Figure 2: 42-46-01 Aerial 1968



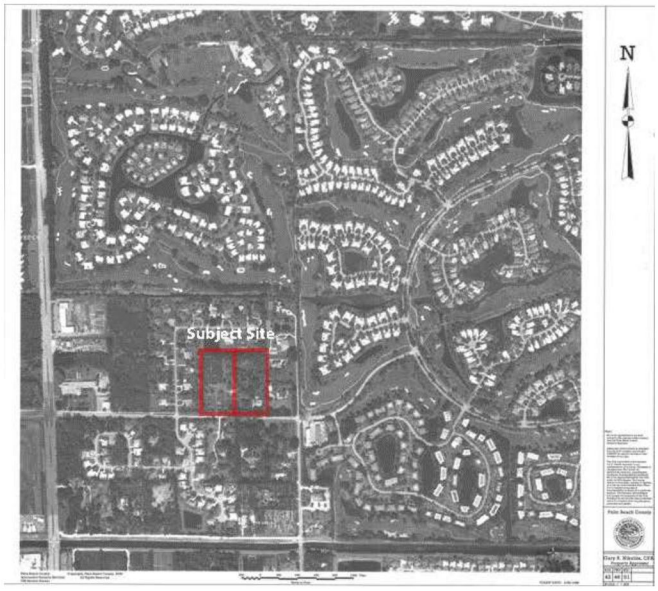
Source: Palm Beach County Engineering, Aerial Plans.

Figure 3: 42-46-01 Aerial 1989



Source: Palm Beach County Engineering, Aerial Plans.

Figure 4: 42-46-01 Aerial 1999



Source: Palm Beach County Engineering, Aerial Plans.

Figure 5: 42-46-01 Aerial 2021



Source: Palm Beach County GeoNav.

b. Changes in the access or characteristics of the general area and associated impacts on the subject site;

The development that has occurred along the Coconut Lane/Flavor Pict Road urban collector over the past several decades, as depicted in the aerials, has changed the character of the area from when the LR-1 land use was applied to the subject site. From what was once estate style residential and agricultural uses it is now a east west residential urban collector in PBC that supports a range of residential uses at varying densities and intensities. Access to Military Trail, location near the Florida Turnpike and I-95, and availability of public transit make this site ideal to develop at a residential density that is compatible with existing adjacent homes. It will provide PBC with much needed fee simple WFH units and maintain the integrity of the West Boynton Area Community Plan.

The original adoption of the County's Comprehensive Plan did not anticipate the level of unprecedented growth seen throughout the County, especially in the Urban Suburban Tier. Approval of this FLUA Amendment request to the LR-2 FLU designation is in line with recent approvals and upholds the original intent of the West Boynton Area Community Plan, by developing the site at a density that is comparable to what was originally anticipated and compatible to what it is adjacent to. The development of the site to LR-2 is also compatible with the single-family projects from the 1970s and 1980s developed as LR-1 located to the north and west of the subject site.

The proposed FLUA Amendment is more compatible with the surrounding properties as they have been developed. The proposed FLUA amendment to increase the density makes for a feasible development, resulting in a more desirable use than the existing vacant land, which can be seen in **Figure 6. Figure 6** is a Google Street View image of the subject site, which compares unfavorably from the residential community directly to the south (Montreux), shown in **Figure 7**. The proposed use of 39 zero lot line homes is a feasible development option that enhances the existing residential uses on the Coconut Lane/Flavor Pict Road urban collector, without a noticeable impact on traffic and County provided services. As indicated in the West Boynton Area Community Plan, a sense of identity is important to residents within the community plan study area.

Figure 6: Google Streetview Image of Subject Site



Source: Google Streetview, 2019

Figure 7: Google Streetview Image of Montreux Opposite the Subject Site



Source: Google Streetview, 2019

The proposed development program is proposed at a transitional density to be compatible with the LR-1 development to the immediate east, west, and north (Prestwick Estates and single-family homes), while also contributing to the County's housing supply. This intends to be a more desirable use than the existing vacant site which does not align with the West Boynton Area Community Plan.

c. New information or change in circumstances which affect the subject site;

As show in the aerial photographs above, since the original assignment of the LR-1 FLU designation, the development pattern in the immediate area has seen tremendous growth, at a level unanticipated in the original Comprehensive Plan on the western edges of the Urban Suburban Tier. As developable land continues to become scarce, and development pushes further west, pressure to develop sites within the Urban Suburban Tier is critical in preserving natural resources outside of it by utilizing existing infrastructure and lessening the strain on stretching public services and facilities. The subject site represents an opportunity to develop residential uses that are complementary to the area and at a density that aligns with what is built along the Coconut Lane/Flavor Pict Road urban collector.

In addition to the change in development patterns in the area, the County has seen a critical shortage in overall housing stock, importantly including housing options affordable to the County's workforce. The approval of the current request is an opportunity to add quality housing stock to PBC and provide WFH opportunities to our residents by offering fee-simple homeownership in an area of the County that has seen a critical need for it and is well suited for it.

d. Inappropriateness of the adopted FLU designation;

The current FLU designation of the subject site under the LR-1 FLU is no longer appropriate. As demonstrated in the aerials provided, the development pattern in this area has seen growth over the decades that was not anticipated in prior plans, it has changed from one that is primarily low residential and agriculture to one that has been developed at densities and intensities that are in line with suburban patterns necessary to support population growth in PBC. The change in development pattern has resulted in Coconut Lane/Flavor Pict Road becoming a major residential area that supports more intense single-family residential development and is accompanied by the commercial node on Military Trail. Further, as the population growth in PBC has continued, we have limited housing stock, which increases prices overall, and a critical shortage of WFH throughout the County. The request to re-designate the existing land use to the LR-2 FLU designation is appropriate for the site, and will aid in

remedying the County's housing shortage, and promote fee-simple WFH opportunities for County residents as are desperately needed, while being financially feasible.

e. Whether the adopted FLU designation was assigned in error.

The adopted FLU designation was not assigned in error and was reflective of the rural character of the western portions of the corridor at that time. However, as noted, the development patterns over time and systemic changes in PBC necessitate the proposed change.

G.2. Residential Density Increases

Per Future Land Use Element Policy 2.4-b, the analysis below provides justification for the requested land use amendment.

1) Demonstrate a need for the amendment.

The current FLU designation of LR-1 limits the density on the site to one dwelling unit per acre, which is more conducive to larger tracts of land that are limited in the tier, particularly in close proximity to major arterial corridors. The proposed amendment to modify the FLU designation to LR-2, combined with the Applicant's utilization of the County's TDR and WHP Programs (with WFH units built on site), allows for the additional density needed to develop a residential community that is compatible with the surrounding area, addresses the County's housing shortage, and promotes the development of WFH units in PBC in a feasible manner.

It is the intent of the Applicant to construct the WFH obligation onsite as fee-simple, for sale units. The inclusion of onsite WFH addresses a critical need in PBC. Current data provided by PBC demonstrates that there is an extreme shortage of for sale WFH units in the County. Below is a summary of the available, for sale WFH units available in PBC, as of the date of this report.

- Merry Place Estates (north of Palm Beach Lakes Boulevard, just west of US1) –12 single-family units.

Based on the data provided above, there are currently 12 single family homes that are available for purchase, for-sale WFH units within PBC, however, they have not yet been developed. Palm Beach County demographic data identified 705,988 dwelling units within PBC, from the 2020 Census. Taking into account that data, 0.0017% of the housing stock is available as for-sale WFH units. The construction of WFH units on the subject site, is only possible if the density is increased, to accommodate a viable development program.

2) Demonstrate that the current FLUA designation is inappropriate.

As noted above, the development pattern in this area has seen significant growth over the decades since the current FLU was placed on the property, from low density residential and agriculture to one that has been developed at densities and intensities that are necessary to support this residential in the Urban Suburban Tier. This change has resulted in the Coconut Lane/Flavor Pict Road urban collector supporting higher density single-family residential development. The request to re-designate the existing land use to the LR-2 FLU designation is appropriate for the site, will aid in remedying the County's for-sale housing shortage, and promote WFH opportunities for County residents. These cannot feasibly occur under the current FLUA designation.

3) Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.

It is the Applicant's intent to utilize both the County's TDR and WHP Programs, as outlined below. This will provide the appropriate density for the site and allow for a feasible development.

Proposed LR-2 FLU Designation	19.56 du (9.78-acres x 2 du/ac)
TDR Program Density Bonus	10 du
WHP Density Bonus	9.78 dwelling units (50% density bonus)
Total	**39 dwelling units**

G.3. Compatibility

The proposed 39 fee-simple, zero lot line homes is compatible with the surrounding single-family residential development, as the proposed development retains the single-family character of the existing residential corridor. The proposed development proposes an eight (8) foot compatibility buffer on the north, east, and west property lines and a 15' ROW buffer is proposed along the south property line.

Compatibility is also shown by uses do not adversely affect each other but complement each other, e.g. neighborhood commercial uses supporting and providing services for the residential uses. Those complementary uses are located within a short walk from the subject property. Further, at the time when the proposed Rezoning and Class A Conditional Use applications are reviewed by the Zoning Division and other County Agencies, a Preliminary Subdivision Plan and other regulating plans for this development will clearly identify the site layout, placement of buildings, height of buildings and the location of the required landscape buffers. The ULDC addresses compatibility issues through spatial separation such as setbacks, and the provision of buffers, all these required elements enhance compatibility and reduce any potential negative effects of functionally different land uses (despite that the proposed use is functionally similar to the surrounding uses).

G.4. Comprehensive Plan

The FLUA Amendment request to modify the FLU designation from LR-1 to LR-2, in combination with the utilization of the PBC TDR and WHP Programs, is consistent with and furthers the applicable Goals, Objectives and Policies of the PBC Comprehensive Plan, as outlined below.

Future Land Use Element - County Directions I.C.7

Housing Opportunity. Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of low, moderate, and middle income housing, Countywide, through the Workforce Housing Program.

The proposed FLUA Amendment and utilization of the County's TDR and WHP Programs furthers this goal, as it adds critical, for-sale and fee-simple WFH units to the County's inventory, and represents the only stock of for sale WFH units in this corridor of PBC.

Policy 1.2-a: Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:

1. ***Allowing services and facilities consistent with the needs of urban and suburban development;***
2. ***Providing for affordable housing and employment opportunities;***
3. ***Providing for open space and recreational opportunities;***
4. ***Protecting historic, and cultural resources;***
5. ***Preserving and enhancing natural resources and environmental systems; and,***
6. ***Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.***

The proposed FLUA Amendment is consistent with Policy 1.2-a, by encouraging infill-style development within the Urban Suburban Tier, and by utilizing existing infrastructure, public facilities and services. The proposed development will provide much needed, onsite for-sale WFH units at a compatible scale and intensity as the existing development pattern of the urban collector.

Policy 1.2-b: Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.

The approval of the proposed FLUA Amendment supports Policy 1.2-b, as it provides an opportunity to develop an infill parcel in the Urban Suburban Tier. The proposed development will utilize existing infrastructure and public services.

Policy 2.1-a: The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.

The proposed FLUA Amendment request, and subsequent development of 39 dwelling units on this site will not exceed the natural or manmade constraints of the area. Written confirmation from Palm Beach County Fire Rescue and the Boynton Beach Utilities Department indicates that there are available facilities and services to support a FLUA Amendment from LR-1 to LR-2. The traffic study provided also indicates that the existing roads can support the new net trips proposed with the development program. Palm Beach County Archaeologist determined that there are no significant historic resources located within a 500 ft radius of the subject site. Therefore, the development program does not impede on any existing facilities and services or interferes with any environmentally sensitive areas.

Policy 2.1-h: The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.

The definition of piecemeal development in the Comprehensive Plan describes *"A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole."* The proposed Land Use change will allow these two adjacent parcels to be combined, and rezoned to a subdivision, and will utilize existing infrastructure. There are no other parcels under the ownership that will create residual parcels.

Policy 2.4-b: The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:

1. ***an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or***
2. ***an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or***
3. ***an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:***
    a. ***West Lake Worth Road Neighborhood Plan.***

It is the intent of the Applicant to utilize the County's TDR and WHP Programs as a method to increase density, in conjunction with the current request to modify the FLU designation on the site to LR-2. The Applicant is proposing to purchase 10 TDR units (adding an additional 1.02 du/ac). The combination of a FLUA Amendment, TDR and WHP programs creates a viable development that allows the site to be developed at a density that is consistent with the surrounding area.

Policy 2.4-f: Potential receiving areas shall be inside the Urban/Suburban Tier and shall include:

1. ***Planned Development Districts (PDD) and Traditional Development Districts (TDD) that are requesting an increase in density above their current limits; and,***
2. ***Subdivisions requesting a bonus density above the standard land use designation density.***

The subject site is compliant with Policy 2.4-f, as the subject site is located within the County's Urban Suburban Tier and is within the parameters of the governing policies of a residential subdivision. The County anticipates the majority of the residential population is located in this Tier.

Policy 2.4-g: In order to encourage eastward development and a tapering off of density towards the western edge of the Urban/Suburban Tier and support development within the Urban/Suburban Tier in the Glades, or to protect rural residential areas by concentrating needed housing units where urban residential future land use designations already exist, bonus densities may be applied for as follows:

1. ***Inside the Urban/Suburban Tier and west of the Florida Turnpike, up to 2 du/acre additional;***
2. ***Inside the Urban/Suburban Tier, but not in the Revitalization and Redevelopment Overlay, up to 3 du/acre additional;***
3. ***In the Revitalization and Redevelopment Overlay, up to 4 du/acre additional;***
4. ***In the Urban/Suburban Tier in the Glades area:***
   (a) But not in a Revitalization and Redevelopment Overlay, up to 3 du/acre additional; or
   (b) In a Revitalization and Redevelopment Overlay, up to 4 du/acre additional; and

6. Final assignment of TDR bonus density may take into consideration bonus density granted thru the Workforce Housing Program or Affordable Housing Program.

The FLUA Amendment is compliant with Policy 2.4-g.1, which allows up to 2 du/ac additional, the applicant is only requesting 1 du/acre additional under the TDR Program. Concentrating development in between the Congress Avenue and Military Trail subarea is consistent with the West Boynton Area Community Plan goal to concentrate density in already developed areas, and relieve pressure for development in the Ag Reserve.

Policy 4.1-c: The County shall consider the objectives and recommendations of all Community Plans, Neighborhood Plans, Joint Planning Areas Agreements, Interlocal Service Boundary Agreements, and Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval. Community Plans, Neighborhood Plans and Special Studies, including those adopted, accepted, or received by the Board of County Commissioners, are incorporated into the Future Land Use Support Document as reference guides to identify community needs and unique neighborhood characteristics within the associated document. The following is a list of the County's neighborhood plans and studies:

Community and Neighborhood Plans
- ***Haverhill Area Neighborhood Plan***
- ***Jupiter Farms Neighborhood Plan***
- ***Loxahatchee Groves Neighborhood Plan***
- ***The Acreage Neighborhood Plan***
- ***West Boynton Area Community Plan***
- ***West Lake Worth Road Neighborhood Plan***
- ***West Gun Club Road Neighborhood Plan***
- ***Pioneer Road Neighborhood Plan***

The subject site is located within the West Boynton Area Community Plan. As noted throughout, the proposal is consistent with this Plan. The intent of this Plan is to identify community issues and needs in specific eastern and western subareas. The subject site is located within Eastern Subarea 1 of the plan. According to pages 19 and 20 of this Plan, "Residential developments range in densities from Low Residential 2 (2 dwelling units per acre) to High Residential 12 (12 dwelling units per acre). One exception is the Pine Trail development, located at the northwest corner of Lawrence and Woolbright Road, with a

density of Low Residential 1 (1 dwelling unit per acre). Although the density in Pine Trail is low, the residential lots are actually small in size and clustered together, leaving a predominance of open space and golf course." The section of the subarea located on Coconut Lane is not listed as an exception, however, it seems to be overlooked by the Community Plan. This section indicates that the eastern subarea where the subject site is located, is intended for a higher intensity single-family residential land use. The proposed FLUA would be more consistent with the residential densities in the West Boynton Area Community Plan for the Eastern Subarea 1 that was adopted in 1995. Since 1995, the West Boynton area has seen significant growth, which would justify the residential land use of greater than a LR-2 which was the lowest density in 1995.

G.5. Florida Statutes – Consistency with Chapter 163.3177, F.S.

All mandatory elements for a FLUA amendment have been provided within this application and include, but is not limited to surveys, studies, community goals and vision, and all other pertinent data as required by Ch. 163.3177 of the Florida Statutes. The proposed amendment allows for the development of an infill residential development that will maximize the utility of existing network of roadways and other infrastructural improvements. This amendment complies Chapter 163.3177 of the Florida Statutes.

On behalf of the Applicant, we respectfully request and present the aforementioned justification for the FLUA amendment from LR-1 to LR-2 for the subject site.

Exhibit 4

Applicant's Public Facility Impacts Table

A. Traffic Information		
	Current	**Proposed**
Max Trip Generator	Single Family Detached – ITE LU 210 10 Trips/DU	Single Family Detached – ITE LU 210 10 Trips/DU
Maximum Trip Generation	100	300
Net Daily Trips:	100 (maximum - current) 300 (proposed - current)	
Net PH Trips:	15 (4 In/11) AM, 22 (14 /8) PM (maximum) 30 (8/22) AM, 42 (26/16) PM (proposed)	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Dr. Juan Ortega, PE | JFO Group Inc.	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	RT 3 - PBG – BCR via MILITARY	
Nearest Palm Tran Stop	STOP 1166 – MILITARY TRAIL @ COCONUT LANE 0.3 Miles from Subject Site	
Nearest Tri Rail Connection	Delray Beach Tri Rail Station	
C. Potable Water & Wastewater Information		
Potable Water & Wastewater Providers	City of Boynton Beach Utilities Per **Attachment I** - there is sufficient water and sewer capacity to serve the project.	

Nearest Water & Wastewater Facility, type/size	Both potable water and pressurize force main are available on Coconut Lane. The developer will be required to build an on-site private lift station and connection to the City water main and force main will be at the developer's cost. Refer to **Attachment I** for more details.

D. Drainage Information

The drainage provider for the subject site is both the South Florida Water Management District and the Lake Worth Drainage District. The subject site is located in the C-15 drainage basin. It is anticipated that LLWDD L-29 canal will serve as the legal point of positive outfall to the north of the site.

E. Fire Rescue

Nearest Station	Station #44 Located at 6670 Flavor Pict Rd.
Distance to Site	2.50
Response Time	Estimated response time to the subject site is 7 minutes and 30 seconds
Effect on Resp. Time	Minimal impact per **Attachment K**, letter from Fire-Rescue.

F. Environmental

Significant habitats or species	There are a few environmental issues of significance on the subject property. The lack of habitat makes it improbable for any listed species to occur on the site. No upland preservation area would be required according to PBC ULDC Article 14 because there are no native habitats identified. There are native trees that would require mitigation through the County tree removal approval process.
Flood Zone*	The site is located in Flood Zone X, which is an area of minimal and undetermined risk.
Wellfield Zone*	The subject site does not fall within an identified wellfield zone. A map is provided with this application as **Attachment M**.

G. Historic Resources

Staffs review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no historic or architecturally significant resources on or within 500 feet of the above referenced properties. A Historic Resource Letter is provided with this application as **Attachment N.**

H. Parks and Recreation - Residential Only (Including CLF)

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Morikami Park and Japanese Gardens	0.00339	96	0.33
Beach	Gulfstream Park	0.00035	96	0.03

District	Green Cay Wetlands	0.00138	96	0.13

I. Libraries - Residential Only (Including CLF)

Library Name	Delray Beach Public Library
Address	100 W Atlantic Avenue
City, State, Zip	Delray Beach, FL 33444
Distance	4.10 Miles

Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	96	192
Periodicals	5 subscriptions per 1,000 persons	96	0.48
Info Technology	$1.00 per person	96	$96.00
Professional staff	1 FTE per 7,500 persons	96	0.01
All other staff	3.35 FTE per professional librarian	96	0.03
Library facilities	0.34 sf per person	96	32.64 SF

J. Public Schools - Residential Only (Not Including CLF)

	Elementary	Middle	High
Name	Banyan Creek	Carver Community	Atlantic Community
Address	4243 Sabal Lake Road	101 Barwick Road	2455 W. Atlantic Avenue
City, State, Zip	Delray Beach, FL 33445	Delray Beach, FL	Delray Beach, FL 334455
Distance	0.8 miles	2.3 miles	3.5 miles

Exhibit 5
Palm Beach County Traffic Division Letter

Department of Engineering and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Palm Beach County Board of County Commissioners
Robert S. Weinroth, Mayor
Gregg K. Weiss, Vice Mayor
Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

printed on sustainable and recycled paper

February 7, 2022

Dr. Juan F. Ortega, P.E.
JFO Group Inc.
6671 W Indiantown Road
Suite 50-324
Jupiter, FL 33458

RE: Coconut Lane
FLUA Amendment Policy 3.5-d Review
Round 2022-22-B2

Dear Dr. Ortega:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Impact Analysis for the proposed Future Land Use Amendment for the above referenced project, revised January 18, 2022, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

Location:	North side of Coconut Lane, approximately 1,700 feet east of S Military Trail	
PCN:	00-42-46-01-00-000-7060 ***(other on file)***	
Acres:	9.78 acres	
	Current FLU	**Proposed FLU**
FLU:	Low Residential, 1 Unit Per Acre (LR-1)	Low Residential, 2 Units Per Acre (LR-2)
Zoning:	Agricultural Residential (AR)	Single Family Residential (RS)
Density/ Intensity:	1 DU/acre	2 DUs/acre
Maximum Potential:	Single Family Detached = 10 DUs	Single Family Detached = 20 DUs
Proposed Potential:	None	Single Family Detached = 40 DUs (with Bonus Density)
Net Daily Trips:	100 (maximum – current) 300 (proposed - current)	
Net PH Trips:	15 (4/11) AM, 22 (14/8) PM (maximum) 30 (8/22) AM, 42 (26/16) PM (proposed)	
** **Maximum** indicates typical FAR and maximum trip generator. **Proposed** indicates the specific uses and intensities/densities anticipated in the zoning application.*		

Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment **meet** Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the **proposed potential** density shown above. Therefore, this amendment requires a condition of approval, based on Transfer of Development Rights (TDR) and density bonus programs, to cap the project at the **proposed** development potential or equivalent trips.

Please note the proposed amendment will have an insignificant impact for the long-range and Test 2 analyses.

Please contact me at 561-684-4030 or email to DSimeus@pbcgov.org with any questions.

Sincerely,

Dominique Simeus, P.E.
Professional Engineer
Traffic Division

DS:qg
cc:
Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division
Lisa Amara – Director, Zoning Division
Bryan Davis – Principal Planner, Planning Division
Stephanie Gregory – Principal Planner, Planning Division
Khurshid Mohyuddin – Principal Planner, Planning Division
Kathleen Chang – Senior Planner, Planning Division
Jorge Perez – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\22-B2\Coconut Lane.docx

Exhibit 6
Water & Wastewater Provider LOS Letter

The City of Boynton Beach

BOYNTON BEACH UTILITIES
124 East Woolbright Road
Boynton Beach, Florida 33435
Office: (561) 742-6400
Fax: (561) 742-6299
Website: www.boynton-beach.org

January 11, 2022

Via Email: Samantha.Kanach@wginc.com

Samantha Kanach, AICP-C
Planner
2035 Vista Parkway
West Palm Beach, FL 33411
Phone: 561-687-2220

RE: Property located at 4595 Coconut Lane
PCN: 00-42-46-01-00-000-7060; 00-42-46-01-00-000-7080

Dear Mrs. Kanach:

Please accept this letter as confirmation that Boynton Beach Utilities will be the water and sewer service provider for the referenced project, and that both potable water and a pressurize force main are available on Coconut Lane. Boynton Beach Utilities has sufficient water and sewer capacity to serve the project.
However, to connect to the City force main, the developer will be responsible to build an on-site private lift station. The off-site improvement to connect to the City water main and force main will be at the developer's cost.

"City of Boynton Beach Utilities" will be the Water Treatment Plant for the project. Its total permitted maximum day operating capacity of plants is 34.44 MGD and the Total Maximum Day Flow at Plants as Recorded on Monthly Operating Reports during the past 12 Months is 19.38 MGD.
In addition, "South Central Regional Wastewater Treatment & Disposal Board" is the Wastewater Treatment Plant that will service the project. Its maximum monthly average daily flow over the last 12-month period is 26.71 MGD and the maximum three-month average daily flow over the last 12-month period is 23.25 MGD.

I trust this letter meets your needs. If you need any further information, please contact me at (561) 742-6407

Sincerely yours,

BOYNTON BEACH UTILITIES
Milot Emile, P.E.
Senior Engineer

America's Gateway to the Gulfstream

Exhibit 7
Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION FORM # 8

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Elliot Monter, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [ ] individual or [x] Manager *[position—e.g., president, partner, trustee]* of The Colony Estates at Boynton Beach, LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]*, (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").

2. Affiant's address is: 1825 N.W. Corporate Blvd
Suite 110
Boca Raton, FL 33431

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name **Address**

Elliot Monter

P 407 ~~409~~ Sunset Drive, Hallendale, FL 33009

Joseph Chase

4709 N. Prive Circle, Delray Beach, FL 33445

Julian Galeano-Monter

@ 407 ~~409~~ Sunset Drive, Hallendale, FL 33009

EXHIBIT "A"

PROPERTY

Acres: 9.78

The West half (W ½) of the Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of the Southwest quarter (SW ¼) less road right of way, Section 1, Township 46 South, Range 42 East, Palm Beach County, Florida.

And

The following described five-acre parcel of land situate, lying, and being in the SW ¼ of Sec. 1, Township 46S., Range 42E., Palm Beach County, Florida, and more particularly described as follows:

Commence at the SE corner of the NW ¼ of said section: thence run S2°05'56"E, a distance of 65 ft. to the South line of LWDD right of way; thence run S89°43'14"W, a distance of 334.24 ft. to a point; thence run S2°08'51"W, a distance of 612.04 ft to a point, thence run S89°49'34"W a distance of 333.52 ft. to the Point of Beginning of the land sought to be described herein:

Thence run S2°15'30"E, a distance of 625.70 ft. to the North boundary of Coconut Lane; thence run along said boundary N89°59'44"W, a distance of 348.09 ft. to a point; thence run N2°15'30"W, a distance of 625.70 ft. to a point; thence run S89°59'44"E, a distance of 348.09 ft. to the Point of Beginning of the parcel sought to be described herein.

FURTHER AFFIANT SAYETH NAUGHT.

Elliot Monter

Elliot Monter, Affiant

(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [✓] physical presence or [ ] online notarization, this 8 day of March, 2022 by Elliot Monter *(name of person acknowledging)*. He/she is personally known to me or has produced _____ *(type of identification)* as identification and did/did not take an oath *(circle correct response)*.

Mary Prosper
(Name - type, stamp or print clearly)

Mary Prosper
(Signature)

My Commission Expires on: 2/4/23

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Linda R Koeser, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [ ] individual or [ ] Trustee *[position - e.g., president, partner, trustee]* of Willis Family Trust *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 13341 Barwick Road
Delray Beach, FL 33445

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Linda R Koeser

Linda R. Koeser, Affiant

(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [✓] physical presence or [ ] online notarization, this 1st day of Feb, 2022 by Linda R. Koeser *(name of person acknowledging)*. He/she is personally known to me or has produced N/A *(type of identification)* as identification and did/did not take an oath *(circle correct response)*.

MARK McWilliams

(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: 3/9/24

NOTARY'S SEAL OR STAMP

MARK D. MCWILLIAMS
MY COMMISSION EXPIRES
MARCH 9, 2024
#GG 966941
Bonded thru
Troy Fain Insurance
NOTARY PUBLIC, STATE OF FLORIDA

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Willis Family Trust	13341 Barwick Rd Delray Beach, FL 33445
Owns 100%	

EXHIBIT "A"

PROPERTY

The West half (W ½) of the Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of the Southwest quarter (SW ¼) less road right of way, Section 1, Township 46 South, Range 42 East, Palm Beach County, Florida.

And

The following described five-acre parcel of land situate, lying, and being in the SW ¼ of Sec. 1, Township 46S., Range 42E., Palm Beach County, Florida, and more particularly described as follows:

Commence at the SE corner of the NW ¼ of said section: thence run S2°05'56"E, a distance of 65 ft. to the South line of LWDD right of way; thence run S89°43'14"W, a distance of 334.24 ft. to a point; thence run S2°08'51"W, a distance of 612.04 ft to a point, thence run S89°49'34"W a distance of 333.52 ft. to the Point of Beginning of the land sought to be described herein:

Thence run S2°15'30"E, a distance of 625.70 ft. to the North boundary of Coconut Lane; thence run along said boundary N89°59'44"W, a distance of 348.09 ft. to a point; thence run N2°15'30"W, a distance of 625.70 ft. to a point; thence run S89°59'44"E, a distance of 348.09 ft. to the Point of Beginning of the parcel sought to be described herein.

Exhibit 8

School Capacity Availability Determination (SCAD) Letter

THE SCHOOL DISTRICT OF PALM BEACH COUNTY, FL

KRISTIN K. GARRISON
DIRECTOR

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

PLANNING AND INTERGOVERNMENTAL RELATIONS
3661 INTERSTATE PARK RD. N., STE 200
RIVIERA BEACH, FL 33404

PHONE: 561-434-8020 / FAX: 561-357-1193
WWW.PALMBEACHSCHOOLS.ORG/PLANNING

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	**Submittal Date**	02/22/2022		
	SCAD Case No.	**22020301F/FLU; 22020301Z/Rezoning; 22020301D/D. O.**		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	PCN No. / Address	00-42-46-01-00-000-7060; 7080 / 4595 COCONUT LN		
	Development Name	**Colony Estates at Boynton**		
	Owner / Agent Name	Willis Family Trust / Yoan Machado		
	SAC No.	280B		
	Proposed FLU Amendment **Proposed Rezoning** **Proposed D. O.**	**Maximum 19 Residential Units** **Maximum 19 Residential Units** **40 Single-Family Units**		
Impact Review		Banyan Creek Elementary School	Carver Middle School	Atlantic High School
	# of New Students	7	4	5
	Capacity Available	85	512	89
	Utilization Percentage	93%	67%	96%
School District Staff's Recommendation	**Based on the findings and evaluation of the proposed development, there will be no negative impact on the School District of Palm Beach County public school system. Therefore, the School District has no comment on this SCAD application.**			
Validation Period	1) This determination is valid from **02/25/2022** to **02/24/2023** or the expiration date of the site-specific development order approved during the validation period. 2) A copy of the approved D.O. must be submitted to the School District Planning Department prior to **02/24/2023** or this determination will expire automatically on **02/24/2023.**			
Notice	School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.			

Joyce Cai

School District Representative Signature

February 25, 2022

Date

Joyce C. Cai, Senior Planner

Print Name & Title of School District Representative

joyce.cai@palmbeachschools.org

Email Address

CC: Patricia Behn, Planning Director, Palm Beach County
Kevin Fischer, Interim Planning Director, Palm Beach County
Vismary Dorta, Site Plan Technician, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County

Exhibit 9
Correspondence

Correspondence provided at the 12/9/22 Planning Commission Hearing

Gregory and Lori English
12745 Oak Arbor Dr
Boynton Beach, FL 33436
561-706-1746

December 5, 2022

Palm Beach County Planning Commission
301 N. Olive Avenue
West Palm Beach, FL 33401
Attn: Jerry Lodge
RE: Colony Estates of Boynton Beach

To the Members of the Palm Beach County Planning Commission:

I ask that this letter be included in the official record. My wife and I have been living in The Prestwick Estates neighborhood for close to 25 years, raising our two children and enjoying the quiet surroundings if has offered. Our home lies on the NW corner of Coconut Lane and Oak Arbor Dr. We will be directly affected by the additional traffic and noise this community will provide.

I am not opposed to the Colony Estates residence; it is their land they should do what they can to maximize their return on their investment. However, I do believe that this zoning change should not cause additional hardships to others living nearby.

I take exception to the application summary Section E .2 stating traffic will not be an issue. I ask any commissioner to take a drive at 7:45 -8:15am on Barwick Road between Coconut Lane and Lake Ida. The school traffic from Banyan Creek elementary most often causes a 15-minute traffic back up on Barwick Lane! In the event you are unable to make the trip, I have attached pictures with this letter for your review. This traffic will soon become much worse with the addition 40 homes from Banyan Court development on Barwick Lane in Delray Beach. Furthermore, the traffic light at Military trail and Coconut Lane is also extremely congested and backs up during peak hours. The traffic noise level on my property has increased at least 10 fold in the past 25 years.

I ask the commissioners to Vote NO on the change in Zoning to 39 homes in the Colony Estates development.

Thank you for your kind consideration.

Sincerely,

Gregory English



Jerry Lodge J.

From: Jesus Jimenez <drjjjimenez@yahoo.com>
Sent: Tuesday, December 6, 2022 5:49 PM
To: Jerry Lodge J.
Subject: Jesus Jimenez' letter for Friday's mtg

This Message Is From an Untrusted Sender
You have not previously corresponded with this sender.

December 5, 2022
Department of Planning, Zoning, and Building 2300 North Jog Road
West Palm Beach, FL 33411

Jesus G. Jimenez
12540 Oak Arbor Ln Boynton Beach, FL 33436

Honorable Members of the Palm Beach County Planning Commission:

Hello, I am not able to attend due to my profession. Thank you for taking the time to read my letter.
I have lived at Prestwick Estates for about 18 years. My neighborhood is very special because in Boynton Beach you will not find one acre single family homes in a non gated community.

When my family and I moved in the land behind my house was a nursery with cattle. So, I have always lived here with a sense of tranquility and privacy.

I have no problem with a new community being built behind my house, but the land use designation should not be changed for several reasons.

My community only has one entrance and exit from Coconut Lane. With a large community next to use it will be difficult and perhaps dangerous to enter and exit my neighborhood due to traffic. We have many children at Prestwick and I am concerned for their safety as they cross Coconut Lane to meet up with friends. Approximately 15 years ago a teenager from a Barwick community close to us was killed by a hit and run accident. Also, Prestwick is not gated so we will undoubtedly have more pedestrians and vehicles through our neighborhood. This again is a safety issue as our children play in common areas and on the street.

Boynton Beach is an incredible place to live and raise a family and I think that Prestwick Estates and Colony Estates of Boynton can coexist if the land use designation is unchanged from when I and my neighbors purchased our homes.

Thank you,

Jesus G. Jimenez,

Sent from my iPhone

December 6, 2022

To: Honorable Members of the Palm Beach County Planning Commission

Re: Colony Estates Zoning Change

As the property owner of 4640 Coconut Lane, Boynton Beach, FL, I wish to make the following statement regarding the possible zoning changes relative to the proposed Colony Estates of Boynton Beach development project.

I purchased the property at 4640 Coconut Lane, Boynton Beach, FL a few years ago for several reasons. First and foremost of the reasons was the quality of existing homes in the neighborhood. I thought that in a small neighborhood, like that which surrounded my property, and the nearby area that had a small number of high quality homes on relatively large lots with LR-1 zoning would help protect my property, my neighbors properties, and their respective values from developers building the type of development like the proposed Colony Estates. Such a project will have a seriously negative impact on the value of my property. That such a project would even be considered, much less be recommended for approval, by the very government entity that was created to protect its residents from such a travesty proves the opposite. It is obvious the the sole purpose of the Palm Beach County Planning and Zoning department is not to protect it's residents but to be more concerned with approving anything that will provide PBC with a few more square feet of taxable property, to the detriment of its residents.

Another reason I purchased my home was that Coconut Lane appeared to be a quiet residential street. It was only after moving in that I found out that, in fact, Coconut Lane was considered a shortcut. Not only by the local community but anyone else who wanted a shortcut to and from Lake IDA Road and Military Trail. It was so bad from a traffic volume and speed standpoint that PBC installed 3 speed bumps in an attempt to reduce speed and incentivize alternative traffic routes some years ago. To little effect I will add. I have on a number of occasions been stuck in my driveway for quite some time while waiting for traffic to clear. Not to mention the fact that I have had to replace my mailbox and post twice due to speeding cars hitting the speed bumps at high speed, losing control and destroying my mailbox. It was very fortunate that none of my neighbors and their children happened to be walking there at the time. There are a lot of people walking on Coconut Lane, especially children. The addition of another speed bump as well as traffic cameras should be considered instead of exacerbating the problem with more than 300+ trips a day, which everyone knows is a minimum number. Reality is much different and higher number of cars should be expected. When was the last time a traffic count was

done on this road? It seems as though it should be performed before a change in zoning be considered. Or are we expected to take the developers word for it?

Within the zoning change request the developer lists the following as examples of density compatibility with the surrounding properties. It lists the following:

Prestwick Estates - density of 0.82 units per acre
Montreux - density of 2.64 units per acre
Hunters Court - density of 2.66 units per acre
Cocoa Pines Estates - density of 2.11 units per acre

It is extremely telling that the following properties were NOT listed:

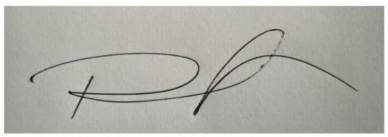
4640 Coconut Lane - 1 unit per acre
4664 Coconut Lane - 0.75 unit per acre
4630 Coconut Lane - 0.68 unit per acre
4670 Coconut Lane - 0.75 unit per acre
12695 Barwick Road (SE corner of property) - 0.3 unit per acre
12635 Barwick Road (NE corner of property) - 0.5 unit per acre

Looking at these numbers, it is impossible to interpret how a density of 3.99 units per acre can even be remotely considered compatible. If anything, they are exactly the opposite. And finally, in reality, 3.99 is essentially 4. Let's not play numbers games with residents lives and properties.

It is my feeling that this project should be rejected based on the density of 3.99 units per acre and retain the current zoning designation. It is certainly not in keeping or compatible with the local community's current densities.

Please add this letter to the official record.

Sincerely,



Randy M. Durst
4640 Coconut Lane
Boynton Beach, FL 33436

Dear Honorable Members of the Palm Beach County Planning Committee,

My name is Mildred Marin. I live in Prestwick Estates in Boynton Beach for the last 9 years. I am a retired Government employee living in my forever home. Our community is small and consists of 21 homes with 1-5 acre lots. The area has mature landscaping and trees and is home to many different species of wildlife and migrating birds throughout the year. My community is very quiet thus cherished by surrounding communities that use our dead-end Street to jog, walk, stroll and bicycle with their children and families and enjoy nature.

I am writing to you to implore that you take our community and surrounding area into consideration when voting on December 9th, 2022 on the Colony Estates proposed project and zoning approval of LR1 to LR2. Please do not approve the zoning plan as it is too ambitious and to large for the given area and not in any way conducive with my community or surrounding area,

Some members from neighboring communities have met with the developer a couple of times. The developer has shown us the old architectural plans for 39 homes in 7.9 acres. He has stated that he has made revisions but does not have the plans to show us. He is also constructing under the guise of building six work force housing structures affording him the monetary incentives for his ambitious project in such a small space. We have provided suggestions which the developer has not taken into consideration and ignored.

Three in a half homes are directly backing up into my backyard. The same is true for approximately one third of Prestwick Estates homeowners because the developer has proposed zero lot lines with eight feet of separation between our properties. He has offered a six foot wall with some trees as a buffer for the properties on the east. Most of the 39 homes will be two stories and 35 feet in height that deprive me of any privacy as I have a one story home. This construction will affect all the migrating birds that visit our yards every year due to the abundance of trees, fruit trees, grass and fauna in our community. We are a unique community and with the development of this many homes destroys the character of our community as well all of the adjoining communities. We are losing all the best qualities of our neighborhood which are very few like this in the area. We have nature around us but we are being overtaken with a lot of new construction. I retired and purchased this home to be my forever home because it felt like my sanctuary away from city life.

The density and traffic issues that we are currently experienced have multiplied in magnitude.Current surveys need to be taken. Nearby construction of Banyan Court, a new development being constructed less than ½ mile away from the Colony Estates proposed project is adding 51 homes to the neighborhood with the addition of approximately 102 vehicles. The construction of Colony Estates, as currently proposed by the developer, will add approximately 78 cars commuting onto a two lane road where some communities including my community Prestwick, only have one means of entering and/or egress onto the road of Coconut Lane.

This also provides a hazard for the first responders because there is no way for them to respond to an emergency during high peak hours. The neighborhood is also comprised of one elementary school in very close proximity and a neighborhood Walmart that also brings their customers commuting between Barwick and Coconut Lane. The combination of school traffic, rush hour traffic and people coming onto Coconut lane from Barwick and/or Military Trail looking for shortcuts trying to get home or to bypass the major roads, is becoming an impossible feat for a two lane road.

The developer says the project is to help the work force community while he is only building six work force housing structures. How does this help your house shortage? What work force community can afford $600000-$900000 for a home on an entry level salary?

This developer should be able to build but, building a smaller project would fit in better with the community We know there is a shortage of housing, but they are destroying the beauty of our community not to mention our forever homes for most of us. We will never be able to rebuild what we have now.. The developer should comply with the chemistry of the adjoining communities especially Prestwick Estates. We would love if you would keep in mind if this were your home, your community, would you agree with the developer? You are driving us out of our own homes and communities, but the question is “WHERE DO WE GO?”.

Please take us into account when voting for this project. Please do not change the zoning. Thank you for your service. Thank you for your time.

Sincerely,
Mildred Marin, Homeowner
Prestwick Estates
12710 Oak Arbor Dr
Boynton Beach, Fl 33436

Workforce Housing Program (WHP)
2022 Prices and Incomes
Effective July 1, 2022

WHP prices are set annually, based on the provisions
of Article 5.G.1.A.3.c of the Unified Land Development Code reflected below, and the following:

2022 PBC Median Family Income: $90,300 (per HUD)

WHP Sales Prices (homes cannot be sold at a higher price)

WHP Income Category			2022 (WHP) Sales Prices
Low	60 -80% of MFI	$54,180 - $72,240	$189,630
Moderate 1	>80 -100% of MFI	>$72,240 - $90,300	$243,810
Moderate 2	>100 -120% of MFI	>$90,300 - $108,360	$297,990
Middle	>120 -140% of MFI	>$108,360 - $126,420	$352,170*

**Middle Income category does not apply to WHP units in projects approved under WHP Code adopted 8/22/2019.*

For information on WHP pricing, contact Michael Howe, Planning Division, at mhowe@pbcgov.org or 561-233-5361

Workforce Housing – For Rent Total Units 1,317

- Palazzo at Casa Brera Apartments, Lake Worth (142 WHP units): 561-433-0016
- Wellington Club Apartments, Lake Worth (154 WHP units): 561-434-9013
- Elysium at Osprey Oaks Apartments, Lake Worth (37 WHP units): 561-781-1362
- Atlantico at Tuscany, Delray Beach (13 WHP units): 561-544-7213
- Blu Atlantic Apartment Homes, Delray Beach (62 WHP units): 561-498-2600
- Oasis Apartments, Delray Beach (5 WHP units): 866-612-6136
- 10X Living at Delray, Delray Beach (63 WHP units): 786-515-0126
- Uptown Boca, Boca Raton (114 WHP units): 561-300-4800
- Alora West Palm Beach (133 WHP units): 561-687-1133
- The Point at North Palm Beach, North Palm Beach (63 WHP units): 561-462-2701
- Palm Beach Preserve, West Palm Beach (57 WHP units): 561-788-7546
- Wellington Vista Apartments, Lake Worth (70 WHP units): 833-219-0820
- Vista Village Park, West Palm Beach (14 WHP units): 561-283-4663
- Luma Delray, Delray Beach (25 WHP units): 561-637-9822
- Boca Vue Apartments, Boca Raton (17 WHP units): 561-484-5800
- Aviara Green, West Palm Beach (12 WHP units): 561-463-8400
- Aviara Lake Worth, Lake Worth Beach (6 WHP units): 561-463-8400
- The Bohemian, Lake Worth Beach (42 WHP units): 561-462-4458
- Resia Pine Ridge, West Palm Beach (288 WHP units): 561-437-0964

The County does not pre-qualify households for these rental units. The property management staff will qualify each household. Please contact any of these developments at the phone number listed above to inquire about available workforce housing units, and schedule an appointment with property management staff to discuss the application process.

Workforce Housing - For Sale Total Units 71 Sold Out

Merry Place Estates, West Palm Beach, FL (36 units)

Mattamy Homes - Saddlewood at Polo Legacy, Lake Worth, FL (35 units)

Affordable Housing - For Sale Total Units 36 Sold Out

Esperanza Condominiums (36 units) Sold Out

GOLD COAST BUILDERS ASSOCIATION
MEMBERS WORKING WITH MEMBERS
WWW.GCBAFLORIDA.COM • 201 N HWY ONE, STE D10, #1098, JUPITER, FL 33477 • (561) 228-6137

February 24, 2025

Thuy Shutt, AIA, FRA-RA, Planning Director
Palm Beach County Planning, Zoning and Building Department
2300 North Jog Road
West Palm Beach, FL 33411-2741

RE: Potential Changes to Workforce Housing Program

CC: Mayor Maria G. Marino, Vice Mayor Sara Baxter, Commissioner Gregg K. Weiss, Commissioner Joel Flores, Commissioner Marci Woodward, Commissioner Maria Sachs, Commissioner Bobby Powell, Jr., County Administrator Verdenia Baker, Deputy County Administrator Patrick Rutter, Planning, Zoning and Building Director Whitney Carroll, AICP

All:

The Gold Coast Builders Association (GCBA) has reviewed the agenda backup for the February 27, 2025, BCC Agenda Item 20 (Workforce Housing Program) and offers the following comments and suggestions. As you may be aware, the GCBA has historically been and continues to be involved with the regulations pertaining to the Palm Beach County Workforce Housing Program. We were disappointed to learn, quite by accident, that this matter was being discussed at the end of a regular monthly Zoning Agenda after last having been brought up for review and discussion in June-August of last year. The actual notice only arrived the morning of February 21, 2025, less than a week ahead of the meeting.

Importantly, as far as GCBA is aware, the County has not conducted and does not plan to conduct a study to demonstrate how the WFH Program, or any proposed changes to it, fully offsets the WFH obligations set forth in the Program in order to demonstrate compliance with Florida Statutes Chapter 125.01055 and/or the requirements of both a nexus and rough proportionality for any exaction, whether by condition or code provision. The statement in the Staff Report "For any changes directed by the Board, staff will draft proposed code changes and request economic feasibility analysis by the County's economic consultant for workforce housing to ensure that project profitability remains at acceptable levels" misses the mark as it considers the incorrect standard.

As to the proposed staff recommendations, we comment as follows:

(1) Tier Applicability: This is a policy decision by the BCC. If the BCC were to make this change, existing densities (standard and PUD, as applicable) before the application of the WFH bonus in the Exurban, Rural and AGR Tiers should remain vested with no WFH obligation on the vested

densities. This would avoid the County inappropriately violating the requirement of Florida Statutes Chapter 125.01055 to "fully offset" the WFH obligation imposed.

(2) Voluntary WFP for < 10 units: GCBA concurs with the staff recommendation.

(3) Affordability Periods: GCBA does not support any change from the current program and supports leaving as currently adopted for-sale as 15-year recurring and rental as 30-year non-recurring. The proposed change directly impacts financing opportunities and ultimately hurts the ability to provide housing, which is contrary to the intent of the requirements.

(4) Annual Eligibility Determination: GCBA cannot make a recommendation on this matter at the present time as we need to have actual language to review. The concept may be a good one, but we need to better understand the implications of this change before we can make a formal determination. We look forward to discussing this further with you and the BCC.

(5) In-Lieu Fees: GCBA does not support the elimination of the In Lieu Fee option and recommends the BCC leave the In Lieu Fee Option as currently adopted (adjust annually with CPI-U). GCBA's Builder members clearly heard the direction from the County Commission to utilize the In-Lieu Fee as the option of the last resort and have responded and acted accordingly. But removing a disposition option removes flexibility, and we do not support changes which remove flexibility.

(6) Limited Incentive Density Option: GCBA strongly objects to the recommendation to eliminate the Limited Incentive Option. The County has not produced a single study proving that Palm Beach County has met the standards of Florida Statutes Chapter 125.01055 to "fully offset" the WFH obligation imposed on projects which utilize ONLY standard or PUD density (i.e. request no bonus density). By removing the Limited Density Incentive option, projects that request no density bonus will effectively have their current WFH obligation doubled without a single off-set being provided by the County. We believe that clearly violates Florida Statutes Chapter 125.01055.

(7) Exchange Options: GCBA supports leaving the Exchange Program as currently adopted. While the "uncommitted" sub-option is not being used (which proves the Exchange is working), the concept of flexibility is key; removing the "uncommitted" sub-option is removing another layer of flexibility.

(8) Default Disposition of WFH units: GCBA supports leaving the disposition option as currently drafted and therefore does not support the disposition of "on site" becoming subject to a BCC waiver. The current code already requires the disposition to be declared as part of the zoning approval and therefore the proposed disposition is known to the BCC at the time the development order is approved so no additional burdens are necessary.

(9) On-site, For- Sale WHP Units: GCBA supports further incentives being offered to encourage on-site WFH construction. GCBA GA does not support a change to "like for like" as most Exchange Program projects convert detached to attached units with a 1.5 times conversion factor, resulting in more WFH units being built.

(10) Separate MF/TH/SF Pricing: GCBA supports leaving pricing structure as currently adopted.

(11) WH Rent/For-sale Pricing Schedules: GCBA (1) supports adding a lower bracket (40-60%) as an option, but not an obligation particularly given the increased need to offset those losses as required by Florida Statutes Chapter 125.01055; (2) leaving current HUD derived rental rates; (3) leaving Middle category for rentals; and, (4) putting back (reinstituting) the Middle category for for-sale projects.

(12) Reduced Development Costs and Obstacles: GCBA supports: (1) using In Lieu Fee proceeds to assist with development costs; (2) County offering County owned land for WFH units in the Urban/Suburban Tier whether by transferring ownership or long-term leases; and, (3) providing LDR relief by allowing WFH developments to establish their own specific LDRs/guidelines through the development approval process.

(13) Reduced Parking Requirements: GCBA believes there is merit in this concept but needs data on the implications of this relative to adequately parking sites before taking a formal position on this proposal. One consideration, for example, could be the difference in the Urban/Suburban Tier where there is more opportunity for mass transit versus other areas of the County.

Representatives of the GCBA will be attending the meeting on February 27th should you have any questions.

Regards,

President, Gold Coast Builders Association

Michele L Mockenhaupt

HOUSING LEADERSHIP COUNCIL
OF PALM BEACH COUNTY

February 24, 2025

Mr. Patrick Rutter
Deputy Administrator
Palm Beach County
301 S. Olive St.
West Palm Beach, FL 33401

Re: Comments on Proposed Changes to Palm Beach County Workforce Housing Program (WHP)

Dear Mr. Rutter:

The Housing Leadership Council of Palm Beach County, Inc. (HLC) is writing with regard to a series of proposed changes to the County Workforce Housing Program (WHP) that were first presented at a Board of County Commissioners (BCC) workshop on June 18, 2024. The County subsequently had an industry and stakeholder forum on August 14, 2024, after which it solicited and received comments through an online summary. Staff recommendations are now being presented at a BCC Zoning Meeting on February 27, 2025 for further BCC discussion and direction to County staff. We wanted to provide HLC's comments to you in advance of this meeting. We have attached for reference the complete table that was included in the Agenda package, providing a summary of current policy, possible changes for evaluation and staff recommendations for each of the covered areas.

It should be noted that, unlike the County Bond program, the WHP only applies to projects in unincorporated Palm Beach County. Also, unlike in the Bond program, no financial subsidy is being provided by the County. The County is imposing a workforce housing requirement as a condition of approval for a particular project to provide the necessary entitlements for the development of the project. As such, it is important for the County to assess the impact of any proposed changes on project economic feasibility, HLC has the following comments regarding the staff's proposed changes to the County WHP:

1) *Extend the program to Exurban, Rural and AGR Tiers* – we do not have an objection to this change.
2) *Allow projects with <10 units to* participate – as this would be a voluntary expansion of the program, we do not have an objection to this proposed change.
3) *Extension of Affordability Periods* – we do not support the recommendation to extend the affordability period for WHP projects to 50 years. Florida Housing Finance Corporation requires a 50-year affordability period for projects that are heavily subsidized in the form of housing tax credits, SAIL funds and tax-exempt bonds. Even so, many of these projects are recapitalized for rehabilitation with more subsidy during the affordability period. As noted,

WHP projects receive no financial subsidy. A perpetual affordability period on projects built on County-owned land may receive a subsidy through a lower land price, but it leaves unaddressed how to refinance and rehabilitate aging properties or how the County will define "perpetual." We agree with the staff recommendation to maintain the current restriction period for for-sale units.

4) *Require Annual Income Verification on WHP Units* - we would need more detail on how this would work. If a resident in a WHP unit has had a raise and is now over income, do they have to leave the unit, and what is the term of the "grace period" proposed? Or is the unit reclassified as a market unit, and their rent increases to a market level? Is the next available unit classified as a WHP unit and rented to an income qualified household as the WHP rent for that category? Since the WHP is administered by the Planning Dept., who is responsible for reviewing annual compliance submissions by the owner and who pays for this compliance?
5) *Elimination of In-Lieu Fees* – there is already an incentive built into the WHP to encourage developers with a workforce housing obligation to use the Exchange Program so that funds can be matched with developers of workforce housing to produce units more quickly. Eliminating this option removes a source of funding for housing as well eliminates the backup mechanism for the Exchange Program. We are opposed to this change. We also believe it is unnecessary to revisit the level of in-Lieu Fees for the three types of housing, which are increased annually per the CPI.
6) *Eliminate Limited Incentive Option* – we believe the current system provides a distinction between those seeking less rather than more bonus density, while providing an incentive for lower AMI WHP units.
7) *Eliminate the Uncommitted Exchange Sub-option* – we oppose any change that would make the Exchange Program harder to utilize.
8) *Set Default Disposition of WHP Units as "On Site," require BCC Waiver for Other Options* – we are opposed to any change that requires developer to build units on-site, which may be impractical and makes the WHP harder to use. The BCC waiver process would be cumbersome and painful, and should not be necessary.
9) *Options for On-Site, For-Sale WHP Units* – the staff initially proposed three changes. The first is to require that if the WHP obligation is for-sale housing, the units built to address it must also be for-sale ("Like for Like"). This was previously addressed in the Exchange Program, in which 1.5 rental units must be built for every 1 unit of WHP obligation that is for-sale. We don't see a need to change this. The second is to provide an incentive by discounting the number of units required if the units built are for-sale and on-site. While not maximizing the number of WHP units produced, we don't have an objection to this incentive option. We're not sure how the staff recommendation of bedroom for bedroom equivalency squares with this. The third is to require WH units located on civic sites to be single family for-sale units. This does not address the lack of a permanent County source for second mortgage financing for for-sale purchases and may prove impractical in particular situations. We are not aware of prior staff proposals with regard to minimum rental unit sizes.

10) *Create a New WHP for-*sale *schedule, add a TH price and allow for lower prices for MF and higher prices for SF* – we need more detail before we can comment on this.
11) *WHP Rent/For-Sale Pricing Schedules* – we concur with the staff recommendation of no changes in this area.
12) *Reduce Development Costs and Obstacles* – this range of options needs more detail before we can comment. We would note that the Housing for All Plan endorsed by the County Commission in early 2024 sets forth a number of recommendations for planning and regulatory relief.
13) *Reduce Parking Requirements* – we believe the County should revisit its existing parking regulations and be prepared to implement targeted reductions for certain categories of projects (e.g., transit-oriented developments).

While the BCC meeting package contains the results of the surveys submitted after the public workshop in August 2024, the matrix of proposed changes in the Board package is essentially the same as was presented to the BCC in June 2024, while the staff recommendations at the back of the Board package discount the public input and surveys that were received. There were a number of specific recommendations in the survey responses as to how the WHP could be improved:

- Bonus density for projects with a WHP obligation, especially for rental projects, should be provided as a **matter of right**, not through a separate approval process but through the approval of the project itself, and not require the purchase of TDRs at an additional cost above the land price. TDR purchases should be reserved for additional density above WHP bonus density, if otherwise permitted.
- County staff should, as a matter of policy, **not** be requiring a 25% WHP requirement on sites requiring a land use change, which is most sites in unincorporated Palm Beach County. This enhanced requirement, which is not in the WHP ordinance, blocks otherwise viable projects from moving forward, and also limits projects for which County bond proceeds can be used, since they can only be used for workforce housing units above entitlement minimum percentages (which would be > 25% WHP units in this case).
- The Housing for All Plan specifically calls for the funds collected from WHP In-Lieu Payments to be used for permanent second mortgage financing for home purchasers of homes constructed using bond program proceeds. Per County legal counsel with respect to for-sale units, the County Bond proceeds can only be used for construction of for-sale workforce homes, essentially limiting their use to a revolving construction loan fund. Developers of for-sale housing need to know that there is a steady and reliable source of takeout financing for purchasers of the homes they build. The in-Lieu funds are currently restricted to the purchase of for-sale housing produced under the WHP program; at last count, there were $18 million in funds that had accumulated in the In-Lieu account.
- Funds from the purchase of TDRs should be used for housing purposes. For historic reasons – TDRs were generated from the development rights transferred from environmentally sensitive lands purchased with bond proceeds – and TDR sale

proceeds went to DERM. However, the bonds have long been retired, and DERM does not account for these proceeds in its budget. Going forward, TDR sale proceeds should be used for housing.

- We would be in agreement with eliminating the Middle-income tier for rental projects if the current complex multi-tiered AMI ladder system were eliminated. Instead of the current system with 8 tiers of AMI incomes and rents – maximums of 140%, 130%, 120%, 110%, 100%, 90%, 80%, 70% AMI – we would propose to eliminate the Middle income and rent tiers (140% and 130% AMI) and have three broader tiers – 61-80%, 81-100%, and 101-120%, with a third of the units in each.
- County staff has a policy of not allowing the use of WHP Exchange funds along with any other County subsidy. While the rationale for this policy is understandable, it does inhibit the production of for-sale units by non-profit sponsors. We believe that non-profit sponsors who may be utilizing civic land and other County resources to write down affordability should be able to request WHP Exchange funds on a case-by-case basis.

As you are aware, County inclusionary zoning programs are now subject to a state legislative standard that the costs incurred by developers of workforce housing under a mandatory scheme be "fully offset" by other benefits provided by the County, whether that be density bonuses, gap financing, fee waivers or tax abatements. Previously, the County has retained a consultant to determine that the County WHP met this standard. We would like to know if the County has retained, or plans to retain, a consultant to study the proposed changes and determine that they in fact meet the legislative standard.

The rise in construction costs, interest rates and insurance rates have all made the production of workforce housing harder. In light of these increases, we believe it is imperative that the County actively explore ways to improve the program so as to facilitate greater production of WHP units by developers. Given the nature of the staff recommendations, the lack of a consultant report as part of the BCC package, and the relatively short notice for an issue of this magnitude, we would recommend that the staff and BCC meaningfully explore ways to improve the WHP that will not have the unintentional effect of limiting workforce housing production.

Sincerely yours,

John Weir
Chairman of the Board

Suzanne Cabrera
President/CEO

cc: Mayor Maria Marino, Vice Mayor Sara Baxter, Commissioner Gregg Weiss, Commissioner Joel Flores, Commissioner Marci Woodward, Commissioner Maria Sachs, Commissioner Bobby Powell, County Administrator Verdenia Baker, PZB Director Whitney Carroll, Planning Director Thuy Shutt

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FUTURE LAND USE ELEMENT

I. INTRODUCTION

A. Purpose

The purpose of the Future Land Use Element (FLUE) is to delineate Palm Beach County's vision of how the communities within it are created, enhanced and maintained. The Element is the nucleus of the County's Comprehensive Plan. It defines the components of the community and the interrelationship among them through integrating the complex relationships between land use and the other elements of the Plan that address the physical, social, and economic needs of the residents and visitors of Palm Beach County.

The FLUE institutes the framework for growth management and land planning in unincorporated Palm Beach County, as authorized by Chapter 163, Florida Statues, the "Local Government Comprehensive Planning and Land Development Act." This act requires the FLUE to be consistent with State and regional plans. The Element was prepared to satisfy all the requirements of Chapter 163, F.S., and Rule 9J-5, F.A.C. (subsequently repealed).

Decisions on the appropriate use of land and delivery of services require a unified approach that respects the character of the County's diverse communities. The Future Land Use Element is intended to guide the location, type, intensity and form of various types of development patterns that respect the characteristics of a particular geographical area. This is needed to ensure development and maintenance of sustainable communities through smart growth practices which protect natural resources; prevent urban sprawl to encourage efficient use of land, facilities and services; provide for appropriate land use distribution and arrangement; and support creating research and development communities. These factors will facilitate: 1) Balancing the physical, social, educational, cultural, environmental and economic needs and economic growth opportunities for current and future County residents; and 2) Creating and maintaining livable communities.

The Goals, Objectives and Policies, and the Future Land Use Atlas (FLUA) that guide land use planning decisions are the foundation of the Future Land Use Element.

> **County Directions.** The County Directions provide the basis for preparation of the Goals, Objectives and Policies of the Future Land Use Element. These directions reflect the kind of community the residents of Palm Beach County desire.
>
> **Goals, Objectives and Policies.** The goals, objectives and policies provide the framework for decisions that direct the location, pattern, character, interrelationship and timing of development, which ultimately affects the distribution of facilities and services to support it. The location of natural resources and resource management areas, the development pattern and the design of residential and nonresidential development and open space, the location and type of employment centers, and the transportation network, provide the framework that establishes the form of the region. The relationship among these elements ultimately dictates the capacity of a community to accommodate growth and its ability to sustain a high quality of life for the citizens.

The Future Land Use Atlas. The Future Land Use Atlas graphically depicts the future land use designations for all parcels of land in unincorporated Palm Beach County. The Atlas is based on the amount of land required to accommodate the projected growth, based on past population trends and future population projections, while allowing for a diversity of lifestyle choices and ensuring protection of the County's natural resources.

The FLUE is organized into three sections. Section I (Introduction) generally describes the Element's purpose and fundamental principles and the County Directions. Section II (Goals, Objectives and Policies) presents the goals, each with supporting objectives and policies, which direct implementation of the County's vision and primary land planning principles. Section III, the Future Land Use Atlas Regulation Section, establishes the future land use designations and permitted densities, intensities, and uses designed to carry out implementation of the Future Land Use Atlas.

B. Assessment & Conclusions

The protection of the quality of life for present and future citizens is undermined by piecemeal development. This requires a framework as the basis for providing land use decisions that create and maintain sustainable communities and ensure resources are maximized and used cost effectively. The Future Land Use Element addresses actions to correct unforeseen problems and opportunities of development, ensures consistency with State and regional plans and implements the County Directions.

The following goals of the Element guide the location and form of development as well as the type of service and facilities to be provided.

Strategic Planning. Recognizing the diverse communities within the County through implementing strategies to create, protect, and maintain quality livable communities that respects the lifestyle choices for current residents, future generations, and visitors is a key component of the Future Land Use Element. The Element establishes Managed Growth Tiers and Overlays to identify unique geographic areas that warrant specific planning strategies.

Balanced Growth and Land Planning. Balanced Growth is one of the key elements for good land use planning. Balanced growth refers to the amount, distribution and inter-relationships of appropriate land uses, which provide for the physical, social, cultural, and economic needs of a community within the constraints of environmental conditions and resources.

Service Areas and Provision of Services. Cost effective and efficient provision of adequate services is a key component of providing for and maintaining sustainable communities. To meet this goal on a Countywide basis requires coordinated land use planning and service delivery. The Future Land Use Element sets the framework for coordinating these planning efforts.

Community Planning and Design. Community planning is a critical component to foster livable communities; ensure the most efficient and effective use of land, services and natural resources; and, meet the balanced growth objective. Community Planning will allow for the identification and evaluation of smaller geographic areas to create opportunities to improve the balance of land uses and address the specific needs within a definable area. In conjunction with neighborhood planning, good design standards and preservation of historic and cultural resources, this approach will allow for the creation, enhancement, and sustainability of livable communities, diverse in character, that have a strong sense of place and identity.

Natural Resource Protection. To achieve sustainable communities for both existing residents and future citizens of Palm Beach County, resources must be conserved and natural systems and functions maintained. To ensure that the County's resources are protected and managed appropriately, it is imperative that the appropriate State, regional and local land planning agencies, environmental agencies and service providers coordinate and provide accurate information and recommendations to decision makers so that full consideration is given to environmental issues when making land use decisions.

In summary, the Goals, Objectives and Policies will assist the County in planning for future growth beyond the current planning horizon, protecting and managing its natural resources, preventing the proliferation of urban sprawl, providing for its economic vitality, and accommodating the lifestyle choices for its residents.

C. County Directions

The Future Land Use Element was created and has been updated based on input from the public and other agencies through citizen advisory committees, public meetings, interdepartmental reviews, and the Board of County Commissioners. All contributed to the generation of the long-term planning directions, which provide the basis for the Goals, Objectives and Policies of the Future Land Use Element. These directions reflect the kind of community the residents of Palm Beach County desire.

1. **Livable Communities.** Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.

2. **Growth Management.** Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.

3. **Infill, Redevelopment and Revitalization.** Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.

4. **Land Use Compatibility.** Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.

5. **Neighborhood Integrity**. Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.

6. **Economic Diversity and Prosperity.** Promote the growth of industries that have relatively high wages and that can diversify the economic base.

7. **Housing Opportunity.** Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of low, moderate, and middle income housing, Countywide, through the Workforce Housing Program.

8. **Economic Activity Centers.** Encourage the development of Planned Industrial Developments primarily designed to accommodate and promote manufacturing industry and other value-added activities.

9. **Research and Development Communities.** Support the location of regional economic development activities in the County, which promote science and/or technology uses and other significant employment opportunities and educational initiatives resulting in new technologies and manufacturing activities.

10. **Level of Service Standards.** Establish specific, public facility level of service standards that are directly linked to the Capital Improvement Program, to accommodate an optimum level of public facility and service improvements needed as a result of growth.

