



## PRIVATELY INITIATED TEXT AMENDMENT AMENDMENT ROUND 25-B

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PLANNING COMMISSION MEETING, JULY 12, 2024

### I. General Data

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<b>Project Name:</b>	<b>Seventh at Haverhill Text Initiation</b>
<b>Proposed Text Amendment:</b>	<p>The privately proposed text amendment request is to revise Future Land Use Element (FLUE) policies to allow up to 7 Transfer of Development Rights (TDR) units per acre for sites that are:</p> <ul style="list-style-type: none"> <li>proposing 100% of the residential units consistent with the Affordable Housing Program, and;</li> <li>located in designated Revitalization and Redevelopment Infill Overlay.</li> </ul>
<b>Proposed FLUA Amendment:</b>	<p>If the Board of County Commissioners initiates this text amendment, the applicant will seek a land use amendment from High Residential, 8 units per acre (HR-8) to Institutional and Public Facilities with an underlying 12 units per acre (INST/12) on 3.37 acres. The applicant proposes to develop a Multiple Use Planned Development (MUPD) to include a place of worship and 102 multi-family affordable housing rental units.</p>
<b>ULDC Revisions:</b>	This item will require an associated ULDC revision to Art 5.G.3.1.4.a, Transfer of Development Rights Program.
<b>Applicant/Owner:</b>	Jonathan Vilma and Jasmine Lynch
<b>Agent:</b>	Meredith Leigh, Shutts & Bowen, LLP
<b>Project Manager:</b>	Maria Bello, Principal Planner
<b>Staff Recommendation:</b>	Staff recommends <b>to initiate</b> the proposed text amendment.

### II. Item Summary

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**Initiation Phase I:** The item before the Board is to consider the initiation of a privately proposed text amendment to the Comprehensive Plan, considered “Phase I”. If the amendment is initiated, staff will accept the associated future land use amendment, and return to the Board with the text and future land use amendments through the public hearing process as part of “Phase II”.

**Staff Assessment:** Staff recommends that the Board approve the request for initiation. Affordable housing is a priority for Palm Beach County, and affordable housing developments often require higher densities to be financially feasible. The proposed text amendment may provide an appropriate additional means to increase density for these developments, specifically in areas designated for revitalization and redevelopment.

