

## **Draft**

## Palm Beach County Comprehensive Plan 2011 Evaluation and Appraisal Report

Presented to the Palm Beach County Planning Commission April 29, 2011 Workshop

#### Outline of the 2011 EAR

Local governments are required by Florida Statute to prepare an Evaluation and Appraisal Report (EAR) for the Comprehensive Plan every 7 years. The EAR is intended to serve as an audit of growth management decisions that a local government has undertaken, and identify changes that may be needed to address the local government's needs for the next planning horizon.

The EAR statutes require three types of assessment: major issues, intended to be the focus of the EAR; assessments of the Elements of the Plan, and; assessment of specific 'special topics' identified in the statute. In addition, an assessment of conditions pertaining to population and land use is required. Accordingly, the EAR is organized as follows:

#### Section One:

Key Findings Summary of EAR Process and Public Participation Population Analysis Land Use Analysis

#### Section Two:

Major Issues Element Assessments Special Topics

#### Section Three:

Appendix (not included at this time)

Finally, note that as this draft is being prepared the State legislature is considering proposed legislation related to EAR requirements and comprehensive planning, which could substantially affect the assessments and conclusion of the final EAR.

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## **Key Findings of the 2011 EAR**

Based on the assessments of the major issues, Comprehensive Plan elements, and special topics in the Evaluation and Appraisal Report (EAR), the following are the key findings:

- The EAR is being prepared as the State legislature is considering changes to both Comprehensive Planning requirements generally and to EAR requirements specifically. Depending on final actions of the legislature and Governor, significant changes could be forthcoming.
- 2) The EAR has identified that the County's Comprehensive Plan is successfully working to deliver the desired development pattern, as reflected in the adopted Future Land Use Plan. As discussed in the Land Use Analysis Section of this EAR, most development since the last EAR has occurred consistent with the adopted Plan, with relatively few amendments, and a majority of services are delivered at the desired level of service.
- As identified in the Land Use Analysis Section of this EAR, there is sufficient capacity in the eastern portions of the unincorporated County to accommodate the population growth projected for the next planning timeframe of 2025. However, at some point thereafter, it is anticipated that the only unincorporated capacity remaining will be in the Urban Service Area of Glades Tier, in the area surrounding the Glades communities. Therefore, in preparation for the next EAR in 2018, the question of future population should be considered. Depending on the results of this legislative session, questions to be considered could include whether additional capacity should be created and, if so, where, how and when. Given that this would involve examining some of the fundamental assumptions and vision of the adopted plan, this effort should be begun well in advance of the next EAR, to ensure adequate time for public involvement and input, as well as Board deliberation and policy analysis.
- The current Comprehensive Plan is based upon the sustainable planning principles outlined in the County Directions of the Future Land Use Element. These tenets are intended to carry through to the Goals, Objectives and Policies of the various elements of the Plan and to be implemented by associated regulations. Some of these principles clearly carry through, whereas others do not. Often the Plan includes specific regulations and limitations that are not clearly linked to a policy direction. This makes it more difficult to ensure that the Plan is implemented consistently, and that proposed changes to the text or to the Future Land Use Atlas are consistent with the fundamental vision represented by the Plan. This is especially important given the prospect that this vision may be revisited within the next planning timeframe, as noted above.
- While the County may revisit the adopted vision of the Plan in the future, this EAR identifies the need to address energy inefficiency and the associated climate change and sea level rise more immediately. While specific recommendations are still being developed in joint efforts for the south Florida region, it is clear that land use balance, reduced vehicle miles travelled, and alternative modes of transportation will figure greatly in reducing greenhouse gas emissions. Opportunities exist for development or redevelopment to balance or retrofit the existing land use pattern at nodes, on the few large remaining parcels, and along corridors. The most significant opportunities may

exist in the Central Western communities, the site of the Sector Plan effort over the past decade.

- Any planning effort to encourage or facilitate development or redevelopment within already developed communities with established patterns requires special attention to an area's characteristics and the neighbors' concerns. The neighborhood planning process has proved to a valuable input to land use decision-making, and its worth is likely to increase in the future given the location of remaining developable land and the need to meet emerging objectives such as enhanced energy-efficiency. In addition, the public's interest in participating in local planning appears to be growing, and technological advances increasingly facilitate that participation.
- The provision of water supply for agricultural, environmental restoration and urban development continues to be a critical issue to South Florida. The uncertainty regarding the final outcome of ongoing studies and regulatory policies increases the importance of the water issue to the Comprehensive Plan. The availability of water supply for the County in the next decades will have a deciding role on the future growth of the County. How much development will be permissible in the future, and how and where that development will take place will depend how much water will be available for Palm Beach County. Consequently, the Comprehensive Plan will have to be amended accordingly. However, without clear direction at this time, it is not feasible to incorporate or consider pertinent changes to the Comprehensive Plan.

The SFWMD is currently updating the Lower East Coast Water Supply Plan, which will require the County to subsequently update its Water Supply Work Plan. As part of these water supply planning efforts, the County continues to develop alternative water supply projects. The County's Water Utility Department has initiated an independent study to identify and consider options to address drainage and infrastructure deficiencies in the Urban Redevelopment Area. The study is due to be completed by the end of 2011. As the SFWMD supply plan is completed and the regulatory framework is in place, the County will modify if needed, existing policies in the Plan. Water is and will continue to be a critical issue over the next planning period as the County will need to address both water supply demands and compliance with new regulations.

## **Summary of EAR Process and Public Participation**

Provided below is a summary of the Public Participation process conducted in the 2011 EAR. A detailed description of the process will be provided in an Appendix to this EAR.

Step	Timeframe
Initial contact and engagement of agencies and departments regarding potential major issues and element issues	Fall 2009
Board of County Commissioners' Workshop regarding potential major issues	October 29, 2009
EAR Scoping Meeting with public, State, regional, and local agencies to finalize major issues	September 20, 2010
Series of biweekly meetings to address each major issue,	October 14, 22 , 2010
followed by a special meeting on population projections and a wrap-up meeting	November 5, 19, 2010
wrap up meeting	December 3, 10, 17 <sup>th</sup> , 2010
Board of County Commissioners' Workshop update on major issues	January 25, 2011
Planning Commission monthly updates on EAR process	June 2010- date
Planning Commission EAR Workshop	April 29, 2011
with opportunity for public input on element assessments and special topics	
Board of County Commissioners' EAR Workshop	May 2011
Local Planning Agency Transmittal Public Hearing	Summer 2011
Board of County Commissioners	Summer 2011
Adoption Public Hearing	

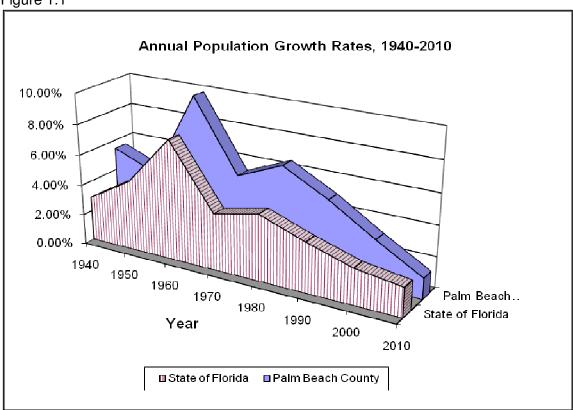
#### POPULATION ANALYSIS

The County is in the unusual position of being required to complete its Evaluation and Appraisal report just months before the release of the complete data sets from the 2010 Census. However, in June of this year, the County will receive modified population estimates for the past ten years and modified projections taking into account the latest Census data from the University of Florida Bureau of Economic and Business Research (BEBR). As the new BEBR projections become available, this document will be revised to reflect the latest figures.

### **Countywide Population Growth**

Palm Beach County is the third most populous county in Florida, and the second fastest growing. Population in Palm Beach County has increased from 1,211,448 in 2003 to 1,320,134 according to the Census in 2010. The average annual growth rate during the period was 1.3% compared to 3.14% in 1989-2003, and 5.1% during the 1980's. The following table displays the County's historical population estimates since 1940, and the chart compares its growth rates with the State of Florida's.





Since 1940, Palm Beach County has had among the highest growth rates in the State. The County's growth rate peaked in the 1960's, at nearly 10%, and stabilized in the 1970's. Since the early 1980's, the County's growth rate has experienced a steady decline, although through 2006 the County continued to grow by an average of 20,000 people per year. Since that time, however, the County experienced negative growth for the first time in its history between 2008 and 2010.