11. **Linear Open Space and Park Systems.** Enhance the appearance of the County by providing an open space network that will become a visual and functional organizer of recreational activities, natural resources and other open space areas. This should include public lands, passive as well as active recreation areas, beaches and conservation areas.

12. **Environmental Integrity.** Encourage restoration and protection of viable, native ecosystems and endangered and threatened wildlife by limiting the impacts of growth on those systems; direct incompatible growth away from them; encourage environmentally sound land use planning and development and recognize the carrying capacity and/or limits of stress upon these fragile areas.

13. **Design.** Promote the concept of design to direct development, in rural and urban areas. Design is used to prepare and implement policies and plans that guide the physical development of the built environment and make such development functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals.

14. **A Strong Sense of Community.** Encourage citizen involvement, neighborhood spirit, and local pride in the County, and a commitment to working constructively on community problems.

15. **Agricultural and Equestrian Industries.** Support and enhance agriculture and equestrian-based industries.

16. **Historic Preservation.** Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage. Retain the local sense of place by preserving and protecting historic places, buildings and structures.

17. **Climate Change.** Increase resilience through appropriate land use strategies for adaptation and mitigation of climate change impacts.

18. **Externalities.** Recognize major negative externalities and attempt when economically feasible to place economic negative externalities away from neighborhoods.

D. Characteristics of a Livable Community

Among the County Directions is the concept of a Livable Community. A Livable Community comprises certain characteristics that contribute to sustainability and a high quality of life. The primary characteristics include:

For all tiers:

1. Citizen involvement, to foster pride of ownership and responsibility;
2. Employment opportunities;
3. A central neighborhood or community focal point, such as a civic space or commercial area;
4. Civic uses, such as schools, places of worship, and libraries, parks, and government services;
5. Security, police, fire-rescue and community patrols;
6. Health facilities, adult and child care;
7. Preservation of historic sites, structures and natural features and natural resources; and,
8. Elimination of facilities and uses that are incompatible with the community in which they reside.

Housing, in all Tiers, which includes:

1. Accessory apartments behind homes and above shops, where feasible and appropriate;

Housing, in the Urban/Suburban Tier, which includes:

1. Higher density residential near commercial centers, transit lines, and parks;
2. Homes having a stronger relationship to the street through porches, stoops, and walks; and,
3. Compact, diverse mix of housing for a wide range of family and household types, with continuous sidewalks, and alleyways if desired.

Public space, within the Urban /Suburban Tier, which includes;

1. Organized open space, landscaping, plazas, squares, greens, parks, gardens and appealing vistas;
2. Neighborhood and community parks (with walkways, seating, and appropriate recreational facilities);
3. Lighted, safe, and comfortable streets, and sidewalks;
4. Dispersal of parking, including provisions for on-street parking; and,
5. Public and private buildings placed to create human scale and pedestrian-oriented spaces.

Public spaces, within the Exurban and Rural Tiers, which provide:

1. Open space, squares, parks with landscaping, walkways, seating, appropriate recreational facilities and appealing vistas;
2. Comfortable streets, pathways, and trails;

3. Public and private buildings designed and placed to reflect a rural character.

Modes of alternative transportation, including:

1. Pedestrian access appropriate for each tier, which includes safe and physically appealing sidewalks or pathways;
2. Alternative modes of transportation appropriate for each tier, including bike paths and equestrian trails; and,
3. Public transit in the Urban/Suburban Tier, which includes available, timely, and affordable multi-modal opportunities.

Commercial centers addressing the neighborhoods daily needs include:

1. Limited mix of neighborhood-based commercial uses compatible with the character of the tier.

E. Summary of Future Land Uses

The Future Land Use Atlas assigns future land use (FLU) designations for each parcel in unincorporated Palm Beach County. The Future Land Use Element establishes the general range of density or intensity for each FLU designation. The approximate acreage for the gross land area (based upon parcel specific data) for each existing generalized future land use designation is provided in the table below.

Table 1.A Acreage by Existing Generalized Future Land Use Unincorporated County

Generalized Future Land Use	Acres
Low Residential	43,490
Medium Residential	21,120
High Residential	25,630
Rural Residential	61,690
Commercial	4,070
Urban Center & Infill	650
Multiple Land Use	240
Commercial Recreation	1,990
Industrial	14,350
Institutional & Public Facilities	2,510
Utilities/Transportation & Spoil	5,440
Park	5,120
Conservation	346,280
Agricultural Enclave	3,700
Agricultural Reserve	20,350
Agricultural Production	469,700
Lake Okeechobee (not a FLU)	157,360
Total Unincorporated County	**1,183,690**

Source: Planning Division Exlu12, parcel specific data, April 24, 2013

II. GOALS, OBJECTIVES AND POLICIES

GOAL 1 STRATEGIC PLANNING

It is the GOAL of Palm Beach County to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.

OBJECTIVE 1.1 Managed Growth Tier System

Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers to:

1. Ensure sufficient land, facilities and services are available to maintain a variety of housing and lifestyle choices, including urban, suburban, exurban, and rural living;

2. Preserve, protect, and improve the quality of natural resources, environmentally sensitive lands and systems by guiding the location, type, intensity, and form of development;

3. Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;

4. Enhance existing communities to improve or maintain livability, character, mobility, and identity;

5. Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;

6. Protect agricultural land for farm uses, including equestrian uses;

7. Strengthen and diversify the County's economic base to satisfy the demands of the population for employment growth, and provide opportunities for agricultural operations and employment centers; and,

8. Provide development timing and phasing mechanisms in order to prioritize the delivery of adequate facilities and services to correct deficiencies in existing communities and accommodate projected growth in a timely and cost effective manner.

   Policy 1.1-a: The County shall develop and implement strategies for each unique community and/or geographic area based upon common characteristics, including physical development patterns and service provision, and shall map the location of each Tier on the Managed Growth Tier Map located in the Comprehensive Plan Map Series.

   Policy 1.1-b: Tier Re-designation Criteria - In addition to the criteria for amending a future land use designation, the County shall apply the following standards to allow for the redesignation of a Tier to respond to changing conditions.

1. The County shall not approve a change in tier boundaries unless each of the following conditions are met:
   a) The area to be reassigned to another tier must be contiguous to the tier to which it would be assigned; and,
   b) A Study must be conducted to determine the appropriate tier designation of the area and its surroundings, in order to avoid piecemeal or parcel-by-parcel redesignations. If a neighborhood plan or study recognized by the Board of County Commissioners includes the area and makes recommendations concerning tier boundaries, such neighborhood plan or study may serve as the Study required by this policy.

2. Additionally, the following factors shall be considered, as part of the required Study, to evaluate the merit of the potential Tier redesignation:
   a) The availability of sufficient land to accommodate growth within the long range planning horizon, considering existing development approvals;
   b) The need to balance future land uses, considering the impact of continued development on an area and/or its demographics, as identified through the Community Planning process;
   c) For redesignations to the Urban/Suburban Tier, the necessity of designating additional land for urban/suburban development in the particular location, considering any infill or redevelopment opportunities available within the Urban Redevelopment Area (URA) or Revitalization and Redevelopment Overlay (RR-O);
   d) For any redesignation subtracting land from the Rural and/or Exurban Tiers, the impact on the lifestyle and character of these tiers, including maintaining physical contiguity of existing neighborhoods and land use compatibility;
   e) The ability of the property to maximize the use of existing and/or planned public facilities and services under the proposed tier designation;
   f) For redesignations to the Urban/Suburban Tier, the potential for the Tier redesignation to further County land use goals and objectives, such as mixed-use development in appropriate locations, provision and geographic dispersal of affordable and workforce housing and/or improvement of public transit; and,
   g) The presence or absence of natural or built features which currently serve as, or have the potential to serve as, logical demarcations between Tiers.

If any property is removed from an assigned tier through the future land use amendment process, as allowed for under this policy, the Planning Division shall conduct a Study to determine the property's impact on the tier system, the appropriate tier designation for the property and if and how tier boundaries need to be further adjusted in the area of the property. In making these determinations, the Study shall employ the criteria listed above for evaluating adjustments to the tier system.

Policy 1.1-c: Tier System Review - As part of each Evaluation and Appraisal Review, the County shall review the Tier System to evaluate the need to redesignate lands to reflect the need for additional land to accommodate projections of population growth within the long-range planning horizon and provide opportunities for a range of diverse lifestyle choices. This evaluation shall consider the criteria in Land Use Policy 1.1-b.

Policy 1.1-d: The County shall not modify the Tier System if the redesignation would exhibit the characteristics of urban sprawl, as defined by 163.3164(51), F.S.

SUB-OBJECTIVE 1.1.1 Climate Change

Palm Beach County shall adopt, implement, and encourage strategies which increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.

Policy 1.1.1-a: Palm Beach County shall continue to participate in the Southeast Florida Regional Climate Change Initiative through a four county Compact. The County shall collaborate to increase regional resilience by sharing technical expertise, participating in annual summits, assessing regional vulnerabilities, advancing agreed-upon mitigation and adaptation strategies, and developing joint state and federal legislation policies and programs.

Policy 1.1.1-b: Palm Beach County shall coordinate with other agencies, local governments, and the private sector to develop initiatives and goals to address climate change.

Policy 1.1.1-c: Palm Beach County shall encourage local governments to consider climate change adaptation and mitigation measures and shall provide technical support to the extent practical.

Policy 1.1.1-d: Palm Beach County Departments shall integrate consideration of climate change impacts, and adaptation and mitigation strategies, into existing and future system-wide planning, operations, policies, and programs.

Policy 1.1.1-e: Palm Beach County shall, by 2017, consider the use of Adaptation Action Areas as provided by section 163.3177(6)(g)(10), Florida Statutes, as a tool to identify areas vulnerable to coastal storm surge and sea level rise impacts, for the purpose of developing policies for adaptation and enhancing funding potential of infrastructure adaptation projects.

Policy 1.1.1-f: Palm Beach County shall consider the use of mitigation strategies to increase energy efficiency and conservation, and to reduce greenhouse gas emissions. These could include, but are not limited to, land use and transportation strategies such as encouraging compact residential development, providing incentives for mixed use and redevelopment that maximize internal trip capture, clustering residential densities along transit routes, improving access to transit, improving non-motorized movement, requiring interconnectivity among adjoining parcels, and providing incentives for green building methods.

OBJECTIVE 1.2 Urban/Suburban Tier– Urban Service Area

General: This tier is expected to accommodate the bulk of the population and its need for employment, goods and services, cultural opportunities, and recreation. It supports a variety of lifestyle choices, ranging from urban to residential estate; however, the predominant development form in the unincorporated area is suburban in character. The older, communities are primarily in municipalities, within approximately 2 miles of the Atlantic Ocean. Most of the neighborhoods within the tier are stable and support viable communities. However, due to the period in which many of the coastal communities were built and the County's efforts to keep pace with rapid growth in its western areas, some of the eastern areas did not receive a full complement of urban services. If the County is to meet its primary goal to create and maintain liveable communities, balance growth throughout the County, protect natural resources and provide a variety of lifestyle choices beyond the long term planning horizon, it is imperative that land, services and facilities be used efficiently and effectively.

Objective: Palm Beach County shall plan to accommodate approximately 90% of the County's existing and projected population through the long-range planning horizon within the Urban/Suburban Tier. The Urban/Suburban Tier shall include all land within the Urban Service Area, as depicted on the Service Areas Map in the Map Series. These areas have a development pattern generally characterized as urban or suburban, considering the intensity and/or density of development. The Urban/Suburban Tier shall be afforded urban levels of service.

Policy 1.2-a: Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:

1. Allowing services and facilities consistent with the needs of urban and suburban development;
2. Providing for affordable housing and employment opportunities;
3. Providing for open space and recreational opportunities;
4. Protecting historic, and cultural resources;
5. Preserving and enhancing natural resources and environmental systems; and,
6. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.

Policy 1.2-b: Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.

SUB-OBJECTIVE 1.2.1 Revitalization, Redevelopment, and Infill Overlay (RRIO)

The County shall establish incentives and make resources available, when feasible, to encourage revitalization, redevelopment, and infill in areas identified as a RRIO that are in need of assistance. The County shall work closely with residents, businesses, property owners, governmental agencies, and stakeholders to advance concepts and strategies that guide future revitalization, redevelopment, and infill activities in these areas.

Countywide Community Revitalization Team (CCRT) Areas

The Office of Community Revitalization (OCR) is responsible for developing and recommending revitalization strategies for, as well as providing technical and financial resources to, designated residential neighborhoods in unincorporated Palm Beach County and the Lake Region municipalities of Belle Glade, Pahokee, and South Bay. These neighborhoods, known as CCRT areas, are communities that have been identified by the Countywide Community Revitalization Team (CCRT), the OCR, and the Board of County Commissioners as neighborhoods that would most benefit from targeted revitalization efforts. There are currently 85 CCRT designated areas in unincorporated Palm Beach County, 64 of which are within the Urban Redevelopment Area.

The OCR serves as the CCRT neighborhood liaison office for Palm Beach County, and has become the main point of contact on issues related to neighborhood revitalization and community outreach and development. The OCR was created to respond to neighborhood concerns and help provide the necessary means to revitalize CCRT neighborhoods while promoting a strong partnership between the County and its residents. This is accomplished by: working closely with residents to help them manage community related issues and facilitate positive neighborhood change; facilitating interdepartmental coordination of actions to meet community needs; and developing as well as carrying out effective programs and community based initiatives to help reverse community decline, restore community vitality, and sustain neighborhood stabilization and revitalization efforts.

Policy 1.2.1-a: The Office of Community Revitalization shall address the needs of CCRT neighborhoods and facilitate the delivery of appropriate resources to stabilize and revitalize those neighborhoods by:

1. Coordinating the Countywide Community Revitalization Team and Glades Technical Advisory Committee and their initiatives;
2. Organizing and facilitating neighborhood meetings and visioning workshops to identify neighborhood and resident needs, and assisting the preparation of neighborhood plans;
3. Identifying and procuring funding and other resources for neighborhood improvement projects;
4. Assisting neighborhood groups and residents to organize and sustain effective neighborhood associations;
5. Providing technical assistance to neighborhood residents and organizations and educating them on how to effectively access and use County services and other community resources;
6. Coordinating the Neighborhood Street Lighting Program, the Neighborhood Partnership Grant Program, and the Neighborhood Home Beautification Program, and providing community leadership training through the Resident Education to Action Program;

7. Working with citizens, other departments, the County Administrator, and the Board of County Commissioners to identify solutions to neighborhood problems and improve service delivery; and
8. Coordinating with the Sheriff's Office, the Code Enforcement Division, and other appropriate agencies to ensure that services and resources are concentrated in relevant CCRT neighborhoods.

Policy 1.2.1-b: The Office of Community Revitalization shall periodically review and update the "Community Needs Analysis and Resource Assessment" to identify areas in need of attention, assist in the prioritization of improvement projects and resource allocation to address identified needs and evaluate the effectively of stabilization and revitalization efforts.

Policy 1.2.1-c: The Planning, Zoning, and Building Department shall continue to target concentrated code enforcement efforts in the Revitalization, Redevelopment, and Infill Overlay to reduce the number of code violations and improve the physical condition of neighborhoods.

Policy 1.2.1-d: In support of the Community Oriented Policing Program of the Sheriff's Office, the Unified Land Development Code shall be revised to incorporate Crime Prevention Through Environmental Design (CPTED) guidelines, a community design program which is aimed at reducing opportunities for criminal activity by increasing visibility from buildings, along streets, and in public areas.

Policy 1.2.1-e: The Revitalization, Redevelopment, and Infill Overlay (RRIO) shall be designated as a potential receiving area for the Transfer of Development Rights program described under Land Use Objective 2.4. Within this overlay, TDR units may be provided from the County TDR bank at no cost or at a discounted rate.

Lake Worth Park of Commerce Urban Redevelopment Area – The purpose of the Lake Worth Park of Commerce Urban Redevelopment Area is to promote an employment center through redevelopment and economic revitalization efforts. The boundaries for the Park of Commerce are: 10th Avenue North to the north; Lake Worth Road to the south; Interstate 95 to the east; and the E-4 Canal to the west.

Policy 1.2.1-f: The Planning Division shall continue to investigate appropriate land use changes to industrial within the Lake Worth Park of Commerce to promote redevelopment and economic revitalization.

Policy 1.2.1-g: The Planning Division in coordination with the Office of Community Revitalization shall continue to coordinate and provide assistance to the City of Lake Worth and County agencies to ensure improved infrastructure, services and access within the Lake Worth Park of Commerce.

Policy 1.2.1-h: The Planning Division in coordination with the Office of Community Revitalization shall encourage new development proposals within the Lake Worth Park of Commerce, with emphasis on those at the north and south entrance of the Park of Commerce along Boutwell Road, to be consistent with the goal to create a quality office/industrial park, as established in the Lake Worth Park of Commerce Conceptual Plan.

Policy 1.2.1-i: By December, 2002, the County shall initiate an amendment to designate the Lake Worth Park of Commerce Urban Redevelopment Area as a Transportation Concurrency Exception Area (TCEA).

SUB-OBJECTIVE 1.2.2 The Urban Redevelopment Area (URA)

The purpose of the URA is to focus the County's redevelopment and infill efforts by promoting economic growth, improving the present conditions of infrastructure, investment and reinvestment in the area, and discouraging urban sprawl by directing development where resources exist. The boundaries for the URA are generally described as Community Drive to the north, Lake Worth Drainage District (LWDD) L-14 Canal to the south, Interstate Highway I-95 on the east, and extends to some points as far west as Jog Road.

Policy 1.2.2-a: The Urban Redevelopment Area is depicted on the Special Planning Areas Map LU 3.1 in the map series. Within the URA are designated Priority Redevelopment Areas (PRAs), depicted in the map series (LU 9.1 and LU 9.2 Urban Redevelopment Area Regulating Plan). The intent of redevelopment within the PRAs of the URA is to:

- Preserve and respect existing intact neighborhoods;
- Maintain and improve the character and the quality of life for those within and adjacent to redeveloped neighborhoods;
- Create a predictable regulatory framework for building form and the resulting physical environment;
- Reduce automobile trips, promote transit and/or alternative modes of transportation;
- Balance housing, with employment, commercial, and civic uses;
- Provide a variety of housing types to support residents of diverse ages, incomes, family sizes, ethnicities, and lifestyles;
- Create predictability and efficiency in planning and provision of infrastructure

Policy 1.2.2-b: Within the PRAs, two new urban, mixed-use Future Land Use Designations are established: Urban Center and Urban Infill. These shall be transect-based land use designations and zoning districts. These transect based land use designations and their corresponding zoning districts will feature a primary emphasis on regulating building form and placement in relation to the public realm, over the regulation of specific uses. The locations of Urban Center and Urban Infill transects are depicted in the Map Series, Map LU 9.1 and LU 9.2, Urban Redevelopment Area Regulating Plan.

- **Urban Center:** The Urban Center (UC) Transect applies to those areas in the PRAs with the greatest mixed use development/redevelopment opportunities, based upon physical location and land area. The UC Transect is intended to support redevelopment using the planning strategies documented in the URA Master Plan. The UC Transects are envisioned as urban, mixed-use neighborhoods, located at prominent intersections developed consistent with the pattern illustrated in the URA Master Plan. The UC Transects shall develop/redevelop with the following characteristics, and will be implemented through the ULDC to require:

- A balance of land uses including residential, office/employment, and commercial within the transect;
- An interconnected pedestrian-friendly street network, including vehicular connectivity;
- Vehicular and pedestrian connections to adjacent parcels and roadways Buildings located along the sidewalk with uses that support and enhance pedestrian activity;
- An emphasis on multi-modal facilities (bike racks, bus shelters, on-street parking, enhanced pedestrian environments);
- A minimum of 15% of all new housing shall be provided as very low, low, and moderate income housing units;
- A range of one to four story buildings;
- Additional height may come from use of "green building" strategies contained in Policy 1.2.2-f (up to eight stories may be allowed);
- Provision for civic and/or institutional functions and spaces: additional density and intensity is permitted in this Transect, in exchange for the allocation of land for public facilities (including but not limited to a public school, significant public recreation facility, or significant component to a stormwater management facility) on portions of the site.

The UC Transect shall be utilized in conjunction with the provisions of TE Policy 1.2-v and the URA regulations in the ULDC.

- **Urban Infill:** The Urban Infill (UI) Transect should be the predominant land use in the PRAs. The UI Transect are envisioned as urban, mixed-use areas at the edges of existing neighborhoods proximate to an arterial thoroughfare; therefore, the UI Transects are transitional by nature. The UI Transect is intended to support development and redevelopment using the planning strategies documented in the URA Master Plan. The UI Transects are intended to be flexible allowing residential, office, civic, employment generating, and commercial uses. The UI Transects shall develop/redevelop with the following characteristics, and will be implemented through the ULDC to require:
  - Residential and/or non-residential uses;
  - An interconnected pedestrian-friendly street network, including vehicular connectivity;
  - Vehicular and pedestrian connections to adjacent parcels and roadways;
  - Buildings located along the sidewalk with uses that support and enhance pedestrian activity;
  - An emphasis on multi-modal facilities (bike racks, bus shelters, on-street parking, enhanced pedestrian environments as appropriate);
  - A minimum of 15% of all new housing shall be provided as very low, low, and moderate income housing units;
  - A range of one to three story buildings;
  - Additional height may come from the use of "green building" strategies contained in Policy 1.2.2-f (up to four stories may be allowed);

  The UI Transect shall be utilized in conjunction with the provisions of TE Policy 1.2-v and the URA regulations in the ULDC.

Policy 1.2.2-c: PRA Standards for Approval. Within the PRAs, all approvals for redevelopment and new development intensity/density shall be based on conformity with the following:

- URA Planning Study and Corridor Master Plans, and Addendum;
- Urban Redevelopment Area Regulating Plan (Map Series LU 9.1 and LU 9.2);
- Transportation Element Policy 1.2-v;
- Urban Redevelopment Area TCEA Map (Map Series TE 15.1, TE 15.3, TE 15.5 and TE 15.6);
- The provisions of Sub-Objective 1.2.2;
- The form-based code criteria in the ULDC.

During the development review process for each project, the Planning Division shall assign and monitor the allocation of density/intensity based upon the URA TCEA Tables TE-7A through TE-7E of Transportation Element Policy 1.2-v, the Transect, the form-based code criteria in the ULDC, and the physical constraints of the site. As an incentive, development or redevelopment projects that comply with all of the above requirements shall be reviewed through an abbreviated review process. Projects within the PRAs, in the Urban Center and Urban Infill Transects shall be exempt from the density restrictions found in Table 2.2.1-g.1, Residential Future Land Use Designation Maximum Density, and the intensity limitations found in Table 2.2-e.1 Maximum Floor Area Ratios (FARs) for Non-Residential Future Land Use Categories and Non-Residential Uses.

Alternative Standards: In order to allow for flexibility in the requirements for Urban Infill and Urban Centers in Policy 1.2.2-b, the County shall allow projects to apply for relief through the Zoning approval processes, subject to alternative standards—up to a complete deviation from all standards other than those required below. The alternative standards shall ensure that projects are generally desirable and contribute to the furthering of the County Directions and characteristics of a livable community. All projects utilizing the alternative standards shall, at a minimum, conform to the following requirements:

- The Transect/FLU designation shall determine the development intensity and density, and compatibility with surrounding non-transect-based future land use designations (if applicable);
- Meet the inter-connectivity provision in Policy 1.2.2-h;
- Include a plan depicting (as applicable) the block forms, streets, frontages, civic/useable open spaces, and the function and configuration of all uses within the project area.

Policy 1.2.2-d: In the Urban Center and Urban Infill Transects, the shaping of the public thoroughfares as part of the public/civic realm shall foster the use of mixed-use, liner buildings, where appropriate. These are buildings that are wide to the primary street but shallow to the block depth. When done in continuous sections, liner buildings can hide parking lots or blank building walls, frame the public realm, reduce gaps in the streetscape between buildings, or when interrupted, create new pockets of public open spaces in small increments. Parking shall be allowed in the front or sides of buildings as determined to be appropriate during the development review process.

Policy 1.2.2-e: The ULDC shall maintain a clear and concise set of urban, form-based regulations that implement the Urban Center and Urban Infill Transects in the PRAs. This form based-code shall establish an urban, pedestrian-friendly and transit supportive environment, through:

- Precise regulation of building and parking placement;
- Allow for flexibility in building use, and mixing of uses;
- Allow for reduced parking requirements and/or shared parking provisions;
- Stipulate streetscape components, ancillary landscaping, and allow for the creation of micro-climates through urban landscape standards;
- Incorporate Crime Prevention Through Environmental Design (CPTED) principles;
- Provide for public open spaces and recreational needs.

Policy 1.2.2-f: Green Buildings – The Planning, Zoning, and Building Department shall maintain an incentive program to encourage construction of more environmentally friendly "green buildings," consistent with the URA Master Plan. The Program shall include the following:

- All new development, redevelopment, or rehabilitation projects within the PRAs shall utilize the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Green Building Rating System in order to be eligible for bonus height consideration, or the appropriate Florida Green Building Coalition's designation standards.
- In order to qualify for the height bonus, the development must guarantee a LEED rating at the Silver level or above, or the appropriate Florida Green Building Coalition's designation standards.
- Projects in the Urban Infill Transect, which can normally build one-to-three story buildings, may build a fourth story.
- Projects located in the Urban Center Transect, which can normally build two-to-four story buildings, may build up to eight stories.

This incentive program shall be implemented in the ULDC.

Policy 1.2.2-g: The Planning Division shall coordinate with interested, affected municipalities in PRAs, to assist them in establishing zoning districts and regulations that allow and encourage the effective integration of residential and non-residential uses, consistent with the URA Master Plan and TE Policy 1.2-v.

Policy 1.2.2-h: The County shall require inter-connectivity in the URA between complementary neighboring land uses for both vehicular and pedestrian cross access, which shall be implemented through criteria established in the ULDC.

Policy 1.2.2-i: The County shall seek and encourage affordable and workforce housing opportunities in the URA.

Policy 1.2.2-j: The County shall coordinate with adjacent municipalities regarding redevelopment activities within the URA to ensure that such efforts are consistent with municipal annexation plans and redevelopment activities within the URA, as appropriate.

Policy 1.2.2-k: Mixed-use centers and employment centers shall be encouraged in the Urban Redevelopment Area (URA) where appropriate.

Policy 1.2.2-l: By January 2012, Palm Beach County shall conduct a stormwater feasibility study to investigate the creation of an independent, master stormwater drainage district or utility to meet the retention and detention requirements of areas targeted for redevelopment by the URA Master Plan.

Policy 1.2.2-m: Alternative Future Land Use and Zoning: The Urban Center (UC) and Urban Infill (UI) regulations foster an urban form for mixed use development with both residential and non-residential uses in the Priority Redevelopment Areas (PRAs). In order to accommodate development and redevelopment that is not mixed use, the County shall allow properties to utilize the future land use designations and zoning districts in place prior to the adoption of the UC and UI. The County may initiate Future Land Use Atlas amendments to assign the prior or other appropriate future land use designations as an underlying/alternative designation.

SUB-OBJECTIVE 1.2.3 Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO)

The Westgate/Belvedere Homes Community Redevelopment Area Overlay was created to encourage development and redevelopment of the Westgate area. The special land use provisions for the Overlay are designed to arrest deterioration of property values, and preserve affordable housing and complement the efforts to prepare and implement a community redevelopment plan for the Westgate area. The Westgate/Belvedere Homes Community Redevelopment Plan (hereafter Redevelopment Plan) is intended to geographically represent the desired locations for future land uses as well as the designation of receiving areas for the commercial and residential bonus provisions of the Overlay. The Redevelopment Plan will also consist of a program to rectify the severe infrastructure problems in the area. The County staff shall use the Redevelopment Plan in making recommendations and decisions on land use matters including zoning petitions, land use amendments, bonus criteria, text changes to the Unified Land Development Code and other implementing measures. The Redevelopment Plan may be amended from time to time using the procedures for adoption as included in Chapter 163 F.S. The provisions in Sub-objective 1.2.3 are designed to reduce the need for Future Land Use Atlas amendments to implement a community redevelopment plan for the Westgate/Belvedere Homes Area. This does not preclude the ability of property owners to initiate Future Land Use Atlas amendments in the Study Area. Special Overlay designation does not eliminate the requirement to conform to the Traffic Performance Standard, other concurrency management requirements or any other requirement adopted as part of the County's Comprehensive Plan or Unified Land Development Code.

Policy 1.2.3-a: The Westgate Community Redevelopment Area Overlay is depicted on the Special Planning Areas Map in the Map Series. The area is bounded on the south by Belvedere Road, on the north by Okeechobee Boulevard, on the east by Florida Mango Road and on the west by Military Trail.

Policy 1.2.3-b: Bonus Density Pool - The Board of County Commissioners has the authority within the WCRAO to approve residential densities higher than those shown on the Future Land Use Atlas for areas designated residential. These additional units must be obtained from a density pool of 1300 bonus units assigned to the Westgate/Belvedere Homes Area by this Element. A proposed residential project must be recommended for approval by the Community Redevelopment Agency to be eligible to receive bonus units from the density pool. The pool of units may be increased through amendments to the Comprehensive Plan text.

Policy 1.2.3-c: 20% Bonus Commercial Increase - The total amount of acreage in the WCRAO shown with a Commercial land use designation on the Future Land Use Atlas at the time of Comprehensive Plan's adoption in 1989 may be increased 20 percent through the rezoning process, without an amendment to the FLUA. The Board of County Commissioners may approve a zoning change from an Industrial or Residential zoning district to a Commercial zoning district using this provision, once the CRA determines that the proposed change is eligible. The 20 percent increase may be further increased through amendments to the Comprehensive Plan text.

Policy 1.2.3-d: A parcel in the WCRAO may be eligible for rezoning to an industrial zoning district, although its future land use designation does not typically permit industrial uses, provided the parcel is within the Flight Path of the Palm Beach International Airport, as determined by the Airports Department under Article 16 of the Unified Land Development Code.

Policy 1.2.3-e: The policies of Objective 1.2, the Urban/Suburban Tier, as well as the policies of Sub-Objective 1.2.1, the Revitalization and Redevelopment Overlay, shall apply within the Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO). However, the policies in this Sub-objective shall apply in the case of a conflict.

SUB-OBJECTIVE 1.2.4 Palm Beach International Airport (PBIA) Approach Path Conversion Area Overlay

The purpose of the Palm Beach International Airport Approach Path Conversion Area (PBIA) Overlay is to provide for future land uses that are compatible with existing neighborhoods and the future operations of PBIA. The unique future land use provisions of the Overlay are designed to: 1) protect viable, existing neighborhoods from incompatible uses; 2) provide opportunities for property owners to initiate conversion of their properties to non-residential uses.

Policy 1.2.4-a: The PBIA Overlay is depicted on the Special Planning Areas Map in the Map Series and delineated as the area bounded on the north by Belvedere Road, on the south by Southern Boulevard, on the west by the Florida Turnpike, and on the east by the Palm Beach International Airport, excluding any lands lying within a municipality.

Policy 1.2.4-b: Land within the PBIA Overlay shall have the potential to be zoned for uses permitted within the Light Industrial or Planned Industrial Park Development zoning districts in the form of a Planned Industrial Park or campus-like industrial development without an amendment to the Future Land Use Atlas (FLUA). Land within the Overlay shall not have the potential to seek commercial zoning unless the land is designated Commercial on the Future Land Use Atlas through a FLUA amendment.

Policy 1.2.4-c: *Contents relocated into FLUE Policy 1.2.4-b in Amendment Round 01-1.*

Policy 1.2.4-d: All future land use designations within the Overlay shall be eligible to convert to Industrial uses. Exceptions to this eligibility are:

1. Areas designated as Parks on the Future Land Use Atlas (FLUA).
2. The following areas, which shall only be allowed those uses permitted in the Residential future land use categories:

    a) The Wooded Acres (Timber Run) subdivision;

b) The Lake Belvedere Estates subdivision;
c) The Overbrook subdivision;
d) The area defined by the following boundaries beginning at Wallis and Jog Roads:

Western boundary:	Jog Road between Wallis Road and Belvedere Road;
Northern boundary:	Belvedere Road between Jog Road and the Timber Run subdivision;
Eastern boundary:	The western limits of the Wooded Acres (Timber Run) subdivision and the Royal Palm Estates subdivision;
Southern boundary:	Southern Boulevard extending to the western side of Sunbeam Avenue;
Southwestern boundary:	Sunbeam Avenue between Southern Boulevard and Wallis Road.

Policy 1.2.4-e: The following criteria must be met in order for a residentially built or approved parcel to be converted to industrial uses without a FLUA amendment:

1. At least 10 acres, if the parcel does not abut a roadway shown on the County's Thoroughfare Right-of-Way Identification Map; or
2. At least 5 acres, if the parcel does abut a roadway shown on the County's Thoroughfare Right-of-Way Identification Map.

Policy 1.2.4-f: The following criteria must be met in order for a vacant parcel to be converted to industrial uses without a FLUA amendment:

1. 10 acres, if the parcel does not abut a roadway shown on the County's Thoroughfare Right-of-Way Identification Map; and, only if the parcel is not contiguous on three or more sides to existing residential development; or,
2. 5 acres, if the parcel abuts a roadway shown on the County's Thoroughfare Right-of-Way Identification Map; and, only if the parcel is not contiguous on three or more sides to existing residential development.

Policy 1.2.4-g: The area of the PBIA Overlay that is bounded by Southern Boulevard on the south, the L-4 Canal on the north, Military Trail on the east, and the western boundary of the Royal Palm Estates subdivision on the west, shall only allow residential uses to convert to industrial uses subject to the following:

1. All new industrial uses shall be developed as a "Planned Industrial Park Development" (PIPD); and,
2. All new PIPDs shall be a minimum size of twenty-five (25) acres; and,
3. All new industrial development shall utilize a campus-style design as well as conform to the requirements for PIPDs as specified in the Unified Land Development Code (ULDC); and,
4. The following uses shall not be permitted: salvage junk yards, machine or welding shops, hazardous waste facilities, solid waste facilities, bulk storage facilities, transportation and multi-modal facilities, large-scale repair and heavy equipment repair and service facilities, petroleum and coal-derivations-manufacturing and storage facilities, heliports, helipads, airstrips, hangers and accessory facilities, and excavations.

Policy 1.2.4-h: The parcels located in the transitional area along the north and south sides of Bishoff Road and Alexander Road and on the west side of Jog Road may be rezoned to an industrial district without a corresponding future land use amendment. These parcels shall remain residential until property owners can assemble the minimum lot size for industrial use as set forth in the Unified Land Development Code.

Policy 1.2.4-i: If vacant land within the Overlay is developed as residential, the County shall require the developer to provide notification to property owners within the new residential areas, that they are located within the PBIA-Overlay, and may experience some airport related noise. The provisions regarding notification shall be incorporated into the Unified Land Development Code (ULDC).

SUB-OBJECTIVE 1.2.5 Indiantown Road Overlay Zone (IOZ)

Palm Beach County shall enhance its intergovernmental coordination with the Town of Jupiter thereby ensuring the Town‘s role in guiding appropriate development, improving overall aesthetics, and to protect the residential neighborhoods in the important gateway area represented by the Indiantown Road Overlay Zone by applying the 1995 joint agreement between the Town and County which details the IOZ.

Policy 1.2.5-a: The Indiantown Road Overlay Zone shall be depicted on the Special Planning Areas Map in the Map Series and apply to properties east of I-95 along Indiantown Road, which include unincorporated properties generally located on the south side of Indiantown Road, east of Limestone Creek Road and west of 61st Terrace North.

Policy 1.2.5-b: Only land use designations by the Town of Jupiter shall apply to unincorporated properties in the Indiantown Road Overlay Zone. The Town has authority for the general administration, application, and comprehensive planning for land development regulations and land use permitting and enforcement in the IOZ.

SUB-OBJECTIVE 1.2.6 Marine Waterfront Commercial Overlay (MWCO)

The purpose of the Marine Waterfront Commercial Overlay (MWCO) area is to protect recreational and commercial working waterfronts, as defined by the Introduction and Administration Element, within Unincorporated Palm Beach County.

Policy 1.2.6-a: Within the Marine Waterfront Commercial Overlay as depicted on Map LU 3.1, the County shall ensure a ‘no net loss’ of recreational and commercial working waterfronts by not approving an amendment or development order for any site that would reduce the amount of recreational and commercial working waterfront uses unless:

- the County determines that the subject site has limited redevelopment potential for recreational and commercial working waterfront uses due to changed circumstances, including but not limited to, changes in the surrounding area or government regulations; or
- the proposal includes the transfer and/or expansion of recreational and commercial working waterfront uses off site.
- denial of the amendment or development order would result in a taking of private property or would inordinately burden an existing use or a vested right to a specific use pursuant to the Bert J. Harris Jr., Private Rights Protection Act.

SUB-OBJECTIVE 1.2.7 Pioneer Road Rural Enclave Overlay

The purpose of the Pioneer Road Rural Enclave Overlay is to establish policies that provide a framework to preserve the low density rural character within the Neighborhood, by limiting residential densities, protecting the natural environment and wildlife, and promoting the use of agriculture. *(Ord. 2022-005)*

Policy 1.2.7-a: Boundaries. The boundaries of the Pioneer Road Rural Enclave Overlay are generally located south of Southern Boulevard, west of Jog Road, north of Okeeheelee Park, and east of the Florida's Turnpike. The specific boundaries of the Pioneer Road Rural Enclave Overlay are depicted on the Special Planning Areas Map, LU 3.1. *(Ord. 2022-005)*

Policy 1.2.7-b: Residential Density. The County encourages low residential densities within the Pioneer Road Rural Enclave Overlay. Applications that result in a higher residential density, including but not limited to future land use amendments, residential rezonings, Transfer of Development Rights Program, and Workforce Housing Program bonus, that require approval by the Board of County Commissioners (BCC) shall require approval by at least five members of the BCC. *(Ord. 2022-005)*

Policy 1.2.7-c: Natural Environment. The retention of native vegetation and canopy trees within the Pioneer Road Rural Enclave Overlay is encouraged. *(Ord. 2022-005)*

Policy 1.2.7-d: Agriculture. The ability for properties, including residential properties, to incorporate agricultural uses is encouraged within the Pioneer Road Rural Enclave Overlay. *(Ord. 2022-005)*

SUB-OBJECTIVE 1.2.8 Rural Enclave Overlay

The purpose of the Rural Enclave Overlay is to establish policies in the Urban/Suburban Tier to recognize the unique, low density character of communities within the Tier that assist in providing a diversity of lifestyles and promotes the continuation of agriculture. *(Ord. 2023-031)*

Policy 1.2.8-a: Boundaries. The County supports and recognizes the following communities as Rural Enclaves, which further Policy 2.2.1-p:

a. Biltmore Acres and Fearnley/Colbright Road

The specific boundaries of the Rural Enclave Overlay are depicted on the Special Planning Areas Map, LU 3.1. *(Ord. 2023-031)*

Policy 1.2.8-b: Residential Density. The County encourages low residential densities within the Rural Enclave Overlay. Applications requiring approval by the Board of County Commissioners (BCC) that result in a higher residential density, including but not limited to future land use amendments, residential rezoning, Transfer of Development Rights Program, and Workforce Housing Program bonus shall require approval by at least five members of the BCC. *(Ord. 2023-031)*

Policy 1.2.8-c: Agriculture. The continuation of agricultural uses is encouraged within the Rural Enclave Overlay. *(Ord. 2023-031)*

Policy 1.2.8-d: Natural Environment. The retention of native vegetation within the Rural Enclave Overlay is encouraged. *(Ord. 2023-031)*

OBJECTIVE 1.3 Exurban Tier

General: The Exurban Tier supports residential subdivisions, created prior to 1970 before the adoption of the Comprehensive Plan and its regulations. Historically, these areas have been considered rural due to a sparse development pattern, large heavily treed lots, presence of small agricultural operations including equestrian uses, and a desire for minimal services and regulation. However, growth has marked a change in the character from rural to more suburban and semi-rural, or exurban, as the existing and vested 1.25 acre lots develop with single family homes. The corresponding increase in population, which is anticipated in the Plan has caused an escalating increase in the demand for services. A recognition of the existing development pattern, demand for services and desire to maintain the rural character, warrants a specific set of strategies.

Objective: Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area in antiquated subdivisions created prior to the adoption of the 1989 Comprehensive Plan with platted densities greater than 1 dwelling unit per 5 acres while protecting the exurban lifestyle. The Exurban Tier shall include The Acreage and Palm Beach Country Estates Subdivisions and shall be provided with a mix of urban and rural services.

Policy 1.3-a: The County shall protect and maintain the semi-rural residential, equestrian, and agricultural communities within the Exurban Tier by:

1. Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;
2. Allowing services and facilities consistent with the character of the area;
3. Preserving and enhancing natural resources; and,
4. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the exurban community.

Policy 1.3-b: The Rural Residential 2.5 (RR-2.5) Future Land Use category shall be established to maintain a rural residential lifestyle for the Exurban Tier. The County will initiate an amendment to the Future Land Use Atlas to designate qualifying subdivisions, which meet the criteria listed below, as RR-2.5.

1. The average lot size is less than 5 acres;
2. The number of lots eligible for further subdivision does not exceed 15% of the total number of existing lots, consistent with the County's 85% Rule described in Lot Combination Requirements in the FLUA Regulation Section; and,
3. The number of potential new lots created has minimal impact on the transportation network as defined in Land Use Policy 3.5-d.

This future land use category shall recognize all existing lots as of the date of the designation, but shall require a minimum of 2.5 acres for all newly created lots thereafter, unless developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. Development Orders or Permits that require a specific plan for development shall comply with the provisions of the concurrency management system of the County.

Policy 1.3-c: In order to protect the rural residential life style in the Exurban Tier, minimum density requirements shall not be established.

Policy 1.3-d: Any parcel of land in the Exurban Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless: all parcels have a minimum lot size of 2.5 acres or is developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. Parcels may be subdivided for the purpose of enlarging other parcels in the subdivision. The overall number of units for the reconfigured lots may not exceed the original number of units calculated for the parcels prior to their reconfiguration.

Policy 1.3-e: All contiguous lots which are owned by the same person or entity as of December 1, 1989 shall comply with the density requirement of the applicable land use designation under the Comprehensive Plan, as amended, unless exempted by the 85% Rule defined in the FLUA Regulation Section. A lot(s) not exempted under this policy shall be combined with another commonly owned contiguous lot(s) to: (1) Comply with the density requirement; or (2) Reduce the density inconsistency if there are not sufficient contiguous lots to fully comply with the density requirement.

Policy 1.3-f: The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as depicted on the Federal Functional Classification of Roads Map TE 3.1), unless it is shown that a vehicular cross connection can be established to an adjacent site with a Commercial Low future land use designation, or such development is planned as a Traditional Marketplace Development (TMD). *(rev. Ord. 2022-022)*

Policy 1.3-g: Non-residential development shall be designed in the form of a Traditional Marketplace, or the development shall comply with rural design standards to ensure protection of the character of the Tier and to minimize impacts on surrounding uses. Standards for Traditional Marketplace Development shall also be developed to reflect the scale and character of the Exurban Tier.

Policy 1.3-h: The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and co-locating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Such uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

Policy 1.3-i: The County shall continue to maintain the rural zoning regulations for areas designated Rural Residential in order to protect and preserve the rural communities of present and future residents of these areas. The regulations shall, at a minimum:

1. Retain the Agricultural Residential zoning category and the agricultural uses permitted by the Unified Land Development Code;
2. Provide for zoning districts which appropriately accommodate residential and/or agricultural uses consistent with the applicable Rural Residential Future Land Use designation;
3. Provide assurances that allowed agricultural uses shall be compatible with a rural residential neighborhood;
4. Guarantee the keeping of livestock;
5. Maintain specific regulations to restrict the types of non-residential and non-agricultural uses allowed and promote the rural character through design, and

provide for locational criteria, which will prohibit the scattering of such uses throughout the Exurban Tier;

6. Provide limitations on the types and number of uses permitted by the conditional use process;
7. Allow home occupation uses that will not degrade the rural character of the area;
8. Include provisions for non-conforming agricultural uses consistent with this Plan, while not violating the Right-to-Farm Act;
9. Include provisions that: encourage maximizing the preservation of open space and protection of native vegetation and tree canopy in front, rear, and side yards; preserve environmental systems; protect wildlife; and, retain the rural character of the Exurban Tier; and,
10. Provide protection for Rural Residential areas in the Exurban Tier from the impacts associated with commercial mining operations and excavation, such as, but not limited to, hauling activity, blasting, vibration, noise, dust, and glare.

Policy 1.3-j: In order to allow transitional uses on Seminole Pratt Whitney Road adjacent to the commercial node at the intersection of Orange Boulevard, the County shall allow exceptions to location criteria for low-intensity office uses that have a residential design and appearance. The ULDC shall be revised to incorporate this new "Exurban Office" as a subcategory of Commercial Low Office Zoning, and shall establish a minimum of a DRO approval for all uses allowed within this zoning on sites utilizing this policy. *(Ord. 2020-022)*

1. **Property Requirements.** Properties that do not meet the Exurban Tier Commercial Location Criteria in Policy 1.3-f may apply through the future land use amendment process for a Commercial Low-Office (CL-O) future land use designation subject to the following:
   a. Is an adjacent lot, as defined by the Introduction & Administration Element, to existing Commercial Low future land use;
   b. Has legal access to Orange Boulevard, 69th Court North, 70th Street North, 71st Street North, 71st Place North, or 72nd Road North; and
   c. Has a lot depth of no greater than 300 feet west of Seminole Pratt-Whitney Road. *(Ord. 2020-022)*

2. **Design Requirements.** The development of the CL-O sites subject to this policy shall be residential in scale, be comprised of a single building, and designed with architectural and landscaping features that enhance the rural character and preserves and protects The Acreage's unique rural lifestyle as recommended by the Acreage Neighborhood Plan, and shall comply with the following:
   a. Minimum 50-foot building setback from a residential property line;
   b. Minimum 15 foot landscape buffer along all property lines;
   c. Preserve a minimum 25% existing native vegetation on site;
   d. The building front façade and primary entrance shall not face Seminole Pratt Whitney Road, and enhanced landscaping and vegetative screening shall be provided on Seminole Pratt Whitney Road;
   e. Maximum 0.05 FAR; and
   f. Not include drive through uses. *(Ord. 2020-022)*

OBJECTIVE 1.4 Rural Tier

General: The Rural Tier includes agricultural land and rural settlements that range in density from primarily 1 dwelling unit per 5 acres to 1 dwelling unit per 20 acres, except in special planning areas such as, but not limited to, the Western Communities Residential Overlay (WCRO) and the Trotting Center Overlay. These areas support large agricultural operations as well as single-family homes with small family -owned agricultural businesses, including equestrian related uses. Due to the declining availability of land and the increase in population in the Urban and Exurban Tiers, the Rural Tier is beginning to experience pressure for urban densities and nonresidential intensities normally associated with a more urban area. The strategies in the Rural Tier are established to protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that further the goals of the Rural Tier.

Objective: Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area, recognizing the existence of both large undeveloped tracts as well as areas containing densities equal to or less than 1 dwelling unit per 5 acres established prior to the adoption of the 1989 Comprehensive Plan located in proximity to environmentally sensitive natural areas while protecting the Rural Tier lifestyle. The Rural Tier shall be afforded rural levels of service, except in special planning areas such as, but not limited to, the Western Communities Residential Overlay (WCRO), the Trotting Center Overlay and the Limited Urban Service Area within the Glades Area Protection Overlay.

Policy 1.4-a: The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier by:

1. Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;
2. Providing facilities and services consistent with the character of the area;
3. Preserving and enhancing natural resources; and,
4. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the rural community.

Policy 1.4-b: The Rural Residential (RR-5) Future Land Use category shall be established to maintain a rural residential lifestyle for the Rural Tier. The County will initiate an amendment to the Future Land Use Atlas to designate qualifying subdivisions which meet the criteria listed below, as RR-5:

1. The average lot size is less than 10 acres;
2. The number of lots eligible for further subdivision does not exceed 15% of the total number of existing lots, consistent with the County's 85% Rule described in the FLUA Regulation Section; and,
3. The number of potential new lots created has minimal impact on the transportation network as defined in Land Use Policy 3.5-d.

This future land use category shall recognize all existing lots as of the date of the designation, but shall require a minimum of 5 acres for all newly created lots thereafter, unless developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. Development Orders or Permits, which require a specific plan for development, shall comply with the provisions of the concurrency management system of the County.

Policy 1.4-c: To protect rural areas and provide for preservation of agriculture, minimum density requirements shall not be established in the Rural Tier.

Policy 1.4-d: Any parcel of land in the Rural Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless each parcel created is consistent with the minimum lot size required by its respective future land use designation or is developed as one of the following:

1. Rural Residential (RR) Cluster;
2. Variable-Lot-Size development; or
3. Planned Unit Development developed under the Western Communities Residential (WCR) Future Land Use Category, within the Trotting Center Overlay or within the Limited Urban Service Area within the Glades Area Protection Overlay subject to LGA 2023-009.

Parcels may be subdivided for the purpose of enlarging other parcels in the subdivision. The overall number of units of the reconfigured lots may not exceed the original number of units calculated for the lots being reconfigured.

Policy 1.4-e: All contiguous lots which are owned by the same person or entity as of December 1, 1989 shall comply with the density requirement of the applicable land use designation under the Comprehensive Plan, as amended, unless exempted by the 85% Rule defined in the FLUA Regulation Section. A lot(s) not exempted under this policy shall be combined with another commonly owned contiguous lot(s) to:

1. Comply with the density requirement; or
2. Reduce the density inconsistency if there are not sufficient contiguous lots to fully comply with the density requirement.

Policy 1.4-f: The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as depicted on the Federal Functional Classification of Roads Map TE 3.1), unless it is shown that a vehicular cross connection can be established to an adjacent site with a non-residential future land use designation, or such development is planned as a Traditional Marketplace Development (TMD).

Policy 1.4-g: Non-residential development shall be designed in the form of a Traditional Marketplace, or the development shall comply with rural design standards in the ULDC to ensure protection of the character of the Tier and to minimize impacts on adjacent neighborhoods. Standards for Traditional Marketplace Development shall also reflect the scale and character of the Rural Tier.

Policy 1.4-h: The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and co-locating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

Policy 1.4-i: Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional water resource management protection, and incorporation of greenway/linked open space initiatives.

Policy 1.4-j: The existence of public facilities of any kind, including potable water, wastewater and/or reclaimed water pipelines, shall not be used as justification for making future land use decisions that increase density and/or intensity in the Rural Tier. In order to ensure system efficiency, properties within an area where a public or privately owned potable water, reclaimed water, and/or wastewater utility has been granted or assigned utility service area rights by Palm Beach County, the utility may extend lines and the properties may connect to the utility's system.

Policy 1.4-k: The County shall continue to assign areas with a RR-20 Future Land Use designation as TDR sending areas as an incentive to preserve wetlands, consistent with Future Land Use Objective 2.4 regarding the TDR program.

Policy 1.4-l: The County shall continue to provide the rural zoning regulations for areas designated Rural Residential in order to protect and maintain the rural communities of present and future residents of these areas. The regulations shall, at a minimum:

1. Retain the Agricultural Residential zoning designation and the agricultural uses permitted by the Unified Land Development Code.
2. Provide for zoning districts, which appropriately accommodate residential and/or agricultural uses consistent with the applicable Rural Residential future land use category;
3. Provide assurances that agricultural uses shall be allowed in rural residential neighborhoods;
4. Guarantee the keeping of livestock;
5. Maintain specific regulations to restrict the types of non-residential and non-agricultural uses allowed and promote the rural character through design, and provide for locational criteria, which will prohibit the scattering of such uses throughout the Rural Tier;
6. Provide limitations on the types and number of uses permitted by the conditional use process;
7. Allow home occupation uses that will not degrade the rural character of the area;
8. Include provisions for non-conforming agricultural uses consistent with this Plan, while not violating the Right-to-Farm Act;
9. Include provisions that restrict clear-cutting for residential purposes to encourage: preservation of open space and protection of native vegetation and tree canopy in front, rear and side yards: preservation of environmental systems, protection of wildlife and retention of the rural character of the Rural Tier.
10. Provide protection for Rural Residential areas in the Rural Tier from the impacts associated with commercial mining operations and excavation, such as, but not limited to, hauling activity, blasting, vibration, noise, dust, and glare.
11. Provide for the enhancement and continuation of equestrian uses and facilities to support equestrian operations and events.

SUB-OBJECTIVE 1.4.1 Trotting Center Overlay

The purpose of the Trotting Center Overlay is to preserve the low-density rural character of the area, by allowing transitional residential densities that are compatible with the rural lifestyle in Heritage Farms and promote the use of agriculture in those areas that are proximate to and have access from State Road 7. *(Ord. 2023-008, Ord. 2024-002)*

Policy 1.4.1-a: Boundaries. The Trotting Center Overlay is located within the Rural Tier, generally bounded by State Road 7 on the east, 700 feet south of Heritage Farms Road on the north, Park Lane Road on the west and the Agricultural Reserve Tier on the south. The specific boundaries of the Trotting Center Overlay are depicted on the special Planning Areas Map, LU 3.1. *(Ord. 2023-008, Ord. 2024-002)*

Policy 1.4.1-b: Transitional Density Option. In order to provide a transition from the Urban Suburban Tier, the County shall allow residential development within the Trotting Center Overlay at transitional densities, subject to the following criteria:

1. **Approval Process.** A Future Land Use Atlas amendment shall be accompanied by a concurrent zoning application and master plan in order to demonstrate that the proposal meets the requirements of this policy;
2. **Acreage.** The site shall be a minimum of 95 contiguous acres;
3. **Density.** The maximum density is 2 units per acre with no further density increases permitted through density bonus programs, such as the Transfer of Development Rights Program, the Workforce Housing Program or the Affordable Housing Program. The maximum density shall be identified in the adopting ordinance;
4. **Workforce Housing.** Pursuant to Housing Element Policies 1.5-g and 1.5-i and ULDC Article 5, Chapter G, Sections 1 and 2, the Workforce Housing Program and Affordable Housing Program are not applicable in the Trotting Center Overlay;
5. **Location.** The site must be located contiguous to the Urban/Suburban Tier (contiguous includes being directly across a right-of-way) with frontage and access only onto State Road 7 and be located east of Park Lane;
6. **Design Features.** The lot sizes shall transition with the smallest lots located closest toward State Road 7 and the largest lots located towards the western property line. A minimum 20% of the planned unit development within the Overlay shall be comprised of lots (including the associated roadways serving these lots) that are a minimum of 0.5 acres in size;
7. **Expanded Buffers.** Residential planned development within the Overlay shall provide increased buffers for property lines coterminous with the boundaries of the Overlay as provided below:
    a. A minimum 50- foot buffer along the western property line;
    b. A minimum 50-foot buffer along the southern property line abutting single-family properties that predate the adoption of the Overlay;
    c. A minimum 30-foot buffer for any other southern property line; and
    d. A minimum buffer pursuant to ULDC regulations along the northern property line.
8. **Native Vegetation.** 100% of the landscaping within the perimeter buffers shall be native vegetation;
9. **Access.** Access to development within the Trotting Center Overlay is limited to State Road 7; and

10. **Urban Services.** All development within the Trotting Center Overlay shall connect to County water and sewer services located within the State Road 7 right-of-way. *(Ord. 2023-008, Ord. 2024-002)*

SUB-OBJECTIVE 1.4.2 Heritage Farms Rural Overlay

The purpose of the overlay is to recognize Heritage Farms as a long-standing rural residential, agricultural, and equestrian community within Palm Beach County, and to preserve its rural character by discouraging the encroachment of incompatible urban densities, while allowing for the continuation and expansion of agricultural and equestrian uses. (*Ord. 2023-037)*

Policy 1.4.2-a: Boundaries. The boundaries of the Heritage Farms Rural Overlay are generally located south of Lantana Road, west of State Road 7, north of the Agricultural Reserve Tier, and east of the Homeland Subdivision. The specific boundaries of the Heritage Farms Rural Overlay are depicted on the Special Planning Areas Map, LU 3.1. (*Ord. 2023-037)*

Policy 1.4.2-b: Residential Density. The County encourages rural residential densities within the Heritage Farms Rural Overlay. Applications requiring approval by the Board of County Commissioners (BCC) that result in a density greater than Rural Residential, 1 unit per 5 acres (RR-5), including but not limited to tier changes, future land use amendments, and residential rezonings, shall require approval by at least five members of the BCC. (*Ord. 2023-037)*

Policy 1.4.1-c: Natural Environment. The planting and retention of native vegetation within the Heritage Farms Rural Overlay shall be encouraged. (*Ord. 2023-037)*

Policy 1.4.1-d: Agriculture and Equestrian. The continuation and expansion of agricultural and equestrian uses as allowed by the ULDC shall be encouraged within the Heritage Farms Rural Overlay. (*Ord. 2023-037)*

OBJECTIVE 1.5 The Agricultural Reserve Tier

General: The Agricultural Reserve Tier encompasses unique farmland and wetlands that are to be preserved primarily for agriculture based on policy direction adopted by the Board of County Commissioners in 1995. The Agricultural Tier Objective and Policies were revised in 2001 to incorporate the findings contained within the Ag Reserve Master Plan dated October 2000. This document was a summary of consultant and staff recommendations, and Board direction, for the Ag Reserve Master Planning effort which took place over a period of years with several phases. The purpose of the Master Planning effort was: "*To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals."* A major emphasis of the initial phase was public outreach and the preparation of a set of guiding objectives that were prioritized by the Board of County Commissioners (BCC) during the development of the Ag Reserve Master Plan as follows:

- Preserve and enhance agriculture
- Enhance environmental resource value
- Enhance water management capability
- Enhance open space
- Create a functional sustainable development pattern
- Minimize costs/impacts to County taxpayers

Three possible development scenarios were prepared and weighted against their fulfillment of these objectives, the Status Quo Alternative, the Bond Alternative, and the No Bond Alternative. At the completion of Phase I, the BCC selected the Bond Alternative with direction for a bond referendum on land acquisition and for the Consultants to prepare Phase II. The $150 million Conservation Bond Referendum was passed in March 1999 with $100 million for the Ag Reserve. The Phase II of the Master Plan included a series of recommendations that were based on an overall framework that centered on the following concepts:

- Preserving open space was more efficient and could better accommodate a variety of public, agricultural, equestrian, and environmental uses when it consisted of large areas.
- Development areas should be concentrated east of SR7 (in the vicinity of Boynton Beach Boulevard and in the vicinity and south of Atlantic Avenue) in order to protect the environmentally sensitive lands within and surrounding the Loxahatchee National Wildlife Refuge, foster the preservation of agriculture in the center of the Tier, and to reduce infrastructure costs and impacts on tax payers.
- New development should occur as planned developments with a preserve area.

In December 1999, the BCC did not take action on the Phase II document, but directed staff to assess and return with additional information. Staff presented the Master Plan Addendum in May 2000 with additional information and modifications to the Consultant recommendations. The BCC provided direction on each of these items that was later summarized in the final Ag Reserve Master Plan dated October 2000. The BCC did not adopt the Master Plan, but adopted amendments to the Comprehensive Plan in Round 01-1 incorporating the recommendations of the final Master Plan. The amendments carried forward the concepts within the final Master Plan.

Objective: Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier. This shall be accomplished by limiting uses to agriculture and conservation with residential development restricted to primarily low densities and non-residential development limited to uses serving the needs of farmworkers and residents of the Tier. The

Agricultural Reserve Tier shall be preserved primarily for agricultural use, reflecting the unique farmlands and wetlands within it.

Agriculture and Open Space

Policy 1.5-a: *Deleted in Amendment Round 08-2*

Policy 1.5-b: The Board of County Commissioners, through the Cooperative Extension Service and the Office of Economic Development, shall establish economic development programs for agriculture that promote development of alternative and niche crops and programs that provide opportunities for cost sharing for improvements in farming practices.

Policy 1.5-c: The Board of County Commissioners shall develop and implement a land acquisition and/or development rights acquisition program, utilizing the Conservation Land Acquisition Selection Committee with staffing from County departments. This program will address obstacles to the future sustainability of agriculture. This program shall incorporate mechanisms that permit lands acquired by the County within the Agricultural Reserve Tier to be leased to farmers interested in continuing farm practices. Other methods of acquiring development rights in the Agricultural Reserve, such as the less than fee simple conservation easements may also be considered by the County.

Policy 1.5-d: The County shall administratively revise the Future Land Use Atlas to identify areas purchased by the County with bond funds for Ag Preserve purposes as an Agricultural Reserve Preserve. Any development rights and/or dwelling unit potential associated with the County purchased properties shall be retired upon the identification of these parcels as Preserve, and there shall be no ability to develop such properties with any use other than agriculture or for environmental purposes. These parcels shall continue to be identified as Agricultural Reserve Preserves with no development rights nor ability to be developed with residential uses even if a change in ownership occurs.

Policy 1.5-e: The Agricultural Reserve Tier shall be designated as a sending area for the Transfer of Development Rights (TDR) program established under Future Land Use Objective 2.4. TDR credits shall be assigned to lands within the Agricultural Reserve Tier at a transfer rate of one (1) du/acre.

Policy 1.5-f: Farm worker quarters and grooms quarters shall be accommodated within the Agricultural Reserve Tier, provided the property proposed for such purpose has density assigned to it. Farm worker quarters and grooms quarters shall not be located on property on which no residential density is assigned by the Future Land Use Atlas.

Policy 1.5-g: High-value added agricultural uses (such as packing houses, canneries, specialty food processing, etc), which are buffered to address compatibility with other permitted uses, will be permitted in the Agricultural Reserve Tier, except on land designated as the preserve area of a planned development designated pursuant to Future Land Use Sub-Objective 1.5.1. Packing plants may be permitted in AgR-PDD preserve areas provided the preserve area meets the following:

1. located on a roadway classified as an arterial road on Map TE 3.1 – Functional Classification of Roads; and
2. located on or adjacent to active agricultural crop production. *(rev. Ord. 2012-015)*

Residential

Policy 1.5-h: Residential uses shall be permitted within the Agricultural Reserve Tier under as further regulated by the Unified Land Development Code. Consistent with the provisions of Future Land Use Policy 2.1-b and Table 2.2.1-g.1, Residential Future Land Use Designation Maximum Density, the land shall be allowed to develop as follows:

1. Within the Agricultural Reserve future land use designation with Agricultural Reserve zoning, the maximum density is one dwelling unit per five acres;
2. Within the Agricultural Reserve Tier with a Planned Development zoning, the maximum future land use densities are as follows, with density calculated for the total land area and clustered onto the development area of the projects.
    a. Agricultural Reserve future land use designation with AgR-PUD zoning, the maximum density is up to one dwelling unit per acre;
    b. Commercial Low future land use designation with an underlying AGR FLU and TMD or MUPD zoning, the maximum density is up to one dwelling unit per acre;
    c. Multiple Land Use future land use designation with MUPD zoning, the underlying future land use density pursuant to Policy 1.5.1-s;
    d. Essential Housing future land use designation with 60/40 AGR-PUD, MUPD or TMD zoning, the maximum density is 8 units per acre.

Policy 1.5-h-1: Any future land use amendment requesting the EH FLU shall be accompanied by a concurrent zoning application in order to demonstrate that the proposal meets the requirements of Policy 1.5.1-j and the design, scale, and character requirements of the Tier.

Policy 1.5-i: Residential subdivisions and Planned Development Districts (PDDs) located in the Agricultural Reserve Tier and approved by the Board of County Commissioners prior to January 1, 1990 shall be exempt from the Agricultural Reserve Tier provisions and shall be governed by the terms and conditions of their existing approvals. Any modifications to an approved Agricultural Reserve Planned Development District (AgR-PDD) shall comply with the terms of this section. A residential development approved prior to 1990 shall have the ability to develop a residual parcel that is contiguous to the subdivision and that would serve to square off the residential development under the AGR land use designation at a density that is consistent with the existing subdivision, thus exempting it from the terms of this section.

Policy 1.5-j: To support small-scale agricultural operations, while continuing to encourage large scale preserve areas, the County recognizes certain agricultural operations with residences on site as eligible preserves for 60/40 AGR-PUDs.

In order for the non-residential portion of the parcel to be eligible as preserve area, the property-owner must obtain, through the Planning Division Letter of Determination process, verification that:

1. the parcel has an active agricultural use, demonstrated through either a) a valid agricultural tax classification, or b) a sworn affidavit of farm use and supporting documentation reflecting a minimum of three consecutive years of agricultural use; and,

2. the parcel is eligible to transfer density at a rate of one unit per acre, excluding a minimum of one acre associated with an existing or planned residence and any other uses not permitted in preserve areas.

The Letter of Determination shall remain valid for a period of three years, and must be valid at the time of the 60/40 AGR-PUD approval. A caretaker's quarter as defined in the Unified Land Development Code shall not be considered a residence for the purposes of this policy. Uses within the preserve area shall be subject to the preserve requirements of the associated 60/40 AGR-PUD.

Preserve areas subject to a conservation easement recorded on or after Jan. 1, 2016 are permitted one residence per parcel; however, for preserve parcels of 150 acres or more, one residence per each 150 acres of preserve can be accommodated on the preserve parcel, provided that development rights are retained on the preserve parcel for this purpose. The acreage associated with the residence, or other uses not permissible in a preserve area, shall not be counted toward the 60/40 AGR-PUD preserve area requirement.

Preserve areas subject to a conservation easement recorded prior to Jan 1, 2016 shall not be eligible to accommodate residences through acquisition of a development right. However, this does not prohibit the replacement of a preserve area through restoration of all development rights previously transferred by a single conservation easement.

For purposes of this policy, a parcel is the property described by a single Property Control Number as configured on January 1, 2016.

Commercial

Policy 1.5-k: Commercial and mixed uses in the Agricultural Reserve Tier shall be located central to the Tier and designed at a neighborhood or community scale in order to be limited to serving the needs of the farmworker community, existing residents, and future residents the Tier.