### **III. Meeting History**

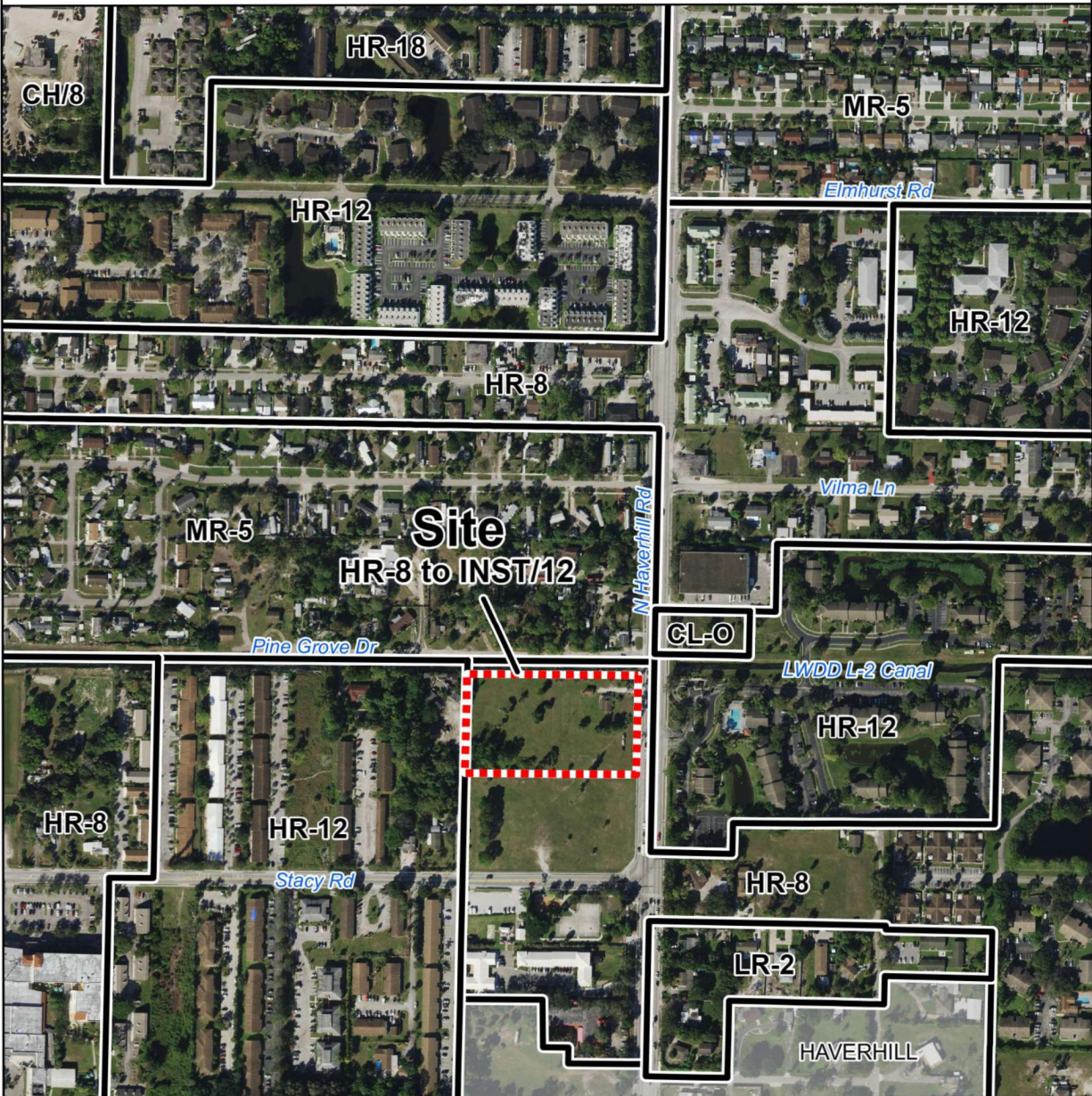
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**Local Planning Agency/Planning Commission (LPA/PLC):**

**Board of County Commissioners (BCC):**

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# Seventh at Haverhill Text Initiation



**Site Data**

Size: 3.37 acres  
 Existing Use: Institutional  
 Proposed Use: Institutional and Residential  
 Current FLU: HR-8  
 Proposed FLU: INST/12

**Future Land Use Designations**

LR-2	Low Residential, 2 units/acre	CH/8	Commercial High, underlying HR-8
MR-5	Medium Residential, 5 units/acre		
HR-8	High Residential, 8 units/acre		
HR-12	High Residential, 12 units/acre		
HR-18	High Residential, 18 units/acre		
CL-O	Commercial Low - Office		

Date: 6/12/24  
 Contact: PBC Planning  
 Filename: T:Planning/AMEND/25-B  
 Note: Map is not official, for presentation purposes only.



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



## IV. Private Text Amendment Request

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**Proposed Text Amendment.** The privately proposed text amendment request is to revise Comprehensive Plan policies regarding the Transfer of Development Rights program, specifically to:

- Revise a provision that currently allows up to 4 TDRs per acre for developments in the Revitalization and Redevelopment Infill Overlay (RRIO) area, to allow up to 7 TDRs per acre for developments providing 100% restricted units in accordance with the Affordable Housing Program.

Units restricted under the Affordable Housing Program are available to households with incomes at or below 60% of Area Median Income (AMI), and with no more than 20% of the restricted units for households at or below 30% of AMI. The 2024 AMI published by the U.S. Department of Housing and Urban Development for Palm Beach County is \$104,000.

**Associated Future Land Use Amendment.** If the Board of County Commissioners initiates this text amendment, the applicant will seek a land use amendment from High Residential, 8 units per acre (HR-8) to Institutional and Public Facilities with an underlying 12 units per acre (INST/12) on 3.37 acres located at the southwest corner of Pine Grove Drive and Haverhill Road.

**Associated Zoning Applications.** The companion zoning application will request a rezoning from the current Multi-family High Density Residential (RH) to Multiple Use Planned Development (MUPD). The applicant proposes to develop a 5,000 sq. ft. place of worship and 102 multi-family affordable housing rental units.