# Palm Beach County Population Estimates and Growth Table 1.1

	Pal	m Beach Count	у	S	State of Florida			
Year	Population	Annual Growth	Avg. Annual% Growth	Population	Annual Growth	Avg. Annual% Growth		
1930	51,781	3,313		1,468,211	49,974	1		
1940	79,989	2,821	5.45%	1,897,414	42,920	2.92%		
1950	114,688	3,470	4.34%	2,771,305	87,389	4.61%		
1960	228,106	11,342	9.89%	4,951,560	218,026	7.87%		
1970	348,993	12,089	5.30%	6,791,418	183,986	3.72%		
1980	576,863	22,787	6.53%	9,746,324	295,491	4.35%		
1990	863,518	22,018	2.62%	12,938,071	287,000	2.27%		
1991	887,893	19,526	2.26%	13,258,764	258,100	1.99%		
1992	907,389	13,426	1.52%	13,497,604	238,840	1.80%		
1993	932,538	21,753	2.43%	13,730,216	232,612	1.72%		
1994	960,498	18,967	2.07%	14,043,896	313,680	2.28%		
1995	988,743	28,245	2.94%	14,336,174	292,278	2.08%		
1996	1,013,515	24,772	2.51%	14,623,650	287,476	2.01%		
1997	1,044,459	30,944	3.05%	14,938,576	314,926	2.15%		
1998	1,071,005	26,546	2.54%	15,230,728	292,152	1.96%		
1999	1,098,859	27,854	2.60%	15,580,590	349,862	2.30%		
2000	1,131,184	32,325	2.94%	15,982,378	401,788	2.58%		
2001	1,154,464	23,280	2.06%	16,330,601	348,223	2.18%		
2002	1,183,197	28,733	2.49%	16,674,608	344,007	2.11%		
2003	1,211,448	28,251	2.39%	17,071,508	396,900	2.38%		
2004	1,242,270	30,822	2.54%	17,516,732	445,224	2.61%		
2005	1,265,900	23,630	1.90%	17,872,300	355,568	2.08%		
2006	1,287,987	22,087	1.74%	18,349,132	476,832	2.72%		
2007	1,295,033	7,046	0.55%	18,680,367	331,235	1.85%		
2008	1,294,654	-379	-0.03%	18,807,219	126,852	0.69%		
2009	1,287,344	-7,310	-0.56%	18,750,483	-56,736	-0.30%		
2010*	1,286,461	-883	-0.07%					

<sup>\* 2010</sup> BEBR Estimate. The 2001-2010 data will be updated in June 2011 with the revised BEBR estimates.

### **Countywide Population Composition**

Palm Beach County's population growth has historically been overwhelmingly driven by net migration. In-migration constitutes 98% of the annual growth, with two thirds being domestic, and the rest international migration. The County's population growth has dramatically slowed since the last EAR, with the largest change in population being the lack of domestic immigration. Domestic immigration peaked in 2004, with over 22,000 residents moving in from outside the County, and declined to a loss of County population (9,414 residents) to other locales in 2007. International migration, however, has remained fairly constant at around 7,000 people per year.

# Estimates of the Components of Resident Population for Palm Beach County Table 1.2

Year	Total	Natural	Vital E	vents		Net Migration	
	Population Change <sup>1</sup>	Increase	Births	Deaths	Total	International	Domestic
2003	27,973	639	14,294	13,655	27,256	8,506	18,750
2004	30,835	872	14,908	14,036	30,163	8,014	22,149
2005	24,359	2,452	15,603	13,151	21,914	6,725	15,189
2006	9,057	2,062	16,109	14,047	6,840	7,669	(829)
2007	99	2,259	15,774	13,515	(2,476)	6,938	(9,414)
2008	4,907	769	15,117	14,348	3,918	5,868	(1,950)
2009	10,205	1,425	15,222	13,797	8,845	6,454	2,391

Source: Bureau of Census, which provides County population estimates based on administrative records.

<sup>1</sup>Total population change includes a residual that cannot be attributed to a specific demographic component.

### **Unincorporated vs. Incorporated Population Growth**

-Countywide

Since 2003, the population of the municipalities grew by nearly double that of Unincorporated County growth. The County's unincorporated population increased by 6% (33,762) from 554,082 to 587,844 residents, while the incorporated population increased by 11% (74,924) from 657,366 to 732,290. This is in part likely due to annexation, the incorporation of the Town of Loxahatchee Groves, as well as the active redevelopment and infill housing efforts by the municipalities. At the time of the last EAR, the Unincorporated County share had been declining; however, recently the share has stabilized at approximately 44 to 45%.

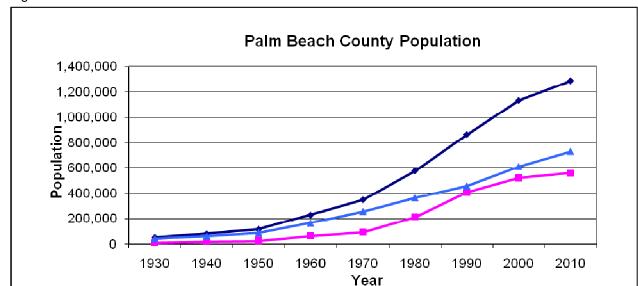


Figure 1.2

#### **Unincorporated vs. Incorporated County Population - Table 1.3**

Unincorporated County

Year	Countywide	Unincorpora	Unincorporated		ed
1930	51,781	9,698	19%	42,083	81%
1940	79,989	17,506	22%	62,483	78%
1950	114,688	26,079	23%	88,609	77%
1960	228,106	63,450	28%	164,656	72%
1970	348,993	92,809	27%	256,184	73%
1980	576,863	212,303	37%	364,560	63%
1990	863,518	406,210	47%	457,308	53%
1995	962,802	462,049	48%	500,753	52%
2000	1,131,184	521,447	46%	609,737	54%
2003	1,211,448	554,082	46%	657,366	54%
2005	1,265,900	559,438	44%	706,462	56%
2010	1,320,134	587,844	45%	732,290	55%

Municipalities

### Population Growth, 2003-2010

At the time of the last EAR the County utilized the BEBR projections issued in 2003. At the Countywide level, these figures under projected the 2005 population by just 1% (13,200), but over projected for 2010 by 4.2%.

# Palm Beach County Permanent Population Table 1.4

10.0.0						
BEBR Figures	2005	2010				
2004 EAR <sup>1</sup>	1,252,700	1,378,300				
Actual Estimate	1,265,900 <sup>2</sup>	1,320,134 <sup>3</sup>				
Difference	-13,200 -1%	58,166 4.2%				

<sup>1.</sup> Based on BEBR 2003

The County utilized a shared growth scenario at the time of the last EAR to estimate that the County's unincorporated population in 2010 would be approximately 46.4% as shown in the table below. The actual estimate is 44.5% (587,844) according to the 2010 Census.

# Unincorporated Palm Beach County Permanent Population Table 1.5

	2005	2010
2004 EAR <sup>1</sup>	574,579	639,821
Actual Estimates	559,438 <sup>2</sup>	587,844 <sup>3</sup>
Difference	15,141	51,977
Difference	3%	8%

<sup>1.</sup> Based on BEBR 2003

## **Population Projections**

The official population projections utilized by the County, per Statute requirements unless the County pursues its own methodology and obtains consent by the State, are those issued on a County-wide level by the University of Florida Bureau of Economic and Business Research (BEBR). As with the construction and population influx in the early 2000's, BEBR's projections also increased, and then collapsed with the housing bubble. For the year 2025, the BEBR projections have fallen each year since peaking in 2006 at 1.8 million residents. The latest figures for 2025 are nearly 320,000 residents less (an 18% decrease). The BEBR projections issued between 2001 and 2007 were significantly higher than projections BEBR issued for the same period in the 20 years prior. The latest 2010 figures are more in line with projections utilized by the County during the preparation of the 1989 Comprehensive Plan and the 1996 EAR, and with the overall long term trend.

<sup>2.</sup> BEBR Estimate 2005

<sup>3. 2010</sup> Census

<sup>2.</sup> BEBR Estimate 2005

<sup>3. 2010</sup> Census

The BEBR projections are issued at the Countywide level annually and are based on past growth and trends. The University releases new projections annually with adjustments to the figures made to account for increases or decreases in actual population. The table below provides the BEBR projections utilized in each of the County's planning documents, and the latest 2010 Census estimate of just over 1.3 million.

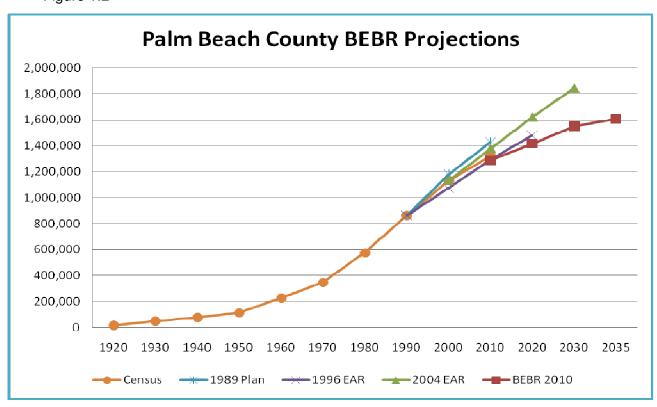
# Palm Beach County BEBR Population Projections Table 1.6

Document	2010	2015	2020	2025
1989 Plan	1,428,000	-	-	-
1996 EAR	1,293,000	1,401,500	1,507,900	-
2004 EAR	1,378,300	1,498,300	1,619,900	1,737,600
2011 EAR*	1,320,134	1,343,300	1,415,700	1,485,200

<sup>\*</sup> BEBR's 2010 figure of 1,286,800 is replaced in this table with the 2010 Census figure.