Policy 1.5-l: Pre-Existing Commercial Sites. Within the Agricultural Reserve Tier there are existing and/or approved commercial sites which are benign to the purposes of the Tier and/or which provide essential services for farm workers and residents of the Tier. The commercial sites below are conforming uses under the Agricultural Reserve (AGR) future land use designation (FLU) and the Tier.

1. **4 Points Market**, 2.56 acres located at the northwest corner of Boynton Beach Boulevard at SR7 is allowed up to 5,000 square feet of commercial uses consistent with Commercial Low FLU and 9 fuel pumps, under the AGR Zoning with AGR FLU.

2. **Stop and Shop**, 5.13 acres located at the southwest corner of Atlantic Avenue and SR7 is allowed for up to 7,980 square feet of commercial uses consistent with the Commercial Low FLU and 6 fuel pumps, under the AGR Zoning with AGR FLU.

3. **3 Amigos Convenience Store**, 0.34 acres located on the south side of Boynton Beach Boulevard, east of SR7, is allowed up to 4,437 square feet of uses consistent with Commercial Low FLU under the AGR Zoning with AGR FLU. The site may apply for Commercial Low FLU and Commercial Zoning up to 4.49 acres through the FLUA amendment process.

4. **Fina Gas Station Hey 4 U Trucking**, 1.50 acres located at the northeast corner of Atlantic Avenue and Lyons Road is allowed up to 1,923 square feet of uses consistent with Commercial Low FLU under the AGR Zoning with AGR FLU. The site may apply for Commercial Zoning with Commercial Low FLU up to 1.50 acres through the FLUA amendment process.

5. **Dells Suburban Market**, 1.69 acres on the north side of Atlantic Avenue, east of Lyons Road, is allowed up to 1,800 square feet of uses consistent with Commercial Low FLU utilizing AGR Zoning with AGR FLU. The site may apply for Commercial Low FLU and Commercial Zoning up to 1.69 acres through the FLUA amendment process.

6. **West Boynton Center**, 2.50 acres located at the northwest corner of Boynton Beach Boulevard and Acme Dairy Road, is allowed up to 16,118 square feet of commercial uses consistent with Commercial Low FLU under the AGR Zoning with AGR FLU. The site may apply for Commercial Low FLU and Commercial Zoning up to 6.85 acres through the FLUA amendment process.

7. **Delray Growers**, 0.69 acres located at the northeast corner of Atlantic Avenue and Smith Sundy, is allowed to apply for Commercial Low FLU and Commercial Zoning up to 11.25 acres through the FLUA amendment process.

8. **PF at West Boynton**, 4.57 acres located on the south side of Boynton Beach Boulevard, east of SR7, is allowed to apply for Commercial Low FLU and Commercial Zoning up to 4.57 acres through the FLUA amendment process.

Policy 1.5-m: In order to facilitate community growth, reduce traffic, and maintain open space, the County shall limit the locations of new commercial and mixed use future land use designations within the Agricultural Reserve Tier to within two commercial-mixed use centers. These centers are central to the Tier and intended to combine neighborhood shops, community commercial, offices, civic institutions, and housing opportunities. The two commercial-mixed use centers define the areas within 1/4 mile of the intersection of Lyons Road and Boynton Beach Boulevard, and the intersection of Lyons Road and Atlantic Avenue. In addition, the pre-existing commercial properties identified in Policy 1.5-i are allowed, and the County may consider future land use amendments for sites that share a common property line with pre-existing commercial properties identified in Policy 1.5-i to square off those locations.

Policy 1.5-n: The County shall ensure a sustainable development pattern is achieved in the Agricultural Reserve by allowing commercial uses while ensuring that the supply of commercial square footage does not exceed the demand of the farm workers and residents of the Tier. The County may approve a maximum of 1,015,000 square feet of commercial uses (retail, service and office) within the Tier. Self-storage uses and office uses allowed within the Commerce future land use designation are not subject to the commercial cap.

Policy 1.5-o: All future land use amendments seeking a Commercial designation in the Agricultural Reserve Tier are encouraged to be accompanied by a concurrent zoning application in order to demonstrate that the proposal meets the design, scale, and character requirements of the Tier.

Policy 1.5-p: In order to reflect the unique and limited commercial opportunities within the Agricultural Reserve Tier and the function of Acme Dairy Road as a collector roadway for 60/40 AGR-PUDs as identified by Policy 1.5.1-i, the intersection of Acme Dairy Road and Boynton Beach Boulevard shall be considered a Major Intersection and as meeting collector/arterial requirements for the purposes of location criteria in the ULDC.

Commercial Recreation

Policy 1.5-q: Freestanding golf courses shall be allowed as the only form of commercial recreation in the Agricultural Reserve Tier. All development rights shall be removed from the site seeking the Commercial Recreation (CR) designation. Golf courses associated with residential or nonresidential development using the 60/40 Planned Development Option shall not be permitted to use this designation. Gaming, parimutuel wagering, off-track betting, or events or activities held or broadcast for similar purposes shall be prohibited in the Agricultural Reserve Tier.

Policy 1.5-r: All freestanding golf courses designated as Commercial Recreation in the Agricultural Reserve Tier shall have a management plan which, at a minimum, shall contain the following:

1. an integrated pest management plan designed to prevent contamination of ground and surface water from pesticides, herbicides, and fertilizers;
2. a water quality and quantity monitoring plan with emphasis on impacts to adjacent wetlands and surface waters;
3. best management practices which, at a minimum, identify procedures to be followed for the construction, irrigation, operation, and maintenance of the golf course; and
4. a landscape plan utilizing only native or drought tolerant species for all landscape requirements.

Institutional

Policy 1.5-s: Institutional and Public Facilities uses shall be allowed in the Agricultural Reserve Tier. Such uses shall not be permitted west of State Road 7. Institutional related uses, including but not limited to, churches and social service facilities shall be allowed within the AGR Zoning District as a part of the continuation of the Tier.

Policy 1.5-t: The Institutional uses listed below pre-date the establishment of the Ag Reserve Tier and shall be considered as conforming uses:

1. **Eternal Light Cemetery**, 48.46 acres located on the east side of SR7, south of Boynton Beach Boulevard, is allowed for a cemetery and related uses utilizing AGR Zoning with AGR FLU or utilizing Institutional and Public Facilities Zoning with Institutional and Public Facilities FLU.

2. **Faith Farm Ministries**, 87.28 acres located on the east side of SR7, north Boynton Beach Boulevard has an Institutional and Public Facilities with underlying

Agricultural Reserve (INST/AGR) future land use designation, and accordingly, can utilize either of these designations on the entire site or portions of the site up to .15 FAR. The INST future land use designation allows multiple primary institutional uses including, but not limited to, place of worship, assembly non-profit, residential treatment, and education/vocational facilities. Faith Farm Ministries is a religious ministry which has provided a long term, residential treatment and recovery program at this location since 1964. As of 2020, the site includes church, a thrift store, educational and work training programs for residents and graduates, as well as a staff of pastors, teachers and counselors that live on site.

The County recognizes the Faith Farm Ministries as a provider of essential and valuable social services by recognizing supporting non-institutional uses that were built on the site through 2020 as conforming uses, and by allowing expansion of such uses. Supporting non-institutional uses are allowed on the portion of the site utilizing INST future land use, provided that this land area, including all facilities and uses, remain under ownership of Faith Farm Ministries or another single non-profit entity whose primary mission is a residential treatment and recovery program. Supporting non-institutional uses include, but are not limited to, the following:

1. Residential uses and facilities for employees, students, and their families up to 19 units, 264 beds, and a 28,640 square foot family living center; and
2. Non-residential uses that provide training opportunities and financially support to the ministry such as retail, repair, restaurant, recycling, etc.

The Planning Division shall review any development order amendments and determine consistency with this policy through the development review process.

3. **Caridad**, 6.7 acres located on the north side of Boynton Beach Boulevard, west of Acme Dairy Road, is allowed for assembly non-profit with supporting uses, including but not limited to medical care, utilizing AGR Zoning with AGR FLU. Operations may continue and expand utilizing AGR Zoning with AGR FLU. Or, may include medical care with supporting uses in addition to assembly non-profit utilizing Institutional and Public Facilities or Multiple Use Planned Development District Zoning with Institutional and Public Facilities FLU. The Planning Division shall review any development order amendments and determine consistency with this policy through the development review process.

Policy 1.5-u: The Congregate Living Residential (CLR) future land use designation is allowed within in the Agricultural Reserve Tier subject to the following:

1. **Density.** The maximum density is up to 8 units per acre for the land area assigned the CLR designation for the purposes of calculating congregate living facility beds.
2. **Separation.** Residential uses shall be setback 50 feet from any agricultural use.
3. **Location.** Sites are limited to locations fronting:
   a. Lyons Road between Atlantic Avenue and Linton Boulevard; or,
   b. Boynton Beach Boulevard between Florida's Turnpike and Acme Dairy Rd;
4. **Minimum Acres.** The minimum acreage for the CLR future land use designation is 5 acres.
5. **Preserve Area.** Preserve Areas are required as provided below.
   a. **Single Use Project.** Projects utilizing the AGR-PUD option shall be subject to the preserve percentage and use requirements of Policy 1.5.1-i, and may represent a portion of a larger AGR-PUD.
   b. **Multiple Use Project – Offsite Preserve Option.** Projects utilizing CLR as an underlying designation to Institutional and Public Facilities (INST) future land use designation for a multiple use project shall be subject to the following:
      1) **Preserve Area Uses.** Uses allowed shall be those permitted within AgR TMD preserves by Policy 1.5.1-n. In addition, an Agriculture Marketplace with a development order approved prior to May 31, 2013 is allowed within the required offsite preserve area.
      2) **Preserve Area Acreage.**
         a) A minimum of 10% of the land area with the CLR designation shall be Onsite Preserve Area; and
         b) A minimum acreage equivalent to 50% of the acreage of the CLR designation shall be provided as Offsite Preserve Area.
         c) Offsite Preserve Area may retain AGR future land use provided that no density or intensity is transferred to the Development Area and that the preserve is subject to a conservation easement which restricts uses allowed to those permitted per the Preserve Area Uses described above.
      3) **Design Features.** A development with INST/CLR future land use is not considered mixed use, and is not subject to the design elements in Policy 1.5.1-r or the Usable Open Space Requirements for Multiple Use Planned Developments (MUPD) in the ULDC.
   c. **Multiple Use Project – Onsite Preserve Option.** Projects utilizing CLR as an underlying designation to Institutional and Public Facilities (INST) future land use designation for a multiple use project shall be subject to the following:
      1) **Preserve Area Uses.** Uses allowed shall be those permitted within EH preserves by Policy 1.5.1-j;
      2) **Preserve Area Acreage.** A minimum of 40% of the total gross acreage less right-of-way dedication shall be provided as Onsite Preserve Area; and
      3) **Design Features.** A development with INST/CLR future land use is not considered mixed use and is not subject to the Design Elements in Policy 1.5.1-r or Usable Open Space Requirements for Multiple Use Planned Development (MUPD) in the ULDC. *(Ord. 2022-011, 2023-035, 2024-017)*

Industrial

Policy 1.5-v: Industrial. The County shall foster employment opportunities in the Agricultural Reserve Tier by allowing light industrial uses at appropriate locations adjacent to specified roadways to provide a balance of land uses for current and new residents of the Tier. All new future land use amendments requesting industrial type uses in the Agricultural Reserve Tier shall meet the following requirements:

1. Limited to the Commerce (CMR) future land use designation;
2. Located with frontage and access on State Road 7 (north of Rio Grande Avenue), Atlantic Avenue, Boynton Beach Boulevard or have access to these roadways through an existing commercial or industrial site. Sites located west of State Road 7 along the Boynton Beach Boulevard (100th Street South) and Atlantic Avenue corridors must share a common border with a property with commercial or industrial future land use;
3. Be accompanied by a concurrent zoning application and conceptual site plan in order to demonstrate that the proposal meets the design, scale, and character requirements of the Tier;
4. Have a minimum of 3 acres and a maximum of 50 acres (with the exception of lands dedicated to rights of way); and
5. Preserve shall be required for Commerce sites utilizing Light Industrial, Multiple Use Planned Development, or Planned Industrial Park Development zoning pursuant to FLUE Policy 1.5.1-q and subject to the following exceptions:
   a. The preserve area requirements shall be based upon the acreage over 16 acres, shall be a minimum of 40% of the total land area over 16 acres, and allow water management tracts in preserve areas contiguous to the development area that provide enhanced environmental features and improved water quality as demonstrated through the future land use amendment process. *(Ord. 2022-024, Ord. 2023-032)*

SUB-OBJECTIVE 1.5.1 Planned Developments

To achieve the goal of farmland protection and agricultural perpetuation, unique planned development options, which ensure the preservation of significant open space may be permitted.

Policy 1.5.1-a: In order to preserve and enhance agricultural activity, environmental and water resources, open space, and sustainable development within the Agricultural Reserve Tier, all new residential and/or mixed use developments shall be developed as an Agricultural Reserve Planned Development that contributes to the fulfillment of these objectives by meeting the preserve area requirements, subject to the provisions of this Element, with the exception of 1) Residential subdivisions predating the Ag Reserve Tier and those that are subdivided at 1 unit per 5 acre density; 2) pre-existing commercial sites identified in Policy 1.5-i which develop at the square footages identified within the Policy; and 3) the sites which received an industrial future land use designation as part of the adoption of the 1989 Comprehensive Plan. The following Planned Development Districts (PDDs) are available in the AGR Tier, subject to eligibility requirements:

80/20 Agricultural Reserve Planned Unit Development (80/20 AgR PUD)
60/40 Agricultural Reserve Planned Unit Development (60/40 AgR PUD)
Agricultural Reserve Multiple Use Planned Development (AgR MUPD)
Agricultural Reserve Traditional Marketplace Development (AgR TMD)

Residential Planned Developments

Policy 1.5.1-b: A residential PUD in the AgR Tier shall require the following:

1. that the development area be compact, contiguous, and arranged as a unified whole and appropriately buffered so as not to interfere with the continued or future function of the preserve area. For this purpose, a meandering or intrusion of the development area into the preserve area would only be considered in an equestrian community;
2. that the development area be situated adjacent to other existing, planned, or projected development areas.
3. that the development area provide an appropriate buffer between non-agricultural uses and adjacent agricultural uses to ensure that new non-agricultural uses do not adversely affect agricultural uses. When golf courses and similar amenities are provided in the development area, they shall be situated to serve as a buffer between non-agricultural uses and agricultural uses, though water features shall not have to be located adjacent to the buffers of the development;
4. that preserve areas not be regarded as part of any development lot;
5. that preserve areas be used only for agriculture or open space uses;
6. that any structures built within preserve areas be for agricultural uses only (as further specified in the ULDC), and shall be considered common resources of the development's residents or agricultural users;
7. that the dedication requirements (e.g. civic use) and calculations for land uses (e.g. non-residential pods) be based only upon the development area; and
8. that the development area use native or drought tolerant species for at least 60% of any landscape requirement; and
9. that the preserve area be subject to an agricultural conservation easement in favor of Palm Beach County or deeded to the County. In addition, if the preserve area is contiguous to the development area, it shall be shown on the PUD Master Plan as a Preserve Area.

Policy 1.5.1-c: At least one stub street in each of the four cardinal directions may be required in all AgR-PDDs unless the property is adjacent to a designated preserve area or lies west of State Road 7 or lies adjacent to the Ronald Reagan Turnpike.

Policy 1.5.1-d: Agricultural Reserve Planned Developments shall be subject to the following minimum preserve area requirements:

1. 80/20 AgR-PUD, 75 percent of the total land area;
2. 60/40 AgR-PUD, 60 percent of the total land area; and
3. TMD or MUPD, 60 percent of the total land area pursuant to Policy 1.5.1-s and 1.5.1-q.

Policy 1.5.1-e: Property owners located along a designated rural parkway in the Agricultural Reserve Tier shall receive credit for the parkway easement as a portion of the required preserve area of the AgR-PDD.

Policy 1.5.1-f: Nonresidential land uses, limited to those uses which the County allows in residential developments within the Urban/Suburban Tier, may be allowed as a pod within the development area of a AgR-PUD master plan, provided that the nonresidential uses are situated to serve the residents of the AgR-PUD as opposed to the general public. If the nonresidential land uses are government uses, such as fire stations, libraries, etc., they are not required to be situated to serve only the residents of the AgR-PUD.

Policy 1.5.1-g: The County Planning Division shall administratively identify the preserve areas of all Ag Reserve Planned Developments on the Future Land Use Atlas as an Agricultural Reserve Preserve after approval of the Ag Reserve Planned Developments If development rights are retained on the preserve area, for purposes of providing farm worker quarters consistent with Future Land Use Policy 1.5.1-k and Housing Policy 1.4-d or grooms quarters consistent with Future Land Use Policy 1.5.1-k, the number of farm worker quarters or grooms quarters which may be located on the preserve area shall also be administratively identified on the Future Land Use Atlas.

80/20 Agricultural Reserve Planned Unit Development Option

Policy 1.5.1-h: An 80/20 AgR-PUD shall require the following

1. a minimum of 40 contiguous acres, with a future land use designation of Agricultural Reserve (AGR);
2. that the buildable area be contained in one compact area and not exceed 20 percent of the gross acreage. Land dedicated as rights-of-way for the County's Thoroughfare System, land allocated for the internal street system, and water areas required for on-site drainage retention may be deducted from the 80 percent; however, in no event shall the buildable area be increased to greater than 25 percent of the gross acreage;
3. that the remainder of the gross acreage be maintained in agriculture, passive recreation or other open space use, except that water features may only be considered within the preserve area if the feature is designated by the South Florida Water Management District as a Water Preserve Area (WPA). No other open space or recreational use that is intensive in nature, such as a golf course; or, which would interfere with the future practice of agriculture on the subject property; or continued practice of agriculture on adjacent properties shall be permitted; and
4. that the preserve area be held in common ownership and control by an HOA or other party for access by, and on behalf of, residents of the AgR-PUD or agricultural users, and operate under common management of an HOA or third party.

60/40 Agricultural Reserve Planned Unit Development Option

Policy 1.5.1-i: A 60/40 AgR-PUD with a future land use designation of Agricultural Reserve (AGR) shall require the following:

1. a minimum of 250 acres exclusive of right-of-way as shown on the Thoroughfare Identification Map;
2. that the development area be contained in one compact area and not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map. The development area shall contain uses normally associated with a PDD such as the street system, water retention areas, water amenity areas,

active recreational areas (including golf courses), open space, which is integral to the PDD, and civic center sites;

3. the development area and the protected area need not be contiguous;
4. that the development area shall be situated east of State Road 7 with frontage on either State Road 7, State Road 806 (Atlantic Avenue), State Road 804 (Boynton Beach Boulevard), Clint Moore Road, Lyons Road extending north of Boynton Beach Boulevard or Lyons Road extending south of Atlantic Avenue and Acme Dairy Road extending south of Boynton Beach Boulevard to the L-28 canal. Other roadways may be added to this list, by Plan amendment, consistent with the goal of preservation and perpetuation of agriculture in the Agricultural Reserve Tier;
5. the development area shall not be situated west of State Road 7; and
6. that the preserve area shall consist of, at least, 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map and be maintained in agriculture, passive recreation or other open space use. The preserve area shall:
    a) contain a minimum area of 150 acres; and
    b) be utilized for crop production, pasture, equestrian purposes, retained as fallow land, or serve water management purposes per one or more of the following:
        1) designated by the South Florida Water Management District (SFWMD) as either a Water Preserve Area, or certified by SFWMD as serving regional water management purposes; or
        2) to serve regional water management purposes as certified by the Lake Worth Drainage District (LWDD). Lands owned by LWDD as of May 5, 2021 shall be limited to lands adjacent to existing preserve areas and limited to a maximum 276.509 acres of preserved area identified in Zoning Application PDD/DOA 2021-0122. For the purposes of this provision, adjacent includes lands separated from existing preserves by lands owned by LWDD. Any changes to the LWDD-owned lands provisions above shall require approval by at least five members of the Board of County Commissioners; or
        3) for water management purposes not directly related to the 60/40 AgR-PUD if approved by the Department of Environmental Resources Management, and managed for environmental resource values.
    c) Accessory agricultural structures such as barns and pump structures shall be permitted.
    d) Agricultural support uses such as processing facilities, and the like shall not be accommodated in the protected area of an AgR-PUD, unless the parcel meets the criteria provided in Policy 1.5-h; nor shall new residential uses be accommodated thereon except for farm worker quarters as described in Future Land Use Policy 1.5.1-k and Housing Policy 1.4-d or grooms quarters as described in Future Land Use Policy 1.5.1-k; and
    e) that in cases of preserve areas that are contiguous to the associated development area, these preserves be held in common ownership and control by an HOA or other party for access by, and on behalf of, residents of the AgR-PUD or agricultural users, and operate under common management of an HOA or third party.

60/40 AgR Planned Unit Development with Essential Housing FLU

Policy 1.5.1-j: A 60/40 AgR-PUD with a future land use designation of Essential Housing shall require the following:

1. a minimum of 30 acres exclusive of right-of-way as shown on the Thoroughfare Identification Map;
2. that the development area be contained in one compact area and not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map. The development area shall contain uses normally associated with a PDD such as the street system, water retention areas, water amenity areas, active recreational areas (including golf courses), open space, which is integral to the PDD, and civic center sites;
3. the development area and the protected area need not be contiguous;
4. that the development area shall be situated with frontage on either: State Road 806 (Atlantic Avenue), extending from ½ mile west of Lyons Road (Half-mile Road), to Florida's Turnpike; or, State Road 804 (Boynton Beach Boulevard), extending from ½ mile west of Lyons Road, to Florida's Turnpike;
5. a minimum of 25% of all units to be provided as workforce housing units onsite, evenly distributed among 4 income categories for households ranging from 60% to 140% of area median income, and subject to the requirements of Article 5.G.1 of the Unified Land Development Code.
6. that the development have buildings that vary in the number of stories when the number of units exceeds two-hundred.
7. that the preserve area shall consist of, at least, 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map and be maintained in agriculture, passive recreation or other open space use. The preserve area shall:
    a) contain a minimum area of 18 acres; and,
    b) be utilized for crop production, pasture, equestrian purposes, retained as fallow land, or serve water management purposes per one or more of the following:
        1) designated by the South Florida Water Management District (SFWMD) as either a Water Preserve Area, or certified by SFWMD as serving regional water management purposes; or
        2) to serve regional water management purposes as certified by the Lake Worth Drainage District (LWDD) . Lands owned by LWDD as of May 5, 2021 shall be limited to lands adjacent to existing preserve areas and limited to a maximum 276.509 acres of preserved area identified in Zoning Application PDD/DOA 2021-0122. For the purposes of this provision, adjacent includes lands separated from existing preserves by lands owned by LWDD. Any changes to the LWDD-owned lands provisions above shall require approval by at least five members of the Board of County Commissioners; or
        3) for water management purposes not directly related to the 60/40 AgR-PUD if approved by the Department of Environmental Resources Management, and managed for environmental resource values.
        4) for stormwater management purposes directly related to the development area, provided that the stormwater management feature:
            (a) is located in preserve area located contiguous to the development area;
            (b) is limited to no more than 10% of the total project preserve area;

(c) is designed with enhanced environmental features and managed in a manner that promotes sustainability and improved water quality;
(d) is privately maintained; and,
(e) if public access is to be provided:
(1) any vehicular parking is accommodated in the development area;
(2) parking is provided in the preserve area only for bicycles and other non-vehicular modes, and for golf carts; and
(3) an easement is recorded providing for public access.

c) Accessory agricultural structures such as barns and pump structures shall be permitted.
d) Agricultural support uses such as processing facilities, and the like shall not be accommodated in the protected area of an AgR-PUD, unless the parcel meets the criteria provided in Policy 1.5-h; nor shall new residential uses be accommodated thereon except for farm worker quarters as described in Future Land Use Policy 1.5.1-k and Housing Policy 1.4-d or grooms quarters as described in Future Land Use Policy 1.5.1-k; and
e) that in cases of preserve areas that are contiguous to the associated development area, these preserves be held in common ownership and control by an HOA or other party for access by, and on behalf of, residents of the AgR-PUD or agricultural users, and operate under common management of an HOA or third party.
f) Community vegetable gardens, as defined in the Unified Land Development Code, shall be permitted in the preserve area.
g) The exchange of preserve areas shall be prohibited.
h) Implementing provisions may include monitoring requirements for compliance with workforce housing requirements. *(Ord. 2022-023)*

[Previous Policy 1.5.1-j relocated to Policy 1.5.1-b in Round 22-B]

Policy 1.5.1-k: To accommodate farm worker housing or grooms quarters, some density may be retained on the preserve areas of a 60/40 AgR-PUD. Such housing may be located on these preserve areas at the following densities:

1. Farm worker quarters – a minimum site size of 25 acres per Housing Policy 1.4-d and a maximum density of one unit per acre, provided such units are clustered onto a single compact area of the preserve area and are restricted to occupancy by farm workers.
2. Grooms quarters - the number of grooms quarters shall be based upon the number of stalls in the preserve area with a maximum of 20 grooms quarters allowed with no density requirement. For 60/40 AgR-PUD Preserve Areas seeking more than 20 grooms quarters, the allowable density of the development area shall be decreased by one unit for each grooms quarter to a maximum reduction of one-half of the number of dwelling units associated with the preserve area property.

All such agricultural support housing shall require that density be left on the site of the preserve area at the time the 60/40 AgR-PUD is platted.

Policy 1.5.1-l: The Unified Land Development Code shall require that any golf course, which is constructed in the Agricultural Reserve Tier as a part of a 60/40 AgR-PDD have a management plan, which at a minimum, shall contain the following:

1. an integrated pest management plan designed to prevent contamination of ground and surface water from pesticides, herbicides, and fertilizers;
2. a water quality and quantity monitoring plan with emphasis on impacts to adjacent wetlands and surface waters;
3. best management practices which, at a minimum, identify procedures to be followed for the construction, irrigation, operation, and maintenance of the golf course; and
4. a landscape plan utilizing only native or drought tolerant species for all landscape requirements.

Agricultural Reserve Commercial and Mixed Use Planned Developments

Policy 1.5.1-m: Agricultural Reserve Commercial and Mixed Use Planned Developments. All commercial and mixed use Planned Developments are intended to provide one or more uses in a manner that is compatible with the scale and character of the surrounding residential uses and designed to promote a sense of place. The commercial and mixed use Planned Developments provide uses that can include shopping, entertainment, business, services, employment, cultural, civic, schools, places of worship, government services, and/or housing opportunities in a manner that increases a sense of community by creating a stronger pedestrian orientation through design, placement and organization of buildings connected to a common public space, while dispersing parking and respecting and maintaining the character of the surrounding area. The commercial and mixed use Planned Developments are intended to provide neighborhood and community serving scaled uses. Regional and large-scale big-box uses are not permitted.

Policy 1.5.1-n: AGR-Traditional Marketplace Development. The Agricultural Reserve Traditional Marketplace Development (AgR-TMD) is a planned development intended to provide an integrated mix of uses. The AgR-TMD differs from that AgR-MUPD by requiring a minimum of 51% of the commercial square footage to be designed as a “Traditional Main Street” that allows the floors above the shops and offices to have the potential to be used for either housing or residential/business as live/work spaces. An Agricultural Reserve Traditional Marketplace Development (AgR-TMD) shall meet the following requirements:

1. The total land area shall be a minimum of 25 acres;
2. The Development Area shall be contained in one compact area not to exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map. The development area shall contain uses normally associated with commercial development such as the street system, parking and water retention areas;
3. The Development Area shall be located within 1/4 mile of the intersections of Lyons Road and Atlantic Avenue or Lyons Road and Boynton Beach Boulevard;
4. The Development Area shall meet the Ag Reserve Design Elements;
5. The Preserve Area shall consist of at least 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map. Up to 10 percent of the preserve area may be located within the development area for use as open

space or public greenspace. Any portion of the preserve area not located within the development area:

a) may be contiguous with the developed area;

b) shall be utilized for crop production; pasture; equestrian purposes; or serve water management purposes per one or more of the following:

1) designated by the South Florida Water Management District (SFWMD) as either a Water Preserve Area, or certified by the SFWMD as serving regional water management purposes; or

2) to serve regional water management purposes as certified by Lake Worth Drainage District (LWDD), Lands owned by LWDD as of May 5, 2021 shall be limited to lands adjacent to existing preserve areas and limited to a maximum 276.509 acres of preserved area identified in Zoning Application PDD/DOA 2021-0122. For the purposes of this provision, adjacent includes lands separated from existing preserves by lands owned by LWDD. Any changes to the LWDD-owned lands provisions above shall require approval by at least five members of the Board of County Commissioners; or

3) for water management purposes not directly related to the AgR-TMD if approved by the Department of Environmental Resources Management, and managed for environmental resource values.

c) Accessory agricultural structures such as barns and pump structures shall be permitted

d) Agricultural support uses such as processing facilities, and the like shall not be accommodated in the protected area of an AgR-TMD;

e) new residential uses shall not be accommodated thereon except for farm worker quarters or grooms quarters as described in Future Land Use Policy 1.5.1-p

f) civic purposes such as schools, libraries, or fire stations if located east of State Road 7 and adjacent to a development area.

Policy 1.5.1-o: The preserve area of an AgR-TMD shall be subject to an agricultural conservation easement in favor of Palm Beach County or deeded to the County. In addition, if the preserve area is contiguous to the development area, it shall be shown on the AgR-TMD Master Plan as a Preserve Area.

Policy 1.5.1-p: To accommodate farm worker housing or grooms quarters, some density may be retained on the preserve areas of Agricultural Reserve Traditional Marketplace Development (AgR-TMD). Such housing may be located on these preserve areas at the following densities:

1. Farm worker quarters - one unit per acre, provided such units are clustered onto a single compact area of the preserve area and are restricted to occupancy by farmworkers
2. Grooms quarters - the number of grooms quarters shall be based upon the number of stalls in the preserve area with a maximum of 20 grooms quarters allowed with no density requirement. For AgR-TMD Preserve Areas seeking more than 20 grooms quarters, the allowable density of the development area shall be decreased by one unit for each grooms quarter to a maximum reduction of one-half of the number of dwelling units associated with the preserve area property.

All such agricultural support housing shall require that density be left on the site of the preserve area at the time the AgR-TMD is platted.

Policy 1.5.1-q: AGR-Multiple Use Planned Development. New Agricultural Reserve Multiple Use Planned Developments (AgR-MUPD) in the Ag Reserve Tier shall meet the following requirements:

1. Preserve Areas shall not be required for a property that is 16 acres or less in size as of January 1, 2016. For purposes of this policy, the term 'property' is defined as a property control number as configured on January 1, 2016. The acreage shall be exclusive of right-of-way as shown on the Thoroughfare Right of Way Identification Map;
2. Preserve Areas shall be required for a property that is greater than 16 acres in size as of January 1, 2016. For purposes of this policy, the term 'property' is defined as a property control number as configured on January 1, 2016. For such properties, the Development Area shall not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map;
3. The Development Area for commercial and mixed use projects shall meet the Ag Reserve Design Elements; and
4. Required Preserve Areas shall be subject to the standards and requirements of an AgR-TMD preserves. An Agriculture Marketplace, as defined in the Introduction and Administration Element, is allowed within the required preserve area of an AGR-MUPD consistent with Policy 1.5-u. *(rev. Ord 2024-017)*

Policy 1.5.1-r: Ag Reserve Design Elements. In order to maintain the character of the Tier and quality of life for farm workers and residents, all new commercial and mixed use development the Ag Reserve Tier must demonstrate consistency with the following Ag Reserve Design Elements during the development review process. Conditions of approval to further define compliance with these elements may be adopted as part of the associated future land use amendment ordinance and/or zoning resolution:

1. A minimum of 5% usable open space as defined by the Introduction and Administration Element, prominently located within the project to act as a community gathering place;
2. Landscaped, pervious surfaces that incorporate native landscape species in the site design, with an emphasis along roadway frontages, at entry features, and the provision of exceptional landscape buffers to ensure compatibility with adjacent residential or agricultural properties;
3. Interconnected, well landscaped pedestrian systems that link buildings with useable open space, sidewalks and other trail systems, to promote pedestrian circulation and encourage pedestrians to walk between uses;
4. Building placement designed to foster pedestrian connectivity with surrounding parcels;
5. Compatible building heights consistent with the character of the community; and
6. Public amenities such as sidewalks, lighting, seating, signage, gathering space, water features, landscaping, public art, and provisions for outdoor dining and merchant displays.

Essential Housing Residential MLU Option

Policy 1.5.1-s: The County shall foster the provision of workforce housing in the Agricultural Reserve Tier by allowing densities greater than one unit per acre for planned developments utilizing the Essential Housing Residential (EHR) Option for projects with the Multiple Land Use future land use designation (FLUE 4.4.2-a). The EHR Option is a 60/40 planned development (MUPD) that is subject to the following:

1. **Acreage.** The total land area, consisting of the Development area and Preserve area, shall be a minimum of 35 acres. The minimum acreage for the Preserve Area is 21 acres.
2. **Density.** The base density is up to 1 unit per acre for the total land area, clustered onto the Development Area. Additional density may be assigned to the Development Area by ordinance provided that a minimum of 25% percent of the total units are built on-site as workforce housing units for household incomes from 60 to 140% of area median income up to a maximum of 8 units per acre for the total land area.
3. **Location.** The Development Area is limited to sites located east of State Road 7, fronting on Atlantic Avenue and within ¼ mile of an AgR-TMD or IND future land use designation.
4. **Design Features.** A development with no commercial uses is not considered mixed use, and is not subject to the Usable Open Space Requirements for Multiple Use Planned Development (MUPD) in the ULDC. *(Ord. 2022-017)*

Policy 1.5.1-t: Land designated EH FLU shall be permitted in an Agricultural Reserve Multiple Use Planned Development (AgR-MUPD), or an Agricultural Reserve Traditional Marketplace Development (AgR-TMD) at a density of up to 8 units per acre, provided that the project size, preserve area and other minimum requirements for a 60/40 AGR PUD with EH FLU are met. *(Ord. 2022-023)*

OBJECTIVE 1.6 Glades Tier

General: The Glades Tier is generally located west of the Conservation Areas and Twenty Mile Bend, and includes the Glades Communities. This area is designated primarily for specialized agricultural operations. Communities within the Glades Tier are engaged in their own efforts with regard to planning and development. This effort is mainly in the form of economic development programming. The geographical distance and the nature of the issues faced by the Glades communities differ from the challenges faced by the coastal communities to manage growth. These factors warrant a separate initiative to further develop the Glades Tier, in conjunction with the Glades municipalities, business community and area residents.

Objective: Palm Beach County shall work with the communities in the western areas to preserve and enhance the unique characteristics of the Glades and protect the economically viable agricultural base in this area. The Glades Tier shall include all lands west of the Water Conservation Areas, Twenty Mile Bend, and the J.W. Corbett Wildlife Management Area. The area outside the Urban Service area predominantly supports large-scale agricultural operations, which shall be afforded rural levels of service.

Policy 1.6-a: The County recognizes the Glades Region Master Plan as presented to the Board of County Commissioners on July 28, 2015.

Policy 1.6-b: Within the Urban Service Area boundary within the Glades Tier the provisions of the Urban/ Suburban Tier shall apply.

Policy 1.6-c: Minimum residential density does not apply in the Glades Tier.

Policy 1.6-d: In order to allow the continuation of both agricultural and residential uses, and to promote infill development within the Glades Urban/Suburban Tier and the unincorporated communities of Lake Harbor and Canal Point, the following table shall establish the Future Land Use/Zoning consistency. In addition, within Lake Harbor, RE is consistent with AP future land use for such properties which received RE prior to August 31, 1989.

Table 1.6-a

Glades Tier Residential Future Land Use/Zoning Consistency[1]

Future Land Use Designation	Consistent Zoning Districts	
	Zoning District	Planned Development
Rural Residential	AR, RE	RR-PUD, MHPD, RVPD
Low Residential	AR, RE, RT, RS	PUD, TND, MHPD
Medium Residential	AR, RE, RT, RS, RM/RH[2]	PUD, TND, MHPD
High Residential	AR, RE, RT, RS, RM, RH	PUD, TND, MHPD

1. The RH zoning districts has been discontinued. Properties with RH shall not be required to rezone and shall utilize the property development regulations of the RM zoning district.
2. The RM District is consistent with the MR-5 designation only for those areas zoned RM or RH prior to the Plan's August 31, 1989 adoption.

Policy 1.6-e: Within the Glades Tier the Agricultural Production zoning district is consistent with all future land use designations, excluding Conservation.

Policy 1.6-f: The County will continue to encourage the preservation and rehabilitation of properties with the potential for historic designation. Such regulations will allow for the expansion and redevelopment of the property, and the retention of development density and intensity for the property.

SUB-OBJECTIVE 1.6.1 Glades Area Economic Development Overlay

Palm Beach County shall use existing mechanisms or develop new strategies to assist Glades communities, residents and organizations to promote economic diversification, cultural preservation, greenways planning, local revitalization and redevelopment, area beautification and coordinated future land use planning while complying with all applicable environmental regulations and constraints by applying the provisions of the Glades Area Economic Development Overlay.

Policy 1.6.1-a: The Glades Area Economic Development Overlay (GA-O) shall apply to all land within the Urban Service Area in the Glades, including the State-designated enterprise zone for the municipalities of Belle Glade, South Bay and Pahokee.

Policy 1.6.1-b: Within the GA-O, the County shall provide flexibility in the range of uses and land development regulations allowed to accommodate uses which, if deemed appropriate, will increase job opportunities and improve the economic vitality of the area.

Policy 1.6.1-c: By January 2022, the County shall review and revise the Glades Economic Overlay Zone to increase opportunities for establishing home-based businesses and other mixed future land uses.

SUB-OBJECTIVE 1.6.2 Sugar Cane Growers Cooperative of Florida Protection Area Overlay

The purpose of the Sugar Cane Growers Cooperative of Florida Protection Area Overlay (Sugar Cane Growers Cooperative Overlay) area is to provide for the protection of the sugar industry, a significant agricultural industry from encroachment of incompatible uses and activities*;* as well as to provide opportunities for the location of accessory, auxiliary, and supporting industrial uses in close proximity to the existing SCGCF mill and related facilities.

Policy 1.6.2-a: The Sugar Cane Growers Cooperative Overlay is depicted on the Special Planning Areas Map in the Map Series, and is generally described as the area east of State Road 15, east and north of Belle Glade's city limits south of State Road 80, and west of the adopted Urban Service Area for the Glades. The overlay includes all of Sections 21, and 28, the eastern half of sections 20 and 29, Township 43 Range 37, excluding completely the western half of Section 29, which has been selected by the City of Belle Glade to build a Business Park and as a potential future annexation area. The specific boundaries of the Sugar Cane Growers Cooperative of Florida Protection Area Overlay are depicted on the Special Planning Areas Map in the Map Series.

Policy 1.6.2-b: All lands within the Sugar Cane Growers Cooperative Overlay shall be designated as Industrial on the Future Land Use Atlas. Uses permitted in and adjacent to the Overlay shall be limited to those, including agriculture, that are compatible with or complement the operations of the Sugar Cane Growers Cooperative of Florida, and the

purpose of the Overlay, and allow the continuation and future development of the sugarcane industry.

Policy 1.6.2-c: Uses permitted within and adjacent to the Sugar Cane Growers Cooperative Overlay shall be compatible with or complement the operations of the purpose of the Overlay, and allow the continuation and future development of the sugarcane industry.

Policy 1.6.2-d: Should production and processing at the Sugar Cane Growers Cooperative of Florida be discontinued, this Overlay and Sub-objective 1.6.2 of the Future Land Use Element will be revisited, and will also be reviewed as part of the Evaluation and Appraisal Review (EAR) process for the Comprehensive Plan.

SUB-OBJECTIVE 1.6.3 Lake Okeechobee Scenic Trail Overlay

The purpose of the Lake Okeechobee Scenic Trail Overlay is to increase job opportunities and improve the economic vitality of the area by supporting the development of tourist-related facilities in conjunction with the Lake Okeechobee Scenic Trail, a segment of the Florida National Scenic Trail atop of the Herbert Hoover Dike.

Policy 1.6.3-a: The Lake Okeechobee Scenic Trail Overlay (LOST-O) consists of the area shown outside the Urban/Suburban Tier on the Managed Growth Tier System Map located between the Herbert Hoover Dike and 250 feet South of U.S. 27, and between the Herbert Hoover Dike and 250 feet East of Conners Highway as depicted on the Special Planning Areas Map in the Map Series.

Policy 1.6.3-b: The LOST-O shall accommodate uses such as inns, cabins, restaurants, and trail outfitters (e.g. bicycle and boat rentals) which support outdoor recreational activities. Within the Overlay, such tourist-related uses shall be allowed in all Future Land Use designations.

Policy 1.6.3-c: Only properties which represent a lot of record as of December 31, 2000, at least 50% of which lies within the LOST-O, may utilize the provisions of the LOST-O.

OBJECTIVE 1.7 United Technologies Corporation (Pratt-Whitney) Protection Area Overlay

General: The purpose of the Overlay is to provide for the protection of a critical manufacturing and research and development employer from encroachment by incompatible uses and activities; as well as to provide opportunities to locate accessory, auxiliary, and supporting industrial uses in close proximity to the existing facilities. Locations of such uses may ultimately lead to the continuation and future development of the Pratt-Whitney facilities. In order to enhance the operation of Pratt-Whitney, it is necessary to provide compatible adjacent land uses and activities in the Overlay area, which complement the operations and/or are related to the continuation and future development of the facility. In 1957/58, the Pratt-Whitney facilities were established in the area designated as Industrial, immediately south of the Beeline Highway and west of Seminole Pratt-Whitney Road. The siting of these facilities was purposely in an isolated and rural setting, to minimize or eliminate any inconsistencies with adjacent land uses. Pratt-Whitney is a major industrial employer within the County, and its continuation and potential expansion of its employment base supports the Comprehensive Plan's economic goal to expand the County's manufacturing/industrial base. The Unified Land Development Code shall specifically identify the uses permitted within this Overlay, and must provide for regulations and restrictions consistent with the provisions of this Overlay.

Objective: Palm Beach County shall protect critical industrial, manufacturing and research and development activities, from encroachment of incompatible uses and activities, which would be unable to withstand the noise generated by jet and rocket propulsion engine testing in the Overlay, while providing the opportunity to locate compatible office and industrial uses together with compatible supporting, accessory, and ancillary uses in proximity to the existing facilities facilitating the continuation and further development of this manufacturing and research and development area through designation of the United Technologies Corporation (Pratt-Whitney) Protection Area Overlay.

Policy 1.7-a: The United Technologies Corporation (Pratt-Whitney) Protection Area Overlay, generally described as the area east and north of the Beeline Highway and the Pratt-Whitney facility, encompassing all or portions of Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, Township 41 Range 40; Sections 5, 6, 7, 8, 9, 17, 18, Township 41 Range 41; and, Section 13, Township 41 Range 39, is depicted on the Special Planning Areas Map in the Map Series.

Policy 1.7-b: The following future land use designations shall be allowed in the United Technologies Corporation (Pratt-Whitney) Protection Area Overlay:

1. Industrial, including the Economic Development Center category; and,
2. Conservation, including the Water Resources Area category.

Commercial and Commercial Recreation future land use designations are prohibited, except for those parcels which held Commercial or Commercial Recreation designations prior to the adoption of the 1989 Comprehensive Plan.

Policy 1.7-c: The County shall designate the Overlay as a Limited Urban Service Area based on the nature of the industrial operations and need for urban levels of potable water and sanitary sewer. The boundaries of the Limited Urban Service Area shall be depicted on the “Service Areas Map” contained in the Comprehensive Plan Map Series.

Policy 1.7-d: The County shall limit permitted uses within the United Technologies Corporation (Pratt-Whitney) Protection Area Overlay to those uses that are ancillary or accessory to, and/or compatible with and do not endanger the continuation and expansion of the existing industrial, manufacturing, and research and development operations within the Overlay. Certain uses permitted within the allowed future land use designations may generate conflicts with the Pratt-Whitney facilities, and shall be prohibited. Such incompatible uses (due to their sensitivity to noise) include, but are not limited to, the following:

1. Residential (excluding Caretakers quarters);
2. Hotels, motels;
3. Medical and dental offices; and
4. Hospitals, medical centers.

Uses (not listed above) which generally would not be allowed within the Overlay may be permitted as accessory uses to a permitted primary use.

OBJECTIVE 1.8 Glades Area Protection Overlay

General: The Purpose of the Overlay is to protect the Everglades Agricultural Area (EAA) from encroachment by urban and other uses that will be detrimental to the viability and continuity of agricultural activities, existing and future conservation areas, and Everglades restoration programs and projects. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into the agricultural production areas in the Glades Tier.

Objective: The Purpose of the Glades Area Protection Overlay (GAPO) shall be to protect the Agricultural Production Area in the Glades also known as the Everglades Agricultural Area (EAA) from encroachment by urban and other uses that will be detrimental to the viability and continuity of agricultural activities, existing and future conservation areas, and Everglades restoration programs and projects. This overlay complements existing provisions in the Comprehensive Plan by creating a barrier to the expansion of urban and suburban activities into the Agricultural Production areas in the Glades Tier, beyond the western limits of this overlay, while providing the opportunity to recognize existing uses and new uses within the overlay.

Policy 1.8-a: The Glades Area Protection Overlay is depicted on Special Planning Areas Map LU 3.1 in the Map Series and consists of approximately 3,510 acres generally located on the north side of Southern Boulevard (SR-80), beginning approximately 1.75 miles west of Seminole Pratt Whitney Road and extending westward approximately 2.4 miles. The boundaries of the Glades Area Protection Overlay shall not be modified or expanded westward to incorporate areas other than the ones described in this policy.

Policy 1.8-b: The County shall limit permitted uses within the Glades Area Protection Overlay to those uses that are compatible with the purpose of this overlay. No residential uses shall be allowed west of the L-8 Canal.

a. West of the L-8 Canal:
Future Land Use Designation: Rural Residential 10 (RR-10) and Economic Development Center (EDC).
Specific Uses: Existing uses; Mining, excavation and other related uses consistent with the Overlay, and for Everglades restoration and water management purposes; Conservation, including wildlife corridors; Florida Power and Light (FPL) Power Plant and related cooling areas; and Employment Center.

b. East of the L-8 Canal:
Future Land Use Designation: Low Residential 2 (LR-2) and related complementary uses as approved by the Board of County Commissioners.

Policy 1.8-c: The area within the Overlay located east of the SFWMD L-8 Canal and 138.31 acres with Economic Development Center future land use designation west of the SFWMD L-8 Canal, shall be designated as a Limited Urban Service Area (LUSA) based on the area meeting the criteria for a LUSA designation in FLUE Objective 3.3. The boundaries of the LUSA shall be depicted in the "Service Areas Map" contained in the Comprehensive Plan Map Series.

OBJECTIVE 1.9 Bioscience Research Protection Overlay (BRPO)

The purpose of the Bioscience Research Protection Overlay (BRPO) is to promote the growth and stability of bioscience research/biotechnology uses in proximity to The Scripps Research Institute (TSRI) campus at Abacoa/Briger and deterring the conversion of those uses to commercial or residential uses. This will be accomplished in coordination with the Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of Mangonia Park, with the objective to provide opportunity for a minimum 8,000,000 square feet of bioscience/biotechnology use cluster in Northern Palm Beach County. The BRPO does not limit the uses currently allowed consistent with the property's existing land use designation and zoning designation including uses allowed pursuant to planned development approvals and development of regional impact approvals.

Policy 1.9-a: The Bioscience Research Protection Overlay (BRPO) – generally located and bifurcated North and South of Blue Heron Blvd, West of the C-17 canal and Garden Road and East of I-95; bordered in the North by Consumer Street and in the South by Interstate Park Way; The larger portion of the overlay lying in the area to the North of Blue Heron Blvd, with a smaller portion comprised of 8 parcels to the South, as well as the area included in the Florida Research Park (Palm Beach Park of Commerce) DRI approval – shall be depicted on the Special Planning Areas Map in the Comprehensive Plan Map Series.

Policy 1.9-b: The uses allowed and encouraged within the BRPO shall include science/biotechnology research uses and their supporting facilities; laboratories; other industrial uses including manufacturing uses; clinical research hospitals; and commercial retail or office uses that are accessory or ancillary to bioscience research/biotechnology

uses provided all permitted, special, requested, DRO and accessory uses allowed in a planned development and/or development of regional impact shall continue.

Policy 1.9-c: Within the Overlay, residential uses shall be prohibited, and commercial uses shall be prohibited unless clearly accessory or ancillary to bioscience research/biotechnology uses or as have been or may be approved in connection with a land use mix for a planned development and/or development of regional impact.

Policy 1.9-d: The County shall encourage bioscience research/biotechnology uses as permitted uses within the Bioscience Research Protection Overlay (BRPO) so as to achieve, in coordination with adjacent municipalities, a clustering of bioscience research/biotechnology uses and thus to promote intellectual exchange between researchers, scientists, students and others in the bioscience research/biotechnology industry workforce.

Policy 1.9-e: The County shall adopt and maintain land development regulations that provide incentives for bioscience development and promote a predominance of bioscience research/biotechnology uses so as to develop a cluster of the industry in proximity to the TSRI campus at Abacoa/Briger.

Policy 1.9-f: Any proposed Future Land Use Atlas (FLUA) amendment or rezoning on a property within the BRPO that allows uses other than those encouraged by BRPO, specifically disallows uses encouraged by the BRPO or that the Planning Director determines would discourage uses encouraged by the BRPO must be presented to the Bioscience Land Protection Advisory Board prior to action being taken by the Board of County Commissioners (BCC). Further, the Planning Division shall notify the Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of Mangonia Park of any such proposals prior to any public hearings on any such amendment or rezoning.

Policy 1.9-g: Those parcels of land within the Overlay whose future land use and zoning designations permit bioscience research/biotechnology uses may not be converted to residential uses, or to commercial uses which are not clearly accessory or ancillary uses to bioscience research/biotechnology uses without a supermajority vote consisting of five members of the BCC. However, the limitation on conversion of uses does not apply to permitted, special, requested, DRO and accessory uses allowed in a planned development and/or development of regional impact.

OBJECTIVE 1.10 Lion Country Safari Overlay (LCSO)

General: The purpose of this Overlay is to acknowledge the importance of Lion Country Safari as a unique tourist attraction in Palm Beach County and recognize that the viability of the park is important for the County's tourism industry. Since its opening in 1967, the park has served as a major tourist attraction with an average of 500,000 visitors per year and serves as a major employer in the central western communities. The park was the nation's first cage-less zoo providing tourists and residents the experience of an African safari adventure. The park was situated at this location as the area at that time was isolated and provided a naturalistic setting to resemble the African savannah. Subsequently, the site has been encircled by low-density residential development in both the Rural and Exurban Tiers. In recognizing that there are density disparities between the park and adjacent land uses, the LCSO allows for future residential development that is consistent with the surrounding area. *(Ord. 2010-028)*

Objective: This Overlay encourages the preservation of the Lion Country Safari Park by accommodating the Commercial Recreation designation, while allowing for residential development at a density that is compatible with the surrounding area. *(Ord. 2010-028)*

Policy 1.10-a: The Lion Country Safari Overlay is depicted on the Special Areas Planning Map LU 3.1, in the Map Series and consists of one square mile generally located north of Southern Boulevard and west of Seminole Pratt Whitney Road. *(Ord. 2010-028)*

Policy 1.10-b: Notwithstanding Table III.C of this Element, the Commercial Recreation future land use designation (with a maximum FAR of 0.05), with an underlying rural residential designation, including RR-2.5 shall be allowed within the Lion Country Safari Overlay. *(Ord. 2010-028)*

Policy 1.10-c: In order to reduce urban sprawl, encourage the mixing of uses and create a more sustainable land use pattern, residential development shall be required to exhibit the following characteristics:

1. Open Space shall comprise a minimum of 60% of the gross acreage achieved either through (a) or (b).
    a. Open Space is limited to preservation, conservation, passive recreation, wetlands, bona fide agriculture, regional water management projects and equestrian trails.
    b. For the purposes of this Overlay only, the Lion Country Safari park (excluding hotel approval) shall be permitted to count toward the open space requirement provided that prior to the issuance of the final development order, a deed restriction/conservation easement is recorded that limits uses on the site to preservation, conservation, passive recreation, wetlands, bona fide agriculture, regional water management projects and equestrian trails, if the commercial recreation uses (including the RV Park) on the site were to cease. In order to allow for a clustering of residential units, the LCSO is exempt from FLUE Policy 1.3-d.
2. The Development Area, including all improvements, streets, water management tracts for on-site and street drainage, shall comprise a maximum of 40% of the gross area and shall include:
    a. Clustered residential units which provide a variety of lot sizes to allow for a range of housing choices.

b. Smaller sized lots shall be located towards the center of the Development Area and should transition to larger lot sizes located at the edge, adjacent to the existing residential neighborhoods.

3. The development shall preserve existing native vegetation and other natural features throughout the community including a minimum of 37 acres of upland native vegetation.
4. The development shall include interconnectivity between the uses.
5. A overall master plan is required at the time of development order approval.
6. A neighborhood serving commercial store is permitted up to 3,500 square feet. *(Ord. 2010-028)*

Policy 1.10-d: Golf Courses are prohibited within the LCSO. *(Ord. 2010-028)*

OBJECTIVE 1.11 Western Communities Residential Overlay

General: The Purpose of the Western Communities Residential Overlay (WCRO) is to provide a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into conservation areas. It achieves compatibility with the existing residential development pattern in the surrounding area while furthering remediation of the historic land use imbalance in that area through the additional non-residential uses and residential support for other projects whose non-residential development is intended to do so, including but not limited to the City of Westlake.

Objective: The Western Communities Residential Overlay (WCRO) enables the appropriate transition between rural/suburban development, preservation and conservation areas while allowing for residential development at a density that is compatible with the surrounding area. The WCRO achieves compatibility with the existing residential development pattern in the surrounding area and remediates the historic land use imbalance in the central western communities and provides other benefits.

Policy 1.11-a: The Western Communities Residential Overlay is depicted on the Special Areas Planning Map LU 3.1, in the Map Series and consists of approximately 4,871 acres of land generally located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard.

Policy 1.11-b: The Western Communities Residential (WCR) Future Land Use category shall be established to allow a compatible density with the existing rural residential lifestyle adjacent to the Western Communities Residential Overlay.

Policy 1.11-c: Development within the Western Communities Residential Overlay shall only occur in the form of a Planned Development District, Planned Unit Development and commercial nodes consistent with the form of the Traditional Marketplace in the Comprehensive Plan, with a minimum gross land area of 900 acres. Within the Overlay, the maximum number of residential units shall be limited to 3,897; the maximum amount of non-residential commercial retail uses shall be limited to 300,000 square feet; and, the maximum amount of non-residential commercial office uses shall be limited to 50,000 square feet.

Policy 1.11-d: For the purposes of contiguity, any land area within the Western Communities Residential Overlay shall be considered contiguous so long as it is submitted under one unified plan of development (a.k.a. Conceptual Plan).

Policy 1.11-e: In addition to other public facilities required by the ULDC, the following within the Western Communities Residential Overlay shall be provided at developer expense:

1. Paved on-site roads to serve all uses.
2. On-site central water and wastewater service and facilities adequate to meet adopted level of service standards, with an off-site loop main that will allow other residences in the vicinity to connect to central services.
3. On-site retention and drainage facilities that connect to the L-8 canal.
4. A minimum 11 miles of 8-foot-wide pedestrian and bicycle pathways, open to the public.
5. A minimum 17.5 miles of equestrian trails open to the public.
6. On-site bus shelter easements for Palm Tran.
7. Off-site road improvements that include:
    a. Extension of 60th Street North from Seminole Pratt Whitney to 190th Street North.
    b. Extension of 190th Street North from 60th Street North to Hamlin Boulevard.
    c. Extension of Orange Blvd. from 180th Ave. North to 190th Street North.
    d. Connection of Hamlin Boulevard from its present terminus to 190th Street North.
8. In addition to the project's fair share proportionate share obligation, fund an additional $5,000,000.00 for road improvements in the Central Western Communities.

Policy 1.11-f: The Western Communities Residential Overlay developer shall provide a trolley for scheduled seven-day-a-week shuttle service to on-site nonresidential uses and areas, and to commercial centers in Westlake. Service shall be provided at no charge to riders after the developer receives 1,000 certificates of occupancy for on-site residential units. The trolley shall remain in service at the expense of the developer or assigns until such time as the County authorizes the service to end in the event of low ridership.

Policy 1.11-g: A range of housing choices shall be provided within the Western Communities Residential Overlay through the provision of three different density ranges as depicted on the Conceptual Plan.

Policy 1.11-h: The Western Communities Residential Overlay developer shall dedicate the following land for public facilities to serve on-site residents and other users within the surrounding area:

1. Upon the date mutually agreed to in written agreement between Indian Trail Improvement District and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District or the County. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID/County as a storm water retention/water management area.
2. Upon written request of the Palm Beach County School Board and receipt of at least 250 building permits, whichever shall later occur, dedicate a 15.5 acre site for a future elementary school and a 25.0 acre site for a future middle school, constructed at school board expense. An additional 22.6 acres adjacent to either the elementary school site or middle school site shall be dedicated upon request of the Palm Beach County School Board with the concurrence of Palm Beach

County. The development shall take all required drainage from the school sites into the development's storm water management system.

3. Prior to receipt of no less than 250 building permits, a minimum 40 acres adjacent to District Park "F" for its expansion, constructed at County expense.
4. Prior to receipt of no less than 250 building permits, a five acre site for a fire/police/utility site.

GOAL 2 LAND PLANNING

It is the GOAL of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

OBJECTIVE 2.1 Balanced Growth

Palm Beach County shall designate on the Future Land Use Atlas sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth. This shall be done to plan for population growth and its need for services, employment opportunities, and recreation and open space, while providing for the continuation of agriculture and the protection of the environment and natural resources through the long-range planning horizon.

Policy 2.1-a: The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.

Policy 2.1-b: The County shall utilize a range of residential future land use categories to plan for growth and non-residential land use designations to support and serve the residential and tourist populations as described in the FLUA Regulation Section of this Element. The entitlement, minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in the FLUA Regulation Section.

Policy 2.1-c: The Comprehensive Plan shall use population projections and associated dwelling unit projections to guide public and private entities in planning for urban development and redevelopment. The projections shall also guide the location, timing and capacity of urban services and facilities, where other regulatory planning tools do not apply.

Policy 2.1-d: The future land use designation for individual parcels shall be limited to the designations identified by the applicable Tier in Table III.C. in the FLUA Regulation Section (unless otherwise specified within this Element) and shall be shown on the Official Future Land Use Atlas (FLUA) maintained by the Planning, Zoning and Building Department. The Atlas shall depict future land use designations for all parcels in unincorporated Palm Beach County, including underlying/ alternative land uses, and the boundaries and ordinance numbers of all adopted FLUA amendments.

Policy 2.1-e: The Future Land Use Atlas may depict underlying residential densities or alternative designations as provided below. The County may initiate a land use amendment to remove the non-utilized future land use designation after the property is developed.

1. The Future Land Use Atlas may depict residential or industrial underlying/alternative land uses for properties designated Commercial or Commercial Recreation. The alternative use will permit development provided maximum allowable densities or intensities are not exceeded.

2. Industrially designated parcels may be assigned an underlying residential density for the development of a PIPD without a land use amendment. The Planning Director shall assign the underlying density based upon the densities of adjacent residential properties.

3. The Future Land Use Atlas may depict underlying/alternative residential future land uses for properties designated as Institutional and Public Facilities. If an underlying/alternative designation is not depicted on the Atlas, the Planning Director may assign an underlying density based on the densities of adjacent residential parcels without a land use amendment. Underlying densities that are higher than adjacent residential parcels shall only be assigned through the TDR Program, the Workforce Housing Program, the Affordable Housing Program, or a site-specific amendment to the Future Land Use Atlas or rezoning that is conditioned in the adopting ordinance or resolution to limit the additional density to an institutional use.

4. The Transportation and Utilities future land use designation may be applied as a designation or as an underlying designation to property owned or operated by the Department of Airports.

5. The Future Land Use Atlas may depict underlying/alternative residential land uses for properties designated Special Agriculture (SA).

Policy 2.1-f: Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:

1. The natural environment, including topography, soils and other natural resources;
2. The availability of facilities and services;
3. The adjacent and surrounding development;
4. The future land use balance;
5. The prevention of urban sprawl as defined by 163.3164(51), F.S.;
6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and
7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

Policy 2.1-g: The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.

Policy 2.1-h: The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.

Policy 2.1-i: Residual Parcel - As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for inter-connectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.

Policy 2.1-j: Palm Beach County shall maintain the flexibility to respond to changing economic conditions while guiding future economic development through implementation of the Strategic Economic Development Plan adopted by the Board of County Commissioners on March 13, 2007. This will assist the County in maintaining a balanced, diversified and resilient economy.

Policy 2.1-k: Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.

Policy 2.1-l: *Deleted in Amendment Round 14-1 by Ord. 2014-014*

OBJECTIVE 2.2 Future Land Use Provisions - General

Palm Beach County shall ensure development is consistent with the County's diverse character and future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provision of facilities and services shall be consistent with the property's future land use designation, and the applicable Goals, Objectives and Policies of this Element.

Policy 2.2-a: Future Land Use Provisions – General - All development approvals and actions within the unincorporated limits of the County shall be consistent with the provisions contained within the Comprehensive Plan, as amended. Such approvals shall also be consistent with any restrictions or special conditions attached to a Comprehensive Plan amendment, as referenced on the Future Land Use Atlas and contained within the Ordinance adopting the amendment.

Policy 2.2.b: All zoning related decisions, including revisions to the Zoning Quad Maps, shall be consistent with the Comprehensive Plan and Future Land Use Atlas. The Unified Land Development Code may limit or restrict any of the land uses allowed by the Future Land Use Element. The County may initiate a district change to the appropriate Zoning Quad Map to eliminate inconsistent land uses and further the Goals, Objectives and Policies of the Comprehensive Plan. *[See Introduction & Administration Element for additional details]*

Policy 2.2.c: The County shall ensure its Unified Land Development Code is consistent with the appropriate elements of the Comprehensive Plan. This consistency shall, at a minimum:

1. Ensure that no development permits will be issued to a development whose impact may degrade adopted levels of service, pursuant to the Concurrency Management Program contained in the Capital Improvement Element;
2. Ensure future land uses are consistent with the Future Land Use Atlas;
3. Ensure compatibility with adjacent future land uses;
4. Protect residential areas from adverse impacts and undesirable effects from adjacent land uses;
5. Regulate subdivision of land;
6. Protect areas subject to seasonal or periodic flooding, as provided in the Utility and Conservation Elements;
7. Regulate stormwater management and drainage;
8. Protect potable water wellfields and aquifer recharge areas;
9. Protect open spaces and natural resources;
10. Protect historically significant properties, as provided in the Historic Preservation Element;
11. Provide efficient service delivery systems;
12. Regulate landscaping;
13. Regulate lighting; and,
14. Incorporate the Characteristics of Livable Communities listed in the Introduction of the Future Land Use Element.

Policy 2.2-d: The County shall encourage the elimination or reduction of existing or previously approved land uses, and activities, which were lawful before the adoption of the Plan but are prohibited, regulated or restricted under the terms of this Plan. This shall be accomplished by limiting the enlargement, expansion, or extension of non-conforming future land use activity unless the action decreases the nonconformity. Non-conforming uses shall only be permitted to expand under limited circumstances, specified in the Palm Beach County Unified Development Code, which are designated to curtail any substantial investment in non-conforming uses to preserve the integrity of the Comprehensive Plan.

Policy 2.2-e: Intensity. The County shall establish and maintain maximum floor area ratios (FAR) specific to each future land use designation in order to establish the maximum non-residential intensity of development, as specified in Table 2.2-e.1. The allowable intensity on a specific parcel may be reduced through the development review process in order to account for the attributes of the subject site, the scale of adjoining properties, and the character of the area. The maximum FAR applies to non-residential uses within these designations; for underlying residential designations and density governed by density in Table 2.2.1-g.1, the maximum FAR does not apply.

TABLE 2.2-e.1
Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories and Non-Residential Uses

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
Residential	All Residential Categories	.35 (Low Density) .45 (Medium & High Density)	.20	.20	.15	.20
Agriculture	AP	not allowed	not allowed	not allowed	not allowed	.10
	SA	.15	.15	.15	.15	.15
	AgR	not allowed	not allowed	not allowed	.15	not allowed
	AGE	not allowed	not allowed	See note[10]	not allowed	not allowed
Commercial Low (Neighborhood Commercial)	CL-O	.50[1]	0.05-.20[12]	.20	.20 w/MUPD[4]	.20
	CL	.50[1]	.10 1.0 w/ TMD	.10 1.0 w/ TMD	.10 [5] .20 w/MUPD[4, 9] .40 w/ TMD [4]	.10
Commercial High (Community or Regional Commercial)	CH-O	.85	not allowed	not allowed	not allowed	not allowed
	CH	.85[3]	not allowed	not allowed	not allowed	not allowed
Industrial	IND	.45-.85[9]	not allowed	not allowed	.45	.45
	EDC	.45-.85[9]	not allowed	not allowed	not allowed	not allowed[11]
	CMR	.45-.85[9]	not allowed	not allowed	.35-.45[13]	not allowed
Commercial Recreation		.50	not allowed	.05	.05	.05
Parks & Recreation		.45	.10	.10	.10	.10
Conservation		.05	.05	.05	.05	.05
Institutional & Public Facilities[8]		.45	.20	.10	.15 .35[6]	.10
Transportation & Utilities		.45	.10	.05	.05 .15[7]	.05
Traditional Town Development		1.0	not allowed	not allowed	not allowed	not allowed

Notes:

1. For Commercial Low Office (CL-O) and Commercial Low (CL), the maximum allowable FAR for self-storage use is up to .85.
2. *Deleted by Ord. 2020-11*
3. For Commercial High (CH), the maximum allowable FAR is up to 1.0 for Traditional Neighborhood Development (TND) and Traditional Market Place Development (TMD).
4. For Ag Reserve TMDs and Ag Reserve MUPDs, the FAR is calculated on the total area of the development, including both the developed and preserve area.
5. Commercial properties which received a commercial future land use designation prior to January 31, 2016 and/or identified in Policy 1.5-i are limited to a maximum FAR of .10 unless developed as an AGR-MUPD or AGR-TMD.
6. An FAR greater than .15 is only permitted for a) hospitals and related hospital campus uses, and b) AgR-MUPDs that meet the Preserve Area requirements.
7. An FAR greater than .05 is only permitted east of S.R. 7
8. Institutional and Public Facilities uses within any FLU designation are allowed to utilize the maximum allowable FAR of the Institutional and Public Facilities FLU designation per the applicable Tier. In the case of multiple or mixed use projects, only proposed institutional and public facility uses shall be permitted to exceed the FAR of the project's FLU designation.
9. Industrial and self-storage uses may be approved for up to .85 FAR in the industrial future land use designations the Urban Suburban Tier, and self-storage uses may be approved for up to .65 FAR in the commercial future land use designations in the Agricultural Reserve Tier on sites that meet the Major Intersection Criteria in the ULDC (see also FLUE Policy 1.5-p).
10. The intensity of an Agricultural Enclave shall be determined utilizing the provisions of Policy 2.2.5-d, and shall be clearly indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.
11. Within the Economic Development Center (EDC) future land use designation in the Glades Area Protection Overlay, the FAR of the Urban/Suburban Tier shall apply.
12. Properties subject to Policy 1.3-j are limited to a maximum of 0.05 FAR.
13. Commerce properties are limited to an FAR of .35, unless the property received a Commerce future land use designation prior to August 30, 2023, in which case the property is limited to a maximum FAR of .45.