**Associated Unified Land Development Code (ULDC) Applications.** This item will require an associated ULDC revision to Art 5.G.3.I.4.a Transfer of Development Rights Program. The proposed change would repeat the proposed Plan language in this portion of the Code as provided in Exhibit 4. Any additional requests of the Applicant to modify property development regulations would need to be addressed through the ULDC Privately Proposed Revision process with the Zoning Division.

## V. Background: Transfer of Development Rights Program

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The County established the Transfer of Development Rights Program in 1980, to redistribute population from agricultural and conservation areas to planned development where more efficient use could be made of County infrastructure and services. Over the past four decades, the program has been modified to reflect changing conditions and priorities, and these are reflected in both the pricing and the “receiving rates,” or the number of TDRs per acre that can be used in a receiving project. FLUE Policy 2.4-g allows for up to 4 TDRs per acre to be applied in projects located in the County’s Revitalization and Redevelopment Overlay. This overlay comprises several areas, including the Countywide Community Revitalization (CCRT) areas, the Urban Redevelopment Area, and the Lake Worth Park of Commerce Urban Redevelopment Area, and is depicted in the Comprehensive Plan Map Series Map LU 1.1 Managed Growth Tier System as the “Revitalization & Redevelopment Infill Overlay.”

## VI. Issues and Implications

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The purpose of this Phase I report is to identify potential issues and implications of the concept proposed by the text amendment, for the Board to consider when making the policy decision on whether to initiate the privately proposed text amendment. This report is not intended to provide all of the information necessary in order to approve or deny the adoption of the text and future land use amendments. This report is intended to provide sufficient background information and identification of topics for consideration in order for the Board to make a decision on whether to initiate this amendment.

**TDRs as Mechanisms for Density Increases:** The TDR program was originally implemented as an alternative to Future Land Use Amendments. It was intended to provide a means to easily and quickly increase density above the future land use designation in certain areas, while relocating density from more sensitive areas such as environmental or agricultural resources.

In recent years, as development activity reflects more infill and redevelopment projects, developers have often requested densities that exceed those that can be achieved by the addition of TDRs or other density bonuses to the future land use designation. As a result, proposals often include a combination of a future land use amendment seeking to increase the FLU designation, as well as a workforce or affordable housing program density bonus, and the use of TDRs. The Comprehensive Plan caps the maximum FLU that can be requested through a FLU amendment at HR-12 (High Residential, 12 du/ac).

**Densities for Affordable Housing Developments:** While this 'layering' can significantly increase density, the maximum density achieved is sometimes not sufficient for affordable housing developments, which often require higher densities to be financially feasible. The Comprehensive Plan established a maximum of 4 TDRs per acre that can be requested in the RRIO overlay area. The proposed text amendment would increase that maximum number of TDRs to 7 TDRs per acre, for developments in the RRIO that will provide 100% of the units as affordable housing. If the text amendment is initiated, the applicant will submit a future land use amendment application seeking a FLU amendment to INST/HR-12. The companion zoning application would also include a request for a density bonus through the Affordable Housing Program, and the purchase of 7 TDRs per acre, to achieve a total of 102 units on the 3.37 acre site, or just over 30 units per acre. Under the Affordable Housing Program, units are restricted through a master covenant, for a period of 30 years.

**Policy Implications for Discussion:** The proposed text amendment increases the maximum number of TDRs per acre that could be obtained for developments that are both 100% affordable and are located in the Revitalization and Redevelopment Overlay area. The considerations for such an amendment include the following:

Is the proposed criterion of 100% affordable units an appropriate criterion for projects to access the additional 3 TDRs per acre?

Should additional criteria or standards be applied for access to the additional 3 TRDs per acre, such as voluntary extension of the affordability period beyond the required 30 years?

Similarly, is the additional requirement to be located in the RRIO an appropriate criterion? Are there other locations outside the RRIO where access to the additional TDRs may be warranted? Are there other locational criteria that should be applied, either in or out of the RRIO, such as proximity to transit?

Given the County's fairly limited high density FLU designations, is an additional 3 TDRs per acre the appropriate additional density?