As shown in the graph below, generally the projections issued by BEBR and used by the County have been fairly consistent, the exception being those issued at the time of the last EAR and in the surrounding years. During this time, BEBR projected a much higher growth rate than during other times responding to its underestimation of the County's population by 6% compared to the 2000 Census. The BEBR projections have fallen largely due to the decline in population growth experienced by the County since 2004.

Figure 1.2



The latest BEBR figures project that the County's population will continue to level off into the future. According to the latest BEBR projections, approximately 165,066 residents will be added to the County's population by 2025, for an average increase of approximately 11,000 per year. The growth rate will emerge from the current negative rate to just about 1% until build out. Using the current percentage of unincorporated County (44.5%) to calculate future growth, the unincorporated County will grow by 73,502 residents, averaging 4,900 per year.

#### Population Projections, 2003 to 2010

The current Census estimates that the County's 2010 population was less than the population projected by BEBR for 2010 at the time of the last EAR by 4% (58,166) residents. The following table provides a comparison between the 2010 Census and BEBR estimates. The two sources had nearly identical estimates for the incorporated area, but differed by 5% for the unincorporated County. The Census data indicates that the unincorporated County share of the permanent population is 1% greater than estimated by BEBR.

# Palm Beach County 2010 Estimates - Census vs. BEBR Table 1.8

	Census	%	BEBR	%	Difference	% Difference
Incorporated	732,290	55.5%	727,850	56.6%	4,440	1%
Unincorporated	587,844	44.5%	558,611	43.4%	29,233	5%
Total County	1,320,134	100%	1,286,461	100%	33,673	3%

The table below provides a comparison of the BEBR projections utilized in the last EAR with the latest projections. The 2010 figure is the estimate provided by the Census rather than the estimate provided by BEBR. The Census 2010 estimate is 33,673 residents (2.6%) higher than the BEBR estimate for 2010. As such, the revised BEBR projections (due in June 2011) will likely be somewhat higher than the projections provided below.

## Palm Beach County Projected Permanent Population Table 1.7

Projections <sup>1</sup>	2010	2015	2020	2025
2004 EAR	1,378,300	1,498,300	1,619,900	1,737,600
2011 EAR	1,320,134 <sup>2</sup>	1,343,300	1,415,700	1,485,200
Difference	58,166	155,000	204,200	252,400
Dillerence	4%	10%	13%	15%

<sup>1. 2004</sup> EAR utilized 2003 BEBR figures; 2011 EAR utilizes 2011 BEBR figures

Using the current percentage of unincorporated County (44.5%) to calculate future growth, the following table anticipates that nearly 73,502 additional residents will reside in unincorporated County by the year 2025.

<sup>2.</sup> Census 2010

# Unincorporated Palm Beach County - Projected Permanent Population Table 1.9

Projections <sup>1</sup>	2010	2015	2020	2025
2004 EAR	639,821	706,246	766,465	827,094
2011 EAR @ 44.5% share	587,844 <sup>2</sup>	598,160	630,399	661,346
Difference	51,844	108,086	136,066	165,748
Dilleterice	-8%	-15%	-18%	-20%

<sup>1. 2004</sup> EAR utilized 2003 BEBR figures; 2011 EAR utilizes 2011 BEBR figures; each with share calculated by PBC 2. Census 2010

### LAND USE ANALYSIS

Palm Beach County encompasses 1,977 square miles and is located in South Florida between Lake Okeechobee, the Everglades and the Atlantic Ocean. The region contains some of the nation's most environmentally sensitive ecosystems and significant agricultural areas. Agriculture, tourism, and the seasonal population are essential components of the County's economy.

163.3191(2)(a) Population growth and changes in land area, including annexation since the adoption of the original plan or the most recent update amendments.

Population growth is presented in the Population Analysis section of the Evaluation and Appraisal Report (EAR). Since the last EAR, unincorporated County has lost approximately 13,214 net acres. Between fiscal years 2005 and 2010, County municipalities adopted 245 annexations accounting for 3,199 acres. During this time the Town of Loxahatchee Groves incorporated, accounting for approximately 8,148 acres. For the first time since the County was established, the exterior boundaries of the County changed through a contraction of 1,928 net acres which became part of Broward County. There were two contractions of municipal lands totaling 62 acres which added to the unincorporated lands.

163.3191(2)(d) The location of existing development in relation to the location of development as anticipated in the original plan, or in the plan as amended by the most recent evaluation and appraisal report update amendments, such as within areas designated for urban growth.

The development pattern in the County has been largely set since the adoption of the 1980 Plan that established the Urban Service Area (USA) boundary as a line to separate urban from rural development. The Managed Growth Tier System (MGTS) re-affirmed this pattern by continuing to limit urban densities to lands within the USA/Urban Suburban Tier, limiting densities in the Rural and Exurban Tiers to rural and low densities, restricting development in the Ag Reserve Tier, and by not allowing density within the Rural area of the Glades Tier. No development that has occurred since the 2004 EAR has been outside the areas of the Plan that anticipate development.

Since the last EAR the County has adopted approximately 65 amendments on 6,216.66 acres that are currently in effect. The majority of these amendments were on small parcels within the Urban Suburban Tier that requested commercial designations. The largest sites were to establish the Agricultural Enclave on just over 3,700 acres in the Rural Tier and to change 849.86 acres from Low Residential, 3 units per acre, to Industrial in the Urban Service Area of the Glades Tier. Approximately 76% of the acreage amended resulted in an increase in density, while 21% of the acreage resulted in a change from residential land uses to non-residential. The overall net change in density for the sites amended is a reduction in 17 dwelling units. The County adopted one Tier change within this time period that is now in effect for the Lion Country Safari Park to change the Tier from Rural to Exurban to allow for additional underlying density.

#### Countywide Development Overview, 2003-2009

At the time of the last EAR the County was experiencing tremendous growth, but subsequently growth has come to a virtual standstill. Palm Beach County was not alone in the housing bubble and bust – this occurred at both the State and national level. However, the South Florida housing market, along with some other warm weather regions such as the Las Vegas area and Arizona, were particularly hard hit by the rapid increase and then decrease in construction and property values.

In 2004, County property values were skyrocketing, residential building permit activity had climbed from a prior average of 10,000 per year to 14,000, and approximately 25,000 to 30,000 new residents were moving to the County. Apartments were being converted to condominiums, which were purchased both by investors and resident home buyers. Since it was possible to purchase a home and sell it the next year for a significant profit, both construction and resale housing markets were extremely active. According to data published by the Florida Realtors Association, the housing market for an existing single family home in the West Palm Beach-Boca Raton area reached a peak of \$390,000, climbing from \$138,600 in 2000. This increase of \$250,000 (180%) in a short five year period was unsustainable. Property values have fallen to an average of \$230,000 in 2010 (41% since 2005). It is unclear whether property values will continue to decline on a County-wide level, particularly considering the high amount of 'shadow inventory' of housing currently in foreclosure.

Until recently, the construction of housing and influx of residents has been parallel, but the fall in incoming population from other states (the historically primary source of population for the County) has resulted in a period where housing was being built faster than residents arrived. This housing bubble was largely driven by investors purchasing multiple properties with no intent for occupancy, while in the past new construction was purchased by new residents. This was exacerbated by County residents leaving to other states. The result is a high vacancy and foreclosure rate. According to RealtyTrac, the number of homes receiving foreclosure filings for the first half of 2010 (January to June) in Palm Beach County was 18,083, which is a 26% increase from the year before.

Palm Beach County now leads the State in foreclosures. Also according to RealtyTrac, "Foreclosure Activity Counts", Palm Beach County had the highest number of foreclosure activities (8,943 in September 2010), than any other County, with 1 out of every 72 homes in the County in a state of foreclosure. The unprecedented number of foreclosure cases held up within the courts (it was reported by the courts that as many as 55,000 cases were on hold in February 2010), indicates the high number of foreclosures will continue in the immediate future.

According to recent findings by the Center for Housing Policy, the Palm Beach, Broward and Miami-Dade county region has the worst housing affordability of 50 large metropolitan areas studied. Households paying more than 30% of their income for mortgage costs are considered by HUD to be cost burdened. In February 2001, the Center published an analysis of housing affordability for working households (household members working at least 20 hours per week, on average, with incomes no higher than 120 percent of the median income in their area) between 2008 and 2009. This report is based on American Community Survey (ACS) data collected by the U.S. Census Bureau in 2008 and 2009. Nationally the analysis shows that nearly one in four working households (22.8%) had a severe housing cost burden, spending more than 50 percent of their income on housing costs.