Policy 2.2-f: Table 2.2-f.1 establishes the consistent non-residential zoning and planned development districts for the Non-Residential Future Land Use Designations.

Table 2.2-f.1

Non-Residential Future Land Use - Zoning Consistency[1, 2]

Future Land Use Designation	Consistent Zoning	
	Zoning District	Planned Development
Agricultural Reserve	AGR	AGR-PUD
Special Agriculture	AR, AGR, AP	---
Agricultural Production	AR, AP	---
Multiple Land Use [3]	---	MUPD, PIPD, PUD
Commercial Low-Office	CLO	MUPD
Commercial Low [4]	CLO, CN, CC	MUPD
Commercial High-Office	CLO, CHO	MUPD
Commercial High [3]	CLO, CHO, CN, CC, CG	MUPD
Industrial	IL, IG	MUPD, PIPD
Economic Dev. Center	IL	MUPD, PIPD
Commerce	IL	MUPD
Commercial Recreation	CRE	MUPD, RVPD
Parks & Recreation	IPF	--
Conservation	PC	--
Institutional & Public Facilities	IPF	MUPD
Utilities & Transportation	IPF	--
Conservation	PC	--

Notes:

1. The Public Ownership (PO) zoning district is allowed in all future land use designations.
2. Within the Glades Tier, the AP and AR districts are consistent with all future land use designations, excluding Conservation. Within all Tiers, AR is consistent with all non-residential future land use designations, excluding Conservation.
3. The Mixed Use Planned Development (MXPD) zoning district is allowed in the MLU and CH future land use designations.
4. The Commercial General (CG) and Commercial Special (CS) zoning districts are consistent with the Commercial Low future land use designation on sites located within the Urban Suburban Tier which were granted these zoning districts prior to the assignment of the CL designation on the Future Land Use Atlas.

2.2.1 Residential

Policy 2.2.1-a: Coastal High Hazard Area - The County shall coordinate with coastal municipalities to control population densities in coastal high-hazard areas, in accordance with Coastal Management Objective 2.3. The County shall not increase the density in unincorporated areas located within the coastal high-hazard areas.

Policy 2.2.1-b: Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.

Policy 2.2.1-c: Residential Uses – A residential use consists of the use of land that is predominately for the purposes of housing. The following uses are defined as residential uses:

1. Residential housing uses typically utilize density (dwelling units per acre) to calculate the maximum development potential. Each residence is considered one dwelling unit. Residential housing uses include, but are not limited to, the following:

    - Single Family, Zero Lot Line, Townhomes, and Multi-Family.
    - Community Residential Homes defined in F.S. ch. 419.
    - Congregate Living Facilities defined as a type of housing with individual or shared housing units that typically share a common dining room, recreational room, or other facilities. Congregate Living Facilities provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more persons who are not relatives of the owner or administration. “Personal services” means direct physical assistance with or supervision of the activities of daily living (such as bathing, dressing, grooming and meal preparation) and the self-administration of medication as defined by §400.402(6), Florida Statutes. Examples of Congregate Living Facilities include, but are not limited to, group homes, assisted living, independent living, and memory care.

2. Residential living quarters are typically associated with or accessory to a residential or non-residential use and typically do not utilize density to calculate maximum development potential. The number of beds or residents allowed is typically established in the Unified Land Development Code. Examples of residential living quarters include dormitories, caretaker quarters, and farmworker quarters. *(Ord. 2017-036)*

Policy 2.2.1-d: Density > HR-12 - The County may allow an increase in density greater than the HR-12 Future Land Use category in appropriate areas within the County to direct growth away from natural resources and to use infrastructure more efficiently if the proposed development applies one of the following:

1. The Workforce Housing Program or the Affordable Housing Program, which allow an opportunity to set aside a certain percentage of units for workforce or affordable housing, as described in the policies in Housing Element Objective 1.1 and 1.5 and within the ULDC;

2. The Transfer of Development Rights (TDR) Program as described in Objective 2.4;

3. The provisions of a Special Overlay; or

4. The Traditional Neighborhood Development, Traditional Marketplace Development, Traditional Town Development, Mixed-use Planned Development districts, or Transit Oriented Development option.

Policy 2.2.1-e: *Deleted in Amendment Round 19-A2 by Ord. 2019-032*

Policy 2.2.1-f: Density. The County shall establish and maintain maximum densities, as specified in Table 2.2.1-g.1, in the residential future land use designations. The following applies to the assignment of density within a residential development as applied during the development review process:

1. **Density Transfers.** Densities may be transferred within a parcel covered by more than one Urban Residential category except where the transfer results in a net negative impact on a roadway shown on the County's Thoroughfare-Right-of-Way Identification Map. The total number of units allowed for the entire parcel shall not exceed the total number of units allowed by each future land use category.

2. **Arrangement of Dwelling Units.** Any arrangement of dwelling units on a parcel of land is allowed, as long as the maximum number of dwelling units designated for the parcel is not exceeded, the list of permitted land uses is not violated and the arrangement is allowed by the ULDC.

Policy 2.2.1-g: Density Calculations. The number of units permitted by the Plan for any parcel of land can be obtained by multiplying the gross acreage of the parcel by the density permitted by the residential category, as indicated in Table 2.2.1-g.1. The number of units permitted shall always be rounded down to the nearest dwelling unit when the fractional remainder resulting from this calculation is less than 0.50. The number of units shall be rounded up to the nearest dwelling unit when the fractional remainder is 0.50 or greater provided the rounding up would not introduce multi-family development in an existing exclusively single family subdivision. That portion of a property dedicated for right-of-way in exchange for compensation may not subsequently be included with the parent property or another property for the purpose of a density or intensity calculation.

Table 2.2.1-g.1

Residential Future Land Use Designation Maximum Density

Future Land Use Designation		Dwelling Units per Gross Acre[5]
Agricultural Reserve	AGR	0.20 / 1[3]
Essential Housing	EH	8[6]
Agricultural Enclave[2]	AGE	---
Rural Residential, 1 unit per 20 acres	RR-20	0.05
Rural Residential, 1 unit per 10 acres	RR-10	0.10
Rural Residential, 1 unit per 5 acres	RR-5	0.20
Rural Residential, 1 unit per 2.5 acres	RR-2.5	0.40
Western Communities Residential	WCR	0.80
Low Residential, 1 unit per acre	LR-1	1
Low Residential, 2 unit per acre	LR-2	2
Low Residential, 3 unit per acre	LR-3	3
Medium Residential, 5 unit per acre	MR-5	5
High Residential, 8 unit per acre	HR-8	8
High Residential, 12 unit per acre	HR-12	12
High Residential, 18 unit per acre	HR-18	18
Congregate Living Residential	CLR	8/12[4]

1. The Entitlement density is 1 unit per lot or as follows: Rural Residential 0.05 du/acre; Western Communities Residential 0.05 du/acre; Low Residential 0.10 du/acre; Medium Residential 0.20 du/acre; and High Residential 0.40 du/acre, whichever is greater.
2. The density of an Agricultural Enclave shall be determined utilizing the provisions of s. 163.3162(5), Florida Statutes, and shall be clearly indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.
3. See Agricultural Reserve Policy 1.5-h.
4. The CLR future land use designation allows a maximum density for a Congregate Living Facility Type 3 of up to 12 units per acre in the Urban/Suburban Tier, and up to 8 units per acre in the Agricultural Reserve Tier. See Congregate Living Residential Policy 2.2.1-l.
5. For the purposes of calculating the percentage of Workforce Housing Program units, the following units per acre are considered 'standard density' for each future land use designation: 1.5 for LR-2; 2 for LR-3; 4 for MR-5; 6 for HR-8; and 8 for HR-12 and HR-18. The remaining density shall be considered planned unit development density.
6. See Agricultural Reserve Policy 1.5.1-t.

Policy 2.2.1-h: Standard and Maximum Density Exemptions. Densities greater than those indicated in Table 2.2.1-g.1 may be granted as follows:

1. Urban/Suburban Tier

a. Pursuant to FLUE Infill Policy 2.2.1-i;
b. Pursuant to provisions for mobile home parks under Policy 2.2.1-t;
c. Pursuant to the Transfer of Development Rights Program, Workforce Housing Program, Affordable Housing Program, and/or a Special Overlay outlined in this Element;
d. Within Traditional Town Developments.

2. Exurban and Rural Tiers

a. Pursuant to the 85% Rule detailed in the Lot Combination Requirements in Policy 2.2.1-r.

Policy 2.2.1-i: Infill Density Exemption - The County shall encourage infill development within the Urban Suburban Tier through the Infill Density Exemption. A legally approved residential development or subdivision in existence at the time of Plan's August 31, 1989 adoption shall be considered in conformance with the Plan, regardless of whether the density exceeds the maximum permitted by the applicable Future Land Use designation. In addition, parcels within such subdivisions may be allowed to develop at a density consistent with the subdivision density provided that the parcel is less than 3 acres in size and the proposed development does not introduce multi-family housing into a subdivision that is exclusively single family. Property owners may seek the Infill Density Exemption through a Planning Division Letter of Determination or through the Development Review Process.

Policy 2.2.1-j: Table 2.2.1-j.1 establishes the consistent residential zoning and planned development district for the Residential Future Land Use Designations. In addition, within the Urban/Suburban Tier of the Glades Tier, the Agricultural Residential and Agricultural Production zoning districts are consistent with all residential future land use designations.

Table 2.2.1-j.1

Residential Future Land Use - Zoning Consistency[1]

Future Land Use Designation	Consistent Zoning	
	Zoning District	Planned Development
Agricultural Reserve	AGR	AGR-PUD
Essential Housing		60/40 PUD, MUPD, TMD
Rural Residential	AR[4], RE[5]	RR-PUD, MHPD, RVPD
Western Communities Residential	AR	PUD
Low Residential	AR[4], RE, RT, RTS, RS[4]	PUD, TND, MHPD
Medium Residential	AR[4], RE, RT, RS, RTU, RM/RH[2]	PUD, TND, MHPD, MUPD[6]
High Residential	AR[4], RE, RT, RS, RM, RH	PUD, TND, MHPD, MUPD[6]
Congregate Living Residential	RM	PUD, MUPD, MXPD[3]

Notes:

1. The RTS, RTU, and RH zoning districts and the Special Exception for a PUD have been discontinued. Properties with these districts shall not be required to rezone and shall utilize the property development regulations of their equivalent districts which are as follows: RTS equals RT; RTU equals RS; RH equals RM, Special Exception for a PUD equals a PUD.
2. The RM District is consistent with the MR-5 designation only for those properties that were zoned RM or RH prior to the Plan's August 31, 1989 adoption or are 3+ acres utilizing the Transfer of Development Rights and/or Workforce Housing Program.
3. The CLR designation is consistent with the MUPD and MXPD for mixed or multiple use projects. The uses allowed in the CLR designation, and associated approval processes, are the same as the uses allowed in RM or PUD zoning with the limitation that any residential uses are limited to congregate living facilities.
4. A lot with AR that was legally subdivided shall be considered a conforming lot. Properties with AR zoning with a residential future land use designation in the Urban Suburban Tier are not required to rezone when subdividing for a residential use provided that the newly subdivided density is a maximum of 1 unit per acre, or when developing a non-residential use that is allowed in AR.
5. The RE zoning district is consistent with RR-5, RR-10, and RR-20 only for parcels which held RE prior to the adoption of the 1989 Plan.
6. The Multiple Use Planned Development (MUPD) zoning is consistent with the Medium and High Residential future land use designations within the Urban/Suburban Tier for sites that have and utilize a non-residential future land use designation on a portion of the MUPD.

Policy 2.2.1-k: High Residential 12. High Residential 12 is the maximum future land use designation allowed by the Comprehensive Plan except for parcels which were assigned a High Residential 18 future land use designation as part of the adoption of the Comprehensive Plan in 1989 or for those properties which were built at a density greater than 12 units per acre prior to the 1989 adoption of the Comprehensive Plan and subsequently assigned through a corrective amendment.

Policy 2.2.1-l: Congregate Living Residential. The purpose of the Congregate Living Residential (CLR) future land use designation is to facilitate the review of proposed Congregate Living Facilities (CLF) Type 3 that require a future land use amendment to increase residential density. The CLR designation is subject to the following:

1. Proposed future land use amendments requesting an increase in density for the purposes of developing a CLF Type 3 shall apply for the CLR designation unless the site is proposed within a project that has multiple or mixed land uses. Amendments requesting to be co-located non-residential uses may apply for a non-residential future land use designation with an underlying CLR and be subject to the location requirements of the non-residential designation.
2. Proposed future land use amendments to the CLR designation shall retain the original residential future land use designation as an underlying residential density to be used if the site is developed with residential uses other than a CLF Type 3.
3. Proposed future land use amendments to the CLR designation for a CLF Type 3 are subject to the maximum density depicted in FLUE Table 2.2.1-g.1. The maximum density for individual sites may be limited through the future land use amendment process to ensure compatibility with surrounding land uses. In order to determine the compatible maximum density and design of the site, proposed CLR amendments require a zoning application to be submitted within the amendment review process. *(Ord. 2017-036)*

Policy 2.2.1-m: Non-Residential Uses Allowed in Residential Future Land Use Designations. Limited non-residential uses are allowed in residential future land use designations through the associated zoning districts as identified in the Unified Land Development Code. Non-residential uses are limited to those that serve the residential area, and may be further limited through the development review process to ensure that the individual projects are appropriate in size, scale, and character with the surrounding residential area. The following land uses may be permitted within areas designated Residential on the Future Land Use Atlas (FLUA), but are further restricted by the Unified Land Development Code (ULDC).

1. Park and Recreation uses designed to serve the residential area;
2. Institutional uses designed to serve the residential area such as schools, child care facilities and adult day care facilities, houses of worship, governmental administration, law enforcement substations, fire protection facilities, libraries, civic centers, community service centers and similar uses. Some uses may be appropriate in residential areas if limited, such as: nursing homes subject to special criteria;
3. Utility and communication facilities designed to serve the residential area and subject to special criteria;
4. Limited commercial uses within a Planned Development District designed for the convenience of the residents;
5. Agricultural uses compatible with the residential area pursuant to Policy 2.2.1-v; and,
6. Limited excavation operations.

Policy 2.2.1-n: Non-Residential Uses Criteria. In areas with a Residential future land use designation, the County may allow non-residential uses allowed in the Parks and Recreation, Institutional and Public Facilities, or Utilities and Transportation future land use designations. Non-residential uses permitted in residential areas shall only be allowed if they meet the criteria below. The ULDC adopted pursuant to this Comprehensive Plan shall ensure that non-residential uses allowed by residential zoning districts shall satisfy the Goals, Objectives and Policies of the Comprehensive Plan. All decisions of the Board of County Commissioners that implement the provisions of the ULDC which allow a non-residential use in a residential area must be based on a determination that:

1. The residential neighborhood is protected from the undesirable impacts of non-residential uses and adjacent and surrounding development;
2. The non-residential use is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan;
3. The non-residential use satisfies any special siting criteria adopted by the Board of County Commissioners;
4. The density or intensity is comparable to and compatible with the density of the residential development within areas designated Residential on the FLUA;
5. More intense non-residential uses may be allowed in residential zoning districts along major thoroughfares and roadways that are not residential streets; and
6. Conditions of approval are included, if necessary, to ensure compatibility with surrounding residences. These conditions may include but are not limited to: compatibility analysis; controlling objectionable odors; fencing; sound limitations; inspections; reporting or monitoring; preservation areas; mitigation; and, such other conditions of operation or other limitations found in the ULDC. Conditions would be imposed concurrent with development approval either as a conditional use, a site plan, or any other process identified in the ULDC.

Policy 2.2.1-o: Uses Discouraged in Residential Future Land Use Categories. Large-scale Park and Recreation uses, Institutional and Public Facility uses, and Utilities and Transportation uses designed to serve regional needs, including regional parks, regional water and wastewater treatment plants, power transmission facilities not related to Renewable Energy, Electrical Power Facilities (utilizing any fuel, process, or resources other than solar, wind, or hydroelectric power), correctional facilities, solid waste transfer stations and disposal sites are discouraged in residentially designated areas and may be permitted only subject to the siting criteria of the appropriate regulatory authority(ies) as well as any special review and siting criteria adopted by the Board of County Commissioners.

Policy 2.2.1-p: Rural Enclaves in Urban Service Area. The County recognizes that there are long established rural residential enclave communities and homesteads in locations within the Urban Suburban Tier that have Low Residential future land use designation. The County supports the continuation of these rural areas in order to encourage a high quality of life and lifestyle choices for County residents. In addition, within these areas the County may apply the ULDC standards for rural residential development as follows:

1. in low density areas in Urban Residential future land use categories;
2. on parcels presently used for agricultural purposes; or

3. on parcels with a Special Agricultural future land use category.

Policy 2.2.1-q: Lot Requirements. The County shall apply the following criteria to determine if a parcel may be developed for residential purposes:

1. The lot is described and identified in a deed or agreement for deed, dated prior to February 5, 1973, and has the same boundaries as shown on that deed; or,
2. The lot is delineated on the current plat of record for that property, or in a duly approved affidavit of exemption or affidavit of waiver; or,
3. It is demonstrated that the lot in its current configuration resulted from a division of land on or subsequent to February 5, 1973, and prior to June 16, 1992, and complied with the density requirements of the Plan in effect at the time the lot was created.

Policy 2.2.1-r: Lot Combination Requirements. The County shall require all contiguous lots, which were owned by the same person or entity and which do not qualify for an administrative order exempting a single lot as provided below to comply with the density requirements of the Comprehensive Plan adopted in 1989, as amended. If contiguous lots owned by the same person or entity do not meet the density requirements, then the lots shall be combined to either comply with the density requirements or to reduce the density inconsistency, if there are not sufficient lots to fully comply with the density requirements. The following criteria shall be applied to determine if a parcel may be exempt from the consolidation requirements:

1. A lot that was not contiguous to any other lot owned by the same person or entity as of December 1, 1989; or
2. A lot for which a building permit application has been filed with the County on or before December 1, 1990; or
3. A lot(s) that is contiguous to a lot owned by the same person or entity and that has an existing dwelling unit as of December 1, 1989; such contiguous lot(s) shall be allowed one additional dwelling unit; or,
4. A lot(s) that is contiguous to a lot owned by the same person or entity for which a building permit has been granted on or before October 1, 1990; such contiguous lot(s) shall be allowed one additional dwelling unit; or,
5. A lot located in an approved Planned Residential Development; or,
6. A lot located in a properly recorded subdivision within the Urban/Suburban Tier; or
7. **85% Rule -** A lot located in a recorded and/or unrecorded subdivision or contained within, or subject to the control of a special district, provided that:

    a) The Planning Division determines the number of single lots of record exempt from the density requirements of the 1989 Plan, as determined by criteria 1-4 above is equal to or exceeds 85% of the total lots in the subdivision or area controlled by the special district; and/or,
    b) The subdivision is determined by the Planning Division to contain existing residences on a minimum of 85% of the existing lots of record in the subdivision.
    c) The County has determined that the following antiquated subdivisions, pursuant to FLUE Policy 1.3-e and FLUE Policy 1.4-e, the following areas meet the provisions of the 85% rule exemption:

1) Jupiter Farms;
2) Palm Beach Country Estates;
3) Royal Palm Beach Acreage;
4) Fox Trail;
5) Caloosa;
6) Homeland;
7) Tierra Del Ray Estates;
8) Tierra Del Ray South;
9) Deer Run;
10) Deer Run Plat 2;
11) Kramer's Unrecorded Subdivision: Located on the south side of Northlake Boulevard, adjacent to the west side of Ibis Golf and Country Club, and four miles west of Beeline Highway (State Road 710); and,
12) Mandell's Unrecorded Subdivision: Located in the southeast half of Section 9, Township 43, Range 40, and adjacent to the east right-of-way line of the M Canal Cut-off (L-8 Spur Canal.)

Policy 2.2.1-s: Entitlement density. Within the time frame provided by 163.3202(1), F.S., Palm Beach County will ensure that development orders for residential development will be based on the County's ability to maintain minimum levels of service as provided by the Concurrency Management System contained in the Capital Improvement Element. The County may grant a development order at entitlement densities as described in Table 2.2.1-g.1, Residential Future Land Use Designation Maximum Density, if a parcel cannot be developed in accordance with its future land use designation and zoning category because concurrency requirements cannot be satisfied, provided that the levels of service for drainage can be met. The maximum number of units for a project at entitlement density is either the number of units calculated at the entitlement density or one dwelling unit, whichever is greater.

A proposed residential development proceeding at entitlement densities will be required, at the time the development order is granted, to demonstrate:

1. How the proposed development, will achieve at least a minimum density for the applicable land use category when services and facilities become available, at the adopted levels of service; and

2. How, within two years of the services and facilities becoming available, the proposed development will commence and proceed in good faith toward achieving at least the minimum urban density. A proposed development, which does not proceed in good faith shall be subject to revocation of the "entitlement" development order.

Policy 2.2.1-t: Recreational Vehicle Parks and Mobile Home Parks. The density for a Recreational Vehicle Park shall be described in the ULDC. Mobile home parks in existence at the time of Plan adoption are considered in conformance with the Plan, regardless of the Future Land Use Atlas density. Some existing mobile home parks are shown on the Future Land Use Atlas within residential land use categories that allow fewer units than currently permitted. If the mobile home park is removed to allow an alternative type of residential development, the new development must conform to the density provisions of the Future Land Use Atlas.

1. To the extent required by law, mobile home parks will be allowed in all urban residential future land use categories and associated zoning districts utilizing up to the number of units allowed in the "maximum" in Table 2.2.1-g.1, Residential Future Land Use Maximum Density. A mobile home shall be the equivalent of one dwelling unit. The replacement or relocation of a unit in a mobile home park shall not cause the total number of units approved, at the time of Plan adoption, to be exceeded.
2. Land development regulations shall require mobile home parks to include a permanent structure adequate for an emergency shelter. The size of this shelter shall be established in the Unified Land Development Code pursuant to the square footage per person shelter requirements contained in the Comprehensive Emergency Management Plan.

Policy 2.2.1-u: The Planning, Zoning, and Building Department shall monitor previously committed residential developments in order to:

1. Identify and analyze residential developments and corresponding totals of previously committed dwelling units retained in the unbuilt inventory used to determine infrastructure needs; and,
2. Recommend the redesignation of those projects which are built out, but which have not fully utilized their inventory of approved units.

Upon direction by a majority vote of the Board of County Commissioners, the Department of Planning, Zoning, and Building shall initiate an amendment to the Future Land Use Atlas to amend the future land use category of any residential development which has substantially developed at a density less than the permitted density of the applicable future land use category to more closely reflect the actual density. A residential development is considered substantially developed when it is built to an extent that the ultimate character and density are established.

Policy 2.2.1-v: Agricultural Uses in Residential Future Land Use Designations. Agricultural uses are expected to co-exist with residential uses. Agricultural uses allowed in the residential future land use designations must be compatible with the protection of the lifestyle and quality of life of the residents. Additionally, the County encourages the continuation and enhancement of the equestrian industry by acknowledging the keeping, raising and training of horses as an agricultural use and shall allow a wide range of related activities and accessory uses in appropriate locations throughout Palm Beach County. In addition, the County supports home based and sustainable agriculture by allowing agriculture on residential properties. The ULDC shall be revised to allow horses, poultry, and livestock in residential future land use designations in any Tier subject to regulations based upon parcel attributes rather than the parcel's Tier.

Policy 2.2.1-w: The County shall adopt specific overlays in the Comprehensive Plan and/or Unified Land Development Code to protect the character of individual rural enclaves identified through the neighborhood planning process.

2.2.2 Commercial

Policy 2.2.2-a: In order to discourage strip commercial development, to limit commercial development to nodes, to foster interconnectivity, and to promote the development of innovated mixed use projects inside the Urban Service Area, all new commercial future land use designations shall meet one of the following location requirements:

- Intersection Location:
  - Commercial Low, High Office, or High future land use designations shall have frontage on two built roadway segments identified as an arterial road and a collector road, or two arterial roads.
  - Alternatively, new commercial future land use designations may be located on the north side of Southern Boulevard/State Road 80 at the intersection of Cleary Road on parcels no more than two acres in size.

- Contiguous Location – All new commercial future land use designations shall be contiguous to a lot(s) with a commercial future land use designation. Contiguous is defined as lot(s) that share a common border. Lots that touch point-to-point, and lots which are separated by waterways, streets, or major easements are not considered contiguous.

- Flexible Location – Mixed-use development patterns identified in the Future Land Use Element (e.g. LCC, TMD, TND) or Commercial Low-Office future land use designations may be allowed in any location along all arterial or collector roads.

Roadway classifications are listed in Figure TE 3.1, Functional Classification of Roads.

Policy 2.2.2-b: All new Commercial High future land use designations shall be located on a roadway classified as an arterial on Figure TE 3.1 – Functional Classification of Roads.

Policy 2.2.2-c: *Relocated to Policy 4.4.4-d in Round 17-A by Ord. 2017-004*

Policy 2.2.2-d: The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development.

2.2.3 Commercial Recreation

Policy 2.2.3-a: The County shall apply the Commercial Recreation future land use designations at appropriate locations through the FLUA Amendment process.

2.2.4 Industrial

Policy 2.2.4-a: The County shall apply Industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space, provide opportunities for the retention and expansion of industrial and employment based economic activities, and to promote economic development consistent with the County's economic development directives. The County shall also encourage a broad range of employment opportunities and shall discourage Future Land Use Atlas amendments that result in the loss of industrially designated land.

Policy 2.2.4-b: In order to encourage a broad range of employment opportunities, the County shall implement the following in the ULDC and within projects as deemed through the development review process:

1. Allow certain uses that demonstrate Light Industrial characteristics, limited to Offices of an Industrial Nature (as defined by the Introduction and Administration Element), self-storage, multi-media production, data/information processing, laboratories, and research/development within all four Commercial future land use designations.
2. Allow within the Commercial High (CH) future land use designation a broader range of uses that demonstrate Light Industrial characteristics including, but not limited to, Manufacturing and Processing, Warehouse, and Flex Space.

Policy 2.2.4-c: Industrial Future Land Use Designations. The three Industrial future land use designations are intended to accommodate industrial uses which are defined as uses engaged in the manufacturing, assembly, processing, research and development, wholesale distribution, or storage of products, related uses and services, including Office of an Industrial Nature (as defined by the Introduction and Administration Element).

1. **Industrial.** The Industrial (IND) future land use designation allows the full range of industrial activities ranging from light to heavy industry.
2. **Economic Development Center.** The Economic Development Center (EDC) future land use designation is intended to accommodate employment opportunities, research parks, and Employment Centers (as defined by the Introduction and Administration Element). Properties with an EDC designation are intended to be developed as planned developments in order to promote internal circulation and buffering from surrounding land uses. Industrial uses allowed shall be limited to those that demonstrate Light Industrial characteristics.
3. **Commerce.** The Commerce (CMR) future land use designation is intended to accommodate light industrial uses to provide an option for low-trip generating non-residential and/or employment generating uses on arterial roadways. Industrial uses allowed shall be limited to those that demonstrate Light Industrial characteristics.

Policy 2.2.4-d: Industrial Uses. Industrial uses shall be considered either Light or Heavy as defined below.

Light Industrial. Light industrial development's typical operation is not likely to cause undesirable effects, danger or disturbance upon nearby areas and typically does not create negative impacts on immediately adjoining uses. These uses typically do not cause or result in the dissemination of dust, smoke, fumes, odor, noise, vibration light, or other potentially objectionable effects beyond the boundaries of the lot on which the use is conducted. Examples of Light Industrial uses include: storage, warehouse, research, laboratories, dispatch, landscape service, flex space, media production, and light manufacturing and processing.

Heavy Industrial. Heavy industrial development's typical operation may cause or result in the dissemination of dust, smoke, fumes, odor, noise, vibration, light, or other potentially objectionable effects beyond the boundaries of the lot on which the use is conducted. These effects will be minimized through the application of performance standards established in the Unified Land Development Code. Heavy industrial uses can include those that engage in the processing, manufacturing, or storage of flammable, hazardous, or explosive materials or products, or processes which potentially involve hazardous or commonly recognized offensive conditions. Examples of heavy industrial uses include, but are not limited to, salvage and junkyards, storage of regulated substances, asphalt and concrete mixing and product manufacturing, heavy manufacturing, construction and demolition recycling, and equestrian waste management.

Policy 2.2.4-e. Additional Allowable Uses in Industrial Designations. In addition to the industrial uses, the land uses listed below are allowable within the Industrial type future land use designations as permitted by the ULDC.

1. Mining, subject to the limitations included in Objective 2.3 entitled "Mining and Excavation";
2. Parks and Recreation;
3. Commercial Recreation including but not limited to, tenants within industrial buildings, such as indoor sports, fitness, gymnastics, karate studios, and dances studios;
4. Conservation;
5. Institutional and Public Facilities;
6. Transportation, Utility, and Communication Facilities;
7. Non-residential agricultural uses;
8. Caretakers' quarters;
9. Uses and structures accessory to a permitted use;
10. Flex space. Flex space allows each use to be a flexible percentage of the uses allowed in the Use Matrix per the applicable FLU, typically with 70% of the total floor area for uses demonstrating light industrial characteristics and 30% for retail, office and display areas for products manufactured and/or distributed on site.
11. Commercial uses pursuant to one or more of the following:
    a. Industrial (IND) future land use allows vehicular based Commercial uses of an industrial nature that have impacts similar to industrial

uses such as auto repair and the like and accessory commercial uses which are incidental and subordinate to the primary industrial use, and Office of an Industrial Nature;

b. Commercial uses in Commerce and Economic Development Center are limited to accessory commercial uses which are incidental and subordinate to the primary industrial use, and Office of an Industrial Nature;

c. Retail gasoline and/or fuel sales shall be limited to the Industrial (IND) future land use designation as accessory to an industrial use, or part of a commercial pod in a Planned Industrial Park Development;

d. Commercial uses within Planned Industrial Park Developments pursuant to FLUE Policy 4.4.7-a; and

12. Residential uses within a Planned Industrial Park Developments pursuant to FLUE Policy 4.4.7-a.

Policy 2.2.4-f: All requests for new industrial type future land use designations shall front an arterial roadway or have access to an arterial roadway through an existing commercial or industrial site. Arterial roadways are depicted on Map Figure TE 3.1, Functional Classification of Roads, unless otherwise identified within this element.

2.2.5 Agricultural

Policy 2.2.5-a: The County shall designate properties with one of the four agricultural categories to ensure compatibility with surrounding future land uses, and to prevent encroachment of incompatible uses into agricultural areas.

Policy 2.2.5-b: The County shall not violate the Right-to-Farm Act.

Policy 2.2.5-c: *Relocated to underlying/alternative policy in Round 08-2 by Ord. 2008-052*

Policy 2.2.5-d: The County shall recognize Agricultural Enclaves pursuant to Florida Statutes section 163.3162(4) by assigning the Agricultural Enclave (AGE) Future Land Use Designation through a Future Land Use Amendment process in accordance with the procedures set forth in Florida Statutes Chapter 163 for Agricultural Enclaves. An AGE site specific amendment that incorporates appropriate new urbanism concepts and supports balanced growth may occur in the Rural Tier and may exceed rural densities and intensities. To the extent an AGE site specific amendment conflicts with the policies of the Rural Tier, the site specific amendment approval shall be governed by this policy and policies 2.2.5-e, 2.2.5-f, and 2.2.5-g. The site specific plan amendment ordinance adopting an Agricultural Enclave future land use shall include a Conceptual Plan and Implementing Principles. The Conceptual Plan shall include a Site Data table establishing an overall density and intensity for the project, as well as minimum and/or maximum percentages for the acreages of the Transects shown on the Plan and other binding standards. The Conceptual Plan and Implementing Principles can only be revised through the Future Land Use Atlas amendment process. All development orders must be consistent with the adopted Conceptual Plan and Implementing Principles. Agricultural uses shall be permitted until such time as a specific area of the Enclave physically converts to the uses permitted by such development orders. Agricultural uses shall be permissible after conversion to the extent indicated on the Conceptual Plan. Outparcels lying within

and surrounded by a qualifying agricultural enclave may also be assigned the AGE Future Land Use Designation.

Policy 2.2.5-e: The Agricultural Enclave Conceptual Plan shall include a series of transect zones which act as the essential elements of the project and allow the clustering of the density to promote a variety of neighborhoods and housing types and to act as transition areas between the Enclave and adjacent existing communities. An Agricultural Enclave shall be developed utilizing the Traditional Town Development Zoning District to demonstrate the appropriate new urbanism concepts. The Agricultural Enclave Traditional Town Development shall be comprised of the following pods: Traditional Neighborhood Developments, Traditional Marketplace Developments, Employment Centers (as Multiple Use Planned Developments), may also include limited Planned Unit Developments, as well as incorporating significant open space outside of the pods to further clustering and to promote compatibility with surrounding uses. Each pod may be developed according to the appropriate transect zones based on the density/intensity assigned on the Conceptual Plan and Implementing Principles. An interconnected network of streets shall link each development area together to form neighborhoods and an organized transportation network that allows for pedestrian and bicycle circulation. The following transect zones and other components are permitted:

- **Natural Transect** - shall consist of active recreation, pastures, greenspace within rural parkways and open space including agriculture, preservation, conservation, wetlands, passive recreation, greenways, landscaping, landscape buffers, water management tracts, and wellfields. A minimum of 55% of the Enclave total acreage shall be within this transect. All entitlement density associated with the Natural Transect may only be transferred to another transect within the Agricultural Enclave. The Natural Transect shall define the boundaries of an Agricultural Enclave except where the Enclave abuts schools or commercial areas. The Natural Transect may also be located throughout the Enclave to provide open space and connectivity within and between neighborhoods.
    - **Rural Parkways** – The conceptual plan shall recognize Thoroughfare Right-of-Way Identification Map roadways within the Enclave as corridors that act as regional connectors of neighborhoods and zones within the project and connecting to the surrounding communities by designating these roadways as Rural Parkways as indicated in Transportation Element Policy 1.4-q. These corridors shall be designed with opportunities for alternate modes of transportation such as pedestrian pathways, bike lanes and equestrian trails. Only the greenspace portions of rural parkways shall contribute to the minimum Natural Transect requirements.
    - **Natural Transect Open Space** – Open lands and landscape buffers shall include linked public pedestrian, bicycle and equestrian trails, and shall be used to define and connect different neighborhoods and zones, as well as providing a surrounding greenbelt for the overall Agricultural Enclave. The linked open space network shall be available for passive recreation, and enable potential future connections to regional trails and linked open space networks. The Conceptual Plan shall include appropriate separations and buffering from the surrounding existing communities. A minimum of a 200-foot separation edge shall be provided from any adjacent parcels not wholly surrounded by the Agricultural Enclave, with the separation edge averaging at least 400 feet in width.

- **Water** – A portion of the Natural Transect of an AGE shall be allocated to address any or all of the following: 1) regional deficiencies concerning stormwater management; 2) regional water supply solutions; 3) opportunities for environmental mitigation and restoration. The purpose is to provide a public benefit by addressing regional issues beyond the boundaries of a designated Agricultural Enclave. Land within the Natural Transect allocated to address this policy, may be set aside for other uses consistent with the Natural Transect until such time when the land is utilized to provide this benefit.

- **Sub-urban Transect** – consists of low-to-moderate density residential areas with some potential for the mixing of uses. The Sub-urban Transect shall develop at an overall gross density ranging between one unit per two acres to six dwelling units per acre. An interconnected network of streets shall link each sub-zone together to form cohesive neighborhoods and an organized transportation network that allows for bicycle and pedestrian circulation. Each neighborhood shall have a gathering space, such as a green or park~~,~~ connected by a network of streets that will allow most residents to live within a 5-10 minute walk of a green space. A maximum of up to 40% of the Enclave total acreage shall be within this Transect. Notwithstanding the provisions of the Sub-Urban Transect, any portion of residential development proposed to be located within 660 feet of the perimeter edge of the AGE shall be developed at a residential density that corresponds to the adjacent development density. The Sub-urban Transect shall consist of the following sub-zones:
  - **Neighborhood Edge Zone** – The Neighborhood Edge Zone shall be developed at a minimum gross density of one unit per two acres and a maximum gross density of one unit per acre. Neighborhood Edge Zones shall comprise a maximum of 20% of the Agricultural Enclave total acreage. The Neighborhood Edge Zone may abut the Natural Transect, the Neighborhood General Zone or the Neighborhood Center Zone, and the Urban Transect.
  - **Neighborhood General Zone** – The Neighborhood General Zone shall be developed at a minimum gross density of 1 unit per acre and a maximum gross density of 3 units per acre, and may include small-scale, neighborhood-serving uses where appropriate. Neighborhood General Zones shall comprise a maximum of 30% of the Agricultural Enclave total acreage. The Neighborhood General Zone may abut the Natural Transect, Rural Transect, or the Neighborhood Edge and Neighborhood Center Zones of the Sub-urban Transect.
  - **Neighborhood Center Zone** – The Neighborhood Center Zone shall contain a minimum gross density of 4 units per acre, and shall contain a minimum of 20% of the Enclave's units. Neighborhood Centers shall be pedestrian-friendly, incorporate residential uses, which enfront publicly accessible open spaces, and shall be linked to the adjacent residential neighborhoods through pedestrian and vehicular interconnections. A mixed-use component shall be designed as a Neighborhood Center utilizing the provisions of a Traditional Neighborhood Development in the ULDC. Those portions of the Neighborhood Center Zone not developed as a TND Neighborhood Center, shall be located within a ¼ mile (5 minute walk) radius to commercial, mixed-uses, public spaces, or schools to

encourage alternative modes of transportation. Neighborhood Center Zones shall comprise no more than 10% of the land area of the entire Agricultural Enclave. The Neighborhood Center Zone may abut the Neighborhood General Zone, Urban Transect, the Natural Transect, and arterial roadways.

- **Urban Transect** – shall consist of the most intense components of the Agricultural Enclave including a majority of the non-residential uses designed as a Town Center and an Employment Center. The Urban Transect shall be centrally located within the Agricultural Enclave, and generally adjacent to an arterial thoroughfare. Up to 10% of the total acreage of the Agricultural Enclave may be assigned to the Urban Transect. Residential uses in the Urban Transect may utilize up to 20% of the total units for the Enclave, not to exceed 12 units per acre, and shall be located proximate to Neighborhood Center Zones. The Urban Transect may abut the Sub-urban Transect's Neighborhood Center and Neighborhood General Zones, the Natural Transect, and arterial roadways.

    - **Town Center** –The Urban Transect shall include a Town Center. The Town Center shall be a Traditional Marketplace Development, a pedestrian-friendly predominantly retail and office development oriented to streets and useable open spaces. The Town Center shall incorporate some residential uses vertically integrated in mixed-use buildings and shall have pedestrian and vehicular connectivity with the adjacent residential neighborhoods of the Sub-urban Transect.

    - **Employment Center** – The Urban Transect shall also include an Employment Center. The Employment Center shall be a Multiple Use Planned Development or other appropriate Traditional Development District. The Employment Center is to accommodate office, light industrial uses, research and development, and other value-added activities and support uses; therefore limited commercial, hotels, colleges/universities, may be included to support its major function as a regional employment center and to implement effective mobility strategies.

Policy 2.2.5-f: The Agricultural Enclave shall be rezoned to an Agricultural Enclave Traditional Town Development. The Agricultural Enclave Traditional Town Development shall incorporate Design Standards, appropriate new urbanism concepts and shall include the following:

- **Neighborhood Design** – Neighborhoods shall be based on a street design that fosters alternate modes of transportation such as pedestrian pathways, bike lanes and/or equestrian trails. Neighborhoods shall consist of low-to-moderate-density residential areas, which may include the mixing of uses. Neighborhoods shall contain centrally located gathering places, and major buildings.

- **Internal Street Network** – Sub-urban and Urban Transects shall be developed to provide connectivity between neighborhoods, schools, employment, civic, and retail uses where appropriate. Streets shall be configured to provide efficient circulation systems for pedestrians, non-motorized vehicles and motorists, and serve to functionally integrate the various activities in each zone. Streets and squares that are

internal to the neighborhoods should be designed to be a safe, comfortable, and interesting environment to the pedestrian. All components of the site design, streetscape, and architecture shall contribute to the composition and definition of streets and public spaces.

- **Civic & Recreation** – Appropriately scaled concentrations of civic, recreational, and institutional uses shall be distributed in proximity to the individual neighborhoods and within Natural, Sub-urban and Urban Transect zones. Civic sites and gathering places shall be located at important sites to reinforce community identity. A range of parks, from tot-lots and village greens to ball fields and passive parks should be distributed within or near residential neighborhoods.

- **Community Vision** – Comprised of graphic depictions and written descriptions, the intended community vision shall guide the character of the project and address compatibility within the AGE and also the surrounding area. This shall include architecture, landscape, urban design, and other necessary components of public spaces and streets. These shall allow for individual variety without affecting visual and functional compatibility, consistent with the intended character within the AGE, and to ensure a cohesive, coordinated design over the build-out of the Traditional Town Development.

Policy 2.2.5-g: Within an Agricultural Enclave, Utilities uses may be allowed within any Transect Zone, subject to special siting criteria set forth in the Unified Land Development Code, the Zoning Master Plan, or as identified on the adopted Conceptual Plan. The placement of utility uses in residential areas shall be controlled through the ULDC to ensure the protection of existing and planned residential areas from adverse impacts of the facility.

Policy 2.2.5-i: *Deleted and relocated to Policy 2.2.5-f in Round 15-1.*

2.2.6 Parks and Recreation

Policy 2.2.6-a: Parks and Recreation uses shall be allowed in all future land use designations.

2.2.7 Conservation

Policy 2.2.7-a: The County shall apply Conservation future land use categories at appropriate locations.

Policy 2.2.7-b: The County shall initiate amendments to designate environmentally sensitive lands purchased by the County as Conservation. The County shall also coordinate with municipalities to designate County acquired environmentally sensitive lands within incorporated areas as Conservation.

Policy 2.2.7-c: Conservation uses shall be permitted and encouraged in all future land use designations.

Policy 2.2.7-d: The Planning Division shall rely on the GLOSS components when considering the potential for open space linkages in the evaluation of land use amendments. Additionally, the GLOSS components shall be considered in neighborhood and community planning efforts.

Policy 2.2.7-e: To promote the Greenways and Linked Open Space System (GLOSS), Palm Beach County shall continue to require that:

1. Whenever feasible, all new subdivisions and residential developments meet the current open space requirements by providing "usable" open space, including safe and accessible bicycle and pedestrian circulation systems within the development; and
2. Site planning considerations allow for the preservation of open space corridors, without removing permitted density as depicted on the Future Land Use Atlas or intensity of land to be developed, in instances where land cannot be acquired in corridors identified on the "Greenways and Linked Open Space System" map.

Policy 2.2.7-f: To promote the GLOSS, Palm Beach County shall amend its Unified Land Development Code to require that:

1. All new subdivisions and residential developments allow the continuation of any greenway/path located adjacent to the new subdivision or development, when feasible, and when such continuation does not result in a taking of private property or an inordinate burden to private property, pursuant to the Bert J. Harris, Jr., Private Property Rights Protection Act. New developments shall allow the continuation of an adjacent greenway by avoiding the obstruction of external greenways with barriers; and,

2. Sidewalks or hardened walking surfaces be provided within a two (2) mile radius of all schools, where feasible.

Policy 2.2.7-g: To promote the GLOSS, Palm Beach County shall continue to enable existing residential developments within Residential Districts and Planned Development Districts that wish to establish greenways between the development and other destinations to work with the Zoning Division and Land Development Division to incorporate the proposed connections within site plans or subdivisions in accordance with ULDC Article 4.B.1.93. Passive Park.

2.2.8 Institutional and Public Facilities

Policy 2.2.8-a: Institutional and Public Facility uses may be allowed in all future land use designations, provided the uses are consistent with the provisions of the Comprehensive Plan and ULDC. Animal Shelters, Animal Control Facilities, and Humane Societies (as defined by the ULDC) shall be limited to Commercial, Industrial, Institutional and Public Facilities, and Transportation and Utilities categories, and may include co-located veterinary clinics operated by a licensed veterinarian for the care of the animals kept in its shelter facility and which may also offer services to the public.

Policy 2.2.8-b: The County shall encourage the location of schools proximate to urban residential areas by:

1. Assisting the School District in identifying funding and/or construction opportunities (including developer participation or County capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements;
2. Providing an alternative and expedited review for all school sites as provided in Goal 6 of the Intergovernmental Coordination Element; and
3. Considering schools as an allowable use within all urban residential land use categories.

Policy 2.2.8-c: The County shall seek to co-locate public facilities, such as parks, libraries, and community centers, with schools to the extent possible as sites for these facilities and for schools are chosen and development plans prepared.

Policy 2.2.8-d: The County shall maintain the Unified Land Development Code to provide for zoning districts to accommodate health and human service needs such as hospitals, public clinics, emergency health shelters, child care facilities, adult day care facilities, group homes, foster homes, congregate living facilities and other residential care.

Policy 2.2.8-e: Institutional Future Land Use. Uses allowed in the Institutional and Public Facilities future land use designation include a full range of institutional uses including, but not limited to, the following:

1. Educational facilities including colleges, universities, and public, private, and charter schools;
2. Day care facilities including child care facilities and adult day care facilities;
3. Public and governmental facilities including emergency shelters, judicial and correctional facilities;
4. Religious, cemetery, civic, and cultural facilities;
5. Assembly establishments owned or operated by a non-profit organization for social, educational or recreational purposes such as museums, cultural centers, recreational facilities, community services, and fraternal or cultural organizations.
6. Animal care facilities including Animal Shelters, Animal Control Facilities, and Humane Societies including co-located veterinary clinics which may offer services to the public;
7. Residential uses including congregate living facilities, group homes, and accessory affordable housing. Mixed or multiple use planned developments may utilize up to 100% of the underlying residential density and the institutional intensity subject to the requirements of this Element.
8. Medical uses for the purposes of medical treatment, health care, and rehabilitation including the following:
    a) Hospitals and public health clinics.
    b) Facilities that provide 24 hour nursing and personal care to residents for persons not related to the owner or administration. Examples include nursing homes, skilled nursing facilities, and rehabilitation centers. These

facilities provide care that is typically temporary in nature and is focused on rehabilitation that is intended to prepare the residents to return to their homes, but can include long term custodial care.

c) Medical and dental offices. Medical and dental office is an allowable use on parcels with INST FLU only within the following locations:

a. Within the site plans of projects with approval for a “Hospital” use (as defined by the ULDC);

b. The following site specific FLUA amendments:

- SCA 2005-027 in Ordinance 2006-005 (4.45 acres);
- SCA 2008-015 in Ordinance 2008-005 (1.64 acres);
- SCA 2009-002 in Ordinance 2009-008 (1.70 acres);
- LGA 2010-014 in Ordinance 2010-031 (4.96 acres);
- LGA 2012-002 in Ordinance 2012-017 (4.90 acres). Medical related uses shall be permitted on these parcels. Vehicular and pedestrian interconnectivity shall be provided between the parcels and the hospital.

9. Accessory Affordable Housing. The Institutional and Public Facilities category may provide for accessory affordable housing when residential development is under the direct and constant supervision of a sponsoring, non-profit organization or community-based group. Such housing shall only be below market rentals, and not for-sale property. This housing shall also be used to fulfill specific housing needs within the community. Such a development shall only be requested by a non-profit organization or community-based group, and may receive a recommendation by the Commission on Affordable Housing.

10. Accessory uses to the primary use, including caretakers' quarters and accessory office.

2.2.9 Transportation and Utilities

Policy 2.2.9-a: No future land use or activity may be permitted within any roadway right-of-way designated on the County's Thoroughfare Right-of-Way Identification Map that would impede the future construction of the roadway, unless such prohibition is contrary to law or constitutes a taking.

Policy 2.2.9-b: Parks and Recreation activities may be permitted in the Transportation and Utilities land use designation, provided they are part of the overall program to support the utility uses.

Policy 2.2.9-c: Transportation and Utilities uses may be permitted in all future land use designations, provided the uses are consistent with the provisions of the Comprehensive Plan and the ULDC. Transportation and Utilities uses shall be subject to special siting criteria set forth in the Unified Land Development Code. The placement of utility uses in residentially designated areas shall be controlled through the ULDC to ensure the protection of existing and anticipated residential areas from adverse impacts of the facility. Electrical Power Facilities are further limited as follows:

1. Electrical power facilities solely utilizing solar, wind, and/or hydroelectric renewable energy resources, and related power transmission facilities, may be allowed in any future land use designation other than the Conservation categories.
2. Electrical power facilities utilizing any fuel, process, or resources other than solar, wind, or hydroelectric power shall be limited to the nonresidential future land use designations (other than the Conservation categories) and/or to properties within the GAPO.

Policy 2.2.9-d: The Airport Zoning Overlay (AZO) has been established to promote the maximum safety of aircraft using publicly-owned airports, the safety of residents and property in areas surrounding the airports, the full utility of the airports and airport properties, and to promote development of complimentary and compatible uses within Airport Master Plans. The AZO shall apply to properties within the boundaries of the Airport Master Plans identified in Transportation Element Objective 1.7. The AZO may allow uses that support the Airports' major function as a regional transportation facility, further growth and modernization, and/or to generate revenue to support airport operations and maintenance. Related facilities, designated either to serve the needs of airport users and airport employees or to provide enterprise activities to support the operation of the County's airports, may be permitted within areas designated Transportation and Utilities.

2.2.10 Spoil

Policy 2.2.10-a: The County shall designate spoil disposal sites and limit their use to spoil and associated uses, or other compatible uses.

Policy 2.2.10-b: Passive parks may be permitted in the Spoil future land use designation, provided that they are not in conflict with the primary purpose of the designation as a spoil disposal site.

OBJECTIVE 2.3 Mining and Excavation

The County shall regulate mining and excavation activities to ensure that such activities are appropriately located to be compatible with surrounding land uses and conducted in a manner that is environmentally sound and does not adversely impact the health of citizens. Also, the County shall ensure that reclamation of disturbed areas shall be appropriate and timely. Compatibility shall include, but not be limited to, any negative impacts to surrounding land uses with regards to density, intensity, function, air quality, water quality, noise, traffic, aesthetics, vibrations, smoke, odors, radiation, or any other land use conditions.

Policy 2.3-a: Palm Beach County shall continue to implement its Unified Land Development Code (ULDC) to ensure that mining and excavation activities:

1. are conducted in an environmentally sound manner, such as, but not limited to, depth restrictions and impacts on littoral zones, groundwater, distribution of dissolved chlorides or existing and future wellfields and private wells;
2. are performed to protect archeological sites, as defined in the Unified Land Development Code, from destruction until the site has been examined, cataloged and recorded, and the preservation status determined;
3. are located to minimize distances to major transportation facilities to reduce impacts on roadways and residential neighborhoods; and,

4. are limited to transportation routes which are primarily on roadways that are currently operating as major arterials or collectors which can withstand the effects of transporting the volume and weight of the extracted material.

Policy 2.3-b: The County shall continue to prohibit mining and excavation in the Pleistocene Sand Ridge.

Policy 2.3-c: Mining is prohibited in the following future land use designations, however excavation may be permitted in conjunction with implementation of a site development plan:

1. Residential categories, from Rural Residential 5 to High Residential 18;
2. Agricultural Reserve;
3. Parks and Recreation;
4. Institutional and Public Facilities;
5. Conservation categories;
6. Transportation and Utilities;
7. Traditional Town Developments; and,
8. Multiple Land Use.

Policy 2.3-d: Mining and excavation may be permitted in the following future land use designations subject to the Mining and Excavation regulations of the ULDC:

1. Rural Residential, limited to Rural Residential 10 and Rural Residential (20);
2. Commercial categories;
3. Commercial Recreation;
4. Industrial categories;
5. Special Agriculture; and
6. Agricultural Production.

Policy 2.3-e: Mining and excavation activities, as applicable, shall be restricted as follows:

1. Within the Residential future land use designations, excavation may be permitted for the development of fill for use on-site or to support the drainage system of the development, provided that only a minimal amount of fill is distributed off-site;
2. Within RR-10 and RR-20, mining is permitted subject to compatibility with adjacent existing land uses. Compatibility, as used here, shall include, but not be limited to, any negative impacts to surrounding land uses with regards to density, intensity, function, air quality, water quality, noise, traffic, aesthetics, vibrations, smoke, odors, radiation, or any other land use conditions.
3. Within the Agricultural Production Future Land Use designation, mining may be permitted only to support public roadway projects or agricultural activities, or water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District or the U. S. Army Corps of Engineers where such uses provide viable alternative technologies for water management.
4. Within areas zoned Agricultural Residential, excavation may be permitted only for the extraction of fill for use on-site;

5. Within areas zoned Special Agriculture, mining may be allowed to remove excavatable material for use as fill off-site.

Policy 2.3-f: Mining operations existing and permitted before the adoption of the 1989 Comprehensive Plan shall be exempted from the provisions or requirements of the Plan.

Policy 2.3-g: By 2004 the County shall complete a study of potential alternative uses and implementation strategies following reclamation efforts for large-scale mines and excavations.

OBJECTIVE 2.4 Transfer of Development Rights

Palm Beach County shall implement a Transfer of Development Rights (TDR) program. The TDR program is designed to protect Environmentally Sensitive Lands and the Agricultural Reserve and to contribute to the County's attainable, workforce housing inventory.

Policy 2.4-a: The Transfer of Development Rights program shall:

1. designate sending areas;
2. assign densities within the sending areas on equitable bases, based on the parcel's location, development potential and value to the community;
3. delineate specific receiving areas, and designate appropriate density increases within each;
4. provide variable pricing for the County-owned TDR units, based on location and furthering the County Goals and Objectives contained within the Comprehensive Plan;
5. require 34% of TDR units per project be provided as Workforce Housing Program units and provide each workforce housing TDR at a reduced cost to the developer;
6. TDR units may be provided in conjunction with the Affordable Housing Program and may be provided at no cost or a reduced cost when the additional TDR units are determined to be consistent with Housing Element and ULDC provisions to discourage the undue concentration of very low and low income housing in the County;
7. define administrative and legal requirements, including notification to the Property Appraiser's office and recordation in the public records.

Policy 2.4-b: The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:

1. an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or
2. an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or
3. an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:

a. West Lake Worth Road Neighborhood Plan.

Policy 2.4-c: The County shall designate the following as sending areas:

1. lands designated Rural Residential (RR-20) on the Future Land Use Atlas;
2. lands designated as priority acquisition sites by the Conservation Land Acquisition Selection Committee (CLASC) that meet the criteria listed below:

    a) rarity in Palm Beach County of the native ecosystems present on the environmentally sensitive lands site;
    b) diversity of the native ecosystems present on the environmentally sensitive lands site;
    c) presence of species listed as endangered, threatened, rare, or of special concern by the U.S. Fish and Wildlife Service, the Florida Game and Fresh Water Fish Commission, the Florida Committee on Rare and Endangered Plants and Animals, or the Florida Department of Agriculture.

3. lands designated Agricultural Reserve (AGR) on the Future Land Use Atlas;
4. privately owned lands designated Conservation (CON) on the Future Land Use Atlas; and,
5. other sites determined by the BCC to be worthy of protection, provided that the sites further the purpose of the TDR program (to protect Environmentally Sensitive Lands (ESLs), in keeping with the criteria listed above, and the Agricultural Reserve) or the sites further County Goals, Objectives, and Policies.

Policy 2.4-d: Transfer rates for the sending areas shall be assigned as follows:

1. for RR-20 lands, TDR credits are assigned at one du/five acres;
2. for lands designated by the CLASC (residential and non-residential), TDR credits are assigned at one du/five acres if located outside of the Urban Service Area. For residentially designated parcels, within the Urban Service Area, TDR credits for those sites shall equal the current PDD Land Use Designation plus a 15% transfer bonus above the maximum PDD density if less than the total available units are transferred, or the current PDD Land Use Designation plus a 25% transfer bonus above the maximum PDD density if all the available units are transferred;
3. for Agricultural Reserve lands, TDR credits are assigned at one (1) du/acre; and,
4. for Conservation lands, TDR credits are assigned at one (1) du/ ten acres.

Policy 2.4-e: PZ&B shall prepare an annual report that describes all TDR program activities during the previous year. The annual report shall be provided to the Board of County Commissioners. In addition the annual report shall evaluate the TDR Program to assess the need for additional sending areas. Should a need exist, the County shall investigate and designate, if warranted, the following as sending areas: school sites, historic and archaeological resources, and linked open space sites. Need shall be based upon at least a fifty (50) percent reduction in the number of TDR units in the County's TDR Bank or available in the private market.

Policy 2.4-f: Potential receiving areas shall be inside the Urban/Suburban Tier and shall include:

1. Planned Development Districts (PDD) and Traditional Development Districts (TDD) that are requesting an increase in density above their current limits; and,
2. Subdivisions requesting a bonus density above the standard land use designation density.

Policy 2.4-g: In order to encourage eastward development and a tapering off of density towards the western edge of the Urban/Suburban Tier and support development within the Urban/Suburban Tier in the Glades, or to protect rural residential areas by concentrating needed housing units where urban residential future land use designations already exist, bonus densities may be applied for as follows:

1. Inside the Urban/Suburban Tier and west of the Florida Turnpike, up to 2 du/acre additional;
2. Inside the Urban/Suburban Tier, but not in the Revitalization and Redevelopment Overlay, up to 3 du/acre additional;
3. In the Revitalization and Redevelopment Overlay, up to 4 du/acre additional;
4. In the Urban/Suburban Tier in the Glades area:
    (a) But not in a Revitalization and Redevelopment Overlay, up to 3 du/acre additional; or
    (b) In a Revitalization and Redevelopment Overlay, up to 4 du/acre additional; and
6. Final assignment of TDR bonus density may take into consideration bonus density granted thru the Workforce Housing Program or Affordable Housing Program.

Policy 2.4-h: The County shall not approve the designation of receiving areas, which would result in a significant negative impact upon adjacent Environmentally Sensitive Land. Significant negative impact shall be determined by the BCC based on findings by the Planning Division, in conjunction with the Department of Environmental Resources Management, the South Florida Water Management District and other applicable agencies, and be based upon data and analysis. The compatibility of a proposed Transfer of Development Rights (TDR) receiving area shall be determined by the proximity of the proposed receiving area to environmentally sensitive lands and evaluated as follows:

A receiving area must not degrade adjacent Environmentally Sensitive Lands. Therefore, the receiving area shall reduce the intensity/density of that portion of the development which is contiguous to any regionally significant natural resource as defined by the Treasure Coast Regional Planning Council, environmentally sensitive land as defined by the Conservation Lands Acquisition Selection Committee (CLASC) or sites designated as preserve areas according to Article 14.C, Vegetation Preservation and Protection of the Unified Land Development Code, so that the development is compatible with, and does not destroy or negatively impact the environmentally sensitive area according to the following table. The determination of compatibility may be made by the BCC or the Development Review Officer (DRO).

Table 2.4
Required Buffer Zones for Receiving Areas
Adjacent to Environmentally Sensitive Lands

Density of Adjacent Pod/Development Area	Required Buffer Zone of Native Vegetation
Net density - less than or equal to 3 units per acre	50 foot buffer
Net density - less than or equal to 5 units per acre	100 foot buffer
Net density - greater than 5 units per acre	200 foot buffer

Policy 2.4-i: *Deleted in Amendment Round 07-1*

Policy 2.4-j: Receiving areas meeting one or both of the following criteria shall be eligible for an additional one (1) du/acre density bonus: 1) proximity to community services and amenities including parks, community commercial facilities, and mass transit; and/or 2) proximity to employment centers (defined as regional commercial facilities or major industrial facilities). The determination of the appropriate density increases shall be based upon location, compatibility with the surrounding land uses, and consistency with County Goals, Objectives and Policies.

Policy 2.4-k: The County shall maintain a Transfer of Development Rights (TDR) bank which shall include development rights from environmentally sensitive lands acquired by the County as of August 31, 1999. The administrative and legal requirements for the TDR bank shall be outlined in the Unified Land Development Code. Development rights in the TDR bank were generated from:

1. development rights associated with environmentally sensitive lands which are purchased by the County, including the 14 Native Ecosystem "A" Quality Ecosites targeted for purchase through the County's bond issue; and,
2. development rights associated with other lands purchased by the County, in whole or in part, for the purposes of protection of agricultural lands and environmentally sensitive lands, including wetlands.

Policy 2.4-l: The cost of the County's TDR units, including discounted TDRs for Workforce Housing and Affordable Housing units, shall be established annually by the Board of County Commissioners.

Policy 2.4-m: Areas within the Revitalization and Redevelopment Overlay may receive preference as receiving areas. Within this overlay, TDR units may be provided from the County TDR bank at no cost or at a discounted rate. Other receiving areas, which further County Goals, Objectives and Policies may be eligible for a reduction in cost.

Policy 2.4-n: The BCC shall price the TDR units within the TDR Bank either by utilizing the value of TDR units established by transactions in the private market or a recommendation by the Planning Division and/or Planning Commission.

Policy 2.4-o: *Deleted in Amendment Round 01-1.*

Policy 2.4-p: *Deleted in Amendment Round 07-1*

Policy 2.4-q: By January 2005, the County shall investigate and allow, if warranted, additional units to be placed within the TDR Bank. Need shall be based upon at least a fifty (50) percent reduction in the number of TDR units in the County's TDR Bank.

Policy 2.4-r: The County may designate privately held lands that have a Conservation future land use designation, as sending areas for the transfer of development rights, consistent with the requirements of the Transfer of Development Rights (TDR) Program. The sending rate shall be one dwelling unit per 10 acres.

GOAL 3 SERVICE AREAS AND PROVISION OF SERVICES

It is the GOAL of Palm Beach County to define graduated service areas for directing services to the County's diverse neighborhoods and communities in a timely and cost-effective manner, reflective of the quality of life associated with each respective Tier.

OBJECTIVE 3.1 Service Areas - General

Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.

Policy 3.1-a: The County shall establish the Urban, Limited Urban, and Rural Service Areas, described in Table 3.1-1, considering the following factors:

1. The density and intensity of land uses as depicted in the Future Land Use Atlas;
2. The cost and feasibility of extending services;
3. The necessity to protect natural resources; and,
4. The objective of encouraging reinvestment in the Revitalization and Redevelopment Overlay.

Policy 3.1-b: Minimum levels of service shall be reviewed during preparation of the Evaluation and Appraisal Review, and the Comprehensive Plan as amended. Each service provider shall determine the maximum and available capacity of their facilities or services for this review to assess the ability to accommodate projected population growth.

Policy 3.1-c: The Palm Beach County Water Utilities Department shall provide potable water, reclaimed water and wastewater service to all unincorporated areas of the County except those unincorporated areas where the Palm Beach County Board of County Commissioners has entered or enters into a written agreement that provides utility service area rights to a public or privately owned potable water, reclaimed water, and/or wastewater utility, or in areas where the Palm Beach County Water Utilities Department is specifically excluded from providing utility service by Florida law. Palm Beach County Water Utilities Department shall continue to provide utility services to incorporated areas where service is already being provided by the County, or as provided for under utility service area agreements or as allowed for by law.

OBJECTIVE 3.2 Urban Service Area

Palm Beach County shall require urban levels of service within the designated Urban Service Area.

Policy 3.2-a: The Urban Service Area shall consist of the Urban/Suburban Tier and its official boundaries shall be depicted on the Service Areas Map in the Map Series. The Urban Service Area shall be defined to include those areas in which the County anticipates the extension of urban services through the long range planning horizon.

Policy 3.2-b: Development orders for projects not exceeding the entitlement density or intensity, may be permitted within the Urban Service Area at rural levels of service for potable water and sanitary sewer on an interim basis before urban levels of service are in place, consistent with the provisions of Environmental Control Rules I and II.