What is the impact of the TDR cost in providing affordable housing? For the subject site, the total cost of acquiring the proposed 24 TDRs is expected to be approximately \$2,000.

The proposed text amendment addresses sites in the RRIO; portions of the RRIO are located in the Glades area. Should the proposed text amendment extend to those portions of the RRIO as well? If so, should the same criteria and parameters be applied?

### **Unified Land Development Code (ULDC) Implications**

This item will require an associated ULDC revision to Art 5.G.3.I.4.a Transfer of Development Rights Program. The proposed change would repeat the proposed Plan language in this portion of the Code as provided in Exhibit 4. Any additional requests of the Applicant to modify property development regulations would need to be addressed through the ULDC Privately Proposed Revision process with the Zoning Division.

## **VII. Staff Recommendation**

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Staff recommends that the Board initiate the proposed text amendment. This will allow staff to research and analyze these and other issues and return to the Board with a full staff report for Board consideration of approval or denial of the text amendment.

<b>Exhibits</b>	<b>Page</b>
1. Applicant's Proposed Comprehensive Plan Text Amendment	E-1
2. Applicant's Justification	E-2
3. Applicant's Disclosure of Ownership Interests	E-6
4. Applicant's Proposed ULDC Revisions	E-12
5. Correspondence	E-13

# Exhibit 1

## Applicant's Proposed Text Amendment

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### A. Future Land Use Element, Seventh at Haverhill Private Text

**REVISIONS:** To revise Transfer of Development Rights policies to allow up to 7 TDRs per acre for developments in the Revitalization and Redevelopment Infill Overlay area that will provide 100% restricted units in accordance with the Affordable Housing Program.

The revisions are shown below with added text underlined and the deleted text in ~~strike-out~~.

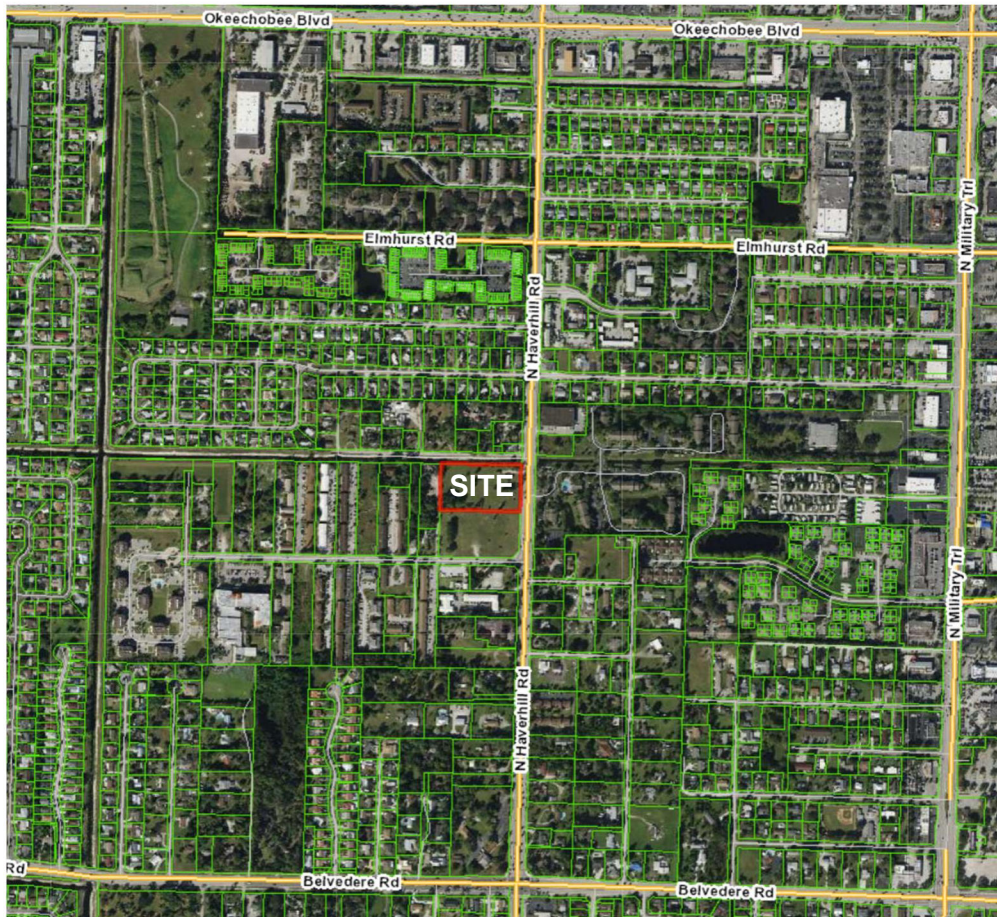
1. **REVISED Policy 2.4-g:** In order to encourage eastward development and a tapering off of density towards the western edge of the Urban/Suburban Tier and support development within the Urban/Suburban Tier in the Glades, or to protect rural residential areas by concentrating needed housing units where 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~~
  5. In the Revitalization and Redevelopment Overlay, up to 7 du/ac additional for developments with 100% of units restricted in accordance with the Affordable Housing Program; and
  6. Final assignment of TDR bonus density may take into consideration bonus density granted thru the Workforce Housing Program or Affordable Housing Program.

## Exhibit 2

### Applicant's Justification for Text Amendment

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The subject property at 1473 North Haverhill Road ("Site", or "Property") is a 3.37-acre single parcel of land located on the west side of Haverhill Road, approximately one-half a mile south of Okeechobee Boulevard in the Urban/Suburban Tier. The Property is located in the Urban Redevelopment Area ("URA"), the Revitalization and Redevelopment Infill Overlay ("RRIO") and the Stacey Area Countywide Community Revitalization Team ("CCRT") Area. The Property is currently in the Multifamily High Density Residential ("RH") Zoning District and has a High Residential, 8 dwelling units per acre ("HR-8") Future Land Use Atlas ("FLUA") designation.



**Figure 1 - Location Map**

#### **PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT**

On behalf of the applicant, Shutts and Bowen, LLP, is requesting a Comprehensive Plan Text Amendment ("Text Amendment") to add language that would allow additional bonus density through Transfer of Development Rights ("TDR's") for developments proposing to provide affordable housing units on-site. The proposed language defines eligible developments as those located in the RRIO, east of Florida's Turnpike, and wherein 100 percent of the proposed units will be restricted to households earning 60 percent or less of the Area Median Income ("AMI"). A



FLUA Amendment and Rezoning application with a Class A Conditional Use will be submitted at a later date, upon initiation of the proposed text amendment. Concurrent with the Comprehensive Plan text amendment, a text change to the Unified Land Development (“ULDC”) Regulations will be necessary to add the implementing language into the TDR’s section of the code. This text amendment, as well as the companion FLUA Amendment and Rezoning, will allow for the development of a mixed-use development with a place of worship and multifamily residential dwelling units on the Site that will help increase the number of affordable residential units that is very much needed in the County.

#### **PROJECT HISTORY**

The subject Site is identified by Control No. 2000-00088. There is an approved site plan for a 4,974-square feet (“sq. ft.”) place of worship, a 1,168-sq. ft. clergy residence and a 397=sq. ft. garage, which was administratively approved by the Development Review Officer on August 27, 2018. The approved development order has not yet been implemented. Currently, the existing building’s footprint occupies one (1) percent of the Property, leaving 99 percent vacant. It is the property owner’s goal to continue to use the Property for the church in a newer larger building, to grow the congregation, and to make better use of the Property while contributing towards fulfilling a need for affordable housing in the County.

#### **JUSTIFICATION FOR A COMPREHENSIVE PLAN TEXT AMENDMENT**

Amending the Comprehensive Plan language to allow for additional TDRs to be acquired for the development of affordable housing units will allow the currently underutilized site to be a new source of much-needed affordable housing in the Urban Service Area. Like market rate housing, housing projects intended to serve low-income populations require significant funding to cover development costs. These development costs include: 1) land acquisition, either through purchase or ground lease, 2) soft costs which include entitlement review fees, consultants, architects, engineers, legal fees, 3) hard costs, which includes construction and the materials associated with the proposed improvements, and 4) financing through equity and debt. There is important relationship in the ability to afford the development and construction of affordable housing projects and an economy of scale that drives whether a project is both feasible and will adequately meet the needs of a community. For example, housing financed through the Low-Income Housing Tax Credit (“LIHTC”) program necessitates larger sized projects to receive public funding.

Funding such projects largely comes from debt and equity, as well as public and non-profit subsidy, as opposed to traditional financial sources that market rate developers utilize. According to the Florida Housing Finance Corporation (“FHFC”), development costs involved with developing housing have risen at an unprecedented rate over recent years due to the federal inflation rate, interest rates, supply chain challenges, and challenges with the labor force. Those challenges coupled with the high cost and scarcity of developable land means that developers may be required to obtain funding from multiple sources. To most developers, the development costs make the development of workforce or affordable housing financially unfeasible as they are not able to recoup the costs of the land and construction once the project is complete. These existing conditions coupled with the current persistent affordability crisis in the County’s housing market necessitate the consideration that existing density, and density bonuses, are inadequate and inhibit the ability to develop the appropriately sized development that makes economic sense to a developer. Applicant is proposing a modest increase in the number of potential units available to developments in the RRIO of up to seven (7) dwelling units per acre as a mechanism to allow the development of 102 dwelling units on the Property, which is the number of units needed to make the development affordable for the developer and for the future residents.

The proposed amendment would apply to the subject Site. The proposed change will make the development of AHP projects built by private developers more feasible. The Property is in a Qualified Opportunity Zone (3102), which, according to the Palm Beach County Housing and Economic Development is “[p]rimarily an area of high-density residential neighborhoods. The possibility exists for redevelopment or the new development of affordable housing, whether multi-family rental or workforce housing...” The Property is located a half-mile from Okeechobee Boulevard, less than half a mile from Belvedere, has easy access to Southern Boulevard, Florida’s Turnpike and employment centers along Okeechobee Boulevard, Military Trail and the airport. It is an appropriate location for higher densities and the uses will be compatible with the surrounding context as Haverhill is primarily residential with churches, day cares and neighborhood commercial uses such as gas stations and convenience stores.

#### **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The proposed Comprehensive Plan Text Amendment is consistent with the intent, objectives and policies of the Comprehensive Plan, as follows:

**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.

**Response:** The proposed amendment will further the goal of providing affordable housing in the U/S Tier at a location that is located near various employment centers. As noted previously, 100 percent of the units proposed in the project will be affordable to households with incomes at or below 60 percent of the AML.

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

**Response:** The proposed text amendment will facilitate the development of an infill project on an underutilized parcel of land. The Property is in the Urban Redevelopment Area, wherein the County’s focus is on promoting redevelopment and infill efforts, improving present conditions of infrastructure and discouraging urban sprawl.

**FLUE 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:

**Response:** It is the applicant’s intent to request a rezoning of the Property to a Planned Development District consistent with this policy and the ULDC provisions.

**FLUE Objective 2.4:** 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.

**Response:** The proposed amendment is consistent with Objective 2.4, in general, because it furthers the goal of encouraging infill development, focusing development in areas of the County where there are an abundance of goods and services and adequate infrastructure to service the area. Further, it increases the affordable housing inventory because it requires that any development utilizing the option be 100 percent affordable per the income limits of the Housing Element (“HE”) Objective 1.1.

**FLUE 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.

**Response:** Although the applicant intends to apply for FLU change to increase in the underlying density from 8 units per acre to 12 units per acre should the Board of County Commissioners approve the initiation of the subject text amendment, the applicant will also utilize a combination of TDR and AHP density bonuses to increase the density above 12 dwelling units per acre, which is consistent with this Policy.

**HE 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.

**Response:** The proposed text amendment is consistent with HE Policy 1.1-h as the language is intended to increase private sector participation in adding to the supply of affordable housing in unincorporated Palm Beach County. In furtherance of this policy, the increase in the allowance of TDRs in areas focused on economic development and revitalization is an appropriate tool with which to accomplish the County’s goal of increasing the affordable housing inventory while protecting natural resources.

## **CONCLUSION**

On behalf of the applicant, Shutts and Bowen, LLP respectfully requests initiation of the proposed Comprehensive Plan Text Amendment to allow seven (7) additional units for affordable housing projects in the RRIO, as stipulated above and in the application forms submitted with this application.

# Exhibit 3

## Applicant's Disclosure of Ownership Interests

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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 Jonathan Vilma, 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  \_\_\_\_\_ [position—e.g., president, partner, trustee] of \_\_\_\_\_ [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: 3861 Park Ave  
Miami, FL 33133  
\_\_\_\_\_
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.
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.

  
\_\_\_\_\_  
Jonathan Vilma, 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 5th day of May, 2024 by  
Jonathan Vilma (name of person acknowledging). He/she is personally  
known to me or has produced Driver License (type of identification) as  
identification and did/did not take an oath (circle correct response).

Adrian Hidalgo  
(Name - type, stamp or print clearly)

  
(Signature)

My Commission Expires on: \_\_\_\_\_

NOTARY'S SEAL OR STAMP



Adrian Hidalgo  
Comm #HH064580  
Expires: Nov. 17, 2024  
Bonded Thru Aaron Notary

**EXHIBIT "A"**

**PROPERTY**

Tracts 1 and 2, Haverhill Acres, according to the Plat thereof, as recorded in Plat Book 20, Page 75 of the Public Records of Palm Beach County, Florida, less the Easterly 25 feet lying within the right of way of Haverhill Road.

Containing 3.37 acres (146,751 square feet), more or less.

**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 Jasmine J Lynch, 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] President [position - e.g., president, partner, trustee] of West Palm Beach Baptist Seventh Day Church, Inc. [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: 1473 N Haverhill Road  
West Palm Beach, FL 33417
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.

Jasmine J Lynch *Jasmine Lynch*  
Jasmine J. Lynch Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

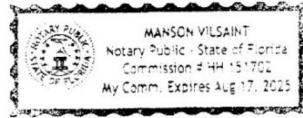
STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of  physical presence or [ ]  
online notarization, this 7<sup>th</sup> day of May, 2024 by  
Jasmine J Lynch (name of person acknowledging). He/she is personally known  
to me or has produced FL DL (type of identification) as  
identification and did/did not take an oath (circle correct response).

Manson Vilsaint  
(Name - type, stamp or print clearly)

*Manson Vilsaint*  
(Signature)

My Commission Expires on: 08-17-2025





**EXHIBIT "A"**

**PROPERTY**

Tract 1 and 2, Haverhill Acres, according to the Plat thereof, as recorded in Plat Book 20, Page 75 of the Public Records of Palm Beach County, Florida, less the easterly 25 feet lying within the right of way of Haverhill Road.

Containing 3.37 acres, more or less.

## Exhibit 4

### Applicant's Proposed ULDC Amendments

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**REVISIONS:** To revise Article **5.G.3.I.4.a** to allow up to 7 TDRs per acre for developments in the Revitalization and Redevelopment Infill Overlay area that will provide 100% restricted units in accordance with the Affordable Housing Program. The revisions are shown below with added text underlined.

#### 4. Permitted Density Ranges

The maximum number of development rights which may be transferred to the receiving parcel shall be determined in accordance with Art. 5.G.3.H, TDR Receiving Areas, Art. 5.G.3.K, TDR – Receiving Area Procedure, and the following:

- a. Standard Density Bonus Approved receiving areas may receive a bonus density as follows:
  - 1) Receiving areas in the U/S Tier west of Florida's Turnpike: up to two dwelling units per acre; or
  - 2) Receiving areas in the U/S Tier east of Florida's Turnpike, but not in a Revitalization and Redevelopment Overlay: up to three dwelling units per acre; or
  - 3) Receiving areas in a Revitalization and Redevelopment Overlay: up to four dwelling units per acre, or up to 7 du/ac additional for developments with 100% of units restricted in accordance with the Affordable Housing Program.
  - 4) The bonus density may be less than the total bonus density indicated in Art. 5.G.3.I.4.a.1), Art. 5.G.3.I.4.a.2), and Art. 5.G.3.I.4.a.3) above when an additional WHP or AHP density bonus has also been utilized. (see Art. 5.G.3.I.4.d below)

**Exhibit 5**  
**Correspondence**

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