The five states where the share of cost-burdened working households both exceeded the national average (22.8%) and experienced a statistically significant increase between 2008 and 2009 included: Arizona, California, Florida, New Jersey, and New York. Both Florida and California lead the country with the highest percentage of cost burdened working households with 33% in 2009. This represents a 3% increase in Florida from 30% in 2008. The South Florida region, which consists of Palm Beach, Broward and Miami-Dade counties, had the highest percentage of cost burdened working households of the metropolitan regions studied, with approximately 42% of working households spending at least half of their income on housing costs in 2009. This figure exceeds the percentage in Los Angeles area which came in second at 37%.

#### Countywide Permit Activity, 2003-2010

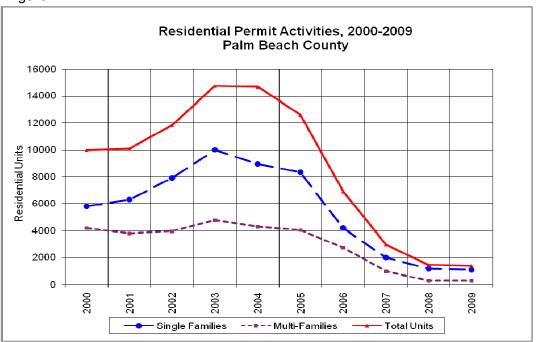
The County's building permit applications during the period of 2003-2010 reveal the rise and fall of the housing market, beginning at an average rate of 14,000 units per year, and ending at just about 1,500 units by 2010. Single family homes were permitted at twice the level of multi-family units during this period. At the peak of the housing bubble, multi-family permit activity increased in the County's larger cities such as Boca Raton, Delray Beach, West Palm Beach. However, multi-family construction activity and values dropped most dramatically following the collapse of the bubble, with construction values declining from a high of \$200,000 to a low of \$68,000.

Palm Beach Countywide Annual Permit Data Table 1.1

		Single Family			Multi-family			Total		
Year	Units	\$Value	Avg. \$ Value	Units	\$ Value	Avg. \$ Value	Units	\$ Value	Avg. \$ Value	
2003	9,986	1,905,762,417	190,843	4,751	491,278,280	103,405	14,737	2,397,040,697	162,655	
2004	9,990	2,185,841,261	218,803	4,609	507,966,479	110,212	14,599	2,693,807,740	184,520	
2005	8,321	2,142,117,872	257,435	4,039	556,725,862	137,838	12,360	2,698,843,734	218,353	
2006	4,192	1,199,517,220	286,144	2,735	547,401,041	200,147	6,927	1,746,918,261	252,190	
2007	1,987	657,857,112	331,081	956	187,728,512	196,369	2,943	845,585,624	287,321	
2008	1,162	405,103,603	348,626	273	43,368,962	158,861	1,435	448,472,565	312,524	
2009	1,083	336,554,166	310,761	281	19,105,487	67,991	1,364	355,659,653	260,748	
2010	1,215	413,587,717	340,401	305	26,429,065	86,653	1,520	440,016,782	289,485	

Source: Palm Beach County Planning Division, PZ&B

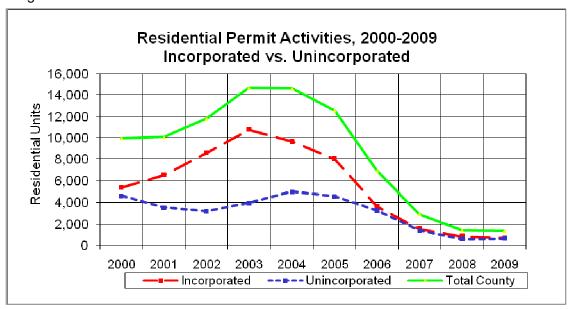
Figure 1.1



#### Incorporated vs. Unincorporated Building Permit Activity, 2003-2010

Incorporated building permit activity outpaced unincorporated activity since the last EAR and experienced the bulk of the housing construction bubble. The municipal share of permits increased to 73% in 2003, but dropped to 55% in 2010. The Unincorporated County share increased from 27% in 2003 to 45% in 2010, as shown in the table below.

Figure 1.2



Incorporated vs. Unincorporated Annual Permit Data Table 1.2

		Incorporated A	rea	Unincorporated Area			
Year	Units	\$Value	Avg \$ Value	Units	\$Value	Avg \$ Value	
2000	5,358	795,185,724	148,411	4,620	633,484,628	137,118	
2001	6,521	1,026,540,468	157,421	3,570	351,329,128	98,412	
2002	8,624	1,378,389,945	159,832	3,210	396,238,917	123,439	
2003	10,756	1,742,133,022	161,968	3,981	654,907,675	164,508	
2004	9,603	1,593,711,483	165,960	4,996	1,100,096,257	220,195	
2005	7,797	1,579,836,641	202,621	4,563	1,119,007,093	245,235	
2006	3,654	1,000,612,961	273,840	3,273	746,305,300	228,019	
2007	1,549	483,560,941	312,176	1,394	362,024,683	259,702	
2008	845	299,830,317	354,829	590	148,642,248	251,936	
2009	703	188,443,953	268,057	661	167,215,700	252,974	
2010	686	200,717,147	292,591	834	239,299,635	286,930	

Source :Palm Beach County Planning Division, PZ&B

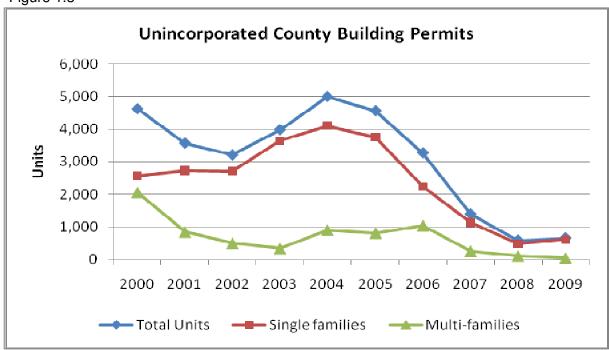
#### Unincorporated Building Permit Activity, 2003-2010

Since the last EAR within the unincorporated County, the focus on single family units continued. By 2010, only 117 multi-family unit permits were drawn. Single family market too declined sharply after 2006. The following chart and tables show forth the comparisons.

Unincorporated County Building Permits Table 1.3

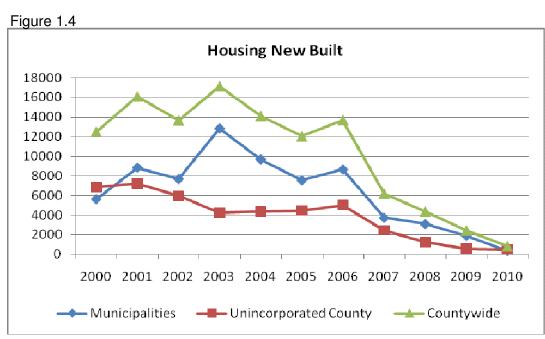
	Single Family		٨	/lulti-family	Total Units	
Year	Units	\$Value	Units	\$Value	Units	\$Value
2000	2,562	356,792,018	2,058	276,692,610	4,620	633,484,628
2001	2,725	304,593,926	845	46,735,202	3,570	351,329,128
2002	2,712	355,706,153	498	40,532,764	3,210	396,238,917
2003	3,639	631,118,157	342	23,789,518	3,981	654,907,675
2004	4,089	1,050,515,183	907	49,581,074	4,996	1,100,096,257
2005	3,746	1,088,507,018	817	30,500,075	4,563	1,119,007,093
2006	2,234	638,416,050	1,039	107,889,250	3,273	746,305,300
2007	1,138	334,238,310	256	27,786,373	1,394	362,024,683
2008	482	136,631,426	108	12,010,822	590	148,642,248
2009	614	161,275,094	47	5,940,606	661	167,215,700
2010	717	228,197,396	117	11,102,239	834	239,299,635

Figure 1.3



#### Countywide Housing Growth, 2003-2010

Since the last EAR the County experienced significant housing growth until the national and local market collapse. Since 2007, many approved projects were withdrawn or left to expire, and many projects under construction were put on hold. Overall, housing stock has increased 9% since 2003, accounting for over 53,680 new housing units in seven years. Of these new homes, 35% were built in the unincorporated County and 65% in the municipalities.



#### 163.3191(2)(b) The extent of vacant and developable land

Palm Beach County continues to have a significant supply of developable land as demonstrated in the section below. This section includes data on both incorporated and unincorporated areas, as the County provides some services at the Countywide level. Since the County's Managed Growth Tier System is the major growth management strategy in the County, much of the data is provided by Tier.

Table 1.4 demonstrates the breakdown of the five tiers of the MGTS by acres. The vast majority of land within the County is located within the Glades Rural Tier, accounting for 66% of the approximately 1.2 million acres of land. The MGTS is designed to direct the vast majority of development (90%) within the Urban Suburban Tier. The eastern Urban Suburban Tier, combined with its urban counterpart in the Glades Communities and several of the Limited Urban Service Areas, account for 22% (272,526 acres) of all lands within the County and 13% (129,464 acres) of unincorporated county.

Palm Beach County Acreage by Tier Table 1.4

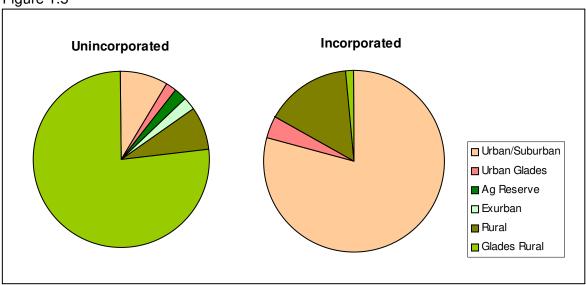
Tier	Tota	I	Unincorpo	orated	Incorporated	
rier	Acres	%	Acres	%	Acres	%
Urban Suburban	246,702	20%	110,285	11%	136,417	74%
Ag Reserve	21,586	2%	21,586	2%		
Exurban	26,406	2%	26,406	3%		
Rural	88,435	7%	48,179	5%	40,256	22%
Glades Urban Service Area	25,634	2%	18,988	2%	6,646	4%
Glades Rural Service Area	795,106	66%	794,551	78%	555	0%
Total	1,203,868	100%	1,019,995	100%	183,873	100%

Source: Exlu2009, PBC Planning Division

As demonstrated in Table 1.4 and the pie charts, the composition of land uses in the unincorporated and incorporated areas varies dramatically. As with the total County, the largest tier in unincorporated County is the Glades Tier, which accounts for nearly 80% of the land area in the unincorporated area. Nearly the same percentage of land area, in the incorporated area, is in the Urban Suburban Tier that includes all of the coastal municipalities.

Figure 1.5

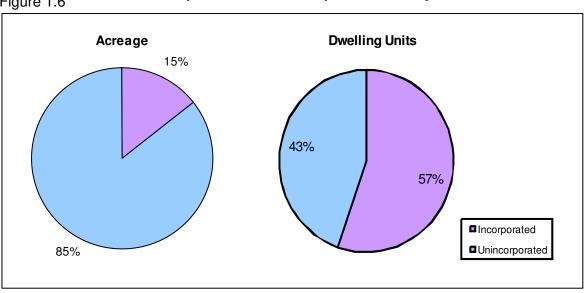
#### Palm Beach County Acreage by Tier



Historically, the bulk of urban development has occurred within the Urban Suburban Tier, specifically within the County's thirty-eight (38) municipalities. The past twenty years have seen a dramatic growth within the eastern unincorporated portion of the Urban Suburban Tier. In fact, the unincorporated suburban communities known as West Boca, West Delray, and West Boynton are approaching build-out. Other key locations of unincorporated growth include the antiquated subdivision communities such as the Acreage. Despite the increase in unincorporated growth, the incorporated built dwelling units account for nearly 57% of the total units, although only 15% of the land area within the County is incorporated.

Figure 1.6

#### **Incorporated vs. Unincorporated County**



### **Existing Land Use Data – Countywide**

The acreages by existing land use mirror the tier composition, and vary between unincorporated and incorporated County. Countywide, agriculture, conservation, and government owned lands account for the bulk, approximately 77% of the total acreage and 85% of the unincorporated land area. Conversely, in the municipalities, the largest category is residential, accounting for over 39% of the incorporated acreage, with agriculture, conservation and government owned lands for just over 30% combined. Although unincorporated dwelling units account for 43% of the County's total dwelling units, they account for nearly 57% of the residential acreage Countywide, which reflects the predominance of large lot single-family development in unincorporated County.

Palm Beach County Existing Land Uses Table 1.5

Existing Land Use	Total	Unincorporated	Incorporated
Agriculture	413,055	404,997	8,058
Commercial	13,234	3,379	9,855
Conservation	369,916	339,488	30,428
Government Owned	144,117	125,341	18,776
Industrial	5,408	1,640	3,768
Industrial Preserve	6,789	6,789	-
Institutional	11,205	3,611	7,594
Mining/Excavation	456	436	19
Recreation	29,905	15,817	14,088
Residential	166,587	94,416	72,172
Utility/Transportation	7,361	4,608	2,754
Vacant	35,834	19,473	16,361
	1,203,868	1,019,995	183,873

## **Future Land Use Data**

# Generalized Future Land Use Designations Table 1.6

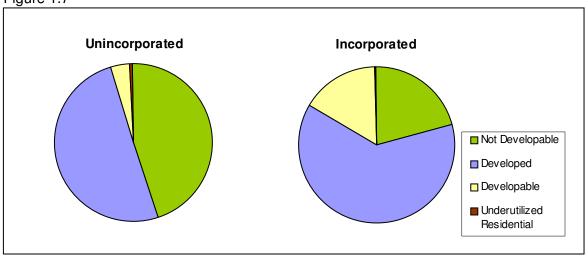
FLU Category	Acres	%	Unincorpor	ated	Incorpora	ted
Ag Reserve	19,998	2%	19,998	2%	ı	0%
Agricultural Production	469,363	39%	469,363	46%	ı	0%
Agriculture	1,621	0%	2	0%	1,620	1%
Commercial	15,474	1%	4,800	0%	10,674	6%
Conservation	371,476	31%	340,277	33%	31,199	17%
Industrial	20,653	2%	13,784	1%	6,868	4%
Institutional	13,240	1%	3,126	0%	10,115	6%
Mixed Use	5,712	0%	139	0%	5,573	3%
Other - Water/ROW	463	0%	42	0%	421	0%
Recreation	18,610	2%	7,033	1%	11,577	6%
Residential High	12,195	1%	5,521	1%	6,675	4%
Residential Low	117,407	10%	64,199	6%	53,208	29%
Residential Medium	39,755	3%	19,134	2%	20,621	11%
Residential Mobile Home	97	0%	-	0%	97	0%
Residential Rural	92,158	8%	67,390	7%	24,768	13%
Utility - Transportation	5,645	0%	5,188	1%	457	0%
Total	1,203,868	100%	1,019,995	100%	183,873	100%

# Unincorporated Future Land Use by Tier Table 1.7

FLU	Aoroa	Urban	Ag Doggra	Exurban	Rural	USA Glades	RSA Glades
AGE	Acres 3,677	Ulbali	Ag Reserve	Exulbali	3,677	Glades	Giades
AGR	20,000		20,000		3,077		
AP	469,363		20,000		2,503	200	466,660
CH	2,932	2.009			2,503	25	400,000
CH-O	79	2,908 79				25	
CH-O	975	674	74	64	132	15	16
CL-O	165	148	74	04	17	13	10
CON	340,319	7,771	1 244			64	325,044
CR	2,030	1,376	1,344		6,095 629	04	25
EDC		299			629		20
HR-12	299 3,727	3,332				395	
HR-18	1,794	1,500				294	
HR-8	· ·						
IND	19,133	9,660	67		25	9,473	82
	13,447	10,258				3,015	1
INST LR-1	3,126	1,894	59		148	1,024	<u></u>
	9,749	9,699					51
LR-2	14,533	14,533				0.004	
LR-3 MLU	18,848	16,514				2,334	
-	139	139				1.011	4.5
MR-5	21,050	19,125			0.5	1,911	15 60
PARK	5,001	4,893		1.070	25	23	
RR-10	30,598			1,870	26,131		2,597
RR-2.5	24,437			24,437	2.225		
RR-20	2,069			34	2,035		
RR-5	6,607				6,607		
SA	2		2				
SPOIL	40	40					
UC & UI	667	667				a	
UT	5,188	4,776	41	22.455	155	215	
Total	1,019,995	110,285	21,586	26,406	48,179	18,988	794,551

## **Developed and Developable Lands Data**

Figure 1.7 Palm Beach County Developed and Developable Land



# Palm Beach County Land Use Table 1.8

Category	Acres	Unincorporated	Incorporated
Agriculture (production and preserve)	422,219	420,190	2,028
Conservation	369,916	339,488	30,428
Government Lands	91,108	75,428	15,680
Non Residential Built	66,983	29,256	37,727
Non Residential Potential	8,212	4,325	3,886
Residential Built	127,711	60,458	67,253
Residential Potential	29,224	22,456	6,768
Residential Potential Gov Owned	692	404	287
Residential Rural Built	39,330	33,471	5,859
Residential Rural Potential	33,719	22,743	10,976
Residential Underutilized	1,107	889	218
Residential Underutilized Rural	378	153	225
Other (water, row, excavation, utility)	13,269	10,734	2,535
Totals	1,203,868	1,019,995	183,873

# Unincorporated Land by Tier Table 1.9

Category	Acres	Urban	Ag Reserve	Exurban	Rural	USA Glades	RSA Glades
Agriculture	420,190	121	5,927		1,279	4,044	408,819
Conservation	339,488	7,742	1,436		5,998		324,312
Government Lands	75,428	3,938	4,447	2,127	6,415	351	58,149
Non Residential Built	29,256	25,705	391	287	1,285	1,471	118
Non Residential Potential	4,325	2,079	142	42	139	1,846	79
Residential Built	60,458	56,800	2,779		66	375	438
Residential Potential	22,456	5,429	6,347			10,652	27
Res. Potential Gov Owned	404	393				12	
Residential Rural Built	33,471			19,737	13,705		28
Residential Rural Potential	22,743			4,128	18,321		294
Residential Underutilized	889	816				73	
Residential Underutilized Rural	153			21	131		
Other	10,734	7,264	117	63	840	164	2,286
Totals	1,019,995	110,285	21,586	26,406	48,179	18,988	794,551

## Land Use Categories Table 1.10

Catagomy	Total	%	Unincorporated	%	Incomparated	%
Category Built Com Recreation	Acres 375	0%	Unincorporated 209	0%	Incorporated 166	0%
Built Commercial	14,177	6%	3,648	3%	10,529	9%
Built Government	5,386	2%	2,885	2%	2,501	2%
Built Industrial	5,030	2%	1,490	1%	3,540	3%
Built Industrial  Built Institutional	9,946	4%	3,268	3%	6,678	6%
Built Mixed Use	127	0%	3,200	0%	116	0%
Built Recreation	29,259	13%	15,608	13%	13,651	12%
Built Residential	127,249	54%	60,277	49%	66,972	60%
Built Residential Institutional	462	0%	180	49% 0%	282	0%
Built Residential Rural	39,330	17%	33,471	27%	5,859	5%
Built Transportation  Built	2,683	1%	2,137	2%	546	0%
Built	234,024	100%	123,184	100%	110,840	100%
Potential Commercial	2,004	3%	699	1%	1,306	6%
Potential Industrial	4,370	6%	3,111	6%	1,258	6%
Potential Institutional	748	1%	415	1%	333	2%
Potential Mixed Use	1,090	2%	101	0%	989	5%
Potential Residential	29,224	41%	22,456	45%	6,768	31%
Potential Res. Gov Owned	692	1%	404	1%	287	1%
Potential Residential Rural	33,719	47%	22,743	46%	10,976	50%
Developable	71,847	100%	49,929	100%	21,918	100%
•	,		,		,	
Underutilized Residential	1,107		889		218	
Underutilized Res. Rural	378		153		225	
Underutilized	1,485		1,042		443	
			,			
Other - Agriculture	422,219	47%	420,190	50%	2,028	4%
Other - Conservation	369,916	41%	339,488	40%	30,428	60%
Other - Districts	76,942	9%	66,236	8%	10,706	21%
Other - Government	14,166	2%	9,192	1%	4,974	10%
Other - Industrial Preserve	6,789	1%	6,789	1%	-	0%
Other - Mining-Excavation	456	0%	436	0%	19	0%
Other - No Units	799	0%	554	0%	245	0%
Other - Utility	4,241	0%	2,341	0%	1,900	4%
Other - Water/ROW	983	0%	613	0%	370	1%
Not Developable	896,512	100%	845,840	100%	50,672	100%
Total	1,203,868		1,019,995		183,873	

# Unincorporated Land by Category by Tier Table 1.11

Category	Total Acres	Urban	Ag Reserve	Exurban	Rural	USA Glades	RSA Glades
Built Com Recreation	209	209					
Built Commercial	3,648	3,467	47	15	43	71	4
Built Government	2,885	2,013	12			859	2
Built Industrial	1,490	1,435	10			39	7
Built Institutional	3,268	2,487	170	41	472	95	4
Built Mixed Use	11	8				2	1
Built Recreation	15,608	14,163	149	230	769	196	101
Built Transportation	2,137	1,924	4			210	
Built Non-Residential	29,256	25,705	391	287	1,285	1,471	118
Potential Commercial	699	609	1	41	35	10	3
Potential Industrial	3,111	1,129	47		25	1,835	76
Potential Institutional	415	275	59	1	79	2	
Potential Mixed Use	101	66	35				
Potential Non-Res.	4,325	2,079	142	42	139	1,846	79
Ultimate Non-Res.	33,582	27,783	533	328	1,423	3,317	197
Non Res.% Built-out	87%	93%	73%	87%	90%	44%	60%
Underutilized Residential	889	816				73	
Underutilized Res. Rural	153			21	131		
Total Underutilized	1,042	816	-	21	131	73	-
Built Residential	60,277	56,619	2,779		66	375	438
Built Res. Institutional	180	180					
Built Residential Rural	33,471			19,737	13,705		28
Built Residential	93,928	56,800	2,779	19,737	13,771	375	467
Potential Residential	22,456	5,429	6,347			10,652	27
Potential Res. Gov Owned	404	393				12	
Potential Residential Rural	22,743			4,128	18,321		294
Potential Residential	45,603	5,822	6,347	4,128	18,321	10,664	321
Ultimate Residential	140,573	63,438	9,126	23,886	32,223	11,112	788
Residential % Built-out	67%	90%	30%	83%	43%	3%	59%
Other - Agriculture	420,190	121	5,927		1,279	4,044	408,819
Other - Conservation	339,488	7,742	1,436		5,998		324,312
Other - Districts	66,236	1,686	4,288	78	4,777	239	55,167
Other - Government	9,192	2,251	159	2,049	1,638	112	2,982
Other - Industrial Preserve	6,789	6,789					
Other - Mining-Excavation	436	23			7		407
Other - No Units	554			1	552		1
Other - Utility	2,341	412	116	62	269	30	1,452
Other - Water/ROW	613	40	1		12	135	425
Total Non-Developable	845,840	19,065	11,927	2,191	14,533	4,559	793,566
Acres by Tier	1,019,995	110,285	21,586	26,406	48,179	18,988	794,551

#### **Developable Lands Assessment**

The Tier System staff report in 1999 estimated that in 1995 there were 70,534 acres of vacant/developable land in unincorporated County east of the L-8 Canal. Fifteen years later, this figure is approximately 37,019 acres, representing a 48% decline. The change represents development that has occurred, annexation activities, and the purchase of environmentally sensitive and agricultural lands for conservation purposes. Over 90% of the land available for residential development within the Urban Suburban Tier has been built, as has 83% within Exurban Tier. The largest amount of residential land available for development is located within the Rural Tier, predominantly in the Central Western Communities. East of the L-8 Canal (at the western edge of the Rural Tier), over 50% of the land remaining for residential development (18,321 acres) is in the Rural Tier, and 18% (6,347 acres) is within the Agricultural Reserve. The bulk of the residential developable land east of the L-8 Canal, excluding the Rural Tier, has existing development approvals and/or has been subdivided. In the Urban Suburban Tier, there are only 18 parcels remaining (just under 1,000 acres) available for residential development that are greater than 25 acres. The largest tracts designated for residential development east of the L-8 Canal are located within the Rural Tier (56 parcels accounting for over 12,568 acres).

## Unincorporated Developable Residential Acreage by Tier Table 1.12

	Total	Urban	Ag Reserve	Exurban	Rural	U-Glades	R-Glades
Built	93,928	56,800	2,779	19,737	13,771	375	467
Un-built	45,603	5,822	6,347	4,128	18,321	10,664	321
Underutilized	1,042	816	-	21	131	73	-
Total	140,573	63,438	9,126	23,886	32,223	11,112	788

Source: Exlu2009, PBC Planning Division

# Unincorporated Developable Non-Residential Acreage by Tier Table 1.13

	Total	Urban	Ag Reserve	Exurban	Rural	U-Glades	R-Glades
Built	29,256	25,705	391	287	1,285	1,471	118
Un-built	4,325	2,079	142	42	139	1,846	79
Total	33,582	27,783	533	328	1,423	3,317	197

Source: Exlu2009, PBC Planning Division

## Unincorporated Acreage by Tier Table 1.14

	Total	Urban	Ag Reserve	Exurban	Rural	U-Glades	R-Glades
Built	123,184	82,504	3,170	20,024	15,055	1,846	585
Un-built	49,929	7,900	6,489	4,170	18,459	12,510	400
Underutilized	1,042	816	-	21	131	73	-
Other	845,840	19,065	11,927	2,191	14,533	4,559	793,566
Total	1,019,995	110,285	21,586	26,406	48,179	18,988	794,551

#### **Residential Development by Tier**

The details of Table 1.15 demonstrates, as driven by the Managed Growth Tier System, over 90% of the residentially developed units are located within the Urban Suburban Tier. At just under 3% Countywide and under 5% for unincorporated County, the Exurban Tier represents a far second.

#### Palm Beach County Built Dwelling Units by Tier Table 1.15

Tier	Countywide l		Unincorpo	Unincorporated		Incorporated	
riei	Units	%	Units	%	Units	%	
Urban Suburban	617,131	94%	252,844	91%	364,287	97%	
Ag Reserve	3,496	1%	3,496	1%	1	0%	
Exurban	14,777	2%	14,777	5%	1	0%	
Rural	7,009	1%	5,638	2%	1,371	0%	
USA Glades	11,082	2%	1,459	1%	9,623	3%	
RSA Glades	746	0%	651	0%	95	0%	
Total	654,241	100%	278,865	100%	375,376	100%	

Source: Exlu2009, PBC Planning Division

#### **Unincorporated County Land Analysis**

Based upon the following analysis of the latest Census estimates, the latest projections by BEBR, the amount of built, vacant, and unbuilt dwelling units, the unincorporated County contains adequate capacity through the next planning period (2025).

The table below provides the latest population projections issued by BEBR (2011) as updated to reflect the latest 2010 estimate for unincorporated County. This table assigns the future unincorporated projections based on the share of population currently identified by the Census (44.5%).

# Projected Permanent Population - Unincorporated Palm Beach County Table 1.16

Projections*	2010	2015	2020	2025
2011 EAR @ 44.5% share	587,844 <sup>1</sup>	598,160	630,399	661,346

<sup>1.</sup> Census 2010

The following table translates the additional population projected by the latest projections issued by BEBR, and the unincorporated share into projected housing unit demand at a 2.39 person per household rate (pph), which is the current person per household rate identified by the 2010 Census. This table calculates the demand for the increment of growth (ie. additional population anticipated) between 2010 and the projected years.

<sup>\*</sup> Unincorporated Share calculated by PBC based upon BEBR 2011 published projections

# Projected Permanent Population and Units - Unincorporated Palm Beach County Table 1.17

	2010	2015	2020	2025
BEBR 2011 Countywide Projections (2010 Census)	1,320,134	1,343,300	1,415,700	1,485,200
Unincorporated Projections (@ 2010 44.5% share)	587,844	598,160	630,399	661,346
Projected Uni. Population Growth (from 2010)		10,316	42,555	73,502
Projected Uni. Unit Demand @ 2.39 pph (from 2010)		4,316	17,805	30,754

The table below provides data regarding the built and potential dwelling units in unincorporated County by Tier, divided by east and west of the L-8 Canal. The un-built units assigned by the adopted Future Land Use Atlas accounts for the majority of future dwelling unit potential. However, there is an additional 11,000+ units available pursuant to redevelopment plans (4,830) and the County's Transfer of Development Rights Program (6,207). This table indicates that the County's adopted Future Land Use Atlas holds the capacity for an additional 37,754 dwelling units east of the L-8 Canal, and an additional 77,380 west of the L-8 Canal, for an additional capacity of just under 115,000 dwelling units. Combined with the potential TDR and redevelopment units, there is an additional capacity of 126,000 dwelling units.

Built and Un-Built Dwelling Units - Unincorporated Palm Beach County Table 1.18

Tier	Built Units	FLUA Un- built Units	Maximum FLUA Units	TDR/Redev Un-built Units	Maximum Total Units
Urban Suburban	252,844	20,397	273,241	11,047	284,288
Ag Reserve	3,496	8,837	12,333		12,333
Exurban	14,777	3,062	17,839		17,839
Rural	5,638	5,251	10,889		10,889
Total East of Glades	276,755	37,547	314,302	11,047	325,349
USA Glades	1,459	77,282	78,741		78,741
RSA Glades	651	98	749		749
Total Glades	2,110	77,380	79,490		79,490
Total Unincorporated	278,865	114,927	393,792	11,047	404,839

Source: PBC Exlu2009

The unincorporated County's un-built dwelling unit potential supply adopted on the County's Future Land Use Atlas (114,927 units) far exceeds the projected additional demand (of just over 30,000 units) for 2025. The projected demand is less than the un-built supply located east of the L-8 Canal adopted on the Atlas (37,547) or considering the additional 11,047 units allowed in the Urban Suburban Tier through the TDR Program and redevelopment plans (48,594 total). In addition, this data does not take into account that the County is currently experiencing a high vacancy rate that could accommodate additional population today.



**Chapter 2.A Major Issues** 

### Major Issue: Energy Efficiency - Meeting New Requirements

#### Description of the Issue

This major issue explores the adequacy of the Plan to meet the new energy efficiency requirements of Ch. 163, F.S. In 2008, the state legislation amended Chapter 163 which now requires local governments to address energy-efficiency in their comprehensive plans in response to climate change. This must be done by each local government's next EAR due dates.

#### **Energy Efficiency and Climate Change**

Climate change results from a buildup of greenhouse gases, particularly carbon dioxide in the atmosphere; this concentration of gases has multiple effects on Earth's environment. Greenhouse gases absorb thermal radiation from Earth that is sent back in all directions. This is known as the greenhouse effect, which contributes to the increase in the temperature of Earth's near-surface air and oceans or global warming. This increase in temperatures is one of the factors leading to sea level rise, potentially stronger storm seasons, larger drought periods and greater than today's cyclonic activities, which are expected to dramatically increase within the next fifty years.

According to the Florida Department of Transportation (FDOT) figures for Florida, about 36% of carbon dioxide emissions come from the transportation sector, and of those 83% results from vehicle miles traveled (VMT). Additionally, FDOT projects that by 2060 VMT will increase 240% based on current trends.

Experts believe that the effects of global warming induced by human activities cannot be eliminated as result of the large amount of greenhouse gases (GHG) already emitted into the atmosphere. However, the rate and volume of emissions can be reduced, therefore reducing the pace of climate change. The new state requirements address this aspect of the strategy to combat climate change: reducing VMT, discouraging urban sprawl and establishing energy-efficient land use patterns to reduce GHG emissions.

The most critical aspect of this issue is therefore how to best meet new state requirements in light of the established suburban pattern of development in unincorporated Palm Beach County, which is heavily dependent on the use of the automobile. Also critical is the need to balance the new requirements with various objectives in the Comprehensive Plan, such as preserving and enhancing lifestyle choices in the County, some of which are inherently energy-inefficient land use patterns.

#### **Specific Changes to the Comprehensive Plan**

This law amended Ch. 163, F.S. establishing new local planning requirements to reduce VMT and GHG emissions, by incorporating the following changes to the Comprehensive Plan:

 Future Land Use Element – Shall be based on studies and data that address the discouragement of urban sprawl; energy-efficient land use patterns that account for existing and future electric power generation and transmission systems; greenhouse gas reduction strategies;

- Future Land Use Map Shall be amended to depict energy conservation areas;
- Traffic Circulation/Transportation Elements Shall incorporate transportation strategies to reduce GHG emissions from the transportation sector;
- Conservation Element Shall be amended to include factors that affect energy conservation.
- **Housing Element** Shall be amended to address energy efficiency in the design and construction of new housing and the use of renewable energy resources

#### Assessment of the Issue

Pursuant to State EAR requirements, this section includes an assessment of changes in conditions or circumstances related to the major issue, the potential social, economic, and environmental impacts of the major issue, the achievement of Plan objectives related to the major issue, and public input received regarding the major issue.

#### **Changes in Circumstances**

Since the last EAR, and independent of the new requirements, the County began taking steps toward addressing climate change. The County established a citizen's advisory board, a "Green Task Force," to make recommendations on promoting environmental responsibility in the County. It issued *The Palm Beach County Green Task Force on Environmental Sustainability and Conservation Report* in July 2009, which the BCC later accepted. The report included fourteen recommendations to encourage and promote use of "green building technologies" in the County, promote energy conservation through the conservation and maintenance of public lands, and other related topics.

Many of the fourteen recommendations have been implemented or are in progress. The Department of Environmental Resources Management (ERM), which administers this program, has produced two annual progress reports one on June 25, 2010 and more recently on March 9, 2011 showing the current status of all fourteen recommended actions. Some of these recommendations directly or indirectly address requirements of the new law, such us the creation of a green building incentive program for private developers that includes an expedited review. This program has been implemented.

Palm Beach County is a partner in the South East Florida Regional Climate Change Compact (SEF Climate Change Compact) together with Miami-Dade, Monroe and Broward Counties. Compact counties have been working for a year and a half. One of their key initiatives is a *Climate Action Plan*, which includes developing studies to determine a baseline of existing greenhouse gas emissions, additional strategies for greenhouse gas reductions in the built environment and transportation sectors as well as preferred land use patterns. Specific recommendations on these topics are expected to be completed by the end of 2011. Finally, in March 2010, the BCC directed ERM to begin pursuing a *Florida Green Local Government Certification* for Palm Beach County, which is in progress. Several of the recommended actions

and strategies from these regional and local efforts would need to be implemented in the Comprehensive Plan and would be complementary to the energy-efficiency requirements of the new law.

The emergence of this issue reflects new studies and thinking at global, national, state, regional and local levels about the potential causes of climate change (due to vehicle emissions and land consumption), and the impacts of climate change on the planet. Finally, multiple studies indicate the increase in the rate of greenhouse gas emissions since the 1990s and consequent acceleration of climate change in the past few years; this has prompted efforts to more seriously prepare for the long-term climate change impacts in the state and the region, like the enactment of the new law, or the regional initiatives in which the County has been involved.

#### Potential Social, Economic and Environmental Impacts

This section briefly addresses the potential social, economic and environmental impacts to Palm Beach County resulting from the implementation of new energy-efficiency requirements, and some of the issues associated with them.

As indicated before, the new state requirements are focused on modifying some of the human activities leading to increased GHG emissions, which are the beginning of the chain of events leading to climate change. Specifically, future land uses shall be based on the discouragement of urban sprawl and the promotion of energy-efficient land use patterns; the Plan also needs include strategies to reduce VMTs.

Implementation the new requirements in the County are limited by the prevailing suburban development pattern with distant employments centers, that is heavily dependent on the automobile for commuting to and from work and performing daily activities. This would require adjustments in lifestyle choices for the population living in suburban, exurban and rural areas, which may take decades to occur, since they are based on prevailing social and economic values and preferences, which could change overtime. It also implies shifting to denser mixed used development that internalizes trips and encourages the use of other modes of transportation; reducing the need to have large commutes to work.

Based on public input during the EAR public workshop on this issue, residents of rural and exurban areas indicated they tend to make fewer trips, stock up on groceries and supplies that last for longer periods of time and utilize commuting routes to make additional shopping or obtain services while at work; it was also indicated that residents in these areas tend to have more home-based businesses or hold telecommuting jobs.

Recent County initiatives have been oriented to redirect growth to older suburbs and more urbanized areas in eastern County, such as the efforts to plan for and implement an Urban Redevelopment Area (URA). These are steps to transform the prevailing development patterns towards one that is more energy-efficient and is consistent with the energy-efficiency requirements of Ch. 163, F.S.

# Assessment of the Objectives Related to the Issue

While the Comprehensive Plan did not anticipate many of the concepts and principles related to GHG emissions reduction in response to climate change, current Plan's objectives and policies address many of the concepts found in the new requirements, and indirectly support smart growth solutions or potentially contribute to climate change mitigation and adaptation. The Future Land Use and Transportation Elements feature policies most conducive to supporting transit-supportive and transit oriented development, redevelopment and densification measures, including mixed use provisions that provide and support mobility options. The currently adopted MPO Plan has implemented actions to reduce VMT in order to address air quality standards, and has included reduction of GHG emissions in their most recent Plan. Strengthened implementation of these objectives and policies would contribute to address the energy-efficiency requirements in Ch 163, F.S.

Following is an analysis of applicable objectives and policies in the Future Land Use, Conservation, Housing, and Transportation Elements, and the Future Land Use Atlas Map Series as they relate to the energy-efficiency requirements in the law.

### **Future Land Use Element (FLUE)**

**FLUE Objective 1.1 Managed Growth Tier System** establishes the Managed Growth Tier System (MGTS), protecting neighborhoods and communities, while directing future development within five geographically specific locations and prohibiting urban sprawl. The MGTS has been implemented, but was not conceived of to specifically address climate change and energy efficiency in land use patterns. Additional steps could be taken to further this objectives in light of the new state requirements.

**Sub-objective 1.2.2** focuses on the County's infill & redevelopment initiatives under the umbrella Urban Redevelopment Area (URA) with mixed-use and transit-supportive development incentives. The URA was called for in the previous EAR, and completed master planning efforts in 2007, with subsequent amendments to implement it within the Plan and ULDC. Little has been realized under this objective as the roll out of the new regulations coincided with the downturn in the economy. The URA represents the type of planning effort necessary to address the specific energy-efficiency concerns in the statutes, in particular the requirement to incorporate greenhouse gas reduction strategies and promoting energy-efficient land use patterns.

Objective 4.1 Community and Neighborhood Planning establishes a community and neighborhood planning program to allow for a diversity of unique communities to exist within the County. The neighborhood plan represents an excellent "bottom-up" planning tool. If retooled, the program could serve as meaningful way to solicit neighborhood input on development/redevelopment in a proactive process while addressing specific local needs. This objective already requires community plans to address sustainable concepts, including energy-efficient land use patterns, energy conservation and reduction of GHG emissions.

Objective 4.4 Mixed-Use Development encourages the development of innovative mixed use projects, which include Traditional Towns, Traditional Marketplaces and Traditional Neighborhoods, as well as Transit Oriented Design. These types of projects are generally the types of "smart growth" planning strategies that help to reduce vehicle miles travelled, and mitigate the impacts of climate change. However, the Plan's approach is just to encourage these developments. Their extensive regulation and lack of familiarity among

development professionals has collectively resulted in their non-use. The regulations need to be re-evaluated and re-tooled to allow for a practical implementation of mixed-use strategies and to provide guidance to the ULDC to facilitate the development of mixed-use projects

#### **Conservation Element**

Conservation Element Objectives 1.1 Codes, Ordinances, and Regulations and Objective 2.1 Native Communities and Ecosystems provide that the County shall adopt and maintain appropriate regulations to protect and conserve the County's natural resources, and to conserve representative communities and ecosystems. Although the objective is being achieved, it does not respond to the requirements in 163, F.S. related to energy conservation. The objectives and attendant polices could be expanded to account for conservation lands and the beneficial effect they have in offsetting greenhouse gas emissions through sequestration. The SEF Climate Change Compact is developing more specific strategies on this topic which will be completed after the EAR timeframe. It is recommended to delay any decisions on this topic for consistency with future recommendations of this regional effort.

**Objective 4.1 Air Quality** requires that the County will maintain federal air quality levels. Although this applies to particulate emissions, it could be expanded to also regulate CO<sub>2</sub> and other greenhouse gas emissions which are not addressed in this Element. It is suggested that any steps on this matter be taken in the future to be consistent with recommendations and strategies being developed by the SEF Climate Change Compact, which will be completed after the EAR timeframe.

# **Housing Element**

There are no existing objectives or polices in the Housing Element that are pertinent to the major issue of meeting new energy-efficiency state requirements, specifically to address energy efficiency in the design and construction of new housing and the use of renewable energy resources. Many of these principles and components are reflected in the ULDC and in the County's Building Code, and have been implemented following recommendation of the *Green Task Force 2009 Report*. The Element could be modified to acknowledge and enhance current development and building code regulations.

# **Transportation Element**

The Goal of the Transportation Element is to provide for a multimodal transportation system to efficiently move people, good and services with minimal impact to the environment. This Goal indirectly addresses the reduction of Green House Gas (GHG) emissions through efficiency and minimizing the impact to the environment. The Goal could be enhanced to more directly address reduction in GHG emissions per the new energy-efficient requirements of Ch 163, F.S.

**Objective 1.3 Management of Transportation System**: Includes in its attendant policies the establishment of Transportation System Management (TSM) strategies. These strategies such as coordinating traffic signals, turning lanes, ride sharing etc. also include Transportation Demand Management (TDM) strategies such as density/intensity of land uses, increasing transit attractiveness etc.; promoting programs which reduce per capita vehicle miles traveled (VMT) and discouraging single occupant vehicle trips, recognizing

that these programs assist in reducing the overall air quality emissions, which include GHG, by supporting Tri-Rail, bicycling, alternative fuels, ridesharing, alternative work hour programs, public transit, parking management etc. Palm Beach County's transportation network is developed in coordination with MPO's Long Range Transportation Plan pursuant to requirements of Rule 9J-5.019(1) and F.S. Ch. 339.175(7). The currently adopted MPO Plan approved by FHWA and coordinated with FDOT and Broward and Miami-Dade Counties, was developed to achieve an acceptable (and measureable) level of air quality and hence is a designated "Attainment Area" in terms of air quality. Greenhouse gas reduction strategies (including but not limited to: measureable VMT reduction, transit, TDM, TSM) are an integrated part of the MPO Plan. These objective and policies are consistent with the transportation strategies called for in the energy-efficiency requirements of Ch. 163, F.S.

**Objective 1.5 Transit System** encourages the use of transit within Palm Beach County indicating that the measurement of the success of this Objective shall be through increased usage of transit services within Palm Beach County. Analysis of attendant polices for this objective indicate they encourage the provision or use of transit services/facilities, consistent with the energy-efficiency requirements of Ch 163, F.S.

Objective 1.9 Bicycle, Pedestrian, and Linked Open Space Facilities promotes the increased use of bicycle, pedestrian and linked open space facilities as alternate means of transportation. Policies 1.9-a thru 1.9-q encourage the provision or use of bicycle, pedestrian, and linked open space facilities. Therefore this objective is conducive to reducing greenhouse gas emissions and providing mobility measures consistent with the energy-efficiency requirements of Ch 163, F.S.

Objective 1.11 Air, Water, and Other Environmental Concerns requires that Palm Beach County adhere to all applicable air, water and other environmental guