



Palm Beach County Planning Division

Comprehensive Plan Amendment Process

Palm Beach County processes several rounds of amendments to the Comprehensive Plan per year; generally a minimum of two large scale amendment rounds with text and map series amendments and site specific amendments to the FLUA, and four small scale amendment rounds limited to only small scale amendments (and associated text amendments if applicable). This document summarizes the County's Amendment Process which is further detailed on the Planning Division's website (www.pbcgov.org/pzb)

Privately Initiated FLUA Amendments

Property owners, and/or their designated agent, may request a FLU change by requesting a site-specific amendment to the FLUA by submitting an application. Amendments to the FLUA are legislative in nature. Submittal of the FLUA Amendment application and fees does not convey any entitlements to the subject parcel(s), and does not guarantee the approval of the amendment by the BCC. When a proposed FLUA amendment has been denied by the BCC, the same parcel(s) may not be heard for the amendment request for a period of two years unless otherwise specified by the BCC. Additionally, pursuant to BCC direction on July 15, 2008 and reaffirmed on October 11, 2011, proposed FLUA amendments determined to be inconsistent with a prohibitive provision of the Comprehensive Plan will not be processed without a concurrent text amendment.

FLUA Amendment with Associated Text Amendments. Pursuant to BCC direction on February 23, 2012, property owners may submit an application to request a Text Amendment to the Comprehensive Plan, and this was added to the Comprehensive Plan on April 29, 2015. These requests must be made in conjunction with a site specific FLUA Amendment or Development Order and requested in order to alleviate an inconsistency with a prohibitive policy of the Comprehensive Plan. Amendments are legislative; submittal of an application and fees does not convey any entitlements to the subject parcel(s), does not guarantee that the BCC will consent to the request to initiate the review of the amendment, and does not imply that the BCC will ultimately approve the amendment.

FLUA Amendment with Concurrent Zoning Application. At the request of an applicant, the County shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to F.S. § 163.3184(12). Zoning changes approved by the County are contingent upon the comprehensive plan or plan amendment transmitted becoming effective. Small Scale Amendments must be processed concurrently with a rezoning, if applicable. Article 2.C.1.D.3.a, of the ULDC requires that: *"If a small scale land use amendment requires a rezoning, conditional use, development order amendment or abandonment application(s), the two applications shall be reviewed and considered by the BCC concurrently. The applicant shall submit a site plan or conceptual site plan as part of the zoning application(s). The complete zoning application must be submitted at a scheduled zoning application intake within 90 calendar days of receipt of the small scale land use amendment application. If a complete zoning application is not submitted, the small scale land use amendment shall be administratively withdrawn immediately."*

Types of Privately Initiated FLUA Amendments

- **Large Scale Amendments:** A Large Scale Amendment application may be submitted for a FLUA change only, or a FLUA and Tier Change, or a Tier Change only.
- **Large Scale Amendment with Tier Amendment:** Palm Beach County adopted the Managed Growth Tier System in 1999 to develop and implement strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within five geographically specific regions of the County. A property owner may request an amendment to change their site from one Tier to another through the Amendment process. An amendment request that includes a Tier amendment are subject to the following:
 - **Criteria.** Tier amendments are governed by FLUE Policy 1.1-b that contains the re-designation criteria and Policy 1.1-d requires a determination that the request does not constitute urban sprawl. These policies are “shall not” or prohibitive policies. Therefore, if the request does not meet the requirement of these policies, the application may be processed and/or the amendment may not be approved.
 - **Concurrent FLUA Application.** Proposed Tier amendments may require a concurrent Future Land Use Atlas amendment since not all Future Land Use designations are allowed in all Tiers. Applications for a Tier amendment without a necessary FLU amendment will be found insufficient for processing. If a proposed Tier amendment requires and/or includes a concurrent FLUA amendment, the entire FLUA Amendment application must be completely submitted. If the Tier amendment does not require and/or does not include a concurrent FLUA amendment, Section VIII. Public Facilities, is not required to be submitted as part of the application. A proposed Tier Boundary Change requires an additional fee.
 - **Study.** The County shall conduct a study to address the proposed Tier amendment and, depending on the Tier amendment proposed, the County may require additional data and analysis from the applicant during the amendment process.
- **Small Scale Amendments:** In order to be processed as a Small Scale amendment (SCA), must be processed concurrently with an associated Zoning application (if applicable) and must meet the following criteria:
 - **SCA Criteria in the Introduction & Administration Element:**
 - b. The parcel consists of a lot (or lots) which do not exceed a total of 10 acres in size (including all land necessary to support the proposed use including land necessary for drainage);
 - c. The parcel is located within the Urban Service Area Boundary;
 - d. The request is not to move the boundary of any tier.
 - **SCA Criteria pursuant to F.S. § 163.3187(1):**
 - f. The proposed amendment involves a use of 10 acres or fewer;
 - g. The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year;
 - h. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government’s comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible; and
 - i. The property that is the subject of the proposed amendment is not located within an area of critical state concern.

Amendment Review Process

Private FLUA Amendment Intake: The Planning Division accepts privately initiated FLUA Amendment applications six times per year. Upon intake, Planning staff review the application for sufficiency (see FLUA Amendment Application, Sufficiency).

County Review Process: Once proposed FLUA amendments are found sufficient for processing, the Planning Division prepares a staff report that examines data, performs an analysis of consistency with the Comprehensive Plan, and provides a recommendation. The County reviews each proposed FLUA amendment for consistency with the goals, objectives and policies of the County's Comprehensive Plan.

Public Hearing Notices: Proposed FLUA Amendments sites are posted with **Public Notice signs** during the amendment process and property owners within 500 feet (1,000 feet within the Exurban and Rural Tiers) receive a notification by mail within 30 days of the first public hearing.

Public Hearings - Agendas & Staff Reports: Each proposed small scale amendment is subject to two public hearings: Planning Commission (PLC) public hearing and Board of County Commissioners (BCC) Adoption public hearing. Large Scale amendments are subject to three public hearings: PLC public hearing, BCC transmittal public hearing, and BCC Adoption public hearing. Agendas and staff reports are published online one week prior to each public hearing.

Large Scale Transmittal State Agency Review: All transmitted amendments are reviewed by State-mandated reviewing agencies, including Treasure Coast Regional Planning Council (TCRPC) for consistency with State plans and regulations. State Review Agencies must provide comments to the County within 30 days of receipt of the transmitted amendments.

BCC Adoption Hearing: The Planning Division presents the amendment staff reports to the BCC at an Adoption Public Hearing. For Large Scale amendments, the staff reports will address any comments or objections issued by the State Land Planning Agency and State Review Agencies. At the hearing, the Board makes a determination on each amendment whether to adopt the amendment by ordinance or to deny. Adopted amendments, along with the response to State comments, are submitted to the State Land Planning Agency and other state departments.

Effective Date: Adopted amendments become effective according to State Statute regulations. Challenged amendments enter an administrative hearing process.

For more information contact:
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