TABLE 3.1-1
Service Provision by Service Area

Service/ Facility	Unit of Measure	Rural Service Area	Limited Urban Service Area	Urban Service Area
Traffic	Volume Delay Speed	Countywide Includes roads in both the incorporated and unincorporated areas. The level of service or facility is provided at the same level in each of the service areas. There are provisions for exemptions from concurrency within the Coastal Residential Exception Area (as defined in Transportation Element Objective 1.2) and in the Revitalization and Redevelopment areas.		
Mass Transit	Headways	Countywide A countywide LOS is used for concurrency purposes. Generally, shortened headways are provided in the Urban/Suburban Tier as a preferential level of enhanced service delivery.		
Storm Water	Storm Return Frequency	Countywide While there is a Countywide LOS, the standard as applied to development will vary, based upon the type of development and capacity of individual drainage basins.		
Potable Water	Gallons per Capita per Day	Well	Well (minimum LOS) Centralized Potable Water Supply System (allowable LOS)	Centralized Potable Water Supply System
Sanitary Sewer	Gallons per Capita per Day	Septic tank	On-site Sewage Disposal System (minimum LOS) Centralized Sanitary Sewer System (Allowable LOS)	Centralized Sanitary Sewer System
Fire/Rescue	Response Time	Countywide A countywide average response time is used for concurrency purposes. Actual response time may vary based upon distance from a fire station.		
Parks	Acres per Capita	Countywide Regional, Beach, and District Parks A countywide LOS is used. Distances from parks to residences will vary, based on the density and distribution of population. Additionally, within the Urban/Suburban Tier, some local parks may be provided.		
Solid Waste	Pounds per Capita per Day	Countywide		
Libraries	Volumes and Space per Capita	System Wide The Library LOS is not used for concurrency purposes: a system wide average LOS is used. The actual holdings of an individual branch library may vary.		

OBJECTIVE 3.3 Limited Urban Service Areas (LUSAs)

Palm Beach County shall allow for a mix of urban and rural levels of service in the Limited Urban Service Area. Designation of an area as a LUSA shall be based upon consideration of the following factors:

- The need for the proposed facilities;
- The ability of the proposed facilities to meet policy goals coupled with a demonstration of significant relative advantages of the area of the proposed LUSA over possible sites within the Urban Service Area; and
- The extent to which the designation would allow for significant public benefits, such as major economic development or environmental benefits.

Policy 3.3-a: The Limited Urban Service Area: The following are designated as Limited Urban Service Areas:

1. the area described as the United Technology - Pratt and Whitney Overlay;
2. the area defined as the General Aviation Facility/ North County Airport;
3. the Agricultural Reserve; and
4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
5. the area east of the SFWMD L-8 Canal and 138.31 acres with Economic Development Center future land use designation west of the SFWMD L-8 Canal within the Glades Area Protection Overlay;
6. an Agricultural Enclave pursuant to Policy 2.2.5-d;
7. the Western Communities Residential Overlay; and
8. the Trotting Center Overlay

The LUSA shall be depicted on the Service Areas Map in the Map Series upon designation through a Plan amendment. The official boundaries of each LUSA shall be depicted on the Service Areas Map in the Map Series. Within a designated Agricultural Enclave, the ULDC provisions governing the Agricultural Enclave and the Urban/Suburban Tier shall apply consistent with Policies 2.2.5-d, 2.2.5-e, 2.2.5-f and 2.2.5-g, and the site specific Agricultural Enclave amendment as adopted by the BCC.

Policy 3.3-b: The Palm Beach County Water Utilities Department shall provide potable water, reclaimed water and wastewater services to any area designated by the BCC as a LUSA except those areas where the BCC has entered or enters into a written agreement that provides utility service area rights within a LUSA to another public or privately owned potable water, reclaimed water and wastewater utility, or in areas where the Palm Beach County Water Utilities Department is specifically excluded from providing utility service by Florida law.

OBJECTIVE 3.4 Rural Service Area

Palm Beach County shall require a rural level of service, which meets the needs of rural development and uses without encouraging the conversion of rural areas to more intense uses.

Policy 3.4-a: The Rural Service Area shall include those areas of the County where the extension of urban levels of service is neither foreseen during the long range planning horizon nor warranted by the development patterns or densities or intensities allowed. The official boundaries of the Rural Service Area shall be depicted on the Service Areas Map in the Map Series.

Policy 3.4-b: Development on a parcel in the Rural Tier that is adjacent to water and/or sewer lines which existed prior to the adoption of the Comprehensive Plan in 1989 shall be allowed an urban level of service when required by the Public Health Department.

OBJECTIVE 3.5 Levels of Service Required for Development

Palm Beach County shall require the availability of services concurrent with the impacts of development, as provided by Section 163.3177(10)(h), F.S. Decisions regarding the location, extent and intensity of future land use in Palm Beach County, particularly urban-type expansion, shall ensure consistency with the type of uses and development established within each Tier. Future land use decisions shall also be based on the physical constraints and financial feasibility of providing areas with services at levels of service (LOS) that meet or exceed the minimum standards adopted in the Comprehensive Plan.

Policy 3.5-a: As specified in the Concurrency Management System adopted in the Capital Improvement Element, development orders and permits shall not be issued unless services and facilities meet or exceed minimum LOS standards specified in the various elements of this Plan as follows:

Element	**Location of LOS Reference**
Transportation (traffic & mass transit), Utilities	Objectives 1.1 and 1.2
Potable Water & Sanitary Sewer	Policies 1.2-a,1.2-b, 1.2-f, 1.2-g, 1.3-a,1.3-b, 1.3-d, 1.3-e.
Stormwater Management (drainage)	Policies 1.1-a, 1.1-b, 1.1-c
Solid Waste	Objective 1.2
Recreation/Open Space	Objective 1.2
Fire/Rescue	Policy 1.2-a

Policy 3.5-b: Within the time frame provided by Section 163.3202(1), FS, the Planning, Zoning, and Building Department shall ensure that development orders will be based on the County's ability to maintain minimum levels of service, and shall coordinate with other agencies in administering the Concurrency Management System to ensure that the necessary public facilities and services are available at the adopted Level of Service concurrent with the impacts of development.

Policy 3.5-c: The following options shall apply in areas with facilities and services that do not meet minimum levels of service required for concurrency:

1. Projects may be phased to maintain minimum level of service standards concurrent with the development; and/or
2. Developers may provide the County's share of such facilities, if such facilities are identified in the Capital Improvement Element, with the agreement that the County reimburse the developer at such time as the facility would have been provided. Such agreements may also provide for credits against countywide development impact fees, if reimbursement costs are waived by the developer.

Policy 3.5-d: The County shall not approve a change to the Future Land Use Atlas which:

1) results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d):

   a) Projected traffic volumes from the MPO's latest adopted Long Range Transportation Plan (LRTP) as amended to include latest available Future Land Use Atlas amendments that became effective subsequent to the adoption of the LRTP, and

   b) Projected traffic from proposed land use amendment, and

   c) Projected traffic from latest available Land Use Atlas amendments that were previously adopted but have not yet become effective, and

   d) Projected traffic from concurrent Land Use Atlas amendments that are approved in the same Comprehensive Plan Amendment Round that significantly impact the same roadway segments as the proposed land use change.

   For purposes of applying this Policy, traffic from land use amendments in parts b), and c) shall be layered on top of traffic from part a). If the cumulative traffic from parts a), b), and c) violates this Policy, then the traffic study for the land use amendment shall not be pre-approved by the Traffic Division and the land use amendment application shall not be accepted by the Planning Division for consideration in the current Comprehensive Plan Round.

   Traffic from land use amendments in parts b), c), and d) shall then be layered on top of traffic from part a). If the cumulative traffic from parts a), b), c) and d) violates this Policy, then this information shall be provided to the County Commission for consideration in deciding which land use amendments and what densities/intensities for these amendments can be approved in the current Round to comply with this Policy

   Significant impact shall be as defined in Table 3.5 -1.

TABLE 3.5-1
Significant Impact

Net Trip Generation**	Distance
1 - 50	No significant impact
51 - 1,000	Only address directly accessed link on first accessed major thoroughfare*
1,001 - 4,000	One (1) mile*
4,001 - 8,000	Two (2) miles*
8,001 - 12,000	Three (3) miles*
12,001 - 20,000	Four (4) miles*
20,001 - up	Five (5) miles*

* A project has significant traffic: where net trip increase impacting roads is greater than one percent (1%) for volume to capacity ratio (v/c) of 1.4 or more, two percent (2%) for v/c of 1.2 or more and three percent (3%) for v/c of less than 1.2 of the level of service "D" capacity on an AADT basis of the link affected up to the limits set forth in this table. The laneage shall be as shown on the MPO's latest adopted LRTP.
** When calculating net trip increase, traffic associated with all prior Land Use Atlas amendment approvals for the property that has not yet received development order approvals, shall be cumulatively included in the analysis. Consideration will also be given to alternative modes of transportation (i.e. bicycle lanes, bicycle paths, bus lanes, fixed rail, and light rail facilities) in reducing the number of net trips. These alternative modes must either be operating at the time of the change to the Future Land Use Atlas or be included in both the Transportation Element (Mass Transit) and the Capital Improvement Element of the Comprehensive Plan.

or;

2) results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1-b.

This policy shall not be applicable to an Agricultural Enclave adopted pursuant to Policy 2.2.5-d. This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Western Communities Residential Overlay. This policy shall not be applicable to the area designated as Multiple Land Use (MLU) on the southwest corner of Glades Road and 95th Avenue South, Boca Raton, as amended by FLUA Amendment Johns Glades West (LGA 2017-003) Ord. 2017-14.

Policy 3.5-e: The Planning, Zoning, and Building Department, along with the appropriate operating departments, shall monitor existing and projected levels of service through the Concurrency Management System, as provided in the Capital Improvement Element.

OBJECTIVE 3.6 Prioritizing Services

Palm Beach County shall prioritize the provision of services and facilities in order to provide timely and appropriate levels of service to further the Goals, Objectives, and Policies of the Comprehensive Plan.

Policy 3.6-a: The County shall direct the provision of infrastructure and services to:

1. Address deficiencies for the neighborhoods in the Revitalization and Redevelopment Overlay, as identified on the Managed Growth Tier Map contained in the Map Series, in order to encourage private reinvestment to meet the Revitalization and Redevelopment Overlay's Sub-objective 1.2.3;
2. Serve existing urbanized areas that either lack basic services or demonstrate a particular infrastructure/service deficiency; and,
3. Encourage development of property to be used by basic industry.

GOAL 4 COMMUNITY PLANNING AND DESIGN

It is the GOAL of Palm Beach County to develop and implement strategies that will enhance the quality of life within its neighborhoods and communities by ensuring that these areas are well-planned, visually pleasing, safe, and devoid of substandard housing and blight. Neighborhoods and communities shall also be accessible to all of the residents of Palm Beach County through an emphasis on the provision of a variety of housing opportunities through the continuous development of affordable housing.

OBJECTIVE 4.1 Community and Neighborhood Planning

Palm Beach County shall develop and implement a Community Planning and Neighborhood Planning program to allow consideration of Community and Neighborhood Plans and strategic actions to create, enhance, and maintain more livable communities, which provide a strong sense of place and identity for the various regions within the County.

Policy 4.1-a: The County shall allow for the creation and adoption of Community and Neighborhood Plans throughout the unincorporated area of the County with an emphasis on providing neighborhood planning services to the Revitalization and Redevelopment Overlay within unincorporated Palm Beach County, consistent with the Tier System.

Policy 4.1-b: In conjunction with development of a Community/ Neighborhood Planning Program, the County shall review and amend as needed, the guidelines and rules for preparation and submittal of neighborhood plans, and procedures for amending the Palm Beach County Unified Land Development Code to reflect neighborhood plans as approved by the Board of County Commissioners. The requirements and procedures shall include the following:

1. Neighborhood plans shall not be submitted by a single land owner. These plans are for the benefit of current and future residents of the neighborhood. Plans shall be prepared by or on behalf of the residents and must be submitted to the Department of Planning, Zoning and Building;
2. Priority shall be given to the Redevelopment and Revitalization Overlay;
3. Neighborhood plans must show the effect of implementation of the plans on neighbors not included in the plan;
4. The Department will review a neighborhood plan against the Goals, Objectives and Policies of the Palm Beach County Comprehensive Plan and shall make recommendations to the Board of County Commissioners for action;
5. Provisions shall insure that the neighborhood plan reflects the desires of a sufficient proportion and number of neighborhood residents; and,
6. Neighborhood plans shall include a description of the program used to generate public input during preparation of the plan.

Planning for a Community Plan or Neighborhood Plan shall include area residents, business and community/neighborhood leaders. Each community/neighborhood shall be defined by its Tier and geographic, socio-economic, and physical characteristics. The primary purpose of these programs will be to address the “Principles of a Livable Community” listed in the County Directions, and to incorporate those Principles into

existing and planned neighborhoods and communities. However, in addition to these principles, Community Planning shall address:

1. A balanced mix of land uses, including open space;
2. A balanced and compatible mix of single family and multi-family market rate, affordable housing, and housing for the elderly;
3. Employment opportunities;
4. Facilities and services; and
5. Sustainable concepts, including but not limited to energy-efficient land use patterns, energy conservation and greenhouse gas reductions.

Policy 4.1-c: The County shall consider the objectives and recommendations of all Community Plans, Neighborhood Plans, Joint Planning Areas Agreements, Interlocal Service Boundary Agreements, and Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval. Community Plans, Neighborhood Plans and Special Studies, including those adopted, accepted, or received by the Board of County Commissioners, are incorporated into the Future Land Use Support Document as reference guides to identify community needs and unique neighborhood characteristics within the associated document. The following is a list of the County's neighborhood plans and studies:

Community and Neighborhood Plans

- Haverhill Area Neighborhood Plan
- Jupiter Farms Neighborhood Plan
- Loxahatchee Groves Neighborhood Plan
- The Acreage Neighborhood Plan
- West Boynton Area Community Plan
- West Lake Worth Road Neighborhood Plan
- West Gun Club Road Neighborhood Plan
- Pioneer Road Neighborhood Plan

Special Studies

- High Ridge Road Corridor Study
- Jog Road Corridor Study
- Lake Worth Road Corridor Study
- Skees Road Study
- Western Northlake Corridor Land Use Study
- The Urban Redevelopment Area Planning Study and Corridor Master Plans (URA Master Plan), and Addendum

OBJECTIVE 4.2 Joint Planning Areas

Palm Beach County shall facilitate a coordinated planning approach with other local governments to ensure the proper allocation and placement of future land uses and provide for the diverse needs of the County regarding employment, housing, services, goods, and recreational/cultural opportunities.

Policy 4.2-a: The County shall pursue interlocal agreements with municipalities that have established future land use designations for adjacent unincorporated areas. These interlocal agreements will establish "Joint Planning Areas" between the County and the respective municipalities, pursuant to Chapter 163.3171, FS, and Policy 1.4-d of the Intergovernmental Coordination Element.

Policy 4.2-b: The County shall promote development, redevelopment, and revitalization of the coastal communities through intergovernmental coordination efforts.

OBJECTIVE 4.3 Community Design

Palm Beach County shall develop and implement strategies to improve the visual appearance of the County in order to maintain and enhance its various identities and attractive characteristics.

Policy 4.3-a: By October 2000, the Department of Facilities Development and Operations shall develop a program to ensure that the County evaluates proposed plans for all public buildings and facilities to ensure that their design is consistent with the character of the neighborhood considering architectural style and/or any historic buildings within the area. The program shall include provisions to ensure that the cost of the design and the nature of the services to be provided are considered in the decision making process.

Policy 4.3-b: Palm Beach County shall encourage the development of positive community identification and appearance by implementing unique architectural and site design themes for different areas of the County in conjunction with development of any Community or Neighborhood Plans.

Policy 4.3-c: The County shall encourage the development of visually pleasing roadways. The Planning, Zoning and Building Department shall review and amend, as appropriate, the Sign Code to strengthen the regulations for all signs and billboards, including criteria for legibility and directions. These standards shall be reviewed periodically and changes shall be made to the Unified Land Development Code as necessary.

Policy 4.3-d: By December 2002, the Planning Division shall complete a study to identify potential Scenic Highways, Roadways, and Corridors, including commercial corridors, in both urban and rural areas of the County, in conjunction with implementation of the Greenways and Linked Open Space Program. The study shall include criteria for streetscaping standards and prioritizing and designating Scenic Highways, Roadways, and Corridors, as well as designation of entryways to the County and communities within the County.

Policy 4.3-e: The County shall continue to pursue public/private partnerships, such as, but not limited to, partnerships with the Solid Waste Authority (SWA) and Keep Palm Beach County Beautiful for the design and funding of community appearance enhancement projects, which shall include, but not be limited to, litter reduction, streetscape enhancement, and landscape treatments.

Policy 4.3-f: The County shall maintain provisions in the Unified Land Development Code to ensure that parking and traffic flow is safe and convenient within and adjacent to developments, including but not limited to access requirements from roadways, lighting, pervious surfacing materials, landscaping and buffering criteria.

Policy 4.3-g: Where appropriate, similar and/or complementary neighboring land uses shall employ access management techniques such as shared entrances (to reduce the number of curb cuts) and vehicular and/or pedestrian cross access between like development projects (to encourage inter-connectivity both within and between sites, and reduce the need to use the primary street system to access adjacent sites).

Policy 4.3-h: The County shall encourage the use of innovative site design techniques, which are visually attractive and help to reduce the potential for crime.

Policy 4.3-i: The Unified Land Development Code, based on County Directives and the Livable Communities Principles, shall promote sustainable design and future land use compatibility by:

1. Requiring setbacks that reduce adverse impacts on adjacent future land uses, and requiring build-to-lines, where appropriate, to improve pedestrian scale and access to transit facilities;
2. Specifying placement of open space;
3. Requiring landscaping;
4. Regulating building orientation, including height and mass restrictions;
5. Establishing architectural and design criteria;
6. Establishing pedestrian system linkages; and,
7. Establishing transit and non-motorized system linkages.

The Development Review process shall also consider the compatibility of the density or intensity of proposed development with adjacent future land uses. The ULDC requirements for landscape buffers and open space shall be reviewed and amended as needed.

Policy 4.3-j: The County shall amend the Unified Land Development Code to create rural design standards and development regulations for non-residential development in the Exurban and Rural Tiers. The rural design standards shall address intensity, scale, and character of these tiers, and shall:

1. minimize access to adjacent arterial or collector roadways, with no direct roadway access provided to outparcel locations.
2. provide for increased setbacks (except for roads designated as Rural Parkways); lesser lot coverage and floor area ratios; increased landscape buffers, incorporation of open space and pervious area; and, additional screening of parking areas.

Policy 4.3-k: The County shall require, where feasible, that commercial land uses employ access management techniques, such as shared entrances and vehicular cross access, between adjacent existing and proposed commercial land uses.

Policy 4.3-l: The Planning, Zoning, and Building Department shall continue to work with other local governments and appropriate agencies to develop programs consistent with, but not limited to, the Front Porch Florida Initiative, which create safe, livable communities by improving the functional relationship among land uses through design, improving infrastructure and/or services, and providing a range of housing and economic opportunities for urbanized areas.

Policy 4.3-m: The ULDC shall be revised to institute neighborhood-oriented zoning districts, which are only classified under the CL future land use category designation. At a minimum, characteristics, which describe neighborhood commercial must include: F.A.R., total square feet, square feet of the largest tenant, and acreage. These changes should employ the F.A.R. ranges stipulated in Table 2.2-e.1: "Maximum Floor Area Ratios for Non-Residential Future Land Use Categories."

Policy 4.3-n: By December 2002, the Planning and Zoning Divisions shall identify and evaluate criteria to provide opportunities for limited neighborhood commercial services in residential developments, including existing and proposed subdivisions. The criteria shall ensure that the locations and facilities do not adversely impact the character of the neighborhood.

Policy 4.3-o: The Unified Land Development Code shall be amended to require that new development or redevelopment of non-residential uses within the Urban/Suburban Tier strengthen the relationship among buildings and their relationship to the street, where appropriate. This shall be accomplished to increase transit accessibility, pedestrian orientation, and promote creation of community spaces through consideration of the elements listed below.

1. Utilize building mass, placement, and orientation, build-to lines and setbacks to increase walkability, provide spatial definition along streets, and create squares or greens at a human scale;
2. Create a distinct sense of identity and delineate the pedestrian system within and along public spaces and streets thereby encouraging pedestrians to walk between stores and other uses. This may be accomplished by placing human-scaled elements, such as light fixtures, casual seating, gathering spaces, water features, statuary, and landscaping;
3. Link the commercial center to adjacent land uses, provide convenient access to transit stops and off-site pedestrian and bicycle systems; and,
4. For new commercial areas, the amount of parking in the front of the building shall be limited to strengthen the relationship of the building to the street; provide for the dispersal of parking shared between adjacent businesses; and, reduce the number of curb cuts and expansive surface parking areas.

OBJECTIVE 4.4 Mixed and Multiple Use Development

Palm Beach County shall encourage the development of a variety of innovative types of mixed use and multiple use projects.

Policy 4.4-a: The County shall encourage and promote sustainable development by establishing mixed use and multiple use future land use designations and planned development districts.

Policy 4.4-b: All proposed mixed use and multiple use projects shall demonstrate that the land uses included on site are functionally integrated. Mixed use and multiple use projects with a residential component shall demonstrate functional integration through the use of connected open spaces, pedestrian systems, and street network in order to foster a sense of community by creating a stronger pedestrian orientation through design, placement and organization of buildings connected to a common public space or spaces.

Policy 4.4-c: Planned Developments shall require approval of a preliminary development plan, which shall:

1. Depict the location and distribution of future land uses and public facilities and demonstrate compliance with the Comprehensive Plan;
2. Depict the average density and/or intensity of the overall development; and,
3. Allow flexibility in the allocation of density and intensity within the overall development.

Policy 4.4-d: Prior to a Planned Development District (PDD) being approved, the County shall ensure that the proposed PDD is reasonably compact and non-serpentine in form; does not create isolated pockets which are not able to be functionally tied to the PDD with respect to roadways, pedestrian pathways, bike paths, or architectural treatments; and does not result in the creation of incompatible uses being approved and the creation of residual parcels.

4.4.1 Traditional Town Development

Policy 4.4.1-a: The Traditional Town Development (TTD) future land use designation shall be utilized to encourage mixed-use, compact development which is sensitive to environmental characteristics of the land, and which facilitates efficient use of services within the County. The TTD provides an opportunity for diversification and integration of land uses including residential, retail, office, recreation, etc., within close proximity to each other, providing for the daily recreation and shopping needs of the residents. While a mixture of uses is required, the TTD shall be a residentially-based development. The County shall apply the “Traditional Town Development" (TTD) future land use designation to provide for innovative and alternative development patterns that are residentially based, provide for employment centers, and require the integration of residential uses with:

1. Community serving commercial and office uses;
2. Industrial uses;
3. Recreation and Open Space systems; and,
4. Institutional and Public Facility uses.

The mix of uses required on properties assigned the TTD designation is shown in Table 4.4.1-1 and is further described in Policy 4.4.1-i.

Policy 4.4.1-b: In approving a TTD designation, the BCC may allow a residential density increase of up to an additional two (2) dwelling units per acre over the underlying land use. If the underlying land use is five (5) dwelling unit per acre, an amendment to TTD will permit the property to be developed at a density of up to seven (7) dwelling units per acre. (The designation would be TTD 7/MR-5.) Additional densities (up to 18 units per acre) can also be achieved, where appropriate, only through the use of the Transfer Development Rights (TDR) Program, the Workforce Housing Program, and/or the Affordable Housing Program.

Policy 4.4.1-c: Traditional Town Developments shall be located within the Urban/Suburban Tier.

Policy 4.4.1-d: All Traditional Town Developments must have an underlying residential land use designation of MR-5, HR-8 or HR-12. The TTD shall have associated with it an underlying urban residential land use designation that must be compatible with the surrounding area. At the time a TTD amendment is requested, the underlying residential land use designation shall be established, based on the existing residential land use designation. The underlying residential land use designation may also be amended as part of the TTD land use amendment if the existing residential land use designation is determined to be insufficient to accommodate the desired TTD residential density.

Policy 4.4.1-e: All Traditional Town Developments must be a minimum of 200 contiguous acres.

Policy 4.4.1-f: A Traditional Town Development shall consist at a minimum, of a series of TNDs, as further regulated in the ULDC, and a town center in the form of a Traditional Marketplace (TMD), linked by an interconnected vehicular and pedestrian network.

Policy 4.4.1-g: Applications for the TTD designation shall require a master plan, which shall be a condition of approval of the TTD amendment and shall serve as the basis for all future development within the TTD. Table 4.4.1-1 provides the allowed mix of uses and maximum densities and intensities allowed in a TTD.

If a project is to be built in phases, each phase shall include a balanced share of the proposed residential, recreational, open space, commercial, and other sites and building amenities of the entire development. Those phases which include components that are not part of the individual neighborhoods, such as employment, recreation, and education centers, should be timed and built in a sequence that would contribute to the completion of the TTD development as a whole.

TABLE 4.4.1-1
ALLOWABLE MIX OF FUTURE LAND USES IN A TTD

FUTURE LAND USE*	DENSITY/ INTENSITY	MINIMUM	MAXIMUM**
RESIDENTIAL Medium Residential 5 (MR-5) High Residential 8 (HR-8) High Residential 12 (HR-12) *[as TND, PUD and/or TMD districts]*	 5 8 12	60%	80%
COMMERCIAL HIGH (CH) *[as TMD districts]*	1.0 FAR	20 ac.	lesser of: 50 ac. or 30%
INDUSTRIAL (EDC) *[as MUPD districts]*	1.0 FAR	-	6%
PUBLIC/CIVIC (INST)	1.0 FAR	-	20%
RECREATION/OPEN SPACE (CR, PARK, CON)	-	-	30%

*See Definitions section of Introduction/Administration for explanations of future land uses specific to TTDs.

Policy 4.4.1-h: The TTD designation is subject to revocation if the development fails to meet the conditions and regulations outlined in the Comprehensive Plan and the Unified Land Development Code. The Board of County Commissioners may initiate a future land use amendment to revoke the TTD designation and consider returning all undeveloped portions of the property to their original future land use designations or modify conditions of approval.

Policy 4.4.1-i: Traditional Town Characteristics. The Traditional Town Development (TTD) future land use designation shall provide for community planning, which is guided by sensible and desirable attributes of a "traditional neighborhoods." Traditional Town Developments share the following characteristics: They shall:

1. have neighborhoods which are pedestrian oriented, physically recognizable, developed at a human scale, limited in size (allowing residents to walk to the neighborhood center within approximately five minutes), and efficiently organized to provide for the daily needs of the residents;
2. have residences, shopping, employment and recreational uses which are all located within the neighborhoods, and within close proximity to each other;
3. have a hierarchy of streets to serve the needs of the pedestrian and the motorist;
4. be primarily pedestrian-oriented design and secondarily for vehicles, through the development of pedestrian and bikeway circulation systems which serve to functionally and physically integrate the various land use activities;
5. have physically defined and linked squares and parks within neighborhoods which provide places for social activity and active/passive recreation. The linking of these places through the use of greenways increases accessibility to the recreational facilities;
6. have well placed civic buildings and squares provide places for social, cultural and religious activities, and become symbols of community identity;

7. have commercial uses supportive of the residential development;
8. be predominantly residential, requiring a minimum of 60% of the development area be devoted to residential uses primarily as TNDs. (Up to 10% of the area of a TTD may be PUDs.) In addition, each TND shall contain mixed-use development allowing for the horizontal and vertical integration of, as well as the clustering of, living, working, recreational, open space, shopping, and civic uses;
9. contain a centrally located TMD comprising shopping, employment and civic uses;
10. meet all adopted levels of service, as specified in the Comprehensive Plan, and all urban services shall be available concurrent with the impacts of development;
11. provide for a variety of housing types, including low and very low income housing, and neighborhoods shall contain a variety of these housing types;
12. include building setback requirements, which allow buildings to abut front sidewalks; however, streetscape requirements must be met as outlined in the ULDC;
13. allow for the provision of alleys;
14. allow for the provision of on-street parking to buffer walkways from the road and increase overall pedestrian safety;
15. include standards for parking, which acknowledge the pedestrian nature of the community, permit pervious surface parking, and provide parking behind buildings;
16. achieve a 20% internal capture rate for transportation;
17. be designed to include mass transit (including land for bus stops) and accessibility to existing mass transit, where available, and provide alternative modes of transportation, such as bikeways and pedestrian paths;
18. be designed to provide for well defined public spaces, buildings, and vistas which terminate on focal points. Usable public open space shall comprise a minimum of five (5) percent of the developable area. Linkages between open spaces, in the form of pedestrian and bike paths, shall be provided for within and outside the development;
19. incorporate detailed performance standards which allow for regulating buildings by general category of use (building type) rather than by specific use;
20. provide for and maintain extraordinary landscaping/recreation facilities/sign control/design and development standards;
21. reduce the intensity/density of that portion of the development which is contiguous to any priority acquisition sites designated by the Conservation Lands Acquisition Selection Committee or its successor, so that the development is compatible with, and does not destroy or negatively impact the environmentally sensitive area; and
22. have neighborhood centers, which contain civic and commercial uses that serve the daily needs of the residents within a quarter mile walk of 90% of the neighborhood's residential areas.

Policy 4.4.1-j: The TTD, by virtue of its function and design is unique in character; however, the development shall demonstrate: 1) sector balancing; 2) compatibility and integration with existing development; and, 3) consistency with the goals, objectives and policies of the Comprehensive Plan. Through the Regional Analysis the TTD shall identify the need and provide employment opportunities for both existing and future residents, and contribute to the alleviation of existing imbalances in the area relative to lack of affordable housing, employment, retail, infrastructure, etc. The amount of commercial land use permitted shall be based upon a demonstrated need or demand for the amount of proposed commercial use in a given location. The developer must identify the proposed service area, both on and off site, and demonstrate that a balance exists between

residential and commercial development. The TTD shall also permit an appropriate mix of institutional, civic and light industrial uses.

4.4.2 Multiple Land Use

Policy 4.4.2-a: The Multiple Land Use (MLU) future land use designation is established for multiple and mixed use projects proposed through the amendment process. The MLU is an umbrella category which requires a minimum of two different future land use designations at least one of which shall be residential. The allowable underlying land uses are identified in 2.2-e.1. The MLU is project specific is subject to the following:

1. **Uses, Intensity, and Density.** The application for a proposed future land use amendment to MLU shall identify the proposed uses, maximum intensity, and maximum density which shall be affixed in the adopting ordinance. The use of the Workforce Housing Program and/or Transfer of Development Rights program is required as part of the concurrent zoning application for proposed MLU amendments seeking an increase in density. The MLU adopting ordinance shall identify the underlying land uses, and include conditions of approval identifying whether the site may also utilize these programs following adoption for additional density, or whether the site is prohibited from future density increases.

2. **Concurrent Zoning Application.** The proposed amendment for an MLU requires the processing and adoption with a concurrent zoning application. The zoning application shall include a site plan or master plan depicting the functional integration of the proposed uses, and the maximum intensities and densities. The MLU adopting ordinance shall include conditions of approval as necessary to reflect the concurrent zoning application and may include the adoption of a conceptual site plan depicting the location of the various land uses, open space, and linkages which functionally integrate the different land use categories.

3. **Usable Open Space.** At a minimum, 5% of the property must be committed to usable open space (as defined by the Introduction and Administration Element). Open space must functionally integrate the project's land uses and may not be applied to the recreation and/or parks requirements or other required civic dedication of land during the development review/re-zoning process, excluding right of way dedication. Water retention, lakes, drainage, and canals shall not be considered usable open space. The usable open space requirement is not required for projects for which the residential use is limited to a congregate living facility.

4. **Applicability.** Proposed amendments for multiple and mixed use projects requesting an in increase in residential density and a non-residential future land use in the Urban Suburban Tier are required to apply for the MLU designation. Exceptions to this requirement are proposed amendments described as follows:

    a. Amendments seeking a traditional development designation;
    b. Amendments for which the residential use limited to a congregate living facility.

Policy 4.4.2-b: *Deleted by Ord. 2020-11*

Policy 4.4.2-c: *Deleted by Ord. 2020-11*

Policy 4.4.2-d: *Deleted by Ord. 2020-11*

4.4.3 Planned Residential Development (PRD)

Policy 4.4.3-a: The County shall allow Planned Residential Developments to include a limited amount of low intensity commercial and institutional uses intended to serve the residential development. The commercial uses may be located in:

1. A commercial pod, but must be integrated into the development;
2. A clubhouse in the interior of the development, accessible to the residents; or,
3. A multifamily structure which either independently supports high density or is in a tract containing multi-family development.

Policy 4.4.3-b: In conjunction with the Evaluation and Appraisal Review (EAR), the Planning and Zoning Divisions shall evaluate the provisions governing the Planned Residential Development option to determine its effectiveness in meeting the Goals, Objectives and Policies of the Plan.

4.4.4 Traditional Marketplace Development

Policy 4.4.4-a: The Traditional Marketplace Development (TMD) is an alternative form of development that provides a more efficient pattern of development, and more cost effective delivery of service while increasing the sense of community. The County shall provide for a Traditional Marketplace Planned Development allowed in the Commercial High and Commercial Low future land use designations in the Urban/Suburban Tier, and in the Commercial Low future land use designation in the Exurban, Agricultural Reserve, and Rural Tiers and shall ensure that it is designed to be compatible with the Tier of development. The basic principles are described below shall be used as a guide to create standards to implement this alternative Commercial development.

Policy 4.4.4-b: Traditional Marketplace Development shall include a concentrated area for shopping, entertainment, business, services, cultural, and housing opportunities. This shall be accomplished by allowing for a mix of uses in a manner that creates a stronger pedestrian and transit orientation through design, placement and organization of buildings, and common public space, while dispersing parking and respecting and maintaining the character of the surrounding area. The non-residential uses within the Traditional Marketplace Development (TMD) shall be comprised of community scaled. These uses may include, but are not limited to, shops and services, retail, office, restaurant, and civic uses such as schools, places of worship, and government services. The compact design, low intensity land use does not permit the siting of “freestanding”, or “big box” commercial. A minimum of 51% of the commercial square footage within a TMD must be designed as a “Traditional Main Street”. The floors above the shops and offices have the potential to provide either housing or residential/business as live/work spaces.

Policy 4.4.4-c: The ULDC shall establish development standards for the Traditional Marketplace Development (TMD) that incorporate the following design guidelines:

1. Compatible building heights to fit with the character of the community;
2. Build-to lines which place buildings close together, fronting on a sidewalk, to create a sense of place and provide spatial definition along streets;
3. Building design standards, including, but not limited to; massing, scale, pattern, and consistent architectural style. Fronts of buildings, within the same block, shall have doors and windows reflecting similar architectural style, doors and display windows shall be placed to maximize visual interest and accessibility to the pedestrian.
4. Public space amenities, including, but not limited to; wide sidewalks, lighting, seating, signage, gathering space, water features, and landscaping;
5. Community open space shall be provided and shall be used to preserve and incorporate natural features into the site design to enhance identity;
6. Strong pedestrian systems that link building and community open space and encourage pedestrians to walk between land uses. A pedestrian system shall also include significant landscape treatment, including trees, plants and hardscape to delineate the pedestrian system;
7. Street design standards that promote pedestrian usage. These standards shall address but are not limited to, pavement and right-of-way width, turning radii, on-street parking, tree planting and protection, and sidewalk location and widths, including the ability to provide outdoor dining and merchant displays on the sidewalk; and,
8. Crime Prevention Through Environmental Design (CPTED) principles.

Policy 4.4.4-d: Lifestyle Commercial Center. Lifestyle Commercial Center (LCC) Lifestyle Commercial Center is a type of Traditional Marketplace Development (TMD) that allows an individual tenant to occupy up to 100,000 sq. feet. The LCC is only allowed in the in the Urban Suburban Tier and only on the sites assigned a commercial future land use designation and condition of approval requiring the use of the LCC by Ordinance 2008-048 and 2009-028. *[Relocated and revised from Policy 2.2.2-c in Round 17-A]*

4.4.5 Traditional Neighborhood Development

Policy 4.4.5-a: Traditional Neighborhood Development may be allowed in all urban residential future land use categories. It shall include an interspersed mix of uses integrated with a recreation and pedestrian oriented open space system. The uses shall include an appropriate mix of residential housing types at a range of densities, commercial, and institutional uses. At a minimum, 51% of the development shall be residential and a minimum of 5% of the development shall be usable, organized open space, in addition to the minimum park and recreation requirements established in the Recreation and Open Space Element.

Policy 4.4.5-b: The Planning, Zoning and Building Department shall update the Unified Land Development Code and graphically depict the tenets and land development regulations to:

1. Set the range, ultimate density and intensity, and mix of land uses based on the underlying land use designation and size of the TND;

2. Encourage the location of TND's throughout the Urban/Suburban Tier, including areas defined as infill. The TND may include a mix of residential and commercial uses designed in a compact form, planned in accordance with the following principles:

   a) The TND shall provide for a range of densities. The housing types in the TND may include an interspersed mix of detached homes, duplexes, townhomes, and apartments to provide housing choices for people of differing ages and incomes. Multi-family units and townhouses shall be located closest to the neighborhood center. Single-family lots in the neighborhood may include ancillary structures, such as detached one unit apartments/offices or garage apartments. The housing must be designed to provide a cohesive physical character within the residential area;
   b) Residential lots shall be served by a system of streets, alleys and sidewalks, with setback/build-to lines established to ensure that buildings front on sidewalks and are oriented to the street. Garages shall be located on the rear portion of the property and accessed by an alley or driveway;
   c) When a TND is adjacent to a land use of a significantly different intensity or density, a buffer, which may be vegetated open space or a transitional use, shall be provided at the edge of the TND;
   d) A minimum of 5% of the land area in a TND shall be devoted to an organized open space system, inclusive of greens or squares, located within 1/4 mile of residences. This open space shall be provided in the form of passive open space, and gathering space throughout the neighborhood. These lands are exclusive of the minimum park and recreation requirements set forth in the Recreation and Open Space Element;
   e) A discernable neighborhood center shall be established creating a community focal point. A neighborhood center or focal point may serve multiple neighborhoods if it is centrally located;
   f) Civic buildings and public space shall be placed and oriented to terminate vistas, and provide a focal point in the TND. These sites shall provide for social, cultural, and/or religious activities, and become symbols of community identity; and,
   g) Preservation of existing native vegetation and other natural features shall be incorporated into the layout of the neighborhood.

3. The transportation management (circulation) system within the TND shall be planned in accordance with the following principles:

   a) Pedestrian and bikeway circulation systems shall functionally and physically integrate the various land uses. This integration shall occur both within the neighborhood and to areas adjacent to and beyond the neighborhood;
   b) A continuous interconnected street system shall form a grid, or traverse the neighborhood, to increase circulation both within and among adjacent land uses. Internal streets shall be narrow and designed with traffic calming features to control speed;
   c) At a minimum, mass transit facilities shall be provided at the neighborhood center;
   d) Parking and loading functions shall be located and designed to respect, and reinforce, the pedestrian orientation of the neighborhood. These

functions shall provide for on-street parking, parking behind buildings or in side lots;

e) Street design standards shall address pavement and right-of-way widths, turning radii, on-street parking, and other design criteria for roads, alleys and lanes. These standards shall reflect the character of the neighborhood; and,

f) Use of sidewalks, street trees, landscaping, street furniture, entryway features, signage and lighting shall be required to strengthen the identity of the neighborhood and neighborhood center.

4. A neighborhood center shall be provided at an identifiable central location and shall:

a) Contain shops and services serving the neighborhood. Such facilities shall include, but not be limited to: retail, offices, schools, day care, places of worship, libraries, government services, cultural facilities and banks;

b) Be encouraged to have residential units above the commercial or civic uses;

c) Be within 1/4 to ½ mile (5 -10 minute walk) from all residential land uses within the defined neighborhood or series of neighborhoods. The neighborhood center shall also accommodate a transit stop;

d) Be designed in accordance with the principles of a Traditional Marketplace;

e) Be located at an important intersection or the edge of a neighborhood. The neighborhood center shall be designed to serve multiple neighborhoods if located at the edge of a neighborhood; and,

f) Be limited to serve a population within a one (1) to one and a half (1½) mile radius.

4.4.6 Mixed-use Planned Development *(heading & policies deleted by Ord. 2020-011)*

4.4.7 Multiple Use Planned Development

Policy 4.4.7-a: The purpose of a Multiple Use Planned Development (MUPD) is to provide for the efficient use of land by the integration of multiple uses, or large single uses, within a unified development in order to provide opportunities for enlightened and imaginative approaches to community planning and site design. Buffering between the different uses within an MUPD may be reduced or eliminated to foster interconnectivity between the uses.

Policy 4.4.7-b: MUPD Design Objectives – The Multiple Use Planned Development (MUPD) shall be subject to the following design objectives:

1. Provide innovative building location and orientation;
2. Protect adjacent residential uses from potential adverse impacts;
3. Provide interconnection between uses in and adjacent to the project; and
4. Allows for both residential and non-residential uses within a single project designed in a manner that fosters compatibility within the project and with adjacent properties**.**

4.4.8 Planned Industrial Park Development (PIPD)

Policy 4.4.8-a: A Planned Industrial Park Development District (PIPD) is an economic activity center allowed in the Industrial and Economic Development Center future land use designations. The PIPD is intended for large Employment Centers primarily designed to accommodate and promote manufacturing, research, development, other value-added activities and support uses. Therefore, non-industrial uses such as residential, retail, office, and hotels, are expected to occur to support its major function as a Employment Center and to implement effective mobility strategies. Non-industrial uses shall be subject to the following:

1. Uses such as hotels, offices, commercial and institutional that serve the projected workforce and residential population and/or encourage internal automobile trip capture shall be allowed within a commercial pod of a PIPD.

2. Residential uses may be allowed within the residential pod of a PIPD provided:

    a. recreation to meet the needs of the residential population is provided; and
    b. a balanced mix of land uses is provided to meet the needs of the projected work force and PIPD residential population; and
    c. the amount and type of residential uses are rationally related to the amount and type of jobs (work force) created by the industrial and employment based uses.

4.4.9 Transit Oriented Development

Policy 4.4.9-a: The County shall encourage Transit Oriented Development (TOD) that shall provide an alternative mixed-use development pattern within a ¼ mile radius of rail or light rail transit nodes. Transit Oriented Development may be allowed in all commercial, residential and institutional land use categories in the Urban/Suburban Tier. This pattern is an alternative to piecemeal, parcel-based development, and shall allow for a wide range of commercial and institutional uses, functionally integrated with residential uses, and shall include a concentrated area for retail, professional offices and services, cultural, and housing opportunities. Incorporated areas seeking to make use of revised Policy 1.2-d(3) of the Transportation Element shall do so by implementing the following strategies as part of their respective Comprehensive Plans and Land Development Regulations to the satisfaction of Palm Beach County.

A. TOD projects shall employ the following strategies:

    1. Promote the optimum use of transit nodes by assuring the orderly development of land in Transit Oriented Development areas and improving access for pedestrians and vehicles alike.
    2. Accommodate the needs of residents and workers in the vicinity of Transit Oriented Development areas.
    3. Provide for the incidental shopping needs of transit riders at transit nodes.
    4. Create a “park once” environment for all Transit Oriented Development, by providing retail commercial uses and professional office/services that contribute to a self-sufficient community, and that are directly linked to other Transit Oriented Developments.

B. TOD Projects shall be designed utilizing the principles of traditional urban design addressing Streets and Blocks, Parking, Buildings, Mix of Uses, and a TOD Station Area Master Plan as described below:

1. Streets and Blocks. Properties developed as transit-oriented developments shall include a continuous public street network whereby streets are:
   a. Designed with the inclusion of sidewalks and bicycle/pedestrian amenities to encourage walking and bicycle use;

   b. Provide for efficient connections between buildings and the public realm. Said connections shall be accomplished by using the following: lighting for pedestrians/bicycles, weather protection at transit stops, sidewalks, covered corridors, raised pavers through parking lots, bollards, architectural elements, pocket parks/open space, and the like;
   c. New sidewalks shall meet ADA requirements, and provide year-round functional connections to improved Rights-of-Way;
   d. Designed for on-street parking and other traffic calming measures;
   e. Provide for flexibility in land development regulations in order to create a pedestrian-friendly urban environment between buildings and roads;
   f. Provide for public and private landscaping in order to create microclimates that further encourage pedestrian activity within transit areas and nodes;
   g. Designed to accommodate feeder buses and trolleys. The perimeter of individual blocks shall not exceed 1800 linear feet, and individual block faces shall not exceed 600 feet, exclusive of alleyways serving primarily deliveries and garbage collection purposes.
   h. Stand-alone automobile uses such as fueling stations, car and truck washes, and large parking lots are discouraged, unless designed in a manner to support adjacent development and providing clear, efficient pedestrian connection to adjacent roads and sidewalks. This provision shall not deem existing auto-oriented uses as non-conforming if said uses were legally conforming on the effective date of this chapter.

2. Parking. To maximize pedestrian circulation, off-street surface parking areas within transit-oriented developments shall be limited to not more than ten percent of the gross developable area. Surface parking areas shall be located either mid-block (behind buildings) or in small parking lots. Large expanses of surface parking are prohibited. This goal may be achieved through the following strategies:
   a. Establish land development regulations providing for maximum parking allotments and maximum surface parking allotments, in order to encourage use of transit;
   b. Allow for the reduction in current parking requirements in order to maximize usable floor space in proximity to transit areas and nodes;

c. Encourage shared parking lots for those uses which are likely to demand parking spaces at different times of day;
d. Structured parking lots are encouraged whenever they are located mid-block, behind buildings, and/or lined with uses friendly to pedestrians and/or residential uses.

3. Buildings. The placement and design of buildings in transit-oriented developments is critical to the success of the pedestrian environment. The fronts of buildings and their main entrances shall be placed along streets to enhance the walkable pedestrian environment, and building fronts shall face other building fronts. All buildings shall contain no fewer than two stories of occupiable space. In mixed-use buildings, ground floor occupiable space shall be dedicated predominately for active uses, including retail or office uses, while upper floors shall contain predominately office and residential uses.

4. Mix of Uses. Transit-oriented development provides employment opportunities, residential space, and retail areas. For projects to qualify for TOD designation, a mixture of these uses shall be located within the ¼-mile radius of the station to provide around-the-clock amenities for residents, employees, and visitors. Accordingly, in the absence of an adopted Station Area Master Plan, each individual transit-oriented development project must include a land use mix of as described below.

   a. Not less than 30% of the total square footage of the TOD shall be dedicated to residential uses.
   b. Residential densities shall be no less than 10 dwelling units per acre, and shall be calculated based on the total acreage of each individual project involving residential space.
   c. Not less than 20% of the total residential units of the TOD shall be designated for workforce housing or affordable housing through the associated programs.
   d. While Floor-Area Ratios (FAR) and lot coverage percentages are not specified in this section, buildings are encouraged to be compact in footprint and shall contain no fewer than two (2) stories in order to provide room for future expansion or new construction on the same site. Minimum FARs, where applicable, shall be defined within the respective municipality's Land Development Regulations.

5. TOD Station Area TOD Master Plan. A transit-oriented development shall meet the requirements contained in Policy 4.4.8-a, be part of a Station Area TOD Master Plan, and be developed in an interactive public process and approved by the respective local government(s) and Palm Beach County.

   a. A TOD Station Area Master Plan shall be incorporated by reference into the Palm Beach County Comprehensive Plan through the following process. A municipality encompassing a fixed-route station shall propose a Station Area Master Plan by submitting a preliminary plan to the Florida Department of Transportation

(FDOT), the Treasure Coast Regional Planning Council (TCRPC), Palm Beach County staff, and other regional and federal agencies with jurisdiction over the area of the master plan. Comments received during the preliminary proposal shall be addressed in the municipality's adoption of the Station Area Master Plan into said municipality's Comprehensive Plan and/or Land Development Regulations. A subsequent final submission, meeting all requirements of Policy 4.4.8-a, shall then be filed with Palm Beach County to incorporate the Station Area Master Plan by reference after due public hearings and other processes.

b. The TOD Station Area Master Plan shall extend at least a quarter-mile radius from the station location and graphically depict the locations of the transit station, roadways, buildings, public spaces, and civic spaces within a half-mile radius of the transit station. This radius may be expanded according to parcel size, ownership pattern, and the presence of supporting transit modes such as: fixed-route buses, and Rapid Bus Transit (RBT).

c. The TOD Station Area Master Plan shall include an aerial photograph depicting all uses within a one-mile radius of the station, including major employers, residential developments, institutional/educational uses, and entertainment destinations.

d. The TOD Station Area Master Plan shall indicate a mix of residential, commercial, retail, office, flex space, public and civic spaces. Examples of public spaces shall include parks, plazas, and greens, Examples of civic spaces shall include police stations, and all other areas, enclosed or exterior, that provide public services to residents and visitors alike.

e. The TOD Station Area Master Plan shall include a market analysis and potential aggregated development program illustrating a preferred mix of uses to assist in the evaluation of individual TOD projects within the station area.

f. No less than 5% of the total developable square footage of the TOD shall be dedicated to usable public space such as parks, plazas, greens, etc.

g. No less than 2% of the total square footage of the TOD shall be dedicated to civic uses, such as police stations, intermodal transfer facilities.

h. The TOD Station Area Master Plan shall graphically demonstrate an interconnected transportation network that efficiently and effectively links rail stations, bus stops, bike paths, sidewalks, buildings and open spaces in a cohesive manner.

OBJECTIVE 4.5 Western Communities Residential

The County shall recognize the unique characteristics of agricultural parcels that are adjacent to existing residential communities within the Rural Tier and the Western Communities Residential Overlay that seek to develop by assigning the Western Communities Residential (WCR) future land use designation through a Future Land Use Amendment process. A WCR site specific amendment that supports balanced growth may occur in the Rural Tier and may exceed rural densities and intensities. A WCR site specific amendment shall achieve compatibility with the existing residential development pattern in the surrounding area of the Rural Tier while furthering remediation of the historic land use imbalance in the western communities and providing other benefits.

Policy 4.5-a: The site specific plan amendment ordinance adopting a Western Communities Residential future land use shall include a Conceptual Plan. The Conceptual Plan can only be revised through the Future Land Use Atlas amendment process.

Policy 4.5-b: All development orders within the Western Communities Residential future land use must be consistent with the adopted Conceptual Plan.

Policy 4.5-c: Agricultural uses shall be permitted within the WCR future land use designation until the land physically converts to the uses permitted by such development orders. Agricultural uses shall be permissible uses within open space areas to the extent indicated on the Conceptual Plan or site specific amendment ordinance.

Policy 4.5-d: Western Communities Residential Conceptual Plan shall include a Site Data table establishing an overall density and intensity for the project, as well as minimum and/or maximum percentages for the acreages shown on the Plan and other binding standards. The Conceptual Plan shall include a depiction of the residential, non-residential, recreational, civic and open space elements of the project and allow the clustering of the density to promote a variety of neighborhoods and housing types and to act as transition areas between the Western Communities Residential and adjacent existing communities.

Policy 4.5-e: A property with Western Communities Residential future land use designation shall utilize the Planned Unit Development (PUD) zoning district of the Unified Land Development Code, with the form of the commercial nodes reflected on the Conceptual Plan, which commercial nodes shall be designed consistent with the form of the Traditional Marketplace provisions in the Comprehensive Plan. Each residential pod within a WCR Planned Unit Development may be developed according to the density/intensity assigned on the Conceptual Plan.

Policy 4.5-f: In order to achieve compatibility with the existing residential development pattern in the surrounding area and create a more sustainable land use pattern through compactness of design, any land developed utilizing the WCR future land use shall be required to exhibit the following characteristics:

1. A maximum permissible gross residential density of 0.80 DU/AC.
2. The project shall provide a minimum of 66.67% of the gross site acreage in open space uses (the Required Open Space). A minimum of 50% of the gross site acreage shall be in the form of Exterior Open Space which shall be limited to preservation, conservation, passive and/or active recreation, perimeter landscape buffers, rural parkways, pedestrian pathways and greenways, wetlands, bona fide

agriculture, regional water management, fallow land, perimeter water management areas, public and/or private civic uses, and/or, equestrian uses. Perimeter water management areas shall only count as Exterior Open Space if the water management area is accessible to the general public from a publicly accessible buffer or open space tract that includes a minimum 8-foot wide paved pedestrian pathway that connects the perimeter of the site to the water management area. Perimeter water management areas shall be available for use by the general public for fishing and non-motorized boating activities. Land area allocated as Exterior Open Space counts towards meeting the minimum Required Open Space.

3. A minimum of 33.33% of the gross site acreage shall be provided in one large contiguous open space land area and shall be depicted on the Conceptual Plan approved by the Board of County Commissioners. Land area allocated as part of the 33.33% contiguous open space counts towards meeting the minimum Required Open Space.
4. Neighborhood-serving commercial nodes shall comprise no less than 2% of the overall developable land area (developable land area being defined as the area available for development less the required Exterior Open Space). The commercial nodes shall: (1) be designed consistent with the form of the Traditional Marketplace provisions of the Comprehensive Plan; and, (2) be depicted on the Conceptual Plan approved by the Board of County Commissioners.
5. A minimum 20% of the residential units shall be located within one-quarter mile radius of commercial nodes; a minimum 40% of the residential units shall be located within one-half mile radius of commercial nodes; and a minimum of 66% of the residential units shall be located within one-quarter mile radius of commercial nodes or civic uses (public or private) or recreation uses (public or private).
6. Higher density residential areas shall be located adjacent to and within one-quarter mile radius of any commercial node. Lower density residential areas shall be located around the perimeter of the development area to promote compatibility with existing development in the surrounding area. Medium density residential shall be located between commercial nodes/High density residential areas and the Low density residential areas. All of which shall be reflected on the Conceptual Plan approved by the Board of County Commissioners.
7. A minimum of 10.0% of on-site for-sale units shall be provided as workforce housing based on the County's affordability standards.
8. A maximum permissible non-residential intensity of 350,000 square feet of commercial uses, comprised of 300,000 square feet of commercial retail uses, and 50,000 square feet of commercial office uses.

GOAL 5 NATURAL AND HISTORIC RESOURCE PROTECTION

It is the **GOAL** of Palm Beach County to provide for the continual protection, preservation, and enhancement of the County's various high quality environmental communities and historic resources for the benefit of its current and future residents and visitors.

OBJECTIVE 5.1 Protection of Natural Resources and Systems

Palm Beach County shall ensure the protection of natural resources and systems by enforcing and monitoring existing environmentally related ordinances and developing ordinances, as needed, pursuant to the goals and policies of the Conservation Element.

Policy 5.1-a: Palm Beach County shall ensure the protection and stewardship of natural resources and systems, including quality uplands and wetlands, environmentally sensitive lands, wildlife habitats and regional water management areas. The County shall request review and comments from the South Florida Water Management District, Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, and other governmental/ environmental agencies, during the Plan amendment process.

Policy 5.1-b: The impact of development on natural resources and systems, including high quality coastal and inland wetlands and future potable water supply wellfield areas, as identified in the Future Land Use, Coastal Management, and Conservation Elements, shall be evaluated during the development review process to protect these resources from the adverse impacts associated with incompatible future land uses on or near such sites in accordance with ULDC Article 14.C. Vegetation Preservation and Protection.

Policy 5.1-c: During the development review process, the County shall determine the consistency of developments with any future resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes and in accordance with ULDC Article 7.D.9. Incompatibility Buffer.

Policy 5.1-d: The Planning and Zoning Divisions, in cooperation with the Department of Environmental Resource Management, shall continue to develop regulations and incentives providing for the use of buffering, or other land management techniques, to ensure compatibility with the function and purpose of conservation lands, and development of those properties adjacent to conservation lands.

Policy 5.1-e: The County shall adopt site specific management plans for all natural areas within the County's Natural Areas Program designed to implement the Program goal of preserving their wilderness values to reflect the subtropical biological diversity characteristic of Palm Beach County in pre-development times. The plans will include facilities for passive public use, but such use shall not take precedence over ecosystem protection.

OBJECTIVE 5.2 Native Ecosystem Overlay

Palm Beach County shall protect high quality native ecosystems within the unincorporated area of the County through establishment and maintenance of a Native Ecosystem Overlay.

Policy 5.2-a: The Department of Environmental Resources Management shall provide for the preservation and protection of native vegetation and environmental systems by applying the Native Ecosystem Overlay through implementation of the Vegetation Preservation and Protection Ordinance. Areas identified shall require preparation of a written environmental assessment, as part of the environmental review process. This review will result in specific recommendations regarding purchase or development, subject to conditions such as reduced density or intensity of future land use, and increased set-aside requirements.

Policy 5.2-b: Areas identified and designated as a Native Ecosystem Overlay shall be reviewed and may be re-designated to an appropriate future land use designation that furthers the protection of the native ecosystem.

OBJECTIVE 5.3 John D. MacArthur Beach State Park Greenline Overlay

The County shall continue to maintain the John D. MacArthur Beach State Park Greenline Overlay to protect resources within park boundaries, such as water, wildlife populations, and the aesthetic quality of recreation in this Park, from impacts caused by activities on adjacent land. The greenline buffer provides:

1. Further protection of the State Park from surface water runoff and groundwater contamination in accordance with Conservation Objective 3.1;
2. Further protection of the State Park from over-spraying of pesticides on adjacent properties;
3. Protection of the Park properties from potentially incompatible adjacent future land uses;
4. Critical habitat for wildlife, including threaten and endangered species, in accordance with Conservation Objective 2.4;
5. Protection to Manatees, in accordance with Coastal Policy 1.1.m, and Sea Turtles, in accordance with the Sea Turtle and Sand Preservation Ordinance;
6. Support for the preservation of the native ecosystem by encouraging the planting of native vegetation, as specified in Conservation Objective 2.5; and,
7. Prohibition of the introduction of non- native plant species into the in natural systems of the Park.

Policy 5.3-a: The Overlay shall continue to be maintained as a peripheral boundary around the State Park as established by the Florida Department of Environmental Protection. The greenline encompasses the north end of Lake Worth, Little Lake Worth, Lake Worth Creek, the Earman River, the North Palm Beach Waterway, and their associated natural and manmade waterways. Seaward, the area extends offshore as far as the park boundary. These extensive systems, or parts thereof, are contained within the greenline because of their actual or potential impact on the Park.

Policy 5.3-b: The County shall continue to maintain the Greenline Buffer to protect the State Park from incompatible adjacent future land uses and to enhance the experience of visitors to the Park. The Department of Planning, Zoning and Building shall notify the Florida Department of Environmental Protection and the County Parks and Recreation Department of any proposed change in use within the Greenline buffer. The purpose of this notification shall be to obtain comments from the agencies regarding the potential impacts the proposed use may have on the State Park to ensure that there are no negative impacts to the Park's natural resources and wildlife as identified in this Land Use Objective 5.3.

Policy 5.3-c: The County's Department of Animal Care and Control shall assist in the removal of domesticated or exotic animals within the Park's boundaries.

OBJECTIVE 5.4 Jonathan Dickinson State Park Greenline Overlay

The Jonathan Dickinson State Park Greenline Overlay shall be maintained as a peripheral zone around Jonathan Dickinson State Park, and along the Loxahatchee River to protect the resources within the Park, such as hydrology, wildlife populations, and the aesthetic quality of recreation in the Park from new development activities. The greenline buffer, and the buffer that rings the park, provide:

1. Protection of the State Park, and Loxahatchee River, from surface water runoff and groundwater contamination in accordance with Conservation Policy Objective 3.1;
2. Protection of the State Park, and Loxahatchee River, from over-spraying of pesticides on adjacent properties;
3. Protection of the State Park, or Loxahatchee River, from potentially incompatible adjacent future land uses;
4. Protection of properties within and adjacent, to the State Park and Loxahatchee River, from potential nuisances caused by prescribed burning;
5. Critical habitat for wildlife, including threaten and endangered species, in accordance with Conservation Objective 2.3;
6. Support for the preservation of the native ecosystem by encouraging the planting of native vegetation, as specified in Conservation Objective 2.5; and,
7. Prohibition of the introduction of non-native plant species into the in natural systems of the Park.

Policy 5.4-a: The Overlay shall be maintained as a peripheral zone, established by the Florida Department of Environmental Protection, around Jonathan Dickinson State Park and includes portions of northeastern Palm Beach County and southeastern Martin County. The Department is concerned that new development activities within the Overlay may have an impact on resources within park boundaries.

Policy 5.4-b: The Department of Planning, Zoning and Building shall notify the Department of Environmental Protection and Parks and Recreation Department of any proposed new development activity or change in use within the Greenline buffer, as described herein, to obtain comments from these agencies regarding the potential impacts the proposed use may have on the State Park.

Policy 5.4-c: The County shall maintain, at a minimum, a 660 foot wide buffer zone, around the State Park to protect the site against potentially incompatible adjacent future land uses, and/or to enhance the experience of visitors.

OBJECTIVE 5.5 Turnpike Aquifer Protection Overlay (TAPO) District

General: The surficial aquifer is the primary source of freshwater for eastern Palm Beach County. The northern extension of the Biscayne Aquifer, locally known as the "Turnpike" Aquifer, encompasses one of the most extremely productive portions of the surficial aquifer. The "Turnpike" Aquifer also serves as the present and future water supply for many of Palm Beach County's water treatment plants. In addition, the County shall encourage new uses and developments, which are compatible with the protection of the groundwater, including but are not limited to: residential uses, parks and open spaces, golf courses, campgrounds, and agricultural uses.

Objective: Palm Beach County shall maintain the Turnpike Aquifer Protection Overlay District, for the purposes of: (1) protecting and safeguarding the public health, safety and welfare by enhancing the functions of natural groundwater recharge areas; (2) minimizing any potential adverse impacts on the "Turnpike" aquifer by limiting or restricting certain incompatible uses and developments; and, (3) preventing the continuing loss of prime water supply sites by requiring certain developments to identify and dedicate water supply sites, unless such dedication is contrary to law, or constitutes a taking for which compensation is due and for which no compensation has been paid.

Policy 5.5-a: The TAPO District boundary is shown on the Special Planning Areas Map in the Map Series and described as two areas around Palm Beach County Water Treatments Plants (WTP) 3 and 8 as follows:

1. The TAPO around WTP-3 includes portions of the area north of Woolbright Road, south of Boynton Beach Boulevard, east of Hagen Ranch Road, and west of Jog Road as more specifically shown on the Future Land Use Atlas.
2. The TAPO around WTP-8 includes portions of the water plant property; the area north of Belvedere, west of Jog Road and south of the Turnpike; and the area north of Southern Boulevard, south of Belvedere, east of the turnpike and west of Drexel Road as more specifically shown on the Future Land Use Atlas.

The specific TAPO boundaries are depicted on maps and legal descriptions incorporated in the ULDC. See ULDC, Article 3, Overlays and Zoning Districts, Appendix 1, Legal Description Water Treatment Plant No. 3, and Appendix 2, Legal Description Water Treatment Plant No. 8.

Policy 5.5-b: Any person seeking development approval within the TAPO District shall be required to identify and, if applicable, dedicate well sites provided the development meets any of the following criteria:

1. A residential development is proposed greater than or equal to twenty-five (25) acres, or greater than or equal to fifty (50) lots; or
2. A non-residential development is proposed greater than or equal to ten (10) acres, or a structure that is greater than or equal to 75,000 square feet; or
3. A mixed development is proposed greater than or equal to ten (10) acres.

The number of well sites to be dedicated shall be based upon the development's size. The following guidelines shall be used in securing the dedication, unless such dedication is contrary to law, or constitutes a taking for which compensation is due and for which no compensation has been paid:

1. Developments greater than or equal to twenty-five (25) acres but less than 50 acres shall be required to dedicate one (1) well site;
2. Developments greater than or equal to 50 acres but less than 125 acres shall be required to dedicate two (2) well sites;
3. Developments greater than or equal to 125 acres but less than 200 acres shall be required to dedicate three (3) well sites; and,
4. Developments exceeding 200 acres shall be required to dedicate three (3) well sites for the first 200 acres and then one (1) additional well site for each 100 acres.

A minimum 60 foot by 40 foot site shall be dedicated for each wellhead unless site characteristics make this unnecessary. To the maximum extent possible, properties acquired or dedicated (such as parks, open space, easements or rights-of-way) to the County within the TAPO District shall be considered as potential well sites.

Policy 5.5-c: The Palm Beach County Water Utilities Department (PBCWUD) shall use the following criteria in locating well sites within the TAPO District:

1. Well sites shall be located along the perimeter of the development, where feasible;
2. Well sites shall be located as close as possible to either Jog Road or Hagen Ranch Road to facilitate connection to the raw water line which will supply the System 3 water plant; and,
3. As a way of limiting potential drawdown impacts, well sites shall be evenly spaced, with a minimum spacing of 500 feet between adjacent production wells.

Policy 5.5-d: Any person seeking development approval shall meet the following additional requirements, unless the PBCWUD determines, based upon site characteristics, that such requirements are not necessary:

1. An access easement shall be provided for maintenance equipment and water piping;
2. A temporary access easement shall be provided during well installation to allow the mobilization of the required equipment and drainage of test water prior to installation of the well pump and motor; and,
3. Agreements for well site easements shall include a hold harmless agreement to relieve the County from liability for impacts to on-site irrigation wells, aesthetic lakes, and surface water management systems.

Policy 5.5-e: Existing or approved uses and developments within the TAPO District shall be exempt from the requirements of this section; however, existing or approved uses and developments which store, process or handle regulated substances shall be considered non-conforming uses. Such non-conforming uses or developments shall comply, at a minimum, with the Zone 3 requirements of the Wellfield Protection Ordinance if such use or development enlarges or expands. Further, any new uses or developments, which include the storage, processing, or handling of regulated substances shall comply with, at a minimum, the requirements of Zone 3 of the Wellfield Protection Ordinance.

OBJECTIVE 5.6 Greenways and the Linked Open Space System (GLOSS)

General: Three types of open space links or greenways are included in the Greenways and Linked Open Space Program. These are: "Ecological/Conservation Greenways" or "Wildlife Corridors", which connect conservation areas to allow animal migration (and primitive hiking where feasible); "Small Ecological Greenways" which allow connection of upland areas to preserve high quality native vegetation within urban areas; "Passive Recreational Greenways" which connect residential areas to parks, beaches, urban preserves and other open space features and which may use drainage canal maintenance areas and/or right-of-way, and road rights-of-way for these connections. "Linked Open Space" is not a land use designation within the Palm Beach County Comprehensive Plan, but is a program which enables connections consisting of lands designated as "Conservation", "Agricultural Production" or other land categories between lands identified as "Conservation," "Parks and Recreation," and "Residential." The Greenways and Linked Open Space Program includes areas within both incorporated and unincorporated Palm Beach County, and is depicted on the map included within the Map Series, entitled “Greenways and Linked Open Space Program”.

Objective: Palm Beach County shall encourage the creation of a Greenways and Linked Open Space System (GLOSS) network linking natural areas, conservation areas, parks, and cultural, civic and educational facilities through strategies, which will:

1. Support the preservation of Conservation areas while helping to define the overall future land use pattern of the County;
2. Support County Directive #11 regarding open space and park systems through the creation of linear open spaces, which will enhance the appearance of the County by providing a visual organizer of recreational resources, natural resources and other open space areas, including public and private lands and water; passive as well as active recreational areas, beaches, and conservation areas;
3. Protect the health and safety of residents by providing safe recreational opportunities in close proximity to residences;
4. Increase recreational access opportunities that support "eco-tourism," and reduce the need to develop land for parking; and,
5. Encourage alternatives to the automobile to conserve scarce resources, comply with Federal Air Quality standards, and provide for “bikeable, walkable, and equestrian friendly” communities, consistent with Florida Pedestrian System goals.
6. Support the provision of bicycle, pedestrian and equestrian trail access linking to GLOSS network components.
7. Support the identification and development of regional trails and scenic drives with neighboring counties and municipalities.

Policy 5.6-a: The County shall coordinate with other local governments and private citizens to develop a continuous network of greenways linking viable natural systems and Conservation designated lands throughout the County. The components of this network shall be designated as the GLOSS.

Policy 5.6-b: The County shall develop and maintain the GLOSS using the following techniques:

1. Continued acquisition of lands;

2. Continued identification and designation of existing publicly owned road or drainage canal rights-of-way and expand rights-of-way when achievable, and any road rights-of-way abandonment, for links; and,
3. Continue the consideration of connections between upland set-aside areas, pursuant to Conservation Element Objective 5.2 and Unified Land Development Code (ULDC) Article 14.C.11.B.4. Establishing Native Upland Preserves; or use of overlay districts to allow development with design features which will create and preserve a connection between the open spaces to be linked.

Policy 5.6-c: Palm Beach County incorporates the Northeast Everglades Natural Area (NENA) as part of the County's Greenways and Linked Open Space System. The County's Department of Environmental Resources Management shall be responsible for the oversight and implementation of NENA.

Policy 5.6-d: Palm Beach County shall continue to identify the potential for using road rights-of-way, publicly-owned canal maintenance rights-of-way and other public land identified on the map entitled "Greenways and Linked Open Space System", as amended, and located within the Palm Beach County Comprehensive Plan Map Series, as well as the Master Comprehensive Bicycle Transportation Plan adopted by the Metropolitan Planning Organization. When determined feasible by the Board of County Commissioners, these areas shall be acquired, or easements obtained, for multi-purpose open space links and/or recreational greenways, where such linear rights-of-way connect conservation areas, preserves, parks and/or residential areas. *Ord. 2012-36*

Policy 5.6-e: The County shall pursue grant funds to acquire, design or retrofit the GLOSS components. The County shall continue to implement the strategies contained within the Comprehensive Plan to achieve a GLOSS components and identify possible funding sources for land acquisition to link conservation areas, and to encourage the creation of environmental systems, and recreational areas.

Policy 5.6-f: The County shall pursue interlocal agreements, maintenance agreements and easements with third parties, to acquire, implement and develop recreational greenways.

Policy 5.6-g: The County shall participate in the planning of a "trail network plan" to accommodate equestrian, pedestrian and bicycle trails within a community upon initiation by residents and the appropriate Special District. The plan should include provisions to connect to both the existing and the proposed State Greenway System and the County's Greenways and Linked Open Space System components.

OBJECTIVE 5.7 Historic Preservation

Palm Beach County shall ensure the protection of its historic resources, including historic sites, buildings, structures, objects and districts that are associated with the archeological, historical, engineering, and cultural development of the unincorporated area of Palm Beach County. This shall be accomplished by considering historic preservation opportunities and implications in its future land use decision-making process, through implementation of the historic preservation provisions of the Unified Land Development Code, and through intergovernmental coordination.

Policy 5.7-a: The County shall locate, identify, evaluate and protect historic and archaeological sites, through the policies of the Historic Preservation Element and the implementing provisions of the Unified Land Development Code.

III. FUTURE LAND USE ATLAS REGULATION

A. Introduction

The Directions, Goals, Objectives and Policies in the Future Land Use Element reflect the long term planning directions of the Board of County of Commissioners. This section of the Land Use Element includes the requirements for approving developments in accordance with the Land Use Element and identifies those general uses permitted in the future land use designations established within this Element. All land use decisions must be consistent with all elements of the Comprehensive Plan.

B. Characteristics of a Livable Community

A Livable Community, as contained in the County Directions, involves certain components necessary to provide for sustainable communities with a high quality of life. The primary characteristics are outlined in the Characteristics of a Livable Community in the Introduction to this Element, and guide the preparation of future land use atlas regulation.

C. Future Land Use Designations

This section identifies the categories, uses, design criteria and any special requirements associated with the future land use designations contained in Goals 1 and 2 of the Element.

Official Plan Map - As of January 1, 2005, the Future Land Use Atlas consisting of a series of digital geographic information system (GIS) layers maintained by the Department of Planning, Zoning and Building using spatial data engine (SDE) technology is the Official Future Land Use Plan. The adopted features of the Atlas consist of the following digital layers: the future land use designations for all parcels in unincorporated Palm Beach County and adopted future land use amendments. None of the adopted features depicted on the Atlas may be modified without a Comprehensive Plan amendment. In addition to these adopted features, the Atlas contains administrative layers that may be modified without a Plan amendment. Administrative layers include: parcel lines, roadways, water features, section lines, municipal boundaries and notes. However, if a note was added to the Atlas by ordinance, it shall only be removed or modified through the adoption of a Plan amendment. All disputes regarding future land use boundaries will be decided using the Future Land Use Atlas and the Criteria detailed in Table III.D.1 of the Future Land Use Element.

TABLE III.C
FUTURE LAND USE DESIGNATION BY TIER

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA[1]
Rural Residential	RR-20, RR-10	---	X	X	---	---
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
Western Communities Residential	WCR	---	---	X	---	---
Essential Housing	EH	---	---	---	X	---
Urban Residential	LR, MR, HR	X	---	---	X[3]	---
Congregate Living Residential	CLR	X	---	---	X	---
Agriculture	AP	---	---	---	---	X
	SA	X	X	X	X	---
	AgR	---	---	---	X	---
	Ag Enclave	---	---	X	---	---
Commercial Low	CL-O	X	X	X	X	---
	CL	X	X	X	X	---
Commercial High	CH-O	X	---	---	---	---
	CH	X	---	---	---	---
Industrial	IND	X	---	---	X	---
	EDC	X	---	---	---	---
	CMR	X	---	---	X	---
Commercial Recreation		X	---	X	X	X
Parks & Recreation		X	X	X	X	X
Conservation		X	X	X	X	X
Institutional & Public Facilities		X	X	X	X	---
Spoil		X	---	---	---	X
Transportation & Utilities		X	X	X	X	X
Traditional Town Development & Multiple Land Use		X	---	---	---	---

1. Within the rural towns of Lake Harbor and Canal Point, the following additional future land use designations shall be allowed: Residential from RR-2.5 through MR-5; CL; CL-O; IND; EDC; and INST.
2. Within the Glades Area Protection Overlay, 138.31 acres of EDC future land use designation is allowed.
3. Within the Agricultural Reserve Tier, residential future land use designations are allowed as an underlying density within the Essential Housing Residential MLU Option pursuant to Policy 1.5.1-s.
4. Within the Trotting Center Overlay, the LR-2 future land use designation is allowed for sites that meet Objective 1.4.1 and criteria in Policy 1.4.1-b.

1. Residential Future Land Use Designations (See Objective 2.2.1)

2. Commercial Future Land Use Designations

Commercial Designation Eligibility. A property designated on the Future Land Use Atlas with any land use designation other than commercial may be eligible to receive a commercial future land use designation through the Comprehensive Plan amendment process. The ability of a property to receive a commercial future land use designation is based on consistency with 1) the Goals, Objectives, and Policies of the Comprehensive Plan, 2) all applicable data and analysis requirements of Chapter 163, F.S., and, 3) good planning concepts.

Commercial Categories. The Commercial future land use designation is divided into four categories, which shall be shown on the Future Land Use Atlas depicting the precise boundaries of the areas eligible for commercial zoning. The four categories are:

1. CL Commercial Low Intensity
2. CL-O Commercial Low Intensity-Office Only
3. CH Commercial High Intensity
4. CH-O Commercial High Intensity-Office Only

The Future Land Use Atlas depicts the appropriate category for property designated Commercial, but not possessing valid commercial zoning at the time of Plan adoption. All property designated as Commercial on the Future Land Use Atlas that possessed valid commercial zoning at the time of Plan adoption in 1989 is designated as "C." If a parcel has a “C” designation then, prior to any zoning action, the commercial category criteria shall be applied to determine whether the CL or CH category is applicable to the parcel.

Commercial Uses

General. In addition to commercial uses, the uses listed below are allowable within the Commercial Low Office, Commercial Low, Commercial High Office, and Commercial High future land use designations, where permitted by the Unified Land Development Code.

1. Parks and Recreation;
2. Conservation;
3. Institutional and Public Facilities;
4. Transportation and Utility Facilities;
5. Communication Facilities;
6. Agricultural uses;
7. Mining and excavation, subject to the limitations;
8. Residential uses utilizing the underlying residential future land use designation to calculate the maximum number of dwelling units.
9. Mixed or multiple use planned developments may utilize up to 100% of the underlying residential density and the commercial intensity the subject to the requirements of this Element;
10. Light Industrial uses per Policy 2.2.4-b;
11. Caretaker’s quarters; and
12. Uses and structures accessory to permitted uses.

Commercial Low Uses. The CL category includes a limited range of neighborhood-oriented commercial activities designed primarily to provide services to adjacent residential areas. The land development regulations developed pursuant to the CL category shall contain additional site design requirements in order to ensure compatibility with adjacent uses.

Commercial High Uses. The CH category includes a wide range of uses, intended to serve a community and/or regional commercial demand. CH uses shall include, but not be limited to, establishments primarily engaged in providing a wide variety of service for individuals, business and government establishments and other organizations. Retail uses; hotels and other lodging places; establishments providing personal business, repair and amusement services; health, legal, engineering and other professional services and offices; educational institutions; museums; membership organizations; and other miscellaneous services are permitted. The permitted uses within the CH category are intended to serve areas greater than the adjacent residential areas, and serve a community and/or regional commercial purpose. The CH category shall also permit Flex Space.

Commercial Office Uses - Commercial Low and Commercial High. The CL-O category shall include a limited range of neighborhood-oriented office and accessory uses intended to provide services to adjacent residential areas. The CH-O category shall include higher intensity office and accessory uses, intended to serve a community and/or regional commercial demand. Offices for administrative, professional and business purposes; banking and financial institutions; membership organizations; and, uses that are accessory to the office use including restaurants, personal services and health clubs may be permitted in any of the four Commercial categories.

Commercial with Cross-hatching. To ensure the compatibility of Commercial properties which abut Residential areas, the County may restrict the use of portions of property given a Commercial land use designation to water retention, landscaping, and/or at-grade parking. Such areas shall be depicted on the FLUA with cross-hatched lines. Long term storage, including vehicular storage, shall not be allowed in these restricted areas. The County's Future Land Use Atlas (FLUA) includes Commercially designated parcels depicted with cross-hatching. Uses within the cross-hatched portion of a commercial parcel are limited to water retention, landscaping, and/or at-grade parking. Vehicular storage, or storage of any kind, is prohibited in the cross-hatched area. The purpose of applying cross-hatching to a portion of a Commercial parcel is to ensure compatibility by limiting the intensity of use and providing for a transition from a commercial use to a less intensive use, such as residential.

Urban Service Area - Mixed-uses. Commercially designated areas within the Urban/Suburban Tier are eligible for consideration for mixed residential/commercial planned developments if all levels of service standards and other requirements are met, and the site has an underlying Residential future land use designation.

Exurban and Rural Tier. In the Exurban and Rural Tiers, CL uses shall be restricted as necessary to further Objectives 1.3 and 1.4, to preserve and protect the rural residential lifestyle and comply with the provisions of the ULDC. Due to the unique location at the intersection of an arterial and SIS Roadway and to its size that is greater than 64 contiguous acres, the commercial development of the parcel located at the northwest corner of Southern Boulevard and Seminole Pratt Whitney Road and identified in the legal description in Ordinance 2010-030 (LGA 2010-012) shall be exempt from the neighborhood oriented commercial activity restrictions in the Commercial Low FLU only for the maximum square footage limitation for single tenants in the CL future land use designation as implemented by the ULDC. *(Ord. 2012-33)*

Application of Traffic Performance Tests. The Traffic Performance Test shall only apply to developments, which are projected by the Office of the County Engineer to result in an increase in traffic generation.

Concurrency and Entitlement Intensity For a commercial or industrial development, which cannot satisfy the concurrency management provisions, the County may grant a Development Order that does not exceed 2.5 percent of the maximum square footage allowed under the Unified Land Development Code. These provisions shall be considered this parcel's "entitlement intensity." Within the time frame provided by S. 163.3202(1), F.S., Palm Beach County will ensure that development orders for commercial or industrial development, will be based on the County's ability to maintain minimum levels of service as provided by the Concurrency Management Program contained in the Capital Improvement Element. Development orders shall not be issued for projects at entitlement intensity unless the development can demonstrate that the levels of service for drainage can be met.

3. Commercial Recreation

Uses and Intensities

Commercial Recreation areas are designated on the Future Land Use Atlas to reflect and accommodate major public and private commercial recreation facilities that meet a portion of the recreational needs of residents and tourists. These facilities may be profit-making enterprises and/or may be held in private ownership. The Future Land Use Atlas may indicate two types of commercial recreation facilities: privately owned golf courses or uses such as fairgrounds, outdoor attractions and outdoor amphitheaters.

The following land uses shall be allowable in areas designated Commercial Recreation where permitted by the terms of the Unified Land Development Code: Outdoor and indoor recreational facilities including, but not limited to, tennis clubs, jai alai frontons, amusement and sport centers, outdoor amphitheaters, hunting and gun clubs, marinas, vehicular and non-vehicular race tracks, and outdoor wildlife attractions; Golf courses; Parks and Recreation; Mining and Excavation; and, Accessory facilities and activities that are an integral part and supportive of the recreational facility.

4. Agriculture

General

The State Comprehensive Plan clearly emphasizes the continuation of agriculture as an important and stable part of the State economy. The Agriculture Goal states: “Florida shall maintain and strive to expand its food, agriculture, ornamental horticulture, aquaculture, forestry, and related industries in order to be a healthy and competitive force in the national and international marketplace.”

The Treasure Coast Comprehensive Regional Policy Plan also stresses the importance of agriculture to Palm Beach County. The land use designations and provisions included in this Element are designed to support the Agricultural Industry while satisfying other goals of the County.

The County agricultural Future Land Use Designations are depicted on the Future Land Use Atlas and include:

1. Special Agriculture (SA). The SA category shall primarily be used as a transitional agricultural classification and is utilized for more intense agricultural uses and related services. Limited commercial activities that provide a convenience to the rural or agricultural community may be permitted within this category;
2. Agricultural Production (AP). The AP category shall be applied to the Everglades Agricultural Area to protect areas for bona fide agriculture and related farming operations, particularly where conditions favor continued agricultural production. Agricultural Production uses shall be protected from encroachment of incompatible urban land uses;
3. Agricultural Reserve (AGR). The AGR category shall be applied within the Agricultural Reserve Tier, and shall limit uses to agriculture and conservation with residential development restricted to low densities.

Uses

Rural and Exurban Tiers. Limited agricultural uses are expected to co-exist with residential uses. Additionally, the County encourages the continuation and enhancement of the equestrian industry by acknowledging the keeping, raising and training of horses as an agricultural use and shall allow a wide range of related activities and accessory uses in appropriate locations throughout Palm Beach County.

Special Agriculture Uses. The following land uses and intensities are allowed in areas designated Special Agriculture where permitted by the terms of the Unified Land Development Code:

1. Fruit and vegetable markets and terminals for farm products;
2. Agricultural production uses including, but not limited to, produce packing plants, poultry and egg production, nurseries, growing, livestock, training centers and potting soil manufacturing;
3. Agriculturally related services such as feed and grain stores and farm implement sales and service and fueling areas restricted solely to agricultural activities;
4. Mining, subject to the limitations;
5. Uses and structures accessory to a permitted use; and
6. Limited residential uses as described below,

    a) farm labor quarters and camps;
    b) caretaker's quarters, such as for pump houses;
    c) dwelling quarters and farm residences for bona fide farm operations; or
    d) dwelling units allowed as alternative use.

In order to protect existing residential uses, intense agricultural or other similar uses in the Special Agricultural (SA) future land use designation shall be limited or restricted. Some agricultural uses and intensities will not be permitted as a right within residential areas. While many agricultural uses may be permitted within residential areas, special care shall be taken to protect the existing neighborhoods. Alternative residential designations are depicted on the Future Land Use Atlas for some sites to allow these areas to convert to other uses.

Agricultural Production (AP) Uses: The following land uses and intensities are allowed within areas designated as Agricultural Production, where permitted by the terms of the Unified Land Development Code.

1. Cultivation of crops and livestock including: crop land, pasture land, groves, nurseries, ornamental horticulture areas, thoroughbred and pleasure horse ranches and equestrian facilities, cattle ranches, and specialty farms;
2. Facilities associated with, and dependent upon, a principal agricultural activity including but not limited to transportation, storage or processing of agricultural products or by-products;
3. Limited residential uses as described below,
   a) Farm labor quarters and camps;
   b) Caretaker's quarters, such as for pump houses;
   c) Dwelling quarters and farm residences for bona fide farm operations.
4. Parks and Recreation uses, Institutional uses and Utilities and Transportation uses designed to serve the needs of the agricultural production area including the needs of the limited residential uses described above;
5. Parks and Recreation uses, Institutional uses and Utilities and Transportation designed to serve Countywide, regional and/or state needs may be permitted subject to the siting criteria of the appropriate regulatory authority(ies) and any special review and siting criteria adopted by the Board of County Commissioners of Palm Beach County;
6. Communication Facilities;
7. Mining, subject to the limitations;
8. Uses and structures accessory to permitted use;
9. Residential and non-residential development pursuant to any approvals granted prior to the 1989 Plan adoption, or residential units required to accommodate the relocation of existing units that were approved prior to the 1989 Plan adoption.

5. Parks and Recreation

Parks and Recreation areas are designated on the Future Land Use Atlas to reflect developed or planned sites owned by a governmental entity that provide the public an opportunity to partake in a variety of recreational activities that may be active, passive, or special in nature in a safe and convenient manner that is compatible with its environs.

Parks and Recreation areas conserve open space and natural resources while providing the public with a variety of recreational and cultural opportunities. The County’s park system can be classified into six types of parks, dependent primarily on size of service area, available resource base, and recreational and/or cultural facilities provided. They range from local level parks that include infill, neighborhood, and community type parks to countywide level parks that include district, beach, and regional parks. Public parks in the County Park System offer an array of recreational opportunities through the provision of passive, active and special recreational facilities. Typically, passive or resource-based facilities, i.e. beaches, picnicking, hiking, nature centers, museums, camping, boating, etc., and special facilities such as golf courses, aquatic facilities, recreation centers are provided within regional, district, and beach parks. Uses such as beach renourishment may also be allowed on areas designated as Parks and Recreation. Active or user-based facilities, i.e, baseball, softball, football, soccer, tennis, basketball, play courts, exercise trails, etc., may be provided in all types of parks, subject to site constraints.

6. Institutional and Public Facilities (see 2.2.8 Institutional and Public Facilities)

7. Transportation and Utilities Facilities (UT)

Transportation Uses. Transportation uses include streets and other transportation corridors, expressways, interchanges, public and private airports and landing strips, ports, and railroad facilities. Airports and related facilities include, but are not limited to, airport and aircraft operations and maintenance facilities, cargo distribution terminals, car rental operations, warehouses, hotels, and offices. County owned or operated airports may include additional allowable uses, provided such uses are included in ULDC Article 3, Airport Zoning Overlay (AZO) and on the Airport Master Plans.

Utility Uses. Utility Facilities include a full range of utility uses such as water and sewage treatment plants, solid waste transfer stations and facilities, and electrical transmission facilities, towers, sub-stations and power plants. Communication Facilities include such facilities as television and radio station, towers and relay structures and telephone facilities. Animal Shelters and co-located Veterinary Clinics are allowed within the UT designation subject to the limitations of the ULDC.

8. Conservation

The County shall apply the following range of Conservation future land use categories at appropriate locations.

1. Natural Areas Conservation (CON): The County shall apply a CON category to natural areas for the purpose of conserving or protecting natural resources or environmental quality. These areas may be used for wildlife management, passive recreation, and environmental restoration/ preservation. The County shall designate lands which contain natural resources that are to be protected, restored, enhanced, and managed, as appropriate, to sustain viable ecosystems and wildlife habitat and natural resources. These natural areas may include site improvements to support uses which are deemed appropriate and consistent with the function of the designated area.
2. Water Resource Area (WRA): The County shall apply a WRA category to areas being used for regional/local water management purposes. Such purposes include but are not limited to: water supply development, flood protection, stormwater attenuation, seepage management, wetland enhancement and mitigation, water quality treatment (either passive or alternative technologies as provided in Chapter 373, F.S.), and recharge areas. These areas may include site improvements to support uses as deemed appropriate and consistent with the function of the designated area.

9. SPOIL

General. Spoils are sites in Palm Beach County where the State of Florida and/or federal government has given approval for sand or soil disposal. These sites may be located either on the mainland or on islands located within the Intracoastal Waterway or Lake Okeechobee. Spoil sites are created and serve as an appropriate receiving area for dredged sand, or earth dredged from the bottom of navigable water channels. The Spoil future land use designation is designed to protect and retain this use.

Permitted Uses. Spoil uses include: sand or soil disposal, islands left in their natural state, conservation, and parks with passive recreation.

D. Map Interpretation

The Future Land Use Atlas delineates the future land use designations and other special designations.

Non-residential boundary determinations. In some cases, rear portions of lots intended to be designated Commercial or Industrial may appear to lie outside the mapped area due to the lack of detail of the Future Land Use Atlas and the actual configuration of a lot or lots. Therefore, the information in Table III.D.1 will be used in determining the specific depth of commercial or industrial designations where individual lot lines are not coterminous with a mapped future land use. All disputes regarding land use boundaries, including residential density, will be decided using the Future Land Use Atlas and Table III.D.1, where applicable.

Table III.D.1
Additional Criteria for Determining the Depth, Width, and Use for Commercial and Industrial Designations

IF:	THEN:
A. 1.A lot extends beyond the commercial or industrial land use designation line on the FLUA; and 2.the land area beyond the line on the FLUA totals less than one acre.	The County may rezone the area beyond the line to commercial with cross-hatching or industrial, provided: 1. the entire lot is developed as a unified site plan; and 2. the amended lot area on the FLUA is only be used for water retention, landscaping, and/or at-grade parking.
B.1.A lot extends beyond the commercial or industrial land use designation line on the FLUA; and 2.the width of the lot does not exceed 300 feet; and 3.the lots adjacent to both sides of the subject lot have previously been granted a commercial or industrial designation beyond the line on the FLUA.	The County may rezone the lot area beyond the line to commercial or industrial to the same depth as exists on the adjacent lot with the lesser depth designated commercial or industrial, provided: 1.the remaining portion of the lot would not be substandard for residential or another use permitted under its future land use designation. 2.both lots are not cross-hatched. If both lots are designated as commercial with cross-hatching, then the portion of the subject lot behind the line shall be amended to commercial with cross-hatching.
C. 1.A lot has a commercial or industrial land use designation on the FLUA; and 2.does not front on a collector or arterial roadway.	The lot may be rezoned to commercial or industrial provided: 1.it is combined through a unity of title with a lot which fronts on a collector or arterial roadway; and 2.the lots are developed through a unified site plan.
D.A lot does not have a commercial or industrial land use designation, but: 1.has frontage on a collector or arterial roadway; 2.has a maximum width of one hundred and fifty (150) feet; and 3.is situated between and adjacent to lots with commercial and/or industrial land use designations.	The County may rezone the subject lot to commercial or industrial. This shall apply even if one or both of the adjacent commercial and/or industrial designated lots are located within a municipality.
E.A lot with a commercial land use designation on the FLUA has a portion which is indicated by cross-hatched lines.	The portion of the lot that is cross-hatched: 1.must only be used for water retention, landscaping, and/or at-grade parking; or 2.may be developed as residential based on the underlying residential land use designation.
F. A portion of a lot: 1.was granted commercial or industrial zoning prior to August 4, 1989; and 2.has a commercial or industrial land use designation on more than fifty percent of the lot area.	The County may rezone the entire lot to commercial or industrial. Lots that meet this criteria may not be restricted by the requirements of A through E above; however, the County may impose cross-hatching on the parcel to address compatibility concerns.
G.1. A lot was granted a commercial designation on the FLUA at the time of the adoption of the Comprehensive Plan; and 2. its sole frontage is on a local street.	The lot shall be limited to single or double occupancy professional offices; or may be rezoned to commercial or provided: 1.it is combined through a unity of title with a lot which fronts on a collector or arterial roadway; and 2.the lots are developed through a unified site plan.
Note: 'Lot' is defined in the Introduction and Administration Element. The intent of the above language which references rezoning to "commercial or industrial" is meant to grant commercial land use designations and zoning to those parcels located between or adjacent to commercial parcels and grant industrial land use designations and zoning to those parcels located between and adjacent to industrial parcels. Properties utilizing the provisions of A, B, C, or D, above, may be the subject of a County initiated land use amendment after the rezoning.	

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Future Land Use Element Amendment History

Round	Description	Adoption	OrdNum	Effective	Note*
91-S	Stipulated Settlement Agreement amendments for 90-54, 91-31, 91-48 and 91-49. Density determinations; Policy 1-l (original 3.5-d); TNDs; Non-conforming uses. Includes justification for these ordinances and data on crosshatching.	10/20/1992	1992-28	11/3/1992	Settled 91-31, 91-48, 91-49
89-1	Adopted	8/31/1989	1989-17	9/11/1989	
90-1	Stipulated Settlement Agreement Amendments to find Plan in compliance	9/18/1990	1990-32	10/4/1990	Settlement
91-1	85% Rule, TND provisions, Westgate/ Belvedere Homes; commercial criteria; residential in commercial flus.	8/22/1991	1991-31	9/15/1991	Settled by 1992-28
91-2	Establish - Commercial location criteria; MacArthur Park Overlay; Interim TDR Program; Urban Form Study; original Policy 3.5-d as 1-l; minimum density; accessory housing and density for INST FLU. Economic Element CH2M Hill Commercial Land Study.	12/16/1991	1991-48	12/27/1991	Settled by 1992-28
91-2	To establish a Countywide FLUE - Found not in compliance - not part of this FLUE	12/16/1991	1991-49		Repealed by 1992-28
92-1	Extend deadline for TDRs; residential in commercial flus; extend deadline for AGR study; address TIM takings.	4/20/1992	1992-06	5/1/1992	
92-2	Thoroughfare Protection Map changed to Identification (TIM); Establish: reduce flu on under-developed residential projects; conditions for FLUA amendments; eliminate 3 acre PUD min; res. In commercial as alt. Uses; Infill Policy; res in PIPD; PUD to PPD.	10/26/1992	1992-31	11/9/1992	W/corrections to 91-31
92-2	Non Trans Map changes - Wellfield Map; Major Wetlands; Conservation Areas; Selected Wildlife Habitats.	10/26/1992	1992-31	11/9/1992	W/corrections to 91-31
93-2	Commercial sub-categories - eliminate need for 2 major arterials for a car dealer, convenience store, fast food, service station and/or car was in the USA, but retain for RSA; Add TAPO; modify INST and UT and allow in all flus.	12/20/1993	1993-32	2/21/1994	
94-1	To revise mining and excavation.	7/21/1994	1994-16	9/28/1994	
94-1	Ag uses in the USA.	7/21/1994	1994-18		??
94-2	PBIA Overlay revisions; I&A Revise Amendment requirements and process.	12/20/1994	1994-32	2/24/1995	

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Round	Description	Adoption	OrdNum	Effective	Note*
94-2	Ag Reserve. Found NIC and later settled in 1995.	12/20/1994	1994-36		NIE
94-2	Ag Reserve Stipulated Settlement Agreement.	9/19/1995	1995-39	1/11/1996	Settlement for 1994-36
95-1	To revise the time period for assurance that very-low and low-income housing remains affordable.	11/7/1995	1995-44	1/11/1996	
95-1	Commercial Location Criteria	11/7/1995	1995-45	1/11/1996	
95-2	Intro-Admin Definition of lot and density determination, contiguous lots; Linked Open Space Program	12/6/1995	1995-58	2/6/1996	
96-1	PBIA Overlay revisions; HR-12 FLU and dispersal of low income housing	9/26/1996	1996-32	11/22/1996	
96-1	2010 to 2015 Roadway Network Map change, including all references in FLUE, CIE, TC	9/26/1996	1996-35	11/22/1996	
96-1	To accommodate UT as an underlying designation on PBC Airports property	9/26/1996	1996-39	11/22/1996	
96-D1	Large Scale Multiple Use Future Land Use Designation (future MLU) for the Forest Hill Mall (Wellington Commons)	8/26/1996	1996-25	10/31/1996	
97-1	Sugar Cane Protection Area Overlay text and identified on FLUA	9/22/1997	1997-30	12/3/1997	
97-1	EAR Revisions, inc to encourage mixed use projects, to promote JPAs, monitor previously committed residential projects, coastal high hazard density, utility siting; mining; linked open space; TDRs; Neighborhood Plans; Commercial sub-category criteria.	9/22/1997	1997-34	12/3/1997	
97-2	Large Scale Multiple Use Overlay	11/17/1997	1997-48	1/14/1998	
97-2	Residual Parcels Added Policy 1.3-j	11/17/1997	1997-48	1/14/1998	
97-2	Existing Commercial in the Ag Reserve	11/17/1997	1997-48	1/14/1998	
97-2	Commercial Criteria revised to establish a Commercial Needs Assessment Study	11/17/1997	1997-48	1/14/1998	
97-2	Lake Harbor	11/17/1997	1997-48	1/14/1998	
97-2	Minimum Density Clarification	11/17/1997	1997-48	1/14/1998	

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Round	Description	Adoption	OrdNum	Effective	Note*
97-2	Housing EAR Reflections	11/17/1997	1997-51	1/14/1998	
97-2	Minimum Density Exemption	11/17/1997	1997-53	1/14/1998	
97-2	Allow limited water/sewer service on Southern Blvd outside the USAB	11/17/1997	1997-54	1/14/1998	
98-1	Intro-Admin FLUA description, Amendment Criteria, 85% Rule, Adoption of Special Overlays Map	9/16/1998	1998-43	11/12/1998	
98-1	TDR Program revisions, including establishing as the required method for increasing density	9/16/1998	1998-44	11/12/1998	
99-1	Establish the Managed Growth Tier System and to revise for consistency	8/17/1999	1999-26	10/14/1999	
99-1	Relocate the Linked Open Space Map to the Map Series; Add MGTS Map; revise Special Planning Areas Map; Revise Service Areas Map; renumber all maps; FLUA revise USAB for consistency; revise FLUA USAB for consistency with MGTS Map.	8/17/1999	1999-30	10/14/1999	
99-1	Revisions to Mining and Excavation	8/17/1999	1999-32	10/14/1999	
99-1	Addition of Public School location Policies 1.2-f and 2.2.8-c	8/17/1999	1999-33	10/14/1999	
99-1	Re-org per MGTS; def of lot, contiguous lots, commercial categories and criteria, EDC category, alternate flus, TTDs, TDRs, UT Overlay, Neighborhood Plans revise and list, JPAs, add Directions; delete many policies inc. intersection criteria.	8/17/1999	1999-34	10/14/1999	
99-1	Corrective Ordinance for scrivener's errors in ordinances 99-32 and 99-33	9/23/1999	1999-36	1/19/2000	
99-2	Corrective Ordinance for scrivener's errors in ordinances 99-26 and 99-34	12/13/1999	1999-50	1/19/2000	
99-2	LSMU Revised and renamed MLU; revise the FLUA for consistency	12/13/1999	1999-64	1/19/2000	
99-2	If/Then Table rewrite and Cross-hatching language revised	12/13/1999	1999-64	1/19/2000	
99-2	Commercial Category Criteria and FAR Table revised	12/13/1999	1999-64	1/19/2000	
99-2	Add the Indiantown Road Overlay Zone Sub-Objective and policies; revise the FLUA	12/13/1999	1999-65	1/19/2000	

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Round	Description	Adoption	OrdNum	Effective	Note*
00-1	Northlake TIM related; revise language regarding Rural Design Standards to eliminate language regarding landscaping, FARs, buffers, and open space.	9/18/2000	2000-26	11/14/2000	
00-1	To revise affordable housing in INST flu; isolated mid-block, commercial locations in rural and exurban tiers, Glades Tier to change list of allowed flus, FAR table to add RR, commercial location criteria, UT siting, Mining, Linked Open Space.	9/18/2000	2000-30	11/14/2000	
00-1	Revisions regarding alternative/ underlying land uses	9/18/2000	2000-30	11/14/2000	
00-1	Transfer of Development Rights - minor revisions	9/18/2000	2000-31	11/14/2000	
00-1	Minimum Density Revisions - to remove minimum density for LR-2 & LR-3 and allow an exemption for MR-5	9/18/2000	2000-31	11/14/2000	
00-1	Add Sector Plan to Special Planning Areas Map LU 3.1; add new facilities to Existing and Future Fire-Rescue Stations Map FR 1.1, add new facilities to Palm Beach County Library System Map LS 1.1	9/18/2000	2000-32	11/14/2000	
00-2	Lake Okeechobee Scenic Trail Overlay - addition of sub-objective and policies to establish the LOST; add the LOST to the FLUA and to the Special Planning Areas Map LU 3.1	12/6/2000	2000-50	1/31/2001	
00-2	Usable Open Space - revisions to delete the word 'green' with regards to TTD usable open space	12/6/2000	2000-51	1/31/2001	
00-2	Inter-connectivity - revisions to Policy 4.3-g to include pedestrian connectivity	12/6/2000	2000-52	1/31/2001	
00-2	Revisions to minimum and maximum density and exemptions; FAR Table revisions for CL, CL-O, and CH; I&A Contiguous lots definition added	12/6/2000	2000-53	1/31/2001	
01-1	Addition of Commercial Needs/Assessment Study, policy reference updates, commercial category criteria, TDR at no cost in CCRT, Parks and Recreation in Implementation, Mining and Water Management in AP flu, and United Tech Overlay.	8/27/2001	2001-44	10/22/2001	
01-1	Agricultural Reserve Master Plan rewrite; add AGR to the Service Area Map LU 2.1	8/27/2001	2001-61	10/22/2001	
01-2	To establish the SPOIL designation	12/5/2001	2001-72	1/28/2002	
01-2	To revise the PBIA Overlay to revise non-conversion areas	12/5/2001	2001-73	1/28/2002	

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Round	Description	Adoption	OrdNum	Effective	Note*
01-2	To revise the MLU designation significantly	12/5/2001	2001-74	1/28/2002	
01-2	To eliminate minimum density in MR-5 flu; to revise the If/Than Table 2.2.2-1; delete TDR compatibility language and reassign to DRO	12/5/2001	2001-75	1/28/2002	
01-2	School Concurrency Related minor edit to Policy 2.1-e, regarding encouraging schools in residential areas.	12/5/2001	2001-77	1/28/2002	
02-1	To revise Table 3.1-1 to rename Volume to Capacity to Volume Delay Speed for consistency Traffic Performance Standards revisions	8/28/2002	2002-47	10/25/2002	
02-1	To establish the Lake Worth Park of Commerce Urban Redevelopment Area designation	8/28/2002	2002-52	10/25/2002	
02-1	To prohibit power plants and correctional facilities in res flus; require LOS D in Policy 3.5-d for FLUA amend; establish an FAR for non-res uses in residential flus; allow res. In multiple and mixed uses (6 & 7) in commerical flu instead of only in MLU.	8/28/2002	2002-52	10/25/2002	
02-2	To revise Table 2.1-2 to establish a .20 FAR for CL without a PDD	12/18/2002	2002-79	2/19/2003	
02-2	To provide guidelines for office Traditional Marketplace Developments in the Ag Reserve; revise location restrictions; establish cap for commercial square footage in Ag Reserve; revise CL-O FARs and notes in Table 2.1-2.	12/18/2002	2002-80	2/19/2003	
02-2	To delete farm residences at a 1 unit per 20 acre density in the preserve areas of AGR PUDs.	12/18/2002	2002-81	2/19/2003	
02-2	To clarify language regarding Ag Reserve PUD preserve area ownership and maintenance	12/18/2002	2002-82	2/19/2003	
02-2	To add Acme Dairy Rd to the list of roads on which frontage is required for an AGR 60/40 PUD.	12/18/2002	2002-83	2/19/2003	
02-2	For FLUA Amendments, delete required 'demonstrate that the current use is unsuitable' and replace with 'provide an adequate justification and need'; add accessory commercials uses in Industrial flu Implementation Section.	12/18/2002	2002-84	2/19/2003	
03-1	To require commercial interconnectivity where feasible through new Policy 4.3-k	8/21/2003	2003-36	10/27/2003	
03-1	To revise strip commercial development in Policy 2.2.2-e; revise language regarding residential underlying uses in INST flus.	8/21/2003	2003-41	10/27/2003	

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Round	Description	Adoption	OrdNum	Effective	Note*
03-2	Revise TTDs and TMDs; add RR Cluster or Variable Lot Size Dev.; delete the CCSO and TMD for office from the Ag Reserve; to add CL-O to Lake Harbor and Canal Point; add residual parcel; revise Table 2.1-2 to delete RSER; revise commercial categories.	11/24/2003	2003-61	8/5/2004	
03-2	Re-establish Table 2.2.10-1 re: TTDs	6/28/2004	2004-17	8/5/2004	Settlement for 2003-61
04-1	To revise Table 2.1-2 FAR to change 'non-retail' to medical & prof office & self storage	8/24/2004	2004-25	10/29/2004	Add 2014
04-1	Intro-Admin regarding Digital GIS FLUA; to revise FLUA language; to revise Infill Policy; to revise Table 2.1-2 CL FAR and notes; to delete language regarding commercial categories	8/24/2004	2004-25	10/29/2004	
04-1	To revise Rural Tier Service delivery, establish PBC WUD as the default water/sewer provider; delete water/sewer restriciton in Rural Service Area; revise TAPO; to revise the FLUA, the Special Planning Areas Map LU 3.1, Wellfield Map LU 4.1 TAPO boundary.	8/24/2004	2004-26	10/29/2004	
04-1	Workforce Housing Program; to replace references to the VDB Program with the Workforce Housing Program	8/24/2004	2004-27	10/29/2004	
04-2	To revise Table 2.1-1 Notes and add notes 4 & 5; to add references to Workforce Housing policies to AGR PUD provisions.	12/13/2004	2004-58	2/2/2005	
04-2	To add Test 2 to Policy 3.5-d.	12/13/2004	2004-59	2/2/2005	
04-2	To establish the Glades Area Protection Overlay; to add criteria for a Limited Urban Service Area (LUSA) to Objective 3.3 (same language as Scripps); to add GAPO LUSA on the MGTS Map LU 1.1 and the Services Map LU 2.1; and add to Spec. Map LU 3.1.	12/13/2004	2004-66	7/5/2005	
04-SC1	To add Scripps Scientific Community Overlay; revise Limited Urban Service Area Objective 3.3 to add criteria and list LUSAs where USA rules apply and regarding water/sewer in LUSA, add SCO LUSA to MGTS Map LU 1.1, Service Area LU 2.1, and Spec. LU 3.1.	8/24/2004	2004-34	5/10/2005	Repealed
04-SC1	To accommodate the Scripps Scientific Community Overlay by revising Policy 3.5-d to exempt the Overlay.	8/24/2004	2004-35	5/10/2005	Repealed

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Round	Description	Adoption	OrdNum	Effective	Note*
05-1	In Ag Reserve to allow squaring subdivisions; allow AGR PUD gov. uses to serve outside residents; add accessory and farmworker/grooms housing in AGR TMD preserves; to revise PBIA Overlay; in Exurban Rural delete commercial intersection criteria, TMD, TTD.	8/25/2005	2005-25	11/1/2005	
05-1	To revise the Development Review Committee to Officer; to update numerical references to ULDC Articles	8/25/2005	2005-26	11/1/2005	
05-1	To delete four policies regarding the Commercial Needs/Assessment Study	8/25/2005	2005-27	11/1/2005	
05-1	To establish the Urban Redevelopment Area; add to RRIO on the MGTS Map LU 1.1 to consist only of the 104 CCRT areas and the URA (no cities); add URA, LWPOC, LW Com. Corridor to Spec. Planning Map LU 3.1	8/25/2005	2005-29	11/1/2005	
05-1	To increase the residential bonus density pool from 300 to 1300 units	8/25/2005	2005-33	11/1/2005	
05-1	To establish the Central Western Communities Sector Plan; to add the Overlay to the Special Planning Areas Map LU 3.1; to adopt the CWC Sector Plan Conceptual Plan Overlay Map LU 9.1	8/22/2005	2005-34		NIE
05-2	In IA, revise SCA FLUA Amend criteria; revise Tier re-designation criteria; delete restriction on re-designations until the next EAR; to revise TDR Density in the Glades Tier; to change the Rev. Overlay to RRIO; CCRT and LW Com. Corridor Overlay.	11/28/2005	2005-53	1/24/2006	
05-2	To relocate overlays from the FLUA to the Special Areas Map LU 3.1; change requirement that notes on FLUA for AGR Preserves are adopted by ordinance to allow adding administratively; to amend the FLUA accordlingly to remove adopted overlays and notes.	11/28/2005	2005-54	1/24/2006	
06-1	Waterfront Marine Service Overlay	8/21/2006	2006-19	10/23/2006	
06-1	Workforce Housing	8/21/2006	2006-22	10/23/2006	
06-1	EAR Revisions	8/21/2006	2006-23	10/23/2006	
06-1	To recognize approved airport master plans and additional uses on airport properties	8/21/2006	2006-25	10/23/2006	
06-2	Mining and Excavation - Not shown in this document	11/13/2006	2006-48		NIE

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Round	Description	Adoption	OrdNum	Effective	Note*
06-2	Infill Policy 1.2.2-a	11/13/2006	2006-49	2/23/2007	
06-2	To revise Traditional Town Development Residential from minimum 55% to 60%	11/13/2006	2006-49	2/23/2007	
06-2	Addition of Bioscience Research Protection Overlay	11/13/2006	2006-50	2/23/2007	
07-1	To modify Policy 1.2.2-a regarding the ability of an infill property to develop at the maximum density of its land use designation	8/27/2007	2007-10	10/29/2007	
07-1	To revise definition of lot in If/Then Table 2.2.2-1	8/27/2007	2007-10	10/29/2007	
07-1	To modify Transfer of Development Rights policies regarding attainable housing	8/27/2007	2007-10	10/29/2007	
07-1	To modfiy language in the Implementation Section regarding freestanding uses in the Industrial land use designation	8/27/2007	2007-10	10/29/2007	
07-1	To revise policies to further define qualifying characteristics of a Transit Oriented Development	8/27/2007	2007-10	10/29/2007	
07-1	To add references to the Strategic Intermodal System (SIS) in Policy 3.5-d notes	8/27/2007	2007-11	10/29/2007	
07-1	To add policy 4.4.9-a to designate SR7 from Glades Rd to the Broward line as a Transit Oriented Corridor	5/19/2009	2009-10	7/29/2009	Settlement
07-2	To establish the URA sub-objective & add references to the URA Master Plan & Regulating Plan	11/26/2007	2007-26	1/28/2008	
07-2	To revise the Greenways & Linked Open Space System including Map 8.1.	11/26/2007	2007-27	1/28/2008	
07-2	To revise residual parcel language, Inst and UT FARs in the AGR Tier, to change DRC to DRO, to revise legal lot policy, to remove reference to the deleted Economic Element, to change the Marine Waterfront from a flu to an overlay.	11/26/2007	2007-27	1/28/2008	
07-M	To delete Scientific Community Overlay & related text	11/26/2007	2007-34	1/3/2008	
07-M	To delete exemption of Scientific Community Overlay in Policy 3.5-d	11/26/2007	2007-35	1/3/2008	
08-1	To establish the new FLU in the Rural Tier, to establish as LUSAs, and exempt from Policy 3.5-d. And, to add the LUSA to the Service Areas Map 2.1.	8/21/2008	2008-19	10/17/2008	

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Round	Description	Adoption	OrdNum	Effective	Note*
08-1	To update references (same policies as Commercial Location Amend)	8/21/2008	2008-29	10/17/2008	
08-1	To establish the Overlay with an objective and policies	8/21/2008	2008-32	10/17/2008	
08-1	To revise Commercial Location policies, eliminate mid-block, and establish the Lifestyle Commercial Center	8/21/2008	2008-33	10/17/2008	
08-1	To recognize animal shelters, to revise the PBIA Overlay to clarify text and sunset the committee, to clarify INST density & intensity provisions, and to clarify Ag Reserve preserve requirements.	8/21/2008	2008-33	10/17/2008	
08-1	To add regulations and new Future Land Use designations and related requirements regarding the Urban Redevelopment Area & Priority Redevelopment Areas, inc. revising the TCEA & CRALLS Map TE 15.1, adding 15.5, and revising URA Regulating Map LU 9.1.	8/21/2008	2008-33	10/17/2008	
08-2	To allow Flex Space under the Commercial High and Industrial Future Land Use Designations	12/3/2008	2008-52	2/11/2009	
08-2	To re-organize the FLUE to remove redundant text, consolidate related provisions, and delete outdated language	12/3/2008	2008-54	2/11/2009	
09-1	To allow IND as an underlying FLU to AP for Inland Logistic Centers, and to allow such sites to be LUSAs.	8/25/2009	2009-26		Part NIC
09-1	To modify the future land use atlas amendment traffic analysis requirements to be cumulative.	8/25/2009	2009-31	10/23/2009	
09-1	To allow Electrical power facilities utilizing renewable energy (limited to solar, wind, and hydroelectric power) in all FLUs except conservation.	8/25/2009	2009-32	10/23/2009	
09-1	To add a principle to promote energy efficient land uses, to add Policy 2.1-l to consider energy efficiency in the next EAR and in Neighborhood Plans.	8/25/2009	2009-32	10/23/2009	
09-1	To add language regarding the FLUA from the I&A Element, to delete reference to the Economic Element, to delete 'interim land use' term regarding Agriculture in the USA,	8/25/2009	2009-32	10/23/2009	
09-1	To update language regarding the mission and role of OCR.	8/25/2009	2009-32	10/23/2009	
09-1	To add references to the Affordable Housing Program and revise the Workforce Housing Program	8/25/2009	2009-33	10/23/2009	

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Round	Description	Adoption	OrdNum	Effective	Note*
09-1	To add a requirement for the creation of Special Districts, to add Apartments as a building type, and to extend the Stormwater study to 2011.	8/25/2009	2009-34	10/23/2009	
09-2	To revise the Policy 2.2.2-a to regarding commercial location; to allow Lifestyle Commercial Centers in CL and modify the FAR table for LCCs; to revise MLU FLU; to revise non-conforming uses; and remove CWC Overlay references.	11/19/2009	2009-44	1/11/2010	
09-2	To revise URA Priority Redevelopment Areas to delete the Lake Worth Road Commercial Corridor Overlay; to add references to the URA Master Plan Addendum; to add references to new PRAs in Map LU 9.2; and to add specialized districts.	11/19/2009	2009-46	1/11/2010	
10-1	To establish the Lion Country Safari Overlay Objective and Policies with associated FLUA amendment to the site.	8/30/2010	2010-28	11/4/2010	
10-1	To correct errors from FLUE re-org in 08-2, by returning FLU by Tier limits and limiting appropriateness review to residential amendments; add new neighborhood plan LWRD; add new study types; delete Annual Adequate Public Facilities Report.	8/30/2010	2010-32	11/4/2010	
10-1	To revise Transfer of Development Rights to reduce Workforce Housing units from 50% to 35% ; to these units as "no cost"; and to add that BCC shall establish the reduced value of these units.	8/30/2010	2010-32	11/4/2010	
10-2	To exempt the Inland Logistics Center amendment site (LGA 2010-024) from the traffic provisions in Policy 3.5-d	10/25/2010	2010-47	11/22/2010	
10-2	To revise the FLUA Regulation Section to limit medical office uses in the Institutional and Public Facilities future land use designation to four specific sites.	10/25/2010	2010-49	11/22/2010	
11-1	To revise Urban Redevelopment Area regulations in Sub-Objective 1.2.2.	7/26/2011	2011-14	8/29/2011	
11-2	To revise Revitalization, Redevelopment, and Infill Overlay provisions to update the number of Countywide Community Revitalization Team (CCRT) areas. And, MGTS Map LU 1.1, to revise RRIO boundaries for CCRT and remove the 'wedge'.	10/11/2011	2011-22	11/24/2011	
12-1	To allow packing plants within the Ag Reserve AgR-PDD Preserve Areas subject specific criteria.	7/23/2012	2012-15	8/31/2012	

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12-1	To allow medical uses in an INST future land use designation for a site surrounded by Bethesda West Hospital in the Ag Reserve.	7/23/2012	2012-16	8/31/2012	
12-1	To revise Transfer of Development Rights provisions to allow an exception for density increases proposed by neighborhood plans and to list the LWRDNP.	7/23/2012	2012-19	8/31/2012	
12-2	To modify the FLUA Regulation section to exempt a 64.48 acre site from the single tenant limitation in the ULDC.	10/29/2012	2012-33	12/9/2012	
12-2	To revise references to Bicycle Transportation Maps and Plans to reflect changes to the map series.	10/29/2012	2012-36	12/9/2012	
13-1	To add the West Gun Club Neighborhood Plan to the FLUE and Special Planning Areas Map LU 3.1.	4/25/2013	2013-10	6/8/2013	
13-2	To revise per EAR by adding FLU table and replacing 9J-5 references with Ch 163, and deleting Sector Plan references	10/28/2013	2013-24	12/18/2013	
14-1	To revise and consolidate the County Directions and relocate the Characteristics of Livable Communities	4/28/2014	2014-13	6/7/2014	
14-1	To add Climate Change to the county directions, add a sub-objective and policies to address county climate change efforts and to revise or delete related policies	4/28/2014	2014-14	6/7/2014	
14-1	To add the Pioneer Road Neighborhood Plan to the list of completed neighborhood plans and to the Spec. Planning Area Map LU 3.1	4/28/2014	2014-15	9/23/2014	Initially Challenged
14-2	To add a policy and revise language regarding the airport properties including the Airport Zoning Overlay and related UT FLU changes	10/30/2014	2014-35	12/7/2014	
14-3	To revise Ag Enclave for Minto West	10/29/2014	2014-30	7/7/2015	Initially Challenged
15-1	To revise Industrial future land use designations	4/29/2015	2015-17	6/12/2015	
15-2	To revise policies and regulations regarding residential future land use designations.	10/26/2015	2015-44	12/4/2015	
15-2	To add language recognizing the Glades Region Master Plan and to make related changes.	10/26/2015	2015-45	12/4/2015	
15-2	To eliminate the requirement that AGR-PUD preserves be contiguous to preserves 150 acres or greater.	10/26/2015	2015-46	12/4/2015	

** NIE means not in effect - not within element*

Round	Description	Adoption	OrdNum	Effective	Note*
16-A	To revise Policy 3.5-d to allow all impacts on FIHS & SIS roadways to be reviewed the same as other roadways.	1/27/2016	2016-03	3/25/2016	
16-A	To revise language regarding pre-existing Commercial & Institutional sites in the AGR Tier.	1/27/2016	2016-05	3/25/2016	
16-B	To revise the Glades Area Protection Overlay to allow an Employment Center	4/27/2016	2016-26	6/9/2016	
16-B	To add ability for Farm Residences in AGR-PDD Preserves	4/27/2016	2016-27	6/9/2016	
16-B	To allow additional small opportunities for Commercial in the Ag Reserve	4/27/2016	2016-28	6/9/2016	
16-C	For private FLUA West Boynton, to add a policy in Ag Reserve Tier to identify the Acme Dairy/Boynton Bch Blvd intersection as a Major intersection.	8/22/2016	2016-36	10/1/2016	
16-C	To add flexibility to Urban Infill and Urban Center future land use designations, including allowing prior future land use and zoning	8/22/2016	2016-37	10/1/2016	
16-ITG	To add the Western Communities Residential Overlay and future land use designation for Indian Trails Grove site, inc. a Policy 3.5-d exemption.	9/22/2016	2016-41	10/29/2016	
17-A	To revise commercial location criteria to allow commercial at Southern Blvd and Cleary Road.	1/26/2017	2017-01	3/16/2017	
17-A	To revise mixed and multiple use polices, to correct RH zoning, revise residential in commercial zoning, revise MLU, and to delete ED Overlay.	1/30/2017	2017-04	3/16/2017	
17-A	To add a policy for the Equestrian Waste Recycling Pilot Program and to revise the SA future land use designation.	1/30/2017	2017-05	3/16/2017	
17-B	To exempt the private FLUA John Glades West MLU from Policy 3.5-d	4/26/2017	2017-14	6/3/2017	
17-B	To revise references reflecting the deletion of the Public School Facilities Element.	4/26/2017	2017-15	6/3/2017	
17-C	To delete the SR7 Transit Oriented Corridor.	7/26/2017	2017-23	9/8/2017	
17-D	To delete language added regarding Equestrian Waste by Ord. 2017-05.	10/30/2017	2017-33	12/7/2017	
17-D	To establish the Congregate Living Residential future land use designation, to revise residential future land uses and density, and to update the infill policy	10/30/2017	2017-36	12/7/2017	

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Round	Description	Adoption	OrdNum	Effective	Note*
17-D	To increase the commercial cap in the Ag Reserve Tier to accommodate private FLUA Three Amigos.	10/30/2017	2017-39	12/7/2017	
18-D	To revise polices related to residential future land use designations, including adding rural enclave policy, and adding AR in all residential designations	10/31/2018	2018-31	12/15/2018	
19-A2	To revise policies related to the Workforce Housing Program	8/22/2019	2019-32	9/29/2019	
20-A	To revise policies related to non-residential future land use designations including FAR, MLU, adding Zoning consistency table, and removing MXPD.	6/29/2020	2020-11	8/16/2020	
20-A	To exempt self-storage from Ag Reserve Commercial Cap, to allow higher FAR for self-storage in Ag Reserve Tier.	7/30/2020	2020-14	9/13/2020	
20-B	To modify Policy 1.5-t to revise language related to Faith Farm Ministries site in the Ag Reserve.	8/27/2020	2020-18	10/9/2020	
20-B	To modify Policy 1.5-t to revise language related to Faith Farm Ministries site in the Ag Reserve.	8/27/2020	2020-18	10/9/2020	
20-B2	To allow an exception to the Exurban Tier commercial location policies subject to certain criteria	10/22/2020	2020-22	12/10/2020	
21-B2	To modify policies regarding Lake Worth Drainage District (LWDD) Canal Rights-of-Way as AGR-PDD Preserve Areas	11/3/2021	2021-32	12/19/2021	
21-B2	To allow the Congregate Living Residential Future Land Use Designation in the Agricultural Reserve Tier with associated changes	4/28/2022	2022-11	6/2/2022	
22-A	To establish the Pioneer Road Rural Enclave Overlay	2/2/2022	2022-05	3/17/2022	
22-A	To allow the Multiple Land Use FLU and higher residential densities in the Agricultural Reserve Tier with associated changes	7/28/2022	2022-17	9/9/2022	
22-B	To establish the Essential Housing Future Land Use Designation to allow for higher residential densities in the Agricultural Reserve Tier	8/25/2022	2022-23	10/8/2022	
22-B	To establish the Commerce Future Land Use Designation for light industrial uses	8/25/2022	2022-24	10/8/2022	
23-A	To establish the Trotting Center Overlay and to Revise Rural Tier Policies and Provisions	2/23/2023	2023-08	4/7/2023	
23-B	To establish the Biltmore Acres Rural Enclave Overlay	8/30/2023	2023-31	10/12/2023	

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Round	Description	Adoption	OrdNum	Effective	Note*
23-B	To modify policies regarding the Commerce FLU, including clarifying location criteria and revising the maximum FAR in the AGR Tier	8/30/2023	2023-32	10/12/2023	
23-B	To modify policies regarding the CLR FLU in the AGR tier, including to allow the required preserve area to be provided onsite, to allow for additional uses in the preserve area and to allow for additional sites to be eligible for the CLR FLU	10/26/2023	2023-35	12/7/2023	
23-B2	To establish the Heritage Farms Rural Overlay	11/1/2023	2023-37	12/11/2023	
24-A	To revise the Trotting Center Overlay policies and provisions related to Verdura Farms	2/22/2024	2024-02	3/31/2024	
24-A	To expand the Glades Area Protection Overlay to include Lakehaven PUD by revising related policies and to revise the Rural Tier Objective, policies and provisions	4/25/2024	2024-07	5/31/2024	
24-A2	To allow an agriculture marketplace within the preserve area of an AGR-MUPD	8/22/2024	2024-17	9/29/2024	

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Revised: 04/25/13, Ord. No. 2013-11, Effective 06/08/13
Revised: 05/02/18, Ord. No. 2018-007, Effective 06/21/18
Revised: 08/22/19, Ord. No. 2019-32, Effective 09/29/2019

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HOUSING ELEMENT

I. INTRODUCTION

A. Purpose

The purpose of the Housing Element is to: 1) identify existing and projected deficits in the supply of housing to meet the needs of the County's population, particularly the very low and low income families; 2) analyze housing trends and the causes, scope and nature of any housing problems, 3) develop appropriate plans, programs and policies to bring about the accomplishment of the necessary housing, whether through private-sector efforts, non-profit, public/private partnerships or the public sector, and 4) to guide and coordinate all housing activities to eliminate duplications and increase efficiency of the housing delivery system.

The Housing Element of the Comprehensive Plan has several other characteristics that distinguish it from other Plan elements. First, housing is primarily provided by the private sector, and market demand largely dictates the type and location of housing projects. The County's development regulations (e.g., Zoning and Building Codes) only guide the private sector in the development and construction of housing. Second, because housing is an essential human need, the public sector has the responsibility to ensure adequate, safe housing, especially for low, and very low income families, elderly and other disadvantaged groups. Third, the primary criterion for those seeking housing is not local jurisdiction except for those families who can afford to choose a specific location. Factors determining housing selection include personal choice, financial limitation, value, safety and rent.

Much of the planning and coordination of affordable housing services delivery is done through other documents, required as part of State and federal funding programs. As a result the Housing Element does not establish separate targets and approaches, but primarily utilizes the housing needs targets and reflects the strategies identified in the Five-Year Consolidated Plan and supports its efforts to meet the need of very low, low and moderate income households, the homeless and non-homeless special needs populations.

Every five years Palm Beach County is required to submit a Five-Year Consolidated Plan to the US Department of Housing and Urban Development which describes how the County will pursue the overall goals of the community planning and development programs, as well as housing programs. The Consolidated Plan addresses both the unincorporated County and the jurisdiction of the 29 municipalities who possess inter-local agreements with the County for affordable housing and community development purposes. The Palm Beach County Five-Year Consolidated Plan, October 2015–September 2020 (July 2015) identifies affordable housing issues and certain housing program’s expected resources and goals for the period of 2015-2020. In addition, the Consolidated Plan also includes data on substandard housing, special needs populations, homeless populations, and those at risk of homelessness.

Every three years, Palm Beach County is required to submit a Local Housing Assistance Plan (LHAP) to the Florid Housing Finance Corporation as a condition of receiving an annual funding allocation from the State Housing Initiatives Partnership (SHIP) Program. The LHAP establishes the program strategies through which the County will use SHIP funding to serve local housing needs during the three-year period for households with incomes up to 140% of Area Median Income.

The affordable housing needs through the 2020 planning period, as well as data pertaining to rural and farmworker housing and substandard housing, are based on data provided by the Shimberg Center for Housing Studies (University of Florida).

Terms used in the Housing Element are defined in the definitions section of the Introduction and Administration Element of the Comprehensive Plan.

B. Assessment and Conclusions

Housing Affordability

Housing is typically considered to be affordable if monthly rents including utilities, or monthly mortgage payments including property taxes, insurance and utilities ("gross housing costs"), do not exceed thirty percent (30%) of the median adjusted gross annual income for very low, low and moderate income households. Households are considered "cost-burdened" when a household's gross housing cost exceeds thirty percent (30%) of gross household income, resulting in less available income for other necessities such as food, clothing, and transportation. Severe cost burden is the situation wherein a household's gross housing cost exceeds fifty percent (50%) of gross household income. In accordance with typical lending standards, debt-to-income ratios such as front end and back end ratios are also considered when determining affordability. Typical front end ratios allow up to 35% of household income to be committed for mortgage and related expenses, and typical back end ratios allow up to 42% of household income to be committed to the mortgage and all other credit related debt.

The focus of County efforts is on affordable housing options for households in the very low income range (0-60% AMI), and on low, moderate and middle income range workforce housing, which the County's program defines as households from 60% up to 140% of AMI.

Housing Needs for Very Low and Low Income Households

Based on data provided by the Shimberg Center for Housing Studies (University of Florida), approximately 104,245 renter and owner households with very low (0-50% of AMI) and low incomes (50%-80% of AMI) countywide were cost-burdened or severely cost burdened in 2015. Further, the Schimberg Center projects a countywide increase from 2015 through 2025 of 14,278 severely cost burdened households, including 8,288 owners and 5,990 renters.

Workforce Housing Needs

Data provided by the Shimberg Center offer an assessment of housing cost burden estimates for Workforce Housing households with low (60%-80% of AMI), moderate (80%-120% of AMI) and middle incomes (120%-140% of AMI) located in the unincorporated portion of Palm Beach County in 2010, 2015 and 2020.

The 2010 analysis identified that 38,894 households in the unincorporated area experience a housing cost burden of exceeding 30%, or a severe housing cost burden exceeding 50% of their household income. For the period from 2010-2020, the Shimberg Center data identified that an additional 3,897 households located in the unincorporated area will experience a housing cost burden or a severe housing cost burden. From 2010 through 2020 nearly 16% of the households (42,563) within the unincorporated County with low, moderate and middle incomes (60%-140% of AMI) will experience a housing cost burden of exceeding 30%, or a severe housing cost burden exceeding 50% of their household income.

Housing Needs for Special Needs Populations

Special needs populations can include the homeless, the elderly or frail elderly, the physically disabled, persons with mental illness, persons with developmental disabilities, alcohol or other drug addiction, persons with HIV/AIDS and their families, abused/neglected children, victims of domestic violence, veterans, youth aging out of foster care, and ex-offenders. The Community Services Department is the County's lead entity regarding special needs issues and assistance.

The County's 2017 Point in Time Count indicated 1,607 persons were homeless on the day of the county, of which 780 of those individuals were sheltered and 827 unsheltered.

The Shimberg Center estimates that as of 2015 countywide there are 31,866 cost burdened households with a disabled member and income less than 50% AMI.

Need Resulting from Overcrowded and Substandard Units

In addition to addressing the identified demand, efforts are also directed toward maintaining existing housing units through policies to eliminate substandard housing and provide for relocation.

The Shimberg Center's 2015 estimates indicated that countywide:

- 15,344 (2.49%) of the units have more than one person per room (an indication of overcrowding)
- 10,108 (1.9%) of the occupied units in the unincorporated area use no home heating fuel source
- 8,576 (1.3%) of the units lack complete kitchen facilities
- 5,335 (0.8%) of the units lack complete plumbing facilities

Addressing Housing Needs

The Five-Year Consolidated Plan is considered the best available data source to determine the housing needs and targets for Palm Beach County when considering the housing funding that is reasonably expected to be available to the County for the FY 2015-2016 through 2019-2020 time period. The Plan addresses households that will experience cost burden issues in its jurisdiction, both in the unincorporated County and within the 29 municipalities who possess inter-local agreements with the County for affordable housing and community development purposes.

The Department of Housing and Economic Sustainability (HES) administers the Five Year Consolidated Plan and the federal funds covered thereunder, including the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and the Neighborhood Stabilization Programs. These various programs are reflected within the Five-Year Consolidated Plan's estimates of available funding and the housing goals for the period from 2015-2020. Additionally, HES administers the County's Local Housing Assistance Plan which establishes housing strategies and funding allocations for the State Housing Initiatives partnership (SHIP) program.

The County's Planning, Zoning, and Building Department (PZB) administers the Affordable Housing Program (AHP) assisting primarily in serving some of these cost burdened very low and low income (60% of AMI and below) households. With the AHP, builders of residential developments receive certain development incentives in order to provide the housing units

attainable to qualified income eligible households for at least 15 years (for-sale) and 30 years (rental).

In addition, Palm Beach County through PZB's Workforce Housing Program (WHP) assists in serving some of the households that will experience cost burden issues. The WHP is designed to serve low, moderate, and middle income households (60-140% of AMI) by requiring a component of housing units in new development in certain unincorporated areas of the county be provided for these income groups at rents and sale prices that are to remain affordable for periods of at least 15 years (for-sale) and 30 years (rental).

In September 2008, the Board of County Commissioners adopted the Ten Year Plan to End Homelessness in Palm Beach County. The Plan outlines a strategy to design, fund and develop permanent housing solutions for the County's homeless population. The objective of the Ten Year Plan to End Homelessness in Palm Beach County is to create a local homeless response system that will completely eliminate homelessness in ten years. A key step toward that objective was the 2012 opening of the County's first Homeless Resource Center, located in the City of West Palm Beach, which is designed to provide initial services and short-term housing to homeless persons residing in the County.

There are various agencies and facilities serving special needs populations in Palm Beach County. Some of the providers deal only with a single, discrete population; others may serve multiple populations. Some of the agencies only address only housing and shelter needs, while others may provide a range of services, including advocacy, case management, and direct services.

Geographic dispersal must also be addressed in order to avoid the concentration of affordable housing in specific areas of the County, and at the same time consideration must also be given to the availability of public services and employment opportunities when locating affordable housing.

II. GOAL, OBJECTIVES AND POLICIES

It is the **GOAL** of Palm Beach County to facilitate the provision of an adequate supply of safe, sanitary and affordable housing to meet the needs of the County's residents, with special attention to the needs of very low, and low income households in addition to special needs populations.

OBJECTIVE 1.1 Provision of Affordable Housing

The County through the Department of Housing and Economic Sustainability, shall provide ongoing implementation and monitoring of programs, and shall pursue and secure additional funding sources. The Commission on Affordable Housing shall have responsibilities as defined in the Palm Beach County Affordable Housing Ordinance (Palm Beach County Code, Section 12-242 – Section 14-248).

Policy 1.1-a: For the period 2015-2020, Palm Beach County shall utilize the strategies identified in the Five-Year Consolidated Plan for Palm Beach County in its efforts to meet the need of very low and low income households.

Policy 1.1-b: The Commission on Affordable Housing shall have responsibility for reviewing progress and making recommendations on affordable housing policies in the County through an annual report and special reports in accordance with the Palm Beach County Affordable Housing Ordinance (Palm Beach County Code, Section 12-242 – Section 14-248).

The Department of Housing and Economic Sustainability shall continue to evaluate the County's progress in encouraging affordable housing for very low, low and moderate income persons.

Policy 1.1-c: The Department of Housing and Economic Sustainability shall continue to provide for the administration of local activities related to the State Housing Initiative Partnership (SHIP) program, and the Robert Pinchuck Memorial Affordable Housing Trust Fund (the “Affordable Housing Trust Fund”).

Policy 1.1-d: The Department of Housing and Economic Sustainability shall continue to provide for the administration of formula grants for the Community Development Block Grant Program (CDBG), the HOME Investment Partnership Program, and the Neighborhood Stabilization Program. The Community Services Department shall provide administration of the Emergency Solutions Grant Program (ESG).

Policy 1.1-e: The Department of Housing and Economic Sustainability shall pursue additional funding and utilize all available federal state and local programs and resources to meet the housing needs of very low, low, and moderate income households, including rural and farmworker households.

Policy 1.1-f: The County shall continue to expand the housing stock through the utilization of the Affordable Housing Trust Fund and other efforts to identify and secure additional funding sources; including:

The Affordable Housing Trust Fund will continue to provide funding to programs as approved by the Board of County Commissioners and pursuant to the Local Housing Assistance Plan and F.S. 420.975.

Policy 1.1-g: The Department of Housing and Economic Sustainability in coordination with the Planning, Zoning, and Building Department shall provide the ongoing monitoring and tracking of affordable housing units being funded and built through County programs, and the evaluation of progress being made in meeting the current and projected affordable housing need.

Policy 1.1-h: The County shall continue the review and streamlining as needed, of those ordinances, codes and regulations related to the permitting process, in order to continue the reduction of excessive requirements and amend or add other provisions that increase private sector participation in adding to the supply of affordable housing. The County shall designate the Planning, Zoning, and Building Department as the lead agency, with assistance from the Department of Housing and Economic Sustainability, Engineering and other appropriate Departments.

Policy 1.1-i: The County shall inventory all surplus County-owned land and foreclosed properties that could be used to promote affordable housing provision and production. The Property and Real Estate Management Division shall coordinate identification of such lands with municipalities, the Palm Beach County School Board, the South Florida Water Management District and other public land owners in Palm Beach County, to produce a list of viable sites for affordable housing developments and special needs housing, including rural and farmworker households. The County's Property and Real Estate Management Division, in coordination with the Department of Housing and Economic Sustainability, shall be responsible for the review of the inventory. The County may also provide direct land grants to private not-for-profit agencies and may make land available for exchange with developers and property owners, securing land for public purposes while offering exchange sites for affordable housing.

Policy 1.1-j: Planning, Zoning and Building shall establish a Task Force to establish principals and criteria to guide the location and development of single room occupancy units, including accessory apartments, as alternatives for affordable housing in the unincorporated County.

Policy 1.1-k: The County shall increase its effectiveness addressing Housing needs by:

1. designating the Planning, Zoning and Building Department as the lead department for all data efforts for the Housing Element;
2. coordinating housing policy objectives with all County agencies, such as the Department of Planning, Zoning and Building; the Department of Housing and Economic Sustainability, the Housing Finance Authority, and other public and private entities.
3. The County shall also assist and encourage public/private partnerships with private community-based non-profit agencies and other private sector agencies that further County housing policy objectives, in order to improve cooperation among participants involved in housing production and to enhance the feasibility of producing and delivering affordable housing.

Policy 1.1-l: The Department of Housing and Economic Sustainability with the assistance of the Commission on Affordable Housing shall continue to coordinate with the municipalities in the provision of affordable housing within their city limits, to assist

the County with the provision of affordable housing. Among the strategies to be explored are:

1. Tax abatements;
2. Provision of infrastructure for affordable projects by practices such as tax increment financing;
3. Conveyance of public property;
4. Payment into the County's Affordable Housing Trust Fund; and
5. Incentives and interlocal agreements with municipalities that will assist the County with the provision of affordable housing affordable housing units within the Revitalization and Redevelopment Overlay and CDBG Target Areas.

The feasibility of these strategies shall be evaluated and recommendations will be made by the Department of Economic Sustainability in coordination with the Commission on Affordable Housing.

Policy 1.1-m: The Department of Housing and Economic Sustainability with the assistance of Planning, Zoning and Building shall provide for the coordination, outreach and information dissemination of all aspects of the housing delivery system including availability and location of affordable housing assisted with Federal, State, or County funds.

Policy 1.1-n: The County shall provide education-awareness programs, so that the public can gain a better understanding of the need for affordable housing. These programs should also address residents' aversion to the proximity of affordable housing and the general negative public perception regarding affordable housing.

Policy 1.1-o: The County shall preserve affordability of workforce and affordable housing units developed through the Workforce Housing Program and the Affordable Housing Program as follows:

1. The Workforce Housing Program will target households with incomes ranging from 60%-140% of area median income.
2. The Affordable Housing Program will target households at or below 60% of area median income.

The Workforce Housing Program and Affordable Housing Program units shall be made available at a rate affordable to the specified income groups, and only to income-eligible households for a period of time to be set forth in the Unified Land Development Code (ULDC). All Workforce Housing Program and Affordable Housing Program criteria shall be subject to the review and approval of the Board of County Commissioners.

Policy 1.1-p: Planning, Zoning and Building shall continue to ensure the Unified Land Development Code contains minimum standards and specifications for the construction of manufactured structures, mobile homes or buildings in residential zoning districts, and include supporting infrastructure and public facilities. To ensure the availability of adequate sites manufactured structures or buildings shall be permitted in all residential zoning districts, subject to the limitations set forth in the Future Land Use Element, and further restricted by the Palm Beach County Unified Land Development Code.

Policy 1.1-q: Planning, Zoning and Building, and the Engineering Department shall provide for the continuation of the Traffic Performance Standards Methodology for affordable housing pursuant to the Transportation Element.

Policy 1.1-r: Planning, Zoning and Building shall encourage through the development review process, affordable and public housing developments to include day care and adult care facilities, and basic accommodations for the provision of job training, empowerment training and entrepreneurial training programs.

Policy 1.1-s: The County shall develop a program to address the housing needs of the elderly and other special needs groups with very low, low, and moderate incomes.

Policy 1.1-t: *Deleted in Amendment Round 03-1*

Policy 1.1-u: *Deleted in Amendment Round 18-B*

Policy 1.1-v: *Deleted in Amendment Round 18-B*

Policy 1.1-w: The County shall identify sites (County owned properties) that are suitable for the Workforce Housing and/or Affordable Housing Programs.

OBJECTIVE 1.2 Substandard Housing

The County shall provide for the elimination of substandard housing through code enforcement and shall establish principles to guide housing conservation, rehabilitation and demolition.

Policy 1.2-a: The County shall provide for increased code enforcement activities and designate the Code Enforcement Division responsible for the following:

1. Provide annual inspections of the housing stock in the County's most blighted unincorporated neighborhoods where code violations are most prevalent; and

2. Provide for continued special concentrated code enforcement activities such as "target area programs" and the utilization of the "Community Support Team", where warranted.

Policy 1.2-b: *Deleted in Amendment Round 18-B*

Policy 1.2-c: The County shall provide for the input and assistance of private, not-for-profit community-based organizations and other private interests to coordinate activities designed to eliminate or rehabilitate substandard housing stock, and shall encourage public/private partnerships to accomplish this objective. The County shall target these activities within its most blighted districts. The Department of Housing and Economic Sustainability shall participate in these activities.

Policy 1.2-d: The County shall continue to permit mixed-use and other innovative reuses, including single room occupancies (SRO's) of the existing housing stock that result in the removal of substandard housing units.

Policy 1.2-e: The County shall facilitate quality affordable housing, through stabilization of neighborhoods and identification and improvement of existing housing and

neighborhoods, including those of historical significance, through rehabilitation and adaptive reuse strategies, in order to increase affordable housing stock.

Policy 1.2-f: Planning, Zoning and Building, shall continue to locate, identify and evaluate additional historically significant housing properties associated with the archeological, architectural, historical, engineering and cultural development of the unincorporated portion of Palm Beach County through the update of its historic sites survey, and list the sites in the Florida Master Site File (FMSF).

Policy 1.2-g: The Department of Housing and Economic Sustainability shall continue to pursue federal and state funding, including CDBG funds, for the rehabilitation or demolition of substandard housing. Allocation of funds from the Affordable Housing Trust Fund should also be provided.

OBJECTIVE 1.3 Relocation Housing

The County shall provide for relocation housing and minimize the displacement of very low and low-income households.

Policy 1.3-a: The County, within its Community Development Block Grant (CDBG) areas, and to the extent required by regulations of the funding sources being utilized (CDBG and/or HOME), and shall assist in the relocation of displaced persons as funds are available. The County shall pursue all available sources of funding to assist in the relocation of those persons of very low and low income.

Policy 1.3-b: The County shall require that developers, following development approval, facilitate the relocation of very low and low income families displaced by a proposed project, through, at a minimum, the provision of information on available, affordable units in the area, to the displaced very low and low income households and service agencies.

OBJECTIVE 1.4 Provision of Special Needs Housing

The County shall provide for the creation and preservation of housing and programs to adequately address the needs of all households with “special needs”, including the homeless, the elderly or frail elderly, the physically disabled, persons with mental illness, alcohol or drug addiction, persons with HIV/AIDS and their families, abused/neglected children, victims of domestic violence, veterans, youth aging out of foster care, and ex-offenders, and including rural and farmworker populations. The County ~~and~~ shall ensure the provision of foster care, group homes and other special needs facilities in a range of land use categories. The efforts indicated in the following policies shall be directed toward the meeting the needs identified by the Palm Beach County Five-Year Consolidated Plan, 2015-2020, the “Ten Year Plan to End Homelessness in Palm Beach County,” and the farmworker housing deficit needs identified by the Shimberg Center in Policy 1.4-a.

Policy 1.4-a: Palm Beach County shall utilize the strategies identified below in its efforts to meet the need for special needs housing. The Shimberg Center (University of Florida) estimates a total of 31,866 cost-burdened households countywide which have a disabled member and income less than 50% AMI, including 16,232 owners and 15,564

renters. The Shimberg Center also estimates a need for 165 multi-family units countywide to meet farmworker housing needs.

1. The Department of Housing and Economic Sustainability ~~and~~ with recommendations from the Commission on Affordable Housing shall continue to help address the county's special needs housing deficiencies by establishing policies and procedures that will provide continued financial assistance to proposed eligible housing projects that will produce affordable rental and homeownership opportunities for households with special needs. Special Needs housing and services shall remain a priority in the Department of Housing and Economic Sustainability's Five Year Consolidated Plan. Also, the Department of Housing and Economic Sustainability shall market its housing assistance programs in order to facilitate participation by eligible special needs individuals and households.

2. The Department of Housing and Economic Sustainability and the Community Services Department shall provide technical and financial assistance to providers of special needs housing and services. Local funding sources shall continue to include the Community Development Block Grant (CDBG) program, the Home Investment Partnership Program, the Emergency Solutions Grant Program (ESG), and the State Housing Initiative Partnership (SHIP) program, and the Affordable Housing Trust Fund. The above mentioned county agencies shall also continue to directly apply for state and federal special needs housing funds when warranted.

3. The Department of Housing and Economic Sustainability and the Community Services Department shall provide coordination and outreach with agencies involved in the development of housing for all special needs populations, including rural and farmworker populations.

4. The Community Services Department shall continue to serve as the County's lead agency for implementation of the Ten Year Plan to End Homelessness in Palm Beach County adopted by the Board of County Commissioners in September 2008.

Policy 1.4-b: The County, through the Building Division and the Department of Housing and Economic Sustainability, where applicable, shall provide for the compliance of housing projects, including special needs housing projects, with the Americans with Disabilities Act (ADA).

Policy 1.4-c: The County shall provide for foster care, group homes and other special needs facilities to be permitted in residential neighborhoods. Farmworker housing is currently permitted in the Agriculture Reserve (AGR), Agriculture Production (AP) and Special Agriculture (SA) land use categories.

Policy 1.4-d: The location of special needs and farmworker housing shall be guided by the following principals and criteria. Special needs housing shall be located in proximity to the appropriate support infrastructure, services and facilities including Palm Tran and existing transportation disadvantaged programs. Special needs housing shall be permitted in all appropriate residential, commercial and institutional land use categories, through the use of group homes, Congregate Living Facilities (CLF's), accessory apartments and rental housing associated with places of worship. Farmworker housing

shall be located in proximity to areas of agriculture employment and shall require a minimum of twenty-five (25) acres. The Planning, Zoning, and Building Department and the Community Services Department, shall be responsible for establishing any additional principles and criteria as may be necessary.

Policy 1.4-e: The Department of Housing and Economic Sustainability, in coordination with the Planning, Zoning, and Building Department shall to the extent feasible provide the ongoing tracking of the number of units being funded and built through both County and private sector efforts, and the evaluation of progress being made in meeting the housing needs of special needs populations.

Policy 1.4-f: *Deleted in Amendment Round 18-B*

Policy 1.4-g: The County shall participate with non-profit agencies and other support groups to plan and coordinate arrangements for low-cost rental housing and non-housing support services such as information services, technical assistance and financial assistance for farmworkers and their families.

Policy 1.4-h: The County shall coordinate with, and use the resources of the State of Florida, United States Department of Agriculture Rural Development, and the Department of Housing and Urban Development to administer programs to improve housing opportunities for farmworkers.

Policy 1.4-i: The County shall continue to provide information and referral services to migrant workers for legal assistance to obtain adequate housing.

Policy 1.4-j: *Deleted in Amendment Round 18-B*

OBJECTIVE 1.5 Concentrations of Affordable Housing

The County shall make adequate provisions to enable the public, private and not-for-profit sectors to provide affordable housing, and shall support the distribution of housing for very low, low, moderate and middle income households, to avoid undue concentrations of very low and low income housing throughout the County through the Workforce Housing Program and the Affordable Housing Program.

Policy 1.5-a: The County shall provide for a sufficient amount of land for residential use to meet future housing needs, including very low, low, and moderate income, and to accommodate the projected population. The Planning Division shall be responsible for analysis and recommendations to the BCC for this task.

Policy 1.5-b: *Deleted in Amendment Round 04-1.*

Policy 1.5-c: *Deleted in Amendment Round 04-1.*

Policy 1.5-d: *Deleted in Amendment Round 18-B*

Policy 1.5-e: The County may provide incentives to increase the presence of moderate, or higher income households within areas of high concentrations of affordable housing. These incentives may include subsidy programs to reduce the purchase cost of units, and/or to facilitate the rehabilitation of housing units.

Policy 1.5-f: The Planning, Zoning and Building Department shall revise the Unified Land Development Code (ULDC) to eliminate processing fees for residential Zoning petitions, which are for the purpose of providing affordable housing units in areas of low concentrations of very low, and low income households.

Policy 1.5-g: The County's mandatory Workforce Housing Program is established to facilitate development of workforce housing. The Program requires new residential developments to provide a percentage of housing units for households with incomes from 60% to 140% of area median income as a means to meet workforce housing needs and to disperse that needed housing in the unincorporated County. The Workforce Housing Program applies in the Urban/Suburban Tier. The Agricultural Reserve Tier is exempt from this program.

The Workforce Housing Program shall address specific criteria, including but not limited to:

1. Eligible developments must have a minimum number of 10 permitted units;
2. Workforce units can be both rental units and for sale units;
3. Workforce units built on site will be designed to be compatible with the overall development;
4. Workforce units built on-site can be clustered or integrated within the development;
5. Rental unit and resale unit affordability controls shall be guaranteed for a period to be set forth in the Unified Land Development Code (ULDC);
6. Workforce units may be allowed based on location, and land use compatibility, in any of the following land use categories: Commercial (mixed use); Industrial (mixed use); Economic Development Center; Institutional and Public Facilities, Traditional Town Development (TTD); and Multiple Land Use (MLU).

Incentives may include:

1. For all urban residential land use designations, a density bonus of up to 100%.
2. Traffic performance standards mitigation,
3. An expedited permit, zoning, and land use site plan approval process including engineering plating procedures.
4. A method to effectively offset impact fees and other development fees for the Workforce units.

Aa density bonus up to 100% shall be permitted when all program criteria are met and the increased density creates no compatibility issues with adjacent properties. For projects requesting greater than a 50% density bonus, the Workforce Housing development evaluation shall consider factors specified in the ULDC including, but not limited to: compatibility with adjacent properties, provision of workforce housing onsite, concentration of workforce housing, and proximity to employment centers.

Policy 1.5-h: The Planning Division shall prepare an annual report that describes all Workforce Housing Program and the Affordable Housing Program activities during the previous year. The annual report shall be provided to the Board of County Commissioners.

Policy 1.5-i: The County shall establish a Affordable Housing Program to allow new residential developments within the Urban/Suburban Tier only, the opportunity to provide housing units for households with incomes at 60% of area median income and below, as a means to meet affordable housing needs and to disperse that needed housing in unincorporated Palm Beach County. The Affordable Housing Program may provide incentives including density bonuses; density bonus units will be allowed only when consistent with Housing Element Objective 1.5 to discourage the undue concentration of very low and low income housing in the County.

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Housing Element Amendment History

Round	Description	Adoption	OrdNum	Effective	Note*
89-1	Adopted	8/31/1989	1989-17	9/11/1989	
90-1	Stipulated Settlement Agreement Amendments to find Plan in compliance	9/18/1990	1990-32	10/4/1990	Settlement
91-1	Definitions for affordable housing and Housing Trust Fund	8/22/1991	1991-31	9/15/1991	Settled by 1992-28
91-2	Affordable Housing Trust Fund	12/16/1991	1991-48	12/27/1991	Settled by 1992-28
92-1	Extend date for substandard housing program	4/20/1992	1992-06	5/1/1992	
93-1	Modify Affordable Housing and definitions (very low, low, etc.); revise Commission on Affordable Housing; Housing Trust Fund	6/14/1993	1993-09	6/28/1993	
96-1	Dispersal of low income housing and Voluntary Density Bonus Program	9/26/1996	1996-32	11/22/1996	
96-2	EAR Based amendments - Housing Needs Assessment and Housing Data	12/16/1996	1996-51	1/26/1997	
97-1	EAR Re-write (text and map revisions)	9/22/1997	1997-32	12/3/1997	
97-2	EAR Revisions Adopted (model element format)	11/17/1997	1997-51	1/14/1998	
98-1	Special Needs Housing and Geographic Dispersal	9/16/1998	1998-45	11/12/1998	
99-1	Managed Growth Tier System consistency addition a policy for Planning and HCD to develop policies consistent with the Tier System	8/17/1999	1999-29	10/14/1999	
99-1	To revise concentrations of affordable housing language	8/17/1999	1999-32	10/14/1999	
01-1	MGTS Revisions, including directives to HCD, Planning and the Commission on Affordable Housing, Affordable Housing, Voluntary Density Bonus Program	8/27/2001	2001-45	10/22/2001	
01-2	To revise regarding affordable housing, Voluntary Density Bonus, and TPS	12/5/2001	2001-76	1/28/2002	
02-1	To develop a workforce housing program through new Policy 1.5-c	8/28/2002	2002-53	10/25/2002	

** NIE means not in effect - not within element*

Round	Description	Adoption	OrdNum	Effective	Note*
03-1	To revise housing data collection requirements in Policy1.1-a and to delete Policy 1.1-t regarding the development of policies consistent with the Tier System.	8/21/2003	2003-42	10/27/2003	
04-1	To delete the Voluntary Density Bonus Program and replace with the Workforce Housing Program	8/24/2004	2004-27	10/29/2004	
05-2	To revise Workforce Housing Evaluation Timeframe to one year from three years; to add Objective 4.2, Public Health and Community Design, and associated policy	11/28/2005	2005-55	1/24/2006	
06-1	Workforce Housing	8/21/2006	2006-22	10/23/2006	
08-1	To update references to the Affordable Housing Study and to identify sites for workforce housing	8/21/2008	2008-33	10/17/2008	
08-1	To revise Policy 1.4-c for consistency with special needs housing language in the FLUE	8/21/2008	2008-33	10/17/2008	
09-1	To revise Policy 1.5-g to remove the "Scientific Community Overlay"	8/25/2009	2009-32	10/23/2009	
09-1	To establish the Program and eliminate Workforce Housing and Affordable Housing Programs outside the Urban Service Area	8/25/2009	2009-33	10/23/2009	
13-1	To update data regarding housing needs, change department names, correct scrivener's errors, and modify definitions in the Housing and Intro Admin Elements.	4/25/2013	2013-11	6/8/2013	
18-B	To update Housing Element to revise objectives and policies related to housing programs, references, and to make related changes.	5/2/2018	2018-07	6/21/2018	
19-A2	To revise policies related to the Workforce Housing Program	8/22/2019	2019-32	9/29/2019	

** NIE means not in effect - not within element*

Developer with a 5 acre parcel designated MR-5 wants to undertake one of the following scenarios:

<table>
<tr><th>Scenario</th><th>TDRS (only in U/S Tier)</th><th>WHP (No WHP obligation outside U/S Tier, but applied by BCC as condition of approval)</th><th>FLU Amendment Process</th><th>Notes</th><th>The math</th></tr>
<tr><td>(1) Develop at or below current FLU density (zoning process)</td><td>• Not required</td><td>• WHP obligation from the base FLU (if in U/S Tier and if 10+ units) will be determined in the zoning process
• For Limited Incentive, the base obligation is 2.5% of standard density and 8% of max density increment; for full incentive, it is 5% and 16%
• Applicant has all WHP disposition options available, including on-site, off-site, in lieu, etc</td><td>• N/A</td><td>• If subject to WHP, likely to elect Limited Incentive path, which cuts obligation in half but requires all units to be provided only in the lower 2 of 4 income categories;
• Likely to choose WHP disposition of either in lieu or off-site</td><td><table><tr><th>Selected Density</th><th>WHP obligation if selecting Limited Incentive</th><th>WHP obligation if selecting Full Incentive</th></tr><tr><td>Standard (4 du/ac) = 20 du</td><td>5 ac x 4 du/ac x .025 = 0.5 or 1 WHP unit</td><td>5 ac x 4 du/ac x .05 = 1 WHP unit</td></tr><tr><td>Max (5 du/ac) = 25 du</td><td>(5 ac x 4 du/ac x .025 = 0.5) + (5 ac x 1 du/ac x .08= 0.4) = 1 total WHP unit</td><td>(5 ac x 4 du/ac x .05 = 1) + (5 ac x 1 du/ac x .16 = 0.8) = 2 total WHP units</td></tr></table></td></tr>
<tr><td>(2) Develop above current FLU density, at a density attainable with TDRS and/or WHP density bonus
(Zoning process; applicant chooses which density program(s) to use)</td><td colspan="2">• Applicant can use either TDRs (if in U/S Tier) or WHP density bonus (if in U/S Tier and 10+ units), or a combination of both, to increase density above FLU
• A percentage of any TDRs and any WHP density bonus used will be required to be provided as WHP, in addition to the base obligation; this WHP obligation will be determined in the zoning process
• In Limited Incentive, the WHP requirement for TDRs is 34%, and for WHP density bonus is 17%
• In Full Incentive, the requirement is 34% for either TDRs or WHP density bonus
• Applicant has all WHP disposition options available, including on-site, off-site, in lieu, etc; however, the “WHP” price for TDRs is available only for the units that will actually be delivered as WHP on-site</td><td>• NA</td><td>• TDR availability is from 2-5/ac, depending on location. Prices vary by location and if to be income restricted
• Applicants typically choose to use WHP density bonus first (no cost), over TDRs (cost), and use TDRs only if add’l density is needed, or if project is fewer than 10 units and can’t access WHP density bonus
• Applicant may choose Limited or Full Incentive path in WHP, depending on the amount of density bonus being sought: use Limited Incentive WHP option, if not needing more than 50% density increase, because it has half the exaction of Full Incentive or of TDRs
• Virtually all TDRs are purchased from the County TDR bank – no sending areas involved
• BCC Approval required for certain development types/thresholds, and if the amount of TDRS and WHP Density Bonus exceed certain thresholds
• The ‘true density’ and amount of WHP are not readily evident to public, “truth in advertising” issue</td><td><table><tr><th>Selected Density</th><th>If selecting Limited Incentive</th><th>If selecting Full Incentive</th></tr><tr><td>From FLU (see above) = 25 du</td><td>1 WHP unit</td><td>2 WHP units</td></tr><tr><td>WHP Density Bonus</td><td>Up to 50%, with 17% as WHP obligation</td><td>Up to 100%, per point system, with 34% as WHP obligation</td></tr><tr><td>With TDRs</td><td>Up to 5 per acre, with 34% as WHP obligation</td><td>Up to 5 per acre, with 34% as WHP obligation</td></tr><tr><td>Total Density</td><td>Up to 63 du, with 12 WHP obligation</td><td>Up to 75 du, with 19 WHP obligation</td></tr></table></td></tr>
<tr><td>(3) Develop above current FLU density, at a density not attainable even after using TDRS and/or WHP density bonus (Comprehensive Plan FLU Amendment process)</td><td>• Staff will first recommend purchase and use of all TDRs available to the site, due to FLU Policy 2.4-b establishing TDRs as the required method of increasing density
• TDRs are used first due to above policy; and WHP density bonus for the balance of the density request (above the new FLU)</td><td>• WHP applies only in U/S Tier, but WHP requirements can be imposed in other Tiers through conditions of approval at BCC discretion.
• Even in U/S Tier, the WHP %s typically will not apply in an amendment. Since these proposals are exceeding their FLU density, staff recommends (based on a 2018 BCC direction) that the BCC require by condition of approval at a higher percentage of WHP than the code would require for these projects if they already had the FLU and were simply entering the zoning process directly:
10% for SF projects, on site
20% for TH projects, on site
25% for MF projects, on site
• Because this is a legislative action, the Board can elect a different % (provided proportionality and nexus requirements are met) and can chose not to require the units on site. However, BCC should not elect a % that is less than code would requirement for the same project if it already had the FLU. The WHP units that result from the requirement to use TDRS (per Policy 2.4-b) count toward the above percentages; any additional TDRs that the applicant wished to purchase at the TDR/WHP process must be added in top of the above %s.</td><td>• Required, to achieve the target density
• Sometimes applicants proposed to amend to a higher FLU, therefore minimizing the percentage of WHP that is required (because base FLUs are taxed at lower %s than density bonuses). Staff always recommends that the amendment be to the lowest FLU that will achieve the target density in combination with TDRs and WHP density bonus
• Sometimes, applicants want to go through the amendment process for a higher FLU, but then apply the “Limited Incentive” percentages to calculate the WHP obligation. Staff always bases the calculations on the “Full Incentive” %s because the project is clearly maximizing density, to a level beyond that which could be attained at their current FLU.</td><td>• Sometimes, depending on the characteristics of the project, the code would have required a higher percentage than the 10/20/25%; in these cases, staff recommends the Code calculation to the BCC
• Same BCC approval thresholds as above will apply in the concurrent zoning process
• The ‘true density’ and amount of WHP are not readily evident to public, “truth in advertising” issue</td><td><table><tr><th>Unit type</th><th>Recommended WHP %</th></tr><tr><td>SF</td><td>Greater of 10% or minimum code requirement for project if entering the zoning process with the new FLU and using full TDRs and WHP density bonus as needed</td></tr><tr><td>TH</td><td>Greater of 20% or minimum code requirement for project if entering the zoning process with the new FLU and using full TDRs and WHP density bonus as needed</td></tr><tr><td>MF</td><td>Greater of 25% or minimum code requirement for project if entering the zoning process with the new FLU and using full TDRs and WHP density bonus as needed</td></tr></table></td></tr>
</table>

What is Applicant's **desired density** (units per acre)?*
Can this target be achieved without density bonuses?

If yes, proceed to zoning;
No TDRs or WHP density bonuses needed.
The WHP obligation from base density will be determined in the zoning process. [Multiple options exist to satisfy WHP obligation]
(1)

If no, can it be achieved with TDRs, WHP density bonus, or some combination thereof?

If yes, these will be applied, and the resulting WHP obligation determined in the zoning approval process.
(2)

Applicants will elect WHP density bonus first (free) and TDRs only if addl density is needed or project is less than 10 units and can't access WHP density bonus
Projects seeking to minimize obligation will typically elect Limited Incentive Option;
Projects seeking to maximize density will elect Full Incentive option

If the desired density cannot be achieved with the full use of TDRs and WHP density bonus, then a FLU amendment to increase density is the next option.
[Note: A privately initiated FLU amendment may be applied for at any time.]
(3)

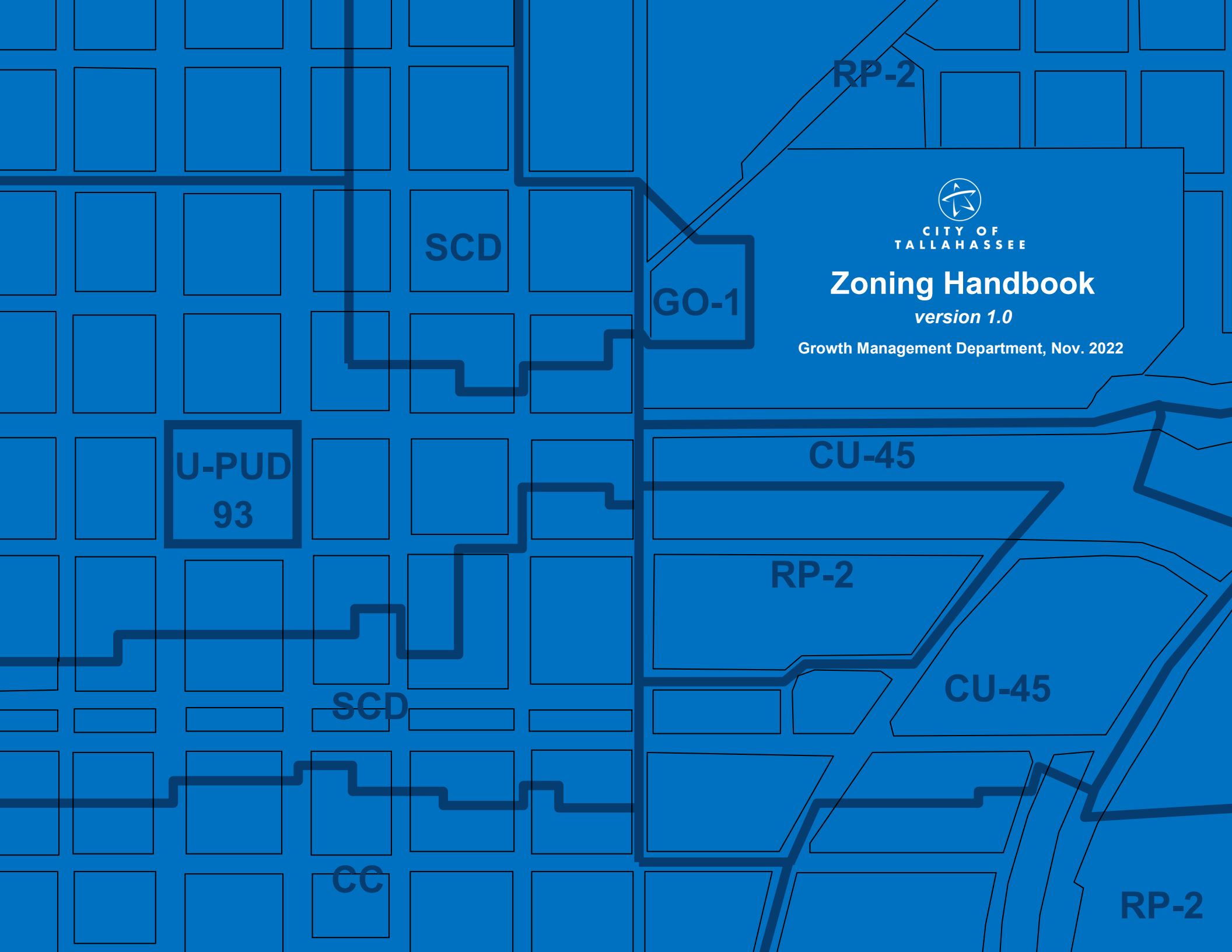
In addition to other amendment requirements—is the applicant requesting the lowest FLU necessary in order to achieve the desired density (in combination with the available TDRs and WHP Density Bonus)? [Lowest FLU density required + TDRs + WHP]

If no, staff will recommend the lowest FLU necessary to achieve the target, in combo with available TDRs and WHP density bonus

If yes, staff will recommend use of all TDRs first, and then WHP density bonus

To calculate the WHP obligation, staff determines what code requirement would be, using FULL incentive, and will compare to 10/20/25% , and apply the greater of the two %s

* This process describes only the density/WHP calculation. The proposed density is also reviewed for consistency with Comp Plan, compatibility, impacts on services, etc.



CITY OF TALLAHASSEE

Zoning Handbook

version 1.0

Growth Management Department, Nov. 2022

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credits

- prepared by Growth Management Department

- graphics
  - figures 22, 25, & 38 - Google Earth
  - figures 5, 7, 10, 18, 21, & 26 - Planning Department
  - all other figures and photographs - Growth Management Department



The mixed use Four Forty project is on North Monroe Street. It's zoned Central Core, which allows both residential up to 150 dwelling units per acre and a range of commercial uses. The Zoning Code allows this diversity of uses to support an active and vibrant downtown where residents can live, work, and play.

1 introduction

Welcome to the Growth Management Department's Zoning Handbook! As with most cities, Tallahassee's Zoning Code can be complicated if you don't work with it regularly. That's where this Zoning Handbook enters the picture. Think of it as a user's manual for the Zoning Code. If you're interested in the development process and how it works but don't know where to begin, then this document is designed for you.

You can either read it cover to cover or jump directly to selected sections. As you use the document, feel free to give us a call with any questions you might have. Just call (850) 891-7001 (option 4), and a member of our staff will be available to promptly answer questions. You can also send us your questions via email at Zoning@Talgov.com.

There are two disclaimers that apply to this report. First, we've taken great care to ensure that this Zoning Handbook is consistent with the City's Zoning Code. However, if a conflict is ever identified between the City's Zoning Code and the Zoning Handbook, the Zoning Code will control. This Zoning Handbook is intended to support and explain key principles from the Zoning Code to make it more accessible for all citizens, but it does not replace it. Second, this report includes photographs of various development projects. Such photos were included solely for educational purposes and are not intended to represent an endorsement of any particular project.



This student housing project is an allowed use near the universities, but is generally not allowed further away from FSU and FAMU. Zoning concentrates student housing near the universities to minimize traffic, control noise, and preserve established neighborhoods.

What is zoning?

A good way to answer that question is to pose a question. What if a regional distribution warehouse with 24 hour operations opened in downtown Tallahassee? Dozens of semi-trucks would be a constant presence on downtown streets. As a warehouse, the building's exterior would be dominated by tall, unvaried walls that covered entire blocks without architectural detailing. From the pedestrian's perspective, there would be no human activity at the street. Instead of creating a multi-use, active downtown where people can live, work, and play, a warehouse would create a zone dominated by trucks, noise, and blank walls rather than people, varied architecture, and life. Zoning answers questions like this. The warehouse would be prohibited in the downtown area. Instead, a mix of uses like office, retail, restaurant, and residential would be allowed. Fundamentally, zoning is one of the key tools used by local governments to guide the arrangement of land uses. All zoning codes have the two key tools described below.

Zoning Districts

They have zoning districts that correspond to land use types. At a macro level, the land use types might include residential, commercial, office, industrial, and institutional. However, as you drill deeper to a more micro level, those broad land use categories typically aren't adequate. Most cities create zoning districts based on different types of residential uses according to density, meaning the number of residential units per acre. Zoning Codes also typically have a variety of commercial, office, and industrial zoning districts. For example, Tallahas-

see's Zoning Code has 21 residential districts, 19 office/commercial districts, 2 industrial districts, 4 institutional districts, and 8 mixed use districts. The multiple districts are necessary so that a zoning code reflects reality. There can be tremendous variation in the impacts created by uses from the same broad category. For example, a local high technology company like Danfoss versus a company that works with molten steel in an industrial forge are both industrial, but their land use impacts are radically different. Danfoss fits appropriately into a landscaped office park, while the industrial forge very likely would not. It is the difference between light and heavy industrial, and our zoning code has a district for each.

Development Standards

The second key tool in a zoning code is the development standards that can accompany each district. While many development standards apply across all zoning districts, each individual district may have development standards unique to it. Those standards can vary based on both the unique impacts and needs of the land uses in the zoning district but also based on the location within the city. For example, a building's height, its required setbacks from the street, and the number of parking spaces would appropriately be different if it is located downtown versus in a more suburban setting.

Development standards can include features such as setbacks from street, maximum height, landscaping, parking, buffers, street trees, density (residential units per acre), intensity (floor area ratio), minimum lot dimensions, road access, interconnections with adjacent lots, architectural design review, or lighting. As new residential or commercial projects are proposed in Tallahassee, they are reviewed by staff to ensure that they meet the development standards in the Zoning Code.



This is infill residential development on vacant lots near downtown. The Zoning Code works to ensure infill development is compatible with existing development by setting minimum standards for design characteristics like height, setbacks, density, and lot coverage.

Is Tallahassee unique by having a zoning code?

No, not at all. In fact, most cities and counties have zoning codes today, particularly those of medium to larger size. You can get a quick example of this at the Municode website at this link. Municode is a service that provides online publishing for local government codes. Simply click on a state, and then click on the city that you wish to view. Some cities opt to publish their zoning codes on their website, but the Municode site includes hundreds of examples. Note that some cities, including the City of Tallahassee, refer to their zoning code as the land development code.

Has my zoning always been what it is today?

Not necessarily. It is very possible that it has changed over time as the City evolved. Zoning isn't static. It isn't etched in stone but is meant to reflect the values and goals of a city as it changes over time. For example, many American cities followed a similar development pattern in the 1950s and 1960s.

Their character was shaped primarily by the car, which led to large areas of single use development. Residential homes were clustered in one area, and commercial uses in another. Due to that segregation of uses, cars were required to access supporting services, whether they be shopping, work, or play. Downtown districts often lost their vitality, with activity only during work hours from Monday to Friday.

More recently, cities rediscovered the charm and architecture of their downtowns. Many residents began to value walking to a restaurant or to stores. Cities also began to appreciate that there is a cost to sprawl as public infrastructure must be extended to an ever-widening area and maintained in perpetuity. In contrast, building compactly allows for more efficient use of public infrastructure.

The auto dependent trend of the 1950s and 1960s evolved to a greater appreciation of walkability with mixed uses. Tallahassee's Zoning Code experienced a similar evolu-

► ***Zoning isn't static. It isn't etched in stone but is meant to reflect the values and goals of a city as it changes over time.***

tion. With the adoption of the Multi-Modal Transportation District (MMTD) in 2010, Tallahassee's zoning was updated, particularly for Downtown and the surrounding neighborhoods, to foster a land use pattern that wasn't exclusively dependent on the car but also supported cycling, walking, and public transportation.

The adoption of the MMTD is an example of a shift in the direction of the Zoning Code. The hands-on experience of implementing the Zoning Code often highlights opportunities for updates in the Code. When we discover such opportunities, we do our best to work with the community to fix it. A recent example of this is the Neighborhood Compatibility Ordinance from 2021.

All residential neighborhoods have an edge where the houses stop and some form of commercial or office uses begin. The Neighborhood Compatibility Ordinance added new development standards to the Zoning Code which address that edge between residential and nonresidential uses. They focus on issues like parking lot lighting, building height, buffers, drive throughs, and other matters. Zoning codes are meant to evolve with a community's values. If they fail to do so, they can lose their effectiveness.



▲ *The Neighborhood Compatibility Ordinance adds new development standards to the Zoning Code. For example, the Code now requires multi-family projects that are adjacent to single family homes to step back all floors above the third story. This reduces the massing of the multi-family building and allows it to better blend in with its single family neighbors.*

What is the difference between zoning and the comprehensive plan?

That's an important question. Think of the development process as a pyramid, with the comprehensive plan at its base and a building permit at the top. Everything is built on and must be consistent with the comprehensive plan. The key idea behind the comprehensive plan is that it takes a 20-year look into the future and identifies what land uses are allowed where based on the availability of public services. Public services include things like roads, potable water, central sewer, parks, and stormwater facilities. That 20-year look is called the Future Land Use Map (FLUM). A property's zoning must be consistent with the FLUM. For example, if the FLUM designation is Low Density Residential, the zoning can't allow apartments or a commercial use. While the Comprehensive Plan and the FLUM focus on the future, zoning is concerned with the nuts and bolts of what can be developed today.

What is the difference between the Growth Management and Planning Departments?

The Planning Department is a joint City of Tallahassee/Leon County department that, among other services, administers the Comprehensive Plan, reviews Zoning amendment applications, and prepares planning studies for specific areas. In short, the Planning Department focuses on the future planning of the City. In contrast, the Growth Management Department focuses on implementing the Zoning Code as new development proposals are received. That includes reviews for planning, engineering, environmental, and building. If a project meets the Code, the review by the Growth Management Department culminates in the issuance of development permits, such as a building permit and ultimately a certificate of occupancy.

What are the steps of the development process?

The development process is explained from beginning to end in both a video and a handout at the Growth Management Department's website. The planning staff's review of new development applications is defined by the standards in the Tallahassee Land Development Code (TLDC). The TLDC includes 10 chapters concerning the development of land. Collectively, they implement the City's Comprehensive Plan. This Zoning Handbook focuses on Chapters 1, 7, 9, and 10 of the TLDC. Chapter 1 defines key terms. Chapter 7 includes the sign code that identifies the size, number, and type of allowable signs. Chapter 9 discusses subdivisions, site plans, variances, deviations, design review, and inclusionary housing. The focus tends to be on the application process and the review standards. Finally, Chapter 10 is the Zoning Code. It includes a complete discussion of all the zoning districts and their associated development standards, as well as those standards which apply across all zoning districts.

The following sections explore Chapters 1, 7, 9, and 10 of the TLDC. Chapter 5 of the TLDC provides the City's environmental standards. It also plays an important role in the development process but will be addressed separately in its own handbook.



Zoning is the road map that guides where each land use can be located to ensure that it is consistent with its neighbors.



2 definitions

Chapter 1 of the Tallahassee Land Development Code provides a variety of key definitions. The average reader might find some of the definitions easier to follow with graphics that depict what the definition is describing. That's what this section is intended to do. It provides graphic examples for some of the definitions in Chapter 1. Also, please keep in mind that the graphics are only examples. In all cases, the Zoning Code controls in the event of any conflict between the Code and the graphics.

Before diving into the definitions, keep in mind that Chapter 1 is a key section of the Zoning Code. Within the body of the Code, a wide array of terms are used. In order for the Code to make sense, there needs to be a common understanding of what words mean. Chapter 1 provides that common understanding. At first glance, it may seem very detailed and precise, but it's really the heart of the Zoning Code. For example, the only way you know that communication antennas on a building's roof are not counted as part of the building's height is because the definition of the word "height" makes that clear.

Likewise, let's say that you're going to build a structure that has a 3-foot eave. (The eave is the part of the roof structure that extends beyond the wall.) Since the eave is bigger than 2 feet, the setback must be measured from the outer edge of the eave, not the building wall. You would learn that detail from the definition of the word "setback" in Chapter 1. The key message is that Chapter 1 of the Code provides information that is critical to the correct understanding of what the Zoning Code requires.

Abutting, Adjoining, and Contiguous

The Code definitions are as follows:

- "Abutting property means property that is contiguous to another property, thus sharing a property boundary line. If separated by a public street or right-of-way, the properties are not considered abutting."

- "Adjoining means parcels which are touching or contiguous to each other, as distinguished from lying near to or adjacent. Parcels that are separated from each other by a local or a minor collector street or roadway shall also be considered adjoining; parcels that are separated by a major collector or an arterial street or roadway or by a railroad right-of-way shall not be considered adjoining. Notwithstanding the foregoing, within the planned development future land use category, property divided by a major collector or arterial street or roadway that was created by the dedication from a landowner of right-of-way to a governmental entity, or created through the amicable resolution of a condemnation proceeding by a governmental entity, shall be considered adjoining."

- "Lands are contiguous if they have a common boundary or if a property line between them is common. Synonymous with Abutting."

The lots highlighted at the left side of Figure 1 are abutting, contiguous, and adjoining. In contrast, the lots highlighted at the right side of Figure 1 are not abutting or contiguous since they do not share a common property boundary, but they are adjoining since they are only separated by a local street. Note that they would still be adjoining if separated by a minor collector, but they would no longer be adjoining if separated by a major collector, an arterial, or a railroad right-of-way.

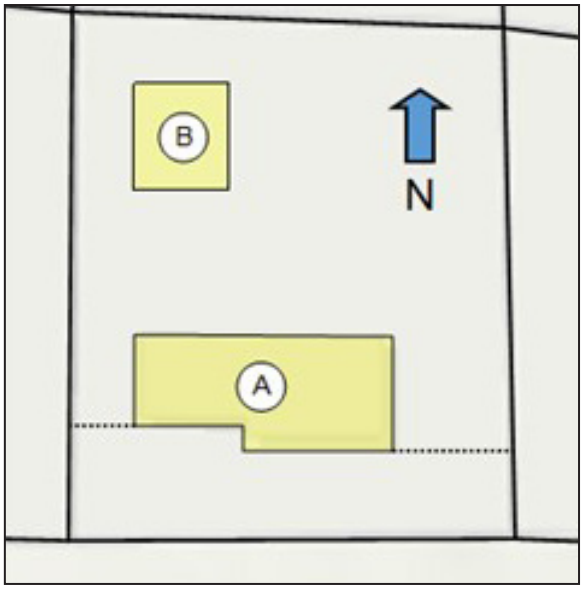
Figure 1



Accessory Dwelling Units

The Code definition is as follows: "Accessory dwelling unit (ADU) means a single dwelling unit sharing ownership and utility connections with a principal structure on a single property. The inclusion of a single ADU on a lot shall not be included in density calculations or defined as a multi-family residential development."

Figure 2



In Figure 2, Building A is the principal structure, and Building B is the accessory dwelling unit (ADU). The ADU must be located in the side or rear yard, which is the area north of the dotted line. The ADU can't be more than 40% of the principal use. If they meet other development standards for the zoning district, all ADUs may be a minimum of 500 square feet, but are limited to no more than 800 square feet if accessory to a residential

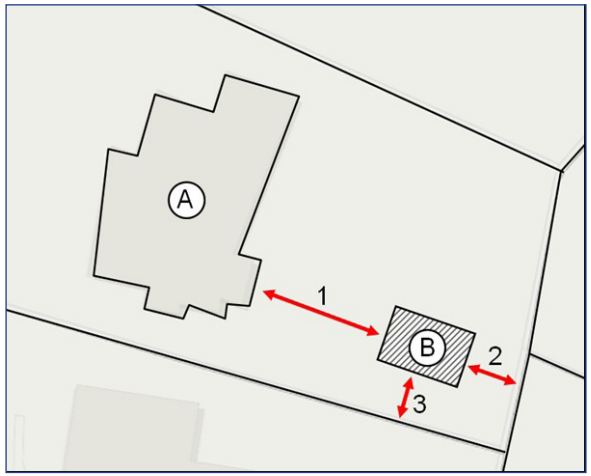
use or 1,000 square feet if accessory to a non-residential use. ADUs must meet the same rear and side yard setbacks as the principal structure.

Also, an ADU can't be taller than a principal structure unless it is the 2nd story above a garage. Please see Sec. 10-280.7(b), TLDC (for land inside the Multi-Modal Transportation District) and Sec. 10-412(1), TLDC (for land outside the MMTD) for a complete description of ADU development standards.

Accessory Use or Structure

The Code's definition is as follows: "Accessory use or structure means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure except as otherwise permitted in this Code." As depicted in Figure 3, the total area of accessory structures ("B") can't be

Figure 3



greater than 33% of the area of the primary structure ("A"). Also, the accessory structure must maintain a minimum separation from the primary structure ("1") of at least 6 feet. Finally, the accessory structure must meet the rear ("2") and side yard ("3") setbacks, which vary by the zoning district.

Figure 4



Alley

The Code's definition is as follows: "Alley means a dedicated right-of-way or private drive which affords a secondary means of access to the back or the side of a building site otherwise abutting on a larger street, and which is not intended or used for general traffic circulation." At Figure 4, the yellow line is an alley that provides access to garages at the rear of each house.

Arcade

The Code's definition is as follows: "Arcade means a private frontage conventionally used for retail uses wherein the facade is a series of arches supporting habitable space that overlaps the private sidewalk (no habitable space shall be located above public rights-of-way), while the facade at sidewalk level addresses the public pedestrian path." Figure 5 illustrates an arcade (highlighted yellow) and habitable space above it (highlighted green).

Architectural Planter

The Code's definition is as follows: "Architectural planter means a structure designed to support plant root growth in a contained space, generally above grade, filled with a growing medium specifically blended for such use and providing no direct path for root growth into surrounding natural soils areas." Architectural planters should be permanently installed on the ground, integrated into the overall design, and con-

Figure 5



Figure 6



structed from terra cotta, steel, concrete, brick, tile, or other acceptable commercial grade hardscape material. Architectural planters should not be constructed of material subject to substantial degradation over time, such as wood or pre-fabricated residential grade materials. The example in Figure 6 shows the architectural planters next to the Publix on Gaines Street.

Attic

The Code's definition is as follows: "Attic means the interior part of a building contained within a pitched roof structure. The habitable space shall be no taller than ten feet, or the attic is considered a separate story." As shown by Figure 7, an attic might go all the way to the eave (left side) or to a half wall (right side). Provided the habitable space is not taller than 10 feet, the space would function as an attic and would not be counted as a separate story.

Building Area and Building Envelope

According to the Code, "Building area means that portion of a site upon which a structure exists or may legally be constructed. Building envelope means an area of a parcel, excluding all required setbacks, parking areas, landscaped areas, and stormwater management facilities, in which the actual building may be constructed."

New development must meet a variety of standards such as setbacks, on-site stormwater facilities, parking, landscaping, and urban forest. For the site depicted in Figure 8, a 6,226 square foot building could be built after the Zoning Code's development standards were met, including the stormwater pond (light blue), the setbacks (red), and urban forest (green).

Figure 7

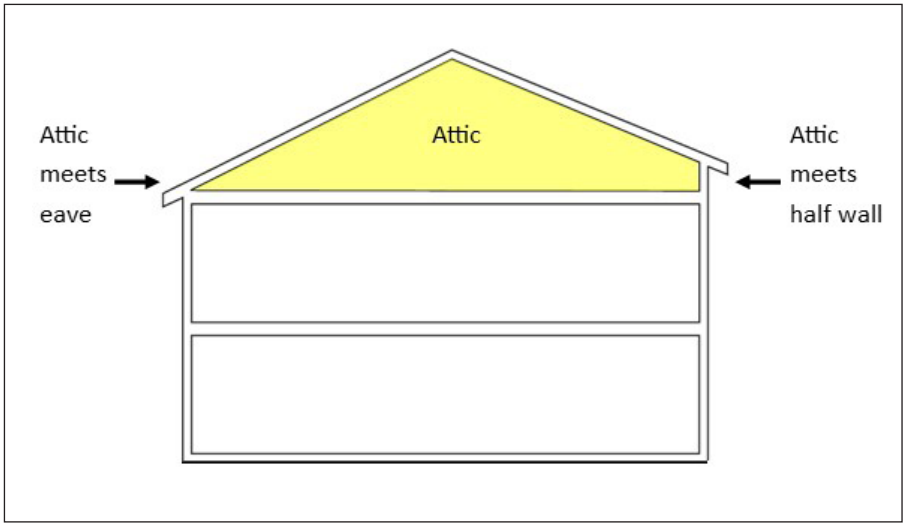


Figure 8

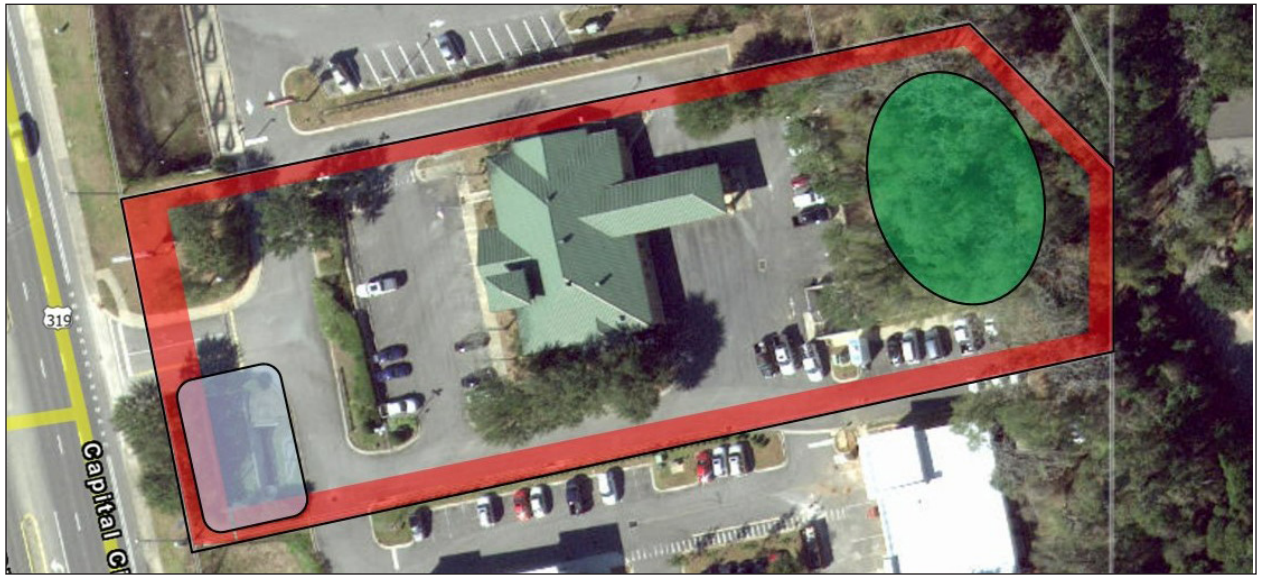
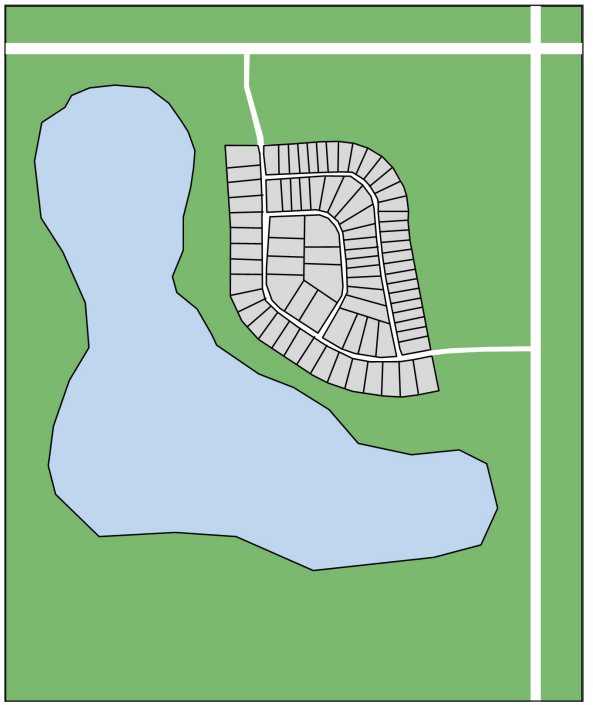


Figure 9



Cluster Development

The definition in the Code is as follows: "Cluster development means a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas." In the example in Figure 9, the residential units are concentrated so that a majority of the site is preserved as permanent conservation land.

Colonnade

The Code's definition is as follows: "A colonnade is a roofed structure, extending over the sidewalk, open to the street except for supporting columns or piers." Figure 10 illustrates a colonnade (yellow highlight). Note that the only difference between a colonnade and an arcade is that an arcade provides habitable space on the upper floors that overhangs the sidewalk.

Critical Protection Zone

The definition in the Code is as follows: "Critical protection zone (CPZ) means that area surrounding a tree within a circle described by a radius of one foot for each inch of the tree's diameter at breast height." The example in Figure 11 at the left provides an aerial view of a tree with a diameter at breast height of 40 inches. The critical protection zone is a radius equal to 1 foot

Figure 10



Figure 11

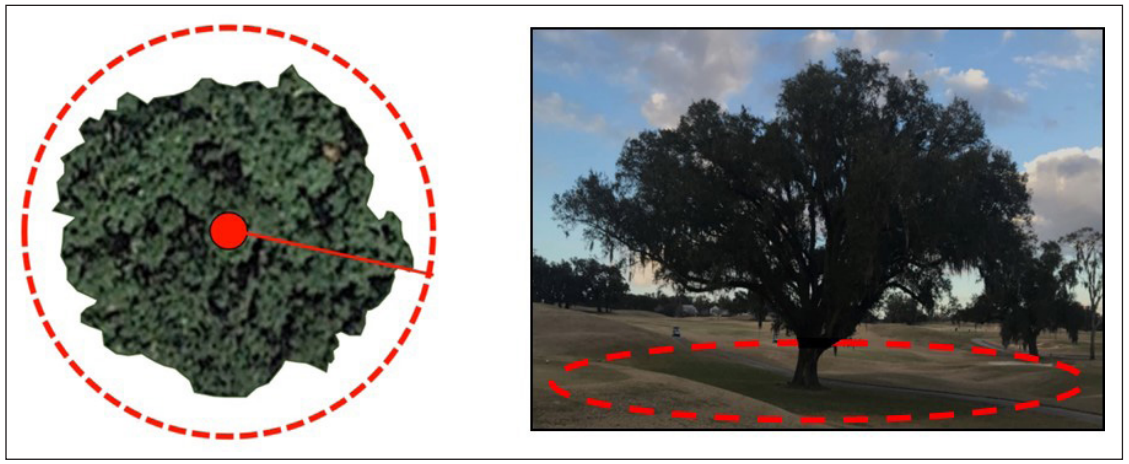
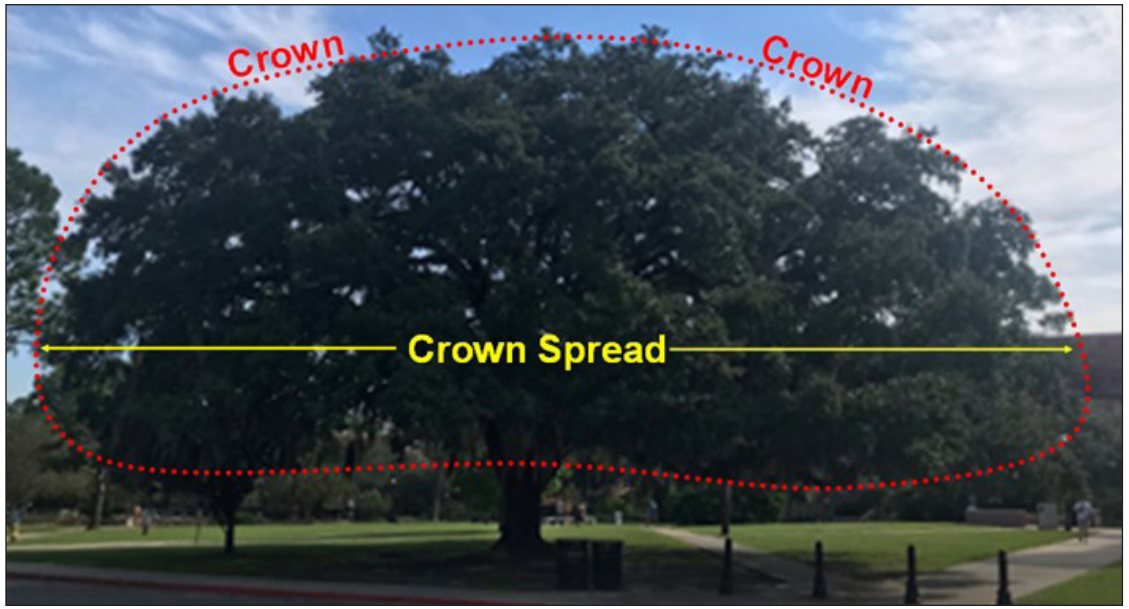


Figure 12



for each inch of the tree's diameter at breast height (DBH). That results in a critical protection zone defined by a 40-foot radius around the tree's trunk. The figure at the right side of Figure 11 depicts a street view of the critical protection zone.

Crown and Crown Spread

The Code's definition of these terms is as follows: "Crown means the main point of branching or foliage of a tree or plant, or the upper portion of a tree or plant. Crown spread means the distance measured across the greatest diameter of the crown of a plant or a tree." The terms "crown" and "crown spread" are depicted in Figure 12.

Drip Line

The Code's definition of this term is as follows: "Drip line means the vertical projection on the ground of the outer perimeter of the crown of a plant." In the example in Figure 13, a tree is seen from above. As noted earlier, the crown is the foliage of a tree. The aerial view shows the full area of the tree's crown, which is

Figure 13



bordered by the red dashed line. The drip line is the area on the ground that matches the red dashed line.

Dwelling, Single Family Attached

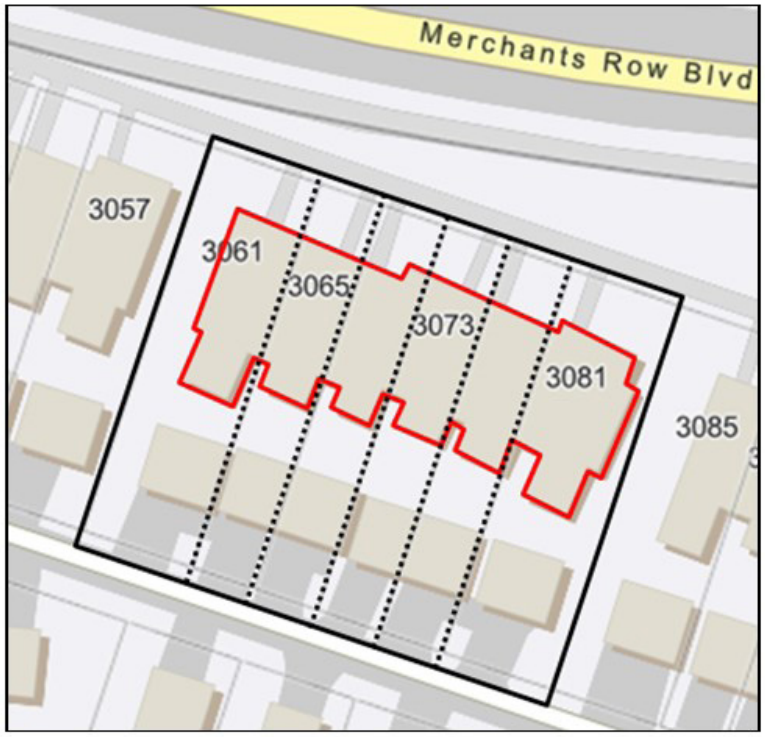
The Code defines this term as follows: "Single-family attached dwelling means a one-family dwelling attached to two or more one-family dwellings by vertical common fire-resistant walls, with each dwelling unit located on a separate lot. Each dwelling unit and lot must meet the minimum lot size requirements for single-family attached dwellings or townhouses set forth in the applicable zoning district."

While a single-family attached dwelling might have the outward appearance of a multi-family development, the key difference is that each dwelling is on a separate lot, has fee-simple ownership of the land, and is separated by a vertical common fire-resistant wall. In the example in Figure 14, the building includes 6 one-family dwellings, each of which is located on a separate lot.

Dwelling, Two Family (Duplex)

The Code defines this term as follows: "Two-family (duplex) dwelling means a building designed with two dwelling units with accommodations for each dwelling unit independent of each other, and intended to be occupied by two families on one lot or parcel of land." The key feature of a two-family dwelling (also referred to as a duplex) is that the two independent residential dwellings must be located on a single lot. As shown in Figure 15, a single family attached dwelling might look like a duplex from the outside, but each dwelling unit in a single family attached dwelling is on an individual lot.

Figure 14



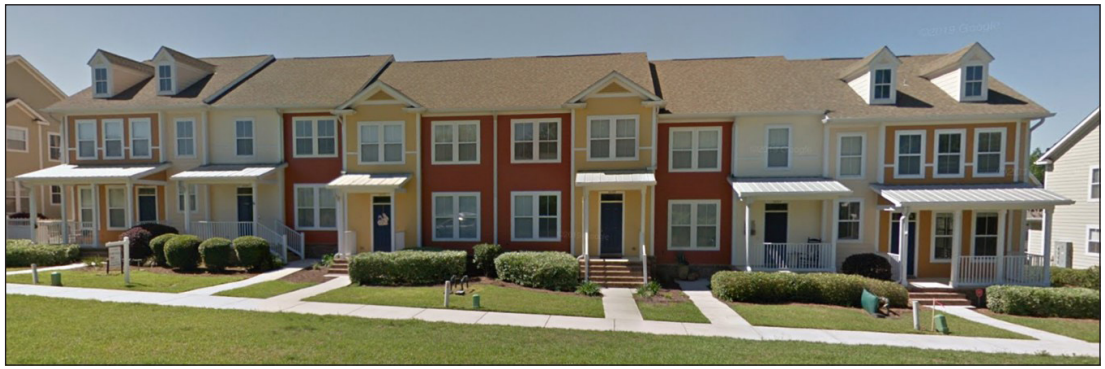


Figure 15

Duplex

Includes 2 independent residential dwelling units on 1 lot.

Single Family Attached Dwelling

Includes 2 independent residential dwelling units on separate lots separated by fire resistant walls.



Floor Area Ratio

The Code defines this term as follows: "Floor area ratio means a number determined by dividing the gross floor area of all buildings on a lot by the area of that lot." Floor area ratio is a measurement of how much development is occurring on a site. A low floor area ratio generally indicates a smaller development which likely doesn't have multiple stories. In contrast, a higher floor area ratio generally indicates a larger development that is likely to have multiple stories. Metropolitan Boulevard is located in the southwest quadrant of the intersection of Interstate 10 and Thomasville Road. It includes a Tallahassee Memorial Healthcare emergency center, a Capital Health Plan office, and a multi-tenant office building. The floor area ratios for each building are shown in Figure 16.

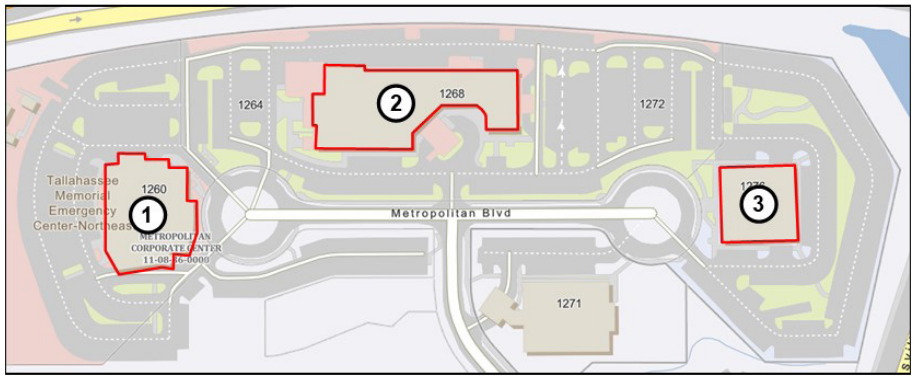
Frontage

The Code defines these terms as follows:

- "Frontage means the length of the property line of any one premise along a street on which it borders. Frontage includes public and private area between the building facade and the vehicular lanes, inclusive of its built and planted components."
- "Building frontage means the length of an outside building wall on a street. For purposes of determining aggregate surface area of permanent on-site signs pursuant to section 7-62 of this Code for buildings that do not front on a street, the term "building frontage" may also mean the length of an outside building wall on a legal access easement recorded in the public records of Leon County."
- "Principal frontage means the private frontage designated based on the measure of minimum lot width. Principal frontage generally

Figure 16

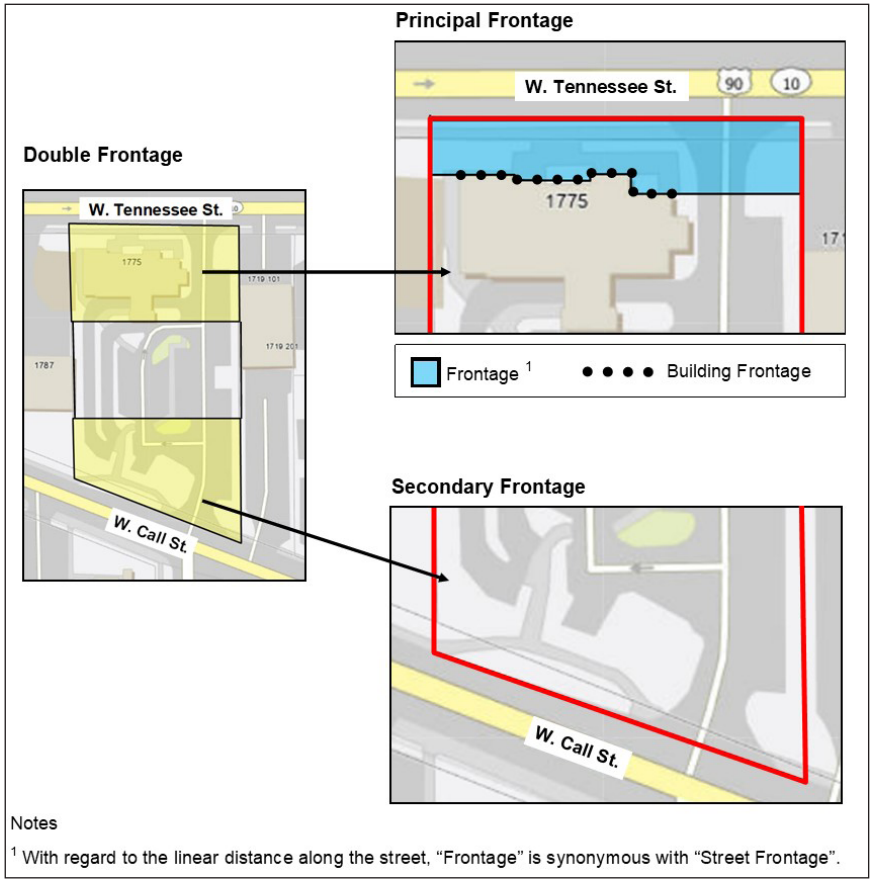
Building	Use	Building Area	Lot Area	Floor Area Ratio
1	TMH Emergency	45,500	288,285	0.16
2	Capital Health Plan	72,000	222,554	0.32
3	Office Building	52,584	131,584	0.40



shall not be a frontage which consists wholly of an entrance drive or is significantly smaller, by 20 percent or more, in linear feet, than that of another street frontage for the same parcel."

- "Double frontage means a parcel at a corner or between two roadways that has equal potential for principal frontage, due to linear feet, along the two streets, thus the parcel has "double frontage". As it affects the public realm, the first layer along both frontages shall be regulated except where not feasible due to lot size and building disposition and/or compatibility with an adjacent transect of less intensity, i.e., singular building and/or on a prohibitively small lot. See section 10-285, tables 10(a) through 10(d) and 12."

Figure 17



- "Secondary frontage means the private frontage that is not the principal frontage. As it affects the public realm, its first layer is regulated. See section 10-285, table 12."

- "Street frontage means the length of any one property line of a premises, which property line abuts a legally accessible street right-of-way."

The above definitions of frontage are illustrated in Figure 17.

Gallery

The Code definition is as follows: "Gallery means a private frontage conventional for retail use wherein the facade is aligned close to the front property line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk." Note that the key term in the definition is "cantilevered". A gallery is not supported by columns like an arcade or a colonnade. Figure 18 depicts a gallery.

Figure 18



Gross and Net Acres

The Code's definitions are as follows: "Gross acre means an area of land containing 43,560 square feet including rights-of-way, common areas, and easements. Net acre means the amount of usable land area exclusive of undevelopable areas within conservation or preservation areas." The project site in Figure 19 matches the red boundary. It is the area represented by gross acres. In this case, it totals 23.63 acres. The two areas with the yellow highlight are protected conservation lands. They total 3.63 acres. The area within the red boundary but outside of the land highlighted yellow equals the net acres. It equals 20 acres.

Gross Residential and Net Density

The Code's definition of these terms is as follows: "Gross residential density means the number of units per gross acre of land designated for residential purposes, including land that will be devoted to street rights-of-way and designated open space after development. Gross residential density will not include area covered by permanent water bodies or area to be utilized for other nonresidential land uses."

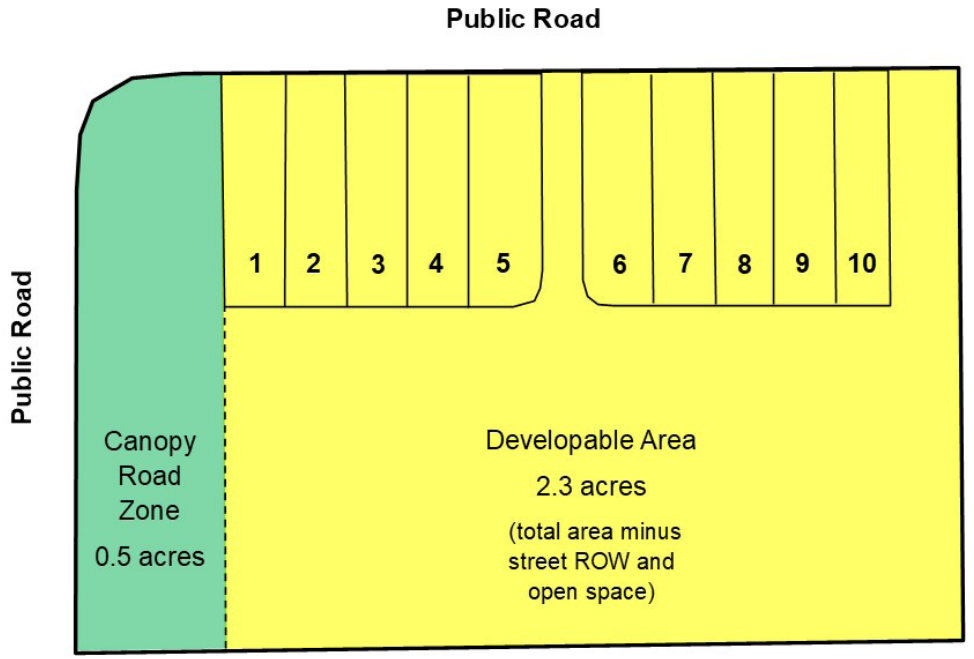
"Net density means the number of units per acre computed after subtraction of the acres in street rights-of-way and designated open space from the gross residential area defined in the definition of gross residential density."

Gross residential density equals the number of residential units divided by the total site area, minus both permanent water bodies and areas used for other nonresidential land uses. In the example below in Figure 20, the project site totals 2.8 acres, all of which will be used for residential and none of which includes a permanent water body. Therefore, the gross residential density equals 10 units / 2.8 acres, or 3.6 units per acre. In contrast, net density equals the number of residential units divided by the total site area, minus street rights-of-way and designated open space. In the example, there are no street rights-of-way, but the western edge of the project includes a canopy road zone totaling 0.5 acres. Therefore, the net density equals 10 units / 2.3 acres, or 4.3 units per acre.

Figure 19



Figure 20



Marquee

The Code's definition is as follows: "The term marquee means a canopy or covered structure projecting from and supported by a building when such canopy or covered structure extends beyond the building line or property line." Figure 21 illustrates a marquee with the yellow highlight.

Figure 21



Plaza

The Code defines this term as follows: "Plaza means a type of civic space designed for community purposes and commercial activities in the more urban transects, generally paved and spatially defined by building frontages and formal plantings. See section 10-285, table 9." Figure 22 provides an aerial view of Kleman Plaza in downtown Tallahassee. It is an example of a plaza.

Sight Triangle

The Code defines this term as follows: "Sight triangle means the length of road visible to a driver on a side street or driveway to observe oncoming objects on the main street, measured from a point on the side street or driveway at least 20 feet from the edge of the major road pavement and from a height of 3.5 feet on the side street or driveway to a height of 4.25 feet on the major road. The vehicular site distance varies by operating speed of vehicles on the roadway and the grade of the main street, as referenced in city or county driveway and street connection regulations."

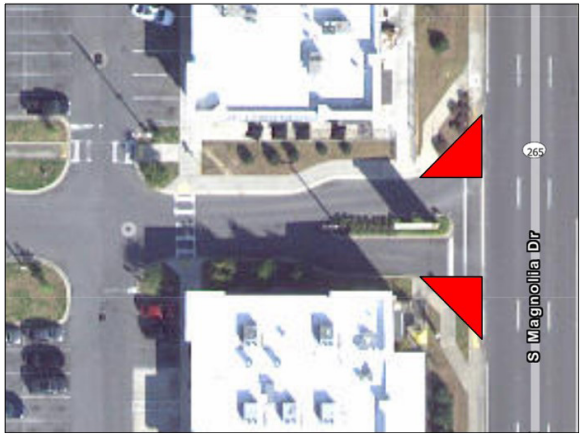
In the example in Figure 23, the sides of the triangle adjacent to the road and the driveway must measure a minimum of 20 feet. Within that triangle, landscape and hardscape features cannot be taller than 3.5 feet. Similarly, hanging branches and similar features cannot be lower than 4.25 feet. Please note that this is a minimum sight triangle standard. Other citations create more precise standards for specific circumstances. For example, Sec. 10-418, TLDC, creates a different standard. Instead of the 20-foot minimum in the definition, the pavement sides of the sight triangle must be equal to the distance of the zoning district's

Figure 22



Source: Google Earth

Figure 23



required setback. Sec. 10-418, TLDC, also creates a clear space with no obstruction to vision between 3 and 10 feet.

Square

The Code defines this term as follows: "Square means a common open space type designed for unstructured recreation and community purposes, spatially defined by building frontages and formal plantings, and consisting of paths, lawns, and trees, formally disposed. See section 10-285, table 9." As shown by Figure 24, each of the seven parks in Tallahassee's Chain of Parks along Park Avenue functions as a square surrounded on all sides by public roads.

Stepback

The Code defines this term as follows: "Stepback means a building setback of a specified distance that occurs at a prescribed number of stories above the ground. See section 10-285, table 6." The scale and massing of a building impacts how a neighborhood is experienced. A row of very tall buildings can overpower neighbors by towering above them, and it can create a tunnel effect on a street by removing access to the sun and sky. A height stepback addresses that challenge. Above a specified floor, successive floors are required to "stepback" a required minimum number of feet. The example in Figure 25 is from Fort Collins, Colorado.

Stoop

The Code definition is as follows: "Stoop means a private frontage wherein the facade is aligned close to the front property line with the first story elevated from the sidewalk for privacy, with an exterior stair and landing at the entrance." A typical stoop is shown in Figure 26.

Transparency

The Code defines this term as follows: "Transparency means elements of building facades—windows or doors—that are capable of transmitting light so that objects on either side of a surface are easily visible." The Code offers two standards. First, it notes that windows and doors must be "capable of transmitting light". Second, they must transmit enough light so that "objects on either side of a surface are easily visible". That standard clearly prohibits reflective or tinted glass that is completely opaque. Sec. 10-282.2(9)b.2., TLDC, applies only to the design review districts in the MMTD, but it also provides a valid goal for the rest of the MMTD. It prohibits windows with less than 70% light transmission. In other words, all windows must allow at least 70% of the light to enter the building. As shown by Figure 27, the interior of the building is easily visible. This project meets the Code's transparency requirements.

Figure 24



Zero Lot Line

The Code defines this term as follows: "Zero lot line means the location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line." Figure 28 depicts an example zero lot line residential subdivision.

Figure 25



Source: Google Earth

Figure 26

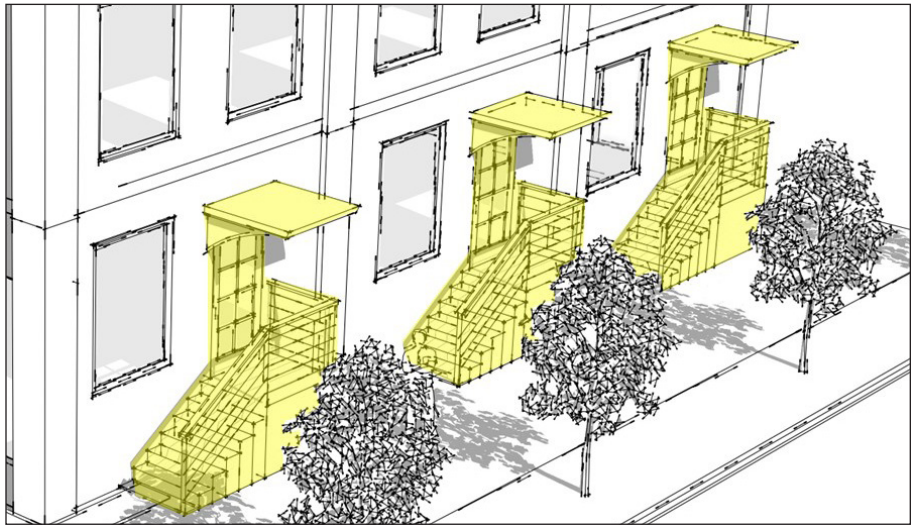


Figure 27



Figure 28





3 signs

This chapter is an overview of the sign code in Chapter 7 of the Tallahassee Land Development Code. It focuses on providing a big picture summary. In doing so, some Code provisions were not included, such as billboards (Sec. 7-64), electronic reader boards (Sec. 7-70), and others.

How are signs reviewed and approved?

If it is greater than 24 square feet, a sign requires a building permit and is reviewed for consistency with both the zoning and building codes. Zoning standards include issues such as the number of signs, sign placement, sign area, sign height, sign type, and the manner of illumination. Building standards focus on issues like the structure of the sign and its electrical connection.

How is the allowable size, number, and type of signs determined?

Figures 29 through 31 summarize several key features of the City's Sign Code from Chapter 7 of the TLDC. There are exceptions, but most uses are allowed the greater of either: a.) 2 square feet of sign area for each linear foot of building frontage; or b.) 1 square foot of sign area for each linear foot of property frontage, but not more than a maximum of 200 total square feet in either case. That standard is found in Figure 29 at rows 1 and 2, and column a. Figure 29 also summarizes a variety of other development standards concerning signs, including the maximum number of ground and wall signs, the maximum allowable sign height, and other issues.

What types of signs are regulated?

Chapter 1 of the TLDC references 42 different types of signs that are regulated by the Sign Code in Chapter 7. Please see Figure 32 for photographs of some of the types of regulated signs. Please note that Figure 32 only shows 12 of the 42 sign types that are addressed by Chapter 7. The purpose of Figure 32 isn't to depict all sign types, but to rather give a flavor of the wide variety of signs that are regulated by the Code.

Note that the sign face and the sign height are two of the key features regulated by the sign code. Chapter 1, TLDC, defines sign face as "The part of the sign, including trim and background, which contains the message or informative contents." Likewise, sign height is defined as "The vertical distance from the finished grade at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher." Both terms are illustrated by Figure 33.

What types of signs are prohibited?

Sec. 7-81, TLDC, prohibits the sign types that:

- Do not meet the Sign Code.
- Resemble a traffic control device or sign, or emergency vehicle markings.
- Obstruct free and clear vision on a street.
- Produce glare or are a hazard or a nuisance.
- Are animated, except public service signs.
- Are banners or flying paraphernalia, except specified flags.
- Produce noise or sounds capable of being heard.
- Emit visible smoke, vapor, particles, or odor.
- Cause radio, television, or communication interference.
- Include motion pictures visible from any public street or sidewalk.
- Obstruct firefighting, light, and ventilation.
- Are on public property, except signs installed by public authority.
- Are on trees, rocks, or other natural features.
- Are on a vehicle parked on a public road.
- Are sandwich signs, with exceptions.
- Are snipe signs.
- Are window signs that cover more than 20% of the window glass surface area.
- Are bench signs.
- Are flashing signs incorporated onto or attached to portable signs.
- Are tethered inflatable signs, with limited exceptions.
- Are electronic reader board signs on historic properties or historic structures.

Are there special cases?

This introduction to the Sign Code provides an overview of the standards that apply to most but not all of Tallahassee. As previously noted, the standards that apply to most of Tallahassee are summarized by Figures 29 through 31. Keep in mind that there are several areas of the City that have sign standards designed to serve their unique needs. Such special cases are summarized by Figure 34. The goal of Figure 34 isn't to exhaustively detail what the Code requires in these special cases but to rather provide a flavor of how they differ from the rest of the Code. The areas of the City that have unique sign standards are summarized below.

- All Saints neighborhood – The All Saints neighborhood is located at the east end of Gaines Street in the Multi-Modal Transportation District (MMTD).

- University Village – University Village is a zoning district generally located in the vicinity of the FSU and FAMU campuses in the MMTD.

- Multi-Modal Transportation District – The MMTD is a special planning area that includes Downtown Tallahassee and the surrounding neighborhoods. It emphasizes higher use intensities and densities to support multiple transportation options, such as cycling and walking.

- Mahan Corridor Ring and Node – The Mahan Corridor Ring and Node are zoning districts that encompass a relatively small area in the vicinity of Mahan Drive and Buck Lake Road.

- On Local Streets in Neighborhoods – In 2021, new development standards were added to Tallahassee's Zoning Code for commercial projects built next to existing residential neighborhoods. The new standards were adopted by the Neighborhood Compatibility Ordinance (No. 21-O-15). All residential neighborhoods have an edge where the residential homes stop and some form of non-residential use begins. The edge between the residential and non-residential uses must be thoughtfully designed. That's what the Neighborhood Compatibility Ordinance seeks to achieve. Its sign standards apply to non-residential development on a local road that is either adjacent or across the street from low density residential.

Figure 29

	Sign Standard	Non-Residential (Not Shopping Centers)			Shopping Centers (d)	Subdivisions (e)	Multi-Family and Mobile Home Park (f)	MMTD (g)
		Single Occupancy (a)	Multiple Occupancy[1] (b)	Central Core and Special Character District (Single/ Multi-Occupancy) (c)				
(1)	Aggregate surface area of all signs, as further limited by row (2)	2 sq. ft. / foot of building frontage, or 1 sq. ft. / foot of property frontage	Same as column (a)	Same as column (a)	See Figures 30 and 31	40 sq. ft.	32 sq. ft. (if > 16 units), OR 2 sq. ft. per unit (if < 16 units)	Same as column (a)
(2)	Max aggregate surface area per frontage	200 sq. ft.	150 sq. ft.	80 sq. ft. [2]	See Figures 30 and 31	NA	NA	See columns (a) - (f)
(3)	Max # ground signs per frontage	1	1	1	See Figures 30 and 31	1 per entrance	1 ground or wall sign / frontage	See columns (a) - (f)
(4)	Max # wall[3] signs per frontage	1	1	1	See Figures 30 and 31	NA	1 ground or wall sign / frontage	See columns (a) - (f)
(5)	Transfers permitted between frontages	Yes	Yes	No	No	NA	NA	See columns (a) - (f)
(6)	Sign on rear of building w/o frontage	No	No	No	No	NA	No	Yes[4]
(7)	Max height ground sign: - Arterial - Within 660 ft. of interchange - Other	 25 ft. 100 ft. 18 ft.	 25 ft. 100 ft. 18 ft.		 25 ft. 100 ft. 18 ft.	 10 ft. 10 ft. 10 ft.	 8 ft. 8 ft. 8 ft.	 25 ft. NA 10 ft.
(8)	Special conditions	NA	NA	NA	NA	NA	NA	See below.[5]

Notes:
[1] Individual establishments in multiple-occupancy buildings shall be permitted wall signs and wall sign area as though each were located in an individual building with individual street frontage.
[2] Lettering on awnings and canopies and permanent lettering on windows shall be included in the maximum signage allowed.
[3] Wall signs include wall, mansard, marquee, canopy, projecting, and roof signs.
[4] Each establishment is allowed an additional wall sign on the rear of the building, the maximum size of which is limited to the greater of 24 square feet or 50% of the allowable sign area on the front of the building.
[5] The following additional standards apply in the MMTD: a.) Pole mounted (pylon) signs are prohibited except along arterial roadways; b.) All other freestanding signs except along arterial roadways shall be monument types and shall not exceed ten feet in height; c.) Signage shall utilize the building materials of the primary structure; d.) Window signs shall only be permitted on the first story; e.) Externally illuminated signs shall be lighted from the top of the signs, with light directed downward by means of a fully shielded fixture; and f.) Internally illuminated signs attached to or part of awnings and canopies are prohibited.

Figure 30

	Base Sign Allowance for Shopping Centers (a)	If use in shopping center has ≥ 100,000 sq. ft. and if max distance to ROW line of street is within range of columns (b) to (d), wall signs are allowed per below.		
		≥ 100 ft. but < 400 ft. (b)	≥ 400 ft. but < 600 ft. (c)	≥ 600 ft. (d)
Aggregate surface area of wall signs, as further limited by row (2) below	One sign not to exceed 2.5 sq. ft. of surface area for each lineal foot of store frontage	Column (a) multiplied by 4	Column (a) multiplied by 5	Column (a) multiplied by 6
Max aggregate surface area of wall signs	200 sq. ft.	300 sq. ft.	600 sq. ft.	800 sq. ft.
Max # of wall signs	1	2	3	4
Additional signs	Each establishment in the shopping center shall be allowed 1 hanging marquee sign with a height of 1 foot, and a width of either 6 feet or the width of the canopy, whichever is less.			
Signs cannot be on rear or sides of a shopping center if oriented to a residential neighborhood.				

Figure 31

	Neighborhood Shopping Center ≥ 25,000 but < 100,000 sq. ft. (a)	Community Shopping Center ≥ 100,000 but < 300,000 sq. ft. (b)	Regional Shopping Center ≥ 300,000 sq. ft. (c)
Max aggregate surface area of ground signs	175 sq. ft.	200 sq. ft.	300 sq. ft.
Max # of ground signs	One ground sign for the first 500 lineal feet of frontage adjacent to a street and one additional ground sign for each additional 500 lineal feet of frontage or major fraction thereof.		
Signs cannot be on rear or sides of a shopping center if oriented to a residential neighborhood.			

Figure 32



Banner Sign



Changeable Copy Sign



Construction Sign



Electronic Reader Board Sign



Monument Sign



Pole Sign



Roof Sign



Sandwich Sign



Subdivision Sign



Temporary Sign



Wall Sign



Window Sign

Figure 33



Figure 34					
	All Saints, Sec. 7-68(a)	University Village, Sec. 7-68(b)	MMTD, Sec. 7-71	Mahan Corridor Ring and Node, Sec. 7-69	On Local Streets in Neighbor-hoods, Sec. 7-72
Limits type or size of signs	X	X	X	X	X
Preserves historic signs	X	X			
Provides infill standards	X	X			
Requires design review	X	X			
Prohibits additional signs	X	X	X	X	X
Regulates illumination source			X	X	X
Regulates building materials			X		
Limits window signs			X		
Regulates sign placement					X



4 process

Chapter 9 of the Tallahassee Land Development Code creates a review process and development standards for subdivisions and site plans. When a new development is proposed, Chapter 9 provides the road map that defines what must be included in the application and how it will be reviewed.

This Zoning Handbook doesn't document the steps in the development process because that's already explained in detail in both a video and a handout at the Growth Management Department's website. Instead, the Zoning Handbook focuses on the project submittal standards. The discussion below provides an overview of key features of Chapter 9.

Broadly speaking, development applications typically fall into one of two categories. First, a subdivision is exactly what the name suggests. A larger parcel is divided into multiple smaller residential or non-residential lots. An approved subdivision doesn't allow the construction of a new building. Rather, it only allows for the legal division of larger parcels into smaller lots. Second, a site plan is a proposal to build a new structure, along with its supporting parking, stormwater facilities, and similar features. Chapter 9 of the Tallahassee Land Development Code defines how both types of applications are reviewed.

Limited Partitions

A limited partition is a streamlined process for residential subdivisions with 10 or fewer lots. It is particularly appropriate for small infill subdivisions that are already zoned for the intended density. To qualify for the limited partition process, a proposal must:

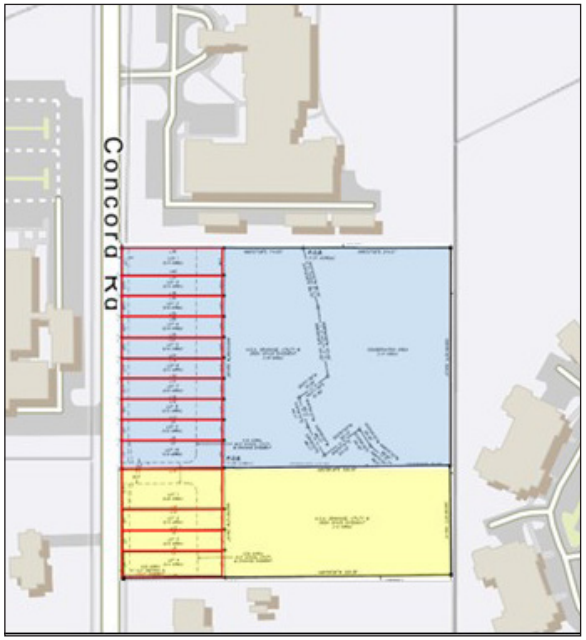
- Be an unrecorded residential lot or parcel on an existing public or private street;
- Propose 10 single family or duplex dwelling units;
- Propose a density allowed by the Zoning Code;
- Not propose a lot with new driveway access to an arterial or major collector road;
- Ensure subdivision of existing dwelling units meets building codes;
- Not create a new street for legal access (see discussion below concerning legal access);
- Not require the extension of water and sewer mains; and
- Not include land previously subdivided by a limited partition.

The limited partition in Figure 35 is east of Concord Road and south of Mahan Drive. The parcel highlighted blue has 10 lots, and the parcel highlighted yellow has 4 lots. This project met the criteria noted above.

Preliminary and Final Plats

Chapter 1, TLDC, defines a plat as "A map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and including other information as required by the applicable laws of the state and chapter

Figure 35



9, pertaining to subdivisions, and which has been placed in the official records of the county." In other words, a plat is the official document that shows the exact surveyed boundaries of the subdivision. The official records are maintained by the Leon County Clerk of Courts. You can find the recorded plat for all subdivisions at the Clerk's website by searching based on the plat book number and page number.

Note that all subdivisions require a preliminary plat and a final plat. An approved preliminary plat is reviewed by the Development Review Committee and meets the following standards:

- Chapter 5, TLDC (grading, stormwater, and environmental protection);
- Chapter 9, TLDC (subdivision design);
- Chapter 10, TLDC (zoning); and
- Other applicable regulations.

In contrast, a final plat is approved by the City Commission after the developer installs all improvements required by the subdivision (roads, water, sewer, and so forth). It is the document that is recorded with the Leon County Clerk of Courts.

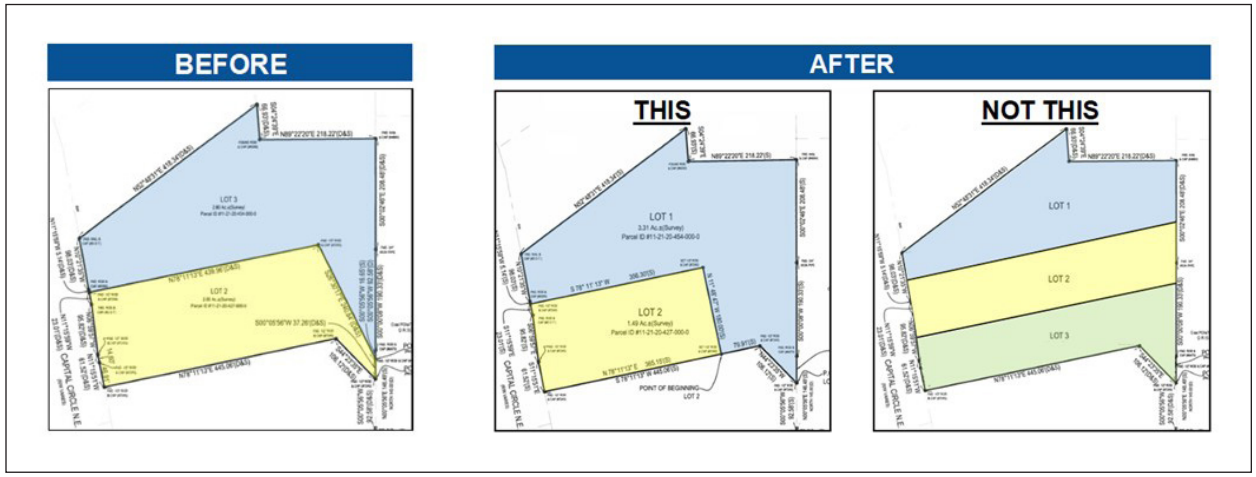
Technical Amendments

There are valid reasons for doing minor lot boundary adjustments. A technical amendment is a streamlined process for making such minor adjustments, but it is only available if the lot isn't platted, if no new lots are created, if the lots continue to meet the Code, and if the orientation to the street is the same.

The "Before" diagram in Figure 36 shows the configuration of two adjacent lots prior to a technical amendment. The "After" diagram in Figure 36 depicts two technical amendment applications. The figure on the left labeled "This" was approved because it isn't part of a recorded plat, because no additional lots or streets were created, because the revised lot boundaries meet the Code's standards, because the orientation of the lots to Capital Circle NE does not change, and because no streets are vacated.

However, the figure at the right labeled "Not This" could not be approved as a technical amendment because it does create an additional lot. Please note that the "Not This" figure below represents only one possible application that is ineligible for a technical amendment. A technical amendment application must meet all the criteria at Sec. 9-97, TLDC.

Figure 36



Subdivision Design Standards

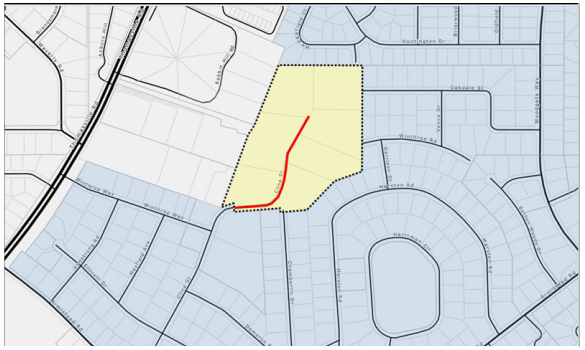
Subdivision design standards are discussed at length in the Code at Sec. 9-111 and Sec. 9-112, TLDC. Sec. 9-111, TLDC, focuses on required improvements like grading, streets, curbs, gutter, sidewalks, bikeways, drainage, potable water, sewer, electric, fire protection, street lighting, traffic control, and any required dedications of land. Sec. 9-112, TLDC, on the other hand, identifies the subdivision design standards, including pavement widths, street connectivity, street design speeds, street intersection design, dead end streets, stub-out streets, pedestrian and emergency access, bicycle/pedestrian connection, signage, and similar matters. The key point is that Chapter 9, TLDC, establishes the minimum standards for how a subdivision must be designed. The following discussion highlights several issues from Chapter 9, TLDC.

Legal Access for Lots in a Subdivision

Chapter 1, TLDC, defines the term "legal access". For residential subdivisions, it means the right, created by fee simple ownership, for an owner or proposed owner to ingress and egress via automobile or other motorized vehicle from the premises to a public street or to a private street so long as the private street was built prior to June 1, 1984, built pursuant to Ordinance No. 84-O-2252AA, or built pursuant to chapter 9. For nonresidential subdivisions, it means the right, created by fee simple ownership, deed, license, easement, or other insurable right of access, recorded in the public records of the county, and for perpetual ingress to and egress from the premises to a public or private street.

In Figure 37, each lot in the light blue area has legal access to a publicly dedicated street. However, the lots in the yellow area do not have access to a publicly dedicated street. The road that serves those lots (highlighted red) is an access easement that is privately maintained. Sec. 9-112(c)(1), TLDC, provides that "A subdivision and every lot within it shall have legal access to a publicly dedicated street. Easements are not recognized as providing legal access to new residential parcels proposed for creation as a result of a residential subdivision." Per current standards, all newly created lots must have legal access to a publicly dedicated street. To be built today, the portion of the road highlighted red would have to

Figure 37



be built to public street standards. It isn't sufficient for it to simply be an access easement that is privately maintained.

Continuation of Arterials and Collectors in Subdivisions

A residential subdivision shouldn't be a difficult to navigate maze. To avoid that, the Code requires that arterial and collec-

tor roads must connect both internally and externally. That's important for neighbors, but also for the police and fire departments, which may need to get to a site quickly. Sec. 9-112, TLDC, requires that arterial and collector streets in proposed subdivisions be connected both internally and also with the surrounding road network. Figure 38 illustrates a subdivision design prohibited by Sec. 9-112, TLDC. The collector roads highlighted yellow connect at the north and east with major arterials. At examples 1 and 2, both collector roads are not connected internally. At example 3, the north/south collector only serves the subdivision to the north and provides no connectivity to the adjacent subdivision at the south.

Driveway Access for New Subdivisions

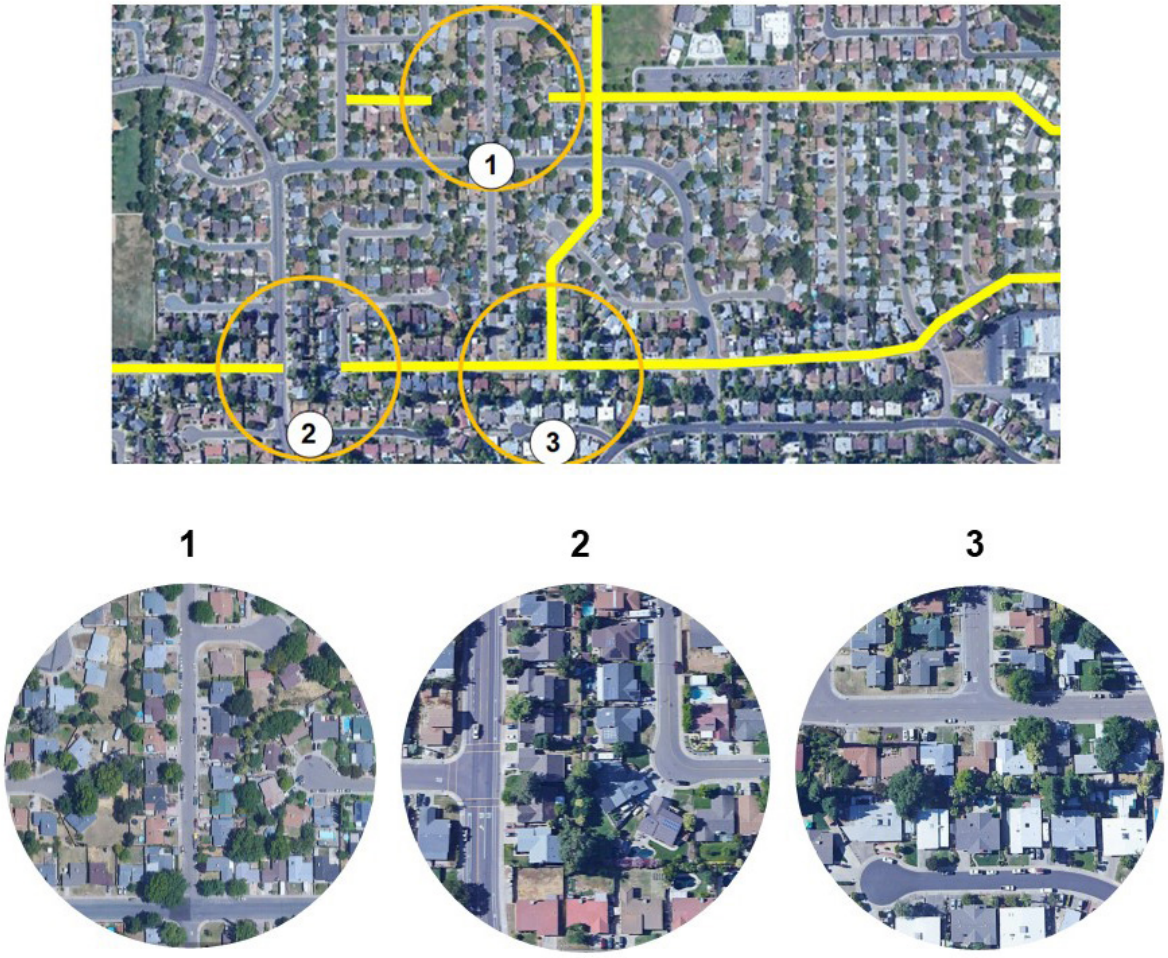
Sec. 9-112(c)(3), TLDC, notes that "No new direct driveway access shall be permitted to a canopy road or inside the urban service area to a major collector or arterial roadway from any newly created subdivision lot." The two commercial examples shown in Figure 39 illustrate this citation. Example #1 shows a three lot commercial subdivision along a canopy road. It depicts one possible solution to meeting Sec. 9-112(c)(3), TLDC, in which the three lots are accessed from behind the buildings along the two secondary roads.

Likewise, Example #2 depicts a three lot commercial subdivision that is not on a canopy road or in the Multi-Modal Transportation District. In this example, the parcel had one driveway prior to being subdivided, and it has one driveway after the subdivision occurred. Access to each of the three lots would be achieved by an access easement.

Minimum Depth of Buildable Area

Sec. 9-112(c)(7), TLDC, creates minimum dimension standards for newly subdivided lots. One of the key requirements from this citation is that the minimum buildable area between the front and rear setbacks is set at 35 feet. Figure 40 uses the RP-1 zoning district to explain this standard. The RP-1 district requires a minimum front and rear yard of 25 feet. Given that the depth of the buildable area must be at least 35 feet, the overall minimum depth of RP-1 lots is therefore 85 feet (25 + 35 + 25).

Figure 38



Source: Google Earth

Figure 39

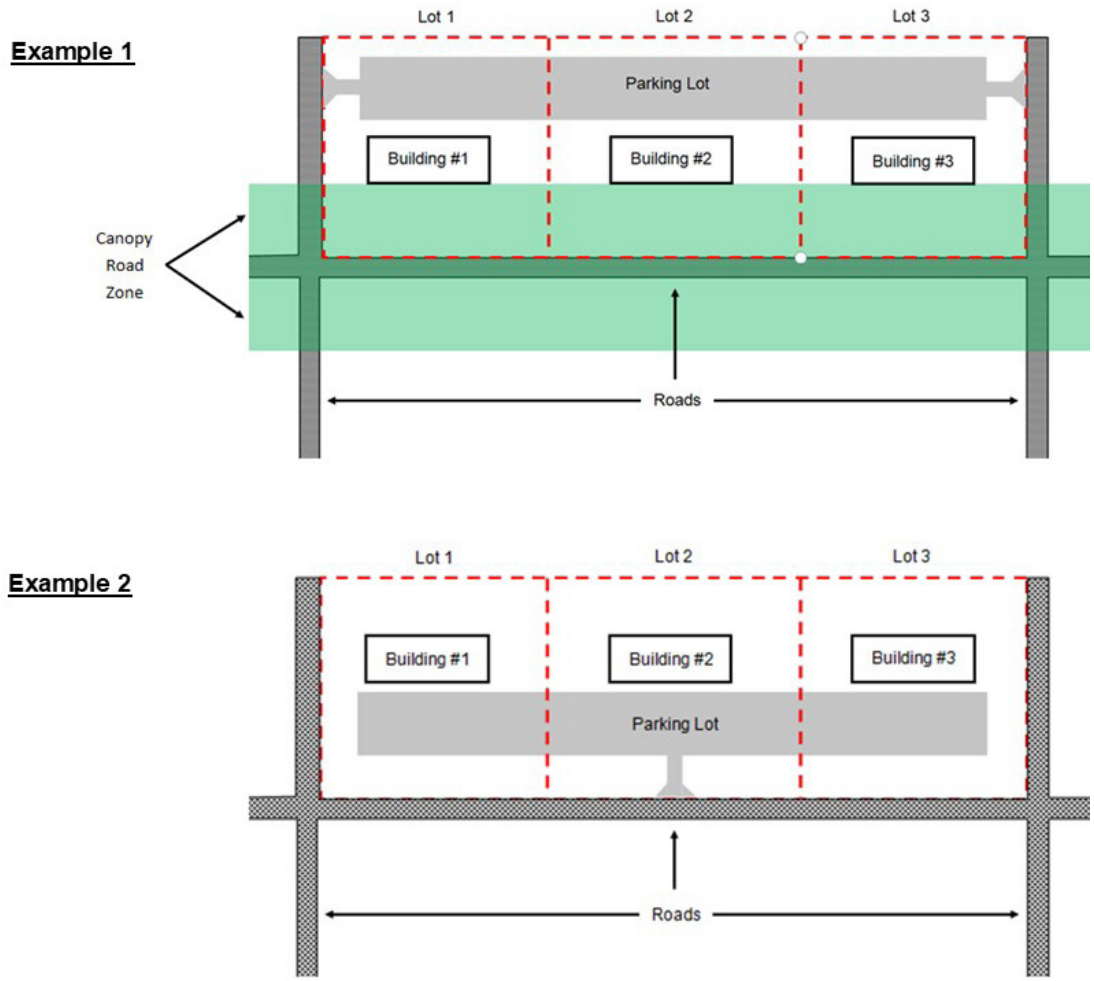
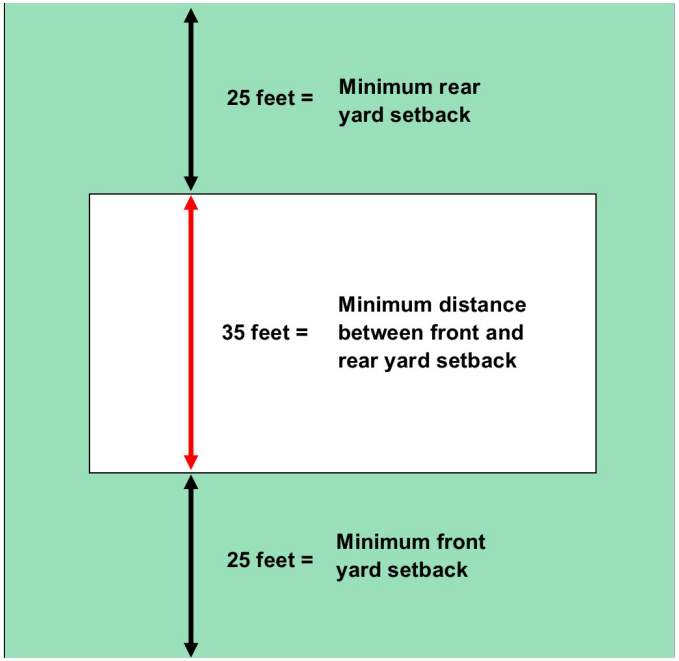


Figure 40



Residential Flag Lots

The goal of the Code's flag lot standards is to assure consistent neighborhood design, as well as access to public services like police and fire protection. Flag lot driveways are not paved roads maintained to public standards. They must be accessible to public safety vehicles (like fire trucks) and provide space on site to safely turn around. Sec. 9-112(c)(7)d., TLDC, provides standards for residential flag lots as follows: 1.) Minimum area of the lot (less the driveway) must be 1.5 times the required area in the zoning; 2.) The setbacks must be met on the lot, less the driveway; 3.) The driveway width must be at least 14 feet, with a frontage of at least 20 feet; 4.)

The driveway can't be longer than 150 feet; 5.) There may be no more than 2 adjacent flag lots; and 6.) Nonresidential and multi-family flag lots are prohibited. The lots shown in Figure 41 were subdivided in the 1990s and don't meet the current standards.

In the example, the land is zoned R-3. The minimum lot size in the R-3 district is 5,000 square feet for detached single family. The flag lots easily exceed 7,500 sq. ft. (5,000 X 1.5). There are 2 reasons these flag lots don't meet current standards. First, the frontage of the eastern most flag lot is less than 20 feet. Second, the driveway of all 3 flag lots is significantly longer than the 150 foot maximum.

Lot Drainage

Sec. 9-112(c)(8), TLDC, requires lots to be designed to provide positive drainage away from all buildings, to be coordinated with the general stream drainage pattern for the area, and to avoid unnecessary concentration of storm drainage water from each lot to other lots or parcels. This citation prevents flooding by requiring that lots are graded so that drainage is directed away from buildings. Figure 42 illustrates a single-family residence (highlighted yellow) on a platted residential lot. The drainage flow arrows (highlighted by the green ellipses) demonstrate how the lot is to be graded in the building plans.

Further Subdivision of Existing Lots

The goal of this citation is to preserve the residential character of the neighborhood by preventing the further subdivision of an existing neighborhood from creating an excessively small lot.

- Step 1 - Confirm that the exception at Sec. 9-62(e), doesn't apply to the project. Specifically, steps 2-6 only apply in an RP-2 zoning district if a majority (50% plus one) of developed lots contain only one single family detached dwelling unit.

- Step 2 - Identify the plat or phase of the plat for the lot in question. The example below and in Figure 43 is the Dellwood plat at Plat Book 3, page 26. Copies of plats can be obtained as follows: a.) Go to the Leon County Property Appraiser's website, which lists the plat book and page number in its description of individual lots; and b.) Enter the plat book and page number at the searchable records of the Leon County Clerk of the Courts.

- Step 3 - Confirm that the property is zoned either RP-1, RP-2, R-1, R-2, or PUD.

- Step 4 - In ascending order, list the acres for each lot. Acres can be determined through the Leon County Property Appraiser's website.

- Step 5 - From the ascending order list, identify the median acres, which is the middle figure. If you have an even number of lots, the

Figure 41

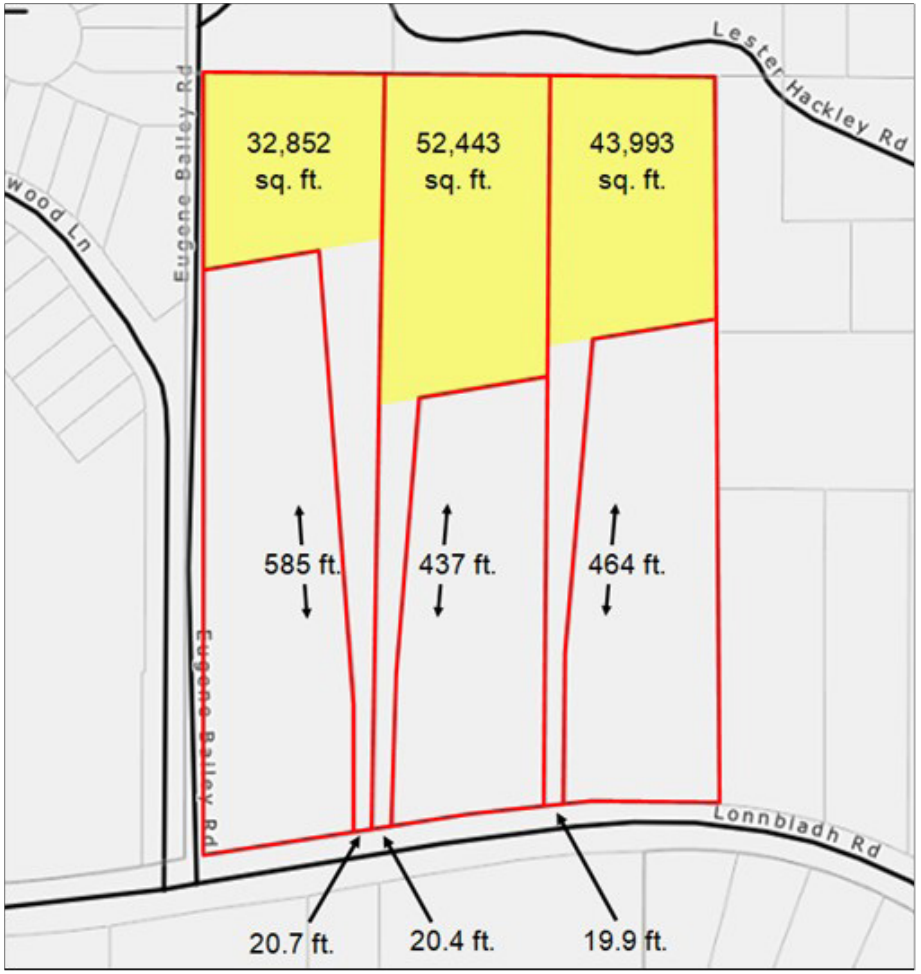


Figure 42



Figure 43



median would be the average of the middle two acreage values. For the Dellwood plat, the median lot size is 0.27 acres.

- Step 6 - Multiply the median lot size by 0.9, which results in the smallest allowable size of any newly subdivided lot. For the Dellwood subdivision, the smallest allowable size for any newly subdivided lot is 0.27 acres (the median) multiplied by 0.9, or 0.243 acres. Please note that each zoning district's minimum lot size must always be met. Therefore, if the median multiplied by 0.9 is less than the minimum lot size required by zoning, then the minimum lot size from the zoning district controls. On the other hand, if the median multiplied by 0.9 is more than the minimum lot size allowed by zoning, then the calculated lot size controls.

Site Plans

An approved site plan is required for both multi-family projects (greater than or equal to 4 dwelling units) and all non-residential development greater than 2,500 square feet. The site

plan documents how a building and its supporting uses will be arranged on a site consistent with the Zoning Code. The site plan describes features of the proposed building, such as its setback from the street, the building height, and architectural details. It also documents the facilities needed to support the building, including parking, stormwater facilities, landscaping, and buffers. The site plan must be approved before the building permit can be issued. The 4 types of site plans are summarized in Figure 44.

Inclusionary Housing

Housing affordability is a challenge throughout the country. Tallahassee's Code seeks to address that challenge through inclusionary housing provisions at Sec. 9-240 through Sec. 9-250, TLDC. The inclusionary housing standards apply to new development in specified census tracts, in Planned Unit Developments, and in Developments of Regional Impact with 50 or more residential dwelling units intended for owner occupancy. Such projects must provide at least 10% of the total number of residential dwelling units as affordable owner-occupied units, as defined by the Code. In lieu of providing the required affordable owner-occupied units, the Code provides the option of either a fee in-lieu, affordable multi-family rental housing, or residential lots. Developments that provide the required number of inclusionary housing units are eligible for incentives, including additional density, design flexibility, expedited review, deviations, transportation concurrency exemption, and other incentives.

Figure 44

	Type A	Type B	Type C	Type D
Pertinent land uses	MFR and nonresidential [1]	MFR and nonresidential [1]	New public or private schools [2]	See footnote. [3]
Deviation or variance allowed?	No	Yes	NA	NA
Dwelling units	≥ 4 units	≥ 4 units	NA	NA
Square feet	> 2,500 sq. ft.	> 2,500 sq. ft.	NA	NA
Review authority	Staff committee	Development Review Committee (DRC)	DRC and Planning Commission	Planning Commission and City Commission

Notes:

1 The following types of development must always apply for a Type B site plan: 1.) All development in the Government Operational-1 (GO-1) and all development except for new heavy infrastructure in Government Operational-2 (GO-2) zoning districts; 2.) Land uses listed as a special exception in the design review districts; 3.) New transitional residential facilities and expansions to existing transitional residential facilities; 4.) Sites with proximity to low density residential development; and 5.) Sites with ≥ 40% coverage by conservation or preservation areas.

2 Site plans for the expansion of existing public or private schools are subject to the site plan review thresholds for Type A or Type B site plans.

3 Creation of historic preservation or canopy road overlays, DRIs, and new heavy infrastructure development in the Government Operational-2 (GO-2) zoning district.



5 zoning

Chapter 10 of the Tallahassee Land Development Code provides the Zoning Code. The two key features of Chapter 10 are the zoning districts and the associated development standards that apply to new projects in each zone.

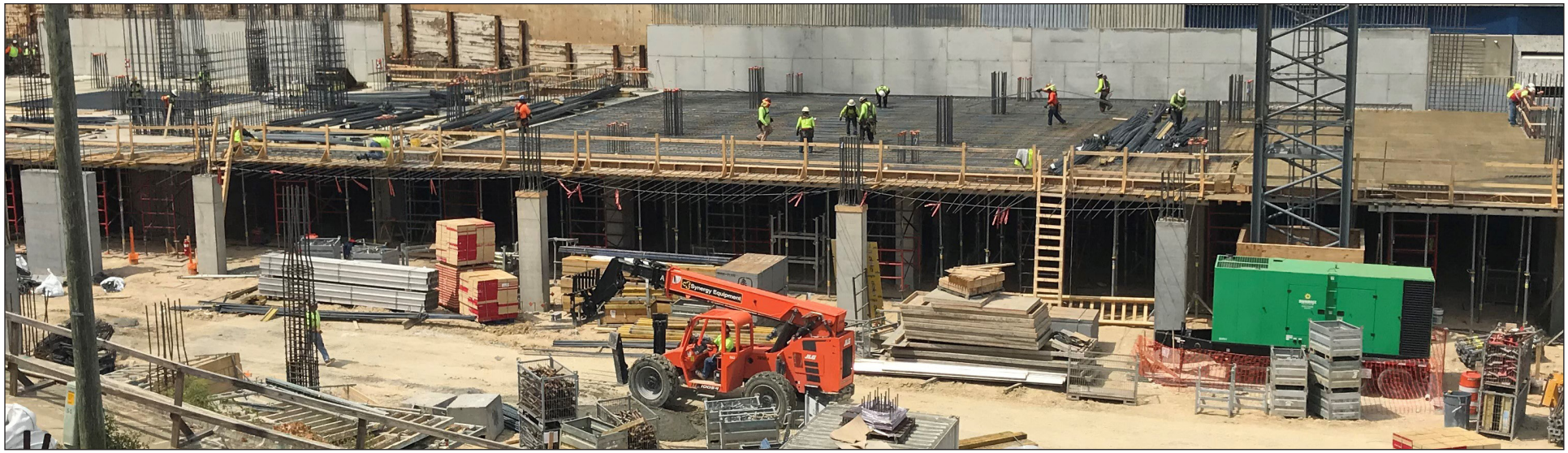
Tallahassee's Zoning Code has 54 separate zoning districts. Figure 45 provides a brief overview of those districts at a very high level. For example, Figure 45 notes whether each zoning district allows residential, office, commercial, institutional, and industrial uses. The Code's definition of the allowable uses in each district is far more precise. For example, Figure 45 references commercial uses, while some districts list dozens of different types of retail uses. The goal of Figure 45 is to provide a big picture summary of the zoning districts and their allowable uses.

The allowable uses are only half of what is provided by Chapter 10. It also identifies the pertinent development standards for each zoning district, which includes criteria like setbacks, building height, parking requirements, landscaping, buffers, and a variety of other design issues. Please refer to Chapter 10 to determine whether a specific use is allowed and what development standards apply in a given zoning district.

Figure 45							
		Residential	Office	Commercial	Institutional	Industrial	Density (units/acre)
AC	Activity Center	X	X	X	X	X	16-45
ASN-A	All Saints A	X	X	X			8-50
ASN-B	All Saints B	X	X	X	X		16-50
ASN-C	All Saints C		X	X	X		16-75
ASN-D	All Saints D		X	X	X		16-100
C-1	Neighborhood Commercial	X	X	X	X		8-16
C-2	General Commercial		X	X	X		8-16
CM	Medical Arts Commercial	X	X	X	X		6-20
CC	Central Core	X	X	X	X		150 max
CP	Commercial Parkway	X	X	X	X		6-16
CU-12	Central Urban 12	X			X		4-12
CU-18	Central Urban 18	X	X	X	X		4-18
CU-26	Central Urban 26	X	X	X	X		4-26
CU-45	Central Urban 45	X	X	X	X		4-45
DRI	Development of Regional Impact	Uses and standards defined in development order.					
GO-1	Government Operational 1				X		----
GO-2	Government Operational 2				X		----
I	Industrial					X	----
IC	Interchange Commercial	X	X	X	X	X	6-16
LP	Lake Protection	X			X		0.5 max
M-1	Light Industrial		X		X	X	----
MCR	Mahan Corridor Ring	X			X		4-10
MCN	Mahan Corridor Node	X	X	X			6-16
MH	Manufactured Home Park	X			X		8 max
MR	Medium Density Residential District	X			X		6-16
MR-1	Medium Density Residential	X			X		8-20
NBO	Neighborhood Boundary Office	X	X				8 max
NB-1	Neighborhood Boundary 1	X	X	X	X		18 max
OA-1	Airport Vicinity		X	X	X		----
OR-1	Office Residential 1	X	X		X		8 max

Figure 45							
		Residential	Office	Commercial	Institutional	Industrial	Density (units/acre)
OR-2	Office Residential 2	X	X	X	X		8-16
OR-3	Office Residential 3	X	X		X		8-20
OS	Open Space				X		----
PD	Planned Development	Uses and standards are defined by the project.					
PUD	Planned Unit Development	Uses and standards are defined by the project.					
R	Rural	X		X	X		0.1 max
R-1	Single Family Detached 1	X			X		3.63 max
R-2	Single Family Detached 2	X			X		4.84 max
R-3	Single Family Detached, Attached 2 Family	X			X		4-8
R-4	Single, 2 Family & Multi Family Residential	X			X		4-10
R-5	Manufactured Home & Single Family Detached	X			X		8 max
RA	Residential Acre	X			X		1 max
RP-1	Residential Preservation - 1	X			X		3.6 max
RP-2	Residential Preservation - 2	X			X		6 max
RP-MH	Residential Preservation Mobile Home Single Family	X			X		6 max
RP-R	Residential Preservation Rural	X			X		Varies [1]
RP-UF	Residential Preservation - Urban Fringe	X			X		Varies [2]
SCD	Special Character District	X	X	X	X		----
UF	Urban Fringe	X		X	X	X	Varies [3]
UP-1	Urban Pedestrian 1	X	X	X	X		6-16
UP-2	Urban Pedestrian 2	X	X	X	X		6-16
U-PUD	Urban Planned Unit Development	Any use consistent with FLUM and district intent.					
UT	University Transition	X	X	X	X		50 max
UV	University Village	X	X	X	X		16-100

Notes:
[1] 3.6 dwelling units per acre in platted subdivisions, or 1.0 dwelling unit per 10 acres on unplatted lots.
[2] 3.6 dwelling units per acre in platted subdivisions, 1.0 dwelling unit per acre (net) for clustered developments on unplatted lots, or 1.0 unit per 3 acres, for all other developments.
[3] $\leq$ 1 unit per 3 acres. Also allows a net density of 1 unit per acre if clustered on 25% or less of the site (allowing a gross density of up to 4 units per acre on the developable portion of the site).



6 conclusion

New development has a big impact on a City. Think of Cascades Park. It was a wilderness with a 30-foot waterfall when the City was founded in the early 1800s. Fast forward about a hundred years, and it was home to Centennial Field and minor league baseball. However, the 20th century also brought a gas plant, a landfill, and a waste incinerator which caused serious environmental damage. But the 21st century ushered in a new chapter. The City cleaned the environmental damage and redeveloped Cascades Park as we know it today. The site evolved from wilderness to a baseball field to an environmental superfund site to the award-winning park that it is today.

According to the Urban Land Institute, the average life span of a commercial building is 60 years[1]. Consequently, what is built today will be experienced by future generations. Given its potential impact, the development process should ideally include participation from all stakeholder groups, including neighborhood, environmental, and civic organizations, but also business owners. Some stakeholders want to keep track of what is built in their immediate neighborhood, while others want to monitor new development throughout the City. We'll conclude this Zoning Handbook with our top ten tools that will help you stay involved in what we do.

[1] Diana Schoder. Greening Buildings for Healthier People. Washington, DC: Urban Land Institute, 2022.

1. Attend Meetings

All of our meetings for review of development applications are open to the public and we encourage you to attend. Please see our website at www.talgov.com/growth/growth-meetagenda for details. There are 3 meetings for different types of applications, including the Development Review Committee, the Board of Adjustments and Appeals, and a weekly multi-departmental staff committee.

2. Email Lists

Agendas for all of our meetings are published in advance, and you can have them delivered to your email. Please see https://www.talgov.com/cotnews/subscribe to sign up. At that link, please choose all of the Growth Management Agendas when you subscribe.

3. Electronic Plan Review

All development applications are filed electronically. That saves time in the application process, but it also makes applications more accessible to interested persons (see "7" below).

4. Geographic Information System (GIS)

If you aren't familiar with GIS, think of it as an electronic map that allows multiple layers of information to be added as may be needed. We're using GIS to make the development process more accessible at www.talgov.com/growth/growth-meetagenda. At the preceding link, scroll down about half way to an interactive map that lists all development applications that are in the review process. Note that the projects are coded by colored dots according to their type. By clicking on one of the project specific dots, you can also review the project documents by clicking on "View Plan Drawings". Finally, a wealth of land use information is available for any parcel in the City at https://tlcgis.leoncountyfl.gov/LandInfoPublic/.

5. Planner of the Day

Some questions are best answered by talking through the details. When that's the case, we encourage you to contact us directly at either (850) 891-7001, option 4, or by email at Zoning@Talgov.com. A member of our planning staff is always available. We look forward to hearing from you!

6. Public Notice

Before we begin reviewing a new development application, some types of projects are required to post signs on site to alert the public of the pending request. The Growth Management Department also sends a notice in the U.S. Mail to all property owners and residents within 1,000 feet of the project site. In response to a community request, we recently increased the size of the public notice signs, required that they be displayed in a more sturdy metal frame, and doubled the mailing radius from 500 feet to 1,000 feet around the project site.

7. Records Requests

You may want to review the application for a project. We can help with that. Please see our website at www.talgov.com/growth/growth-reports. Scroll down to the very bottom of that page to the blue bar with the title, "Online Records Requests". Click on that bar, and then complete the brief form that appears that will allow us to find the right records for you. Most requests are fulfilled in the same day. You'll receive a PDF of your requested records by a return email from us.

8. Videos

We understand that the Zoning Code can seem complicated if you don't work with it everyday. We're working to address that challenge with a series of videos that we've posted to our website at www.talgov.com/growth/growth-videos. For example, our first video explained each step of the development process from beginning to end. One of our more recent videos detailed the City Code's tree preservation standards.

9. Website

As you've seen from the above discussion, the Department's website at www.talgov.com/growth/growth has a wide range of tools. Our goal is to be transparent in all that we do, and our website has extensive information on our work.

10. Write letters

We work hard to understand and analyze how a proposed development will fit in, but a neighborhood's perspective is always welcomed. Any email or letter that we receive about a project becomes part of the public record and is given careful consideration by the review body. Our mailing address is on the last page of this report.

CITY OF TALLAHASSEE

Growth Management Department

Location: Renaissance Building, 435 N. Macomb Street, Tallahassee, FL 32301
Mail: City Hall, 300 S. Adams St. Box B-28, Tallahassee, FL 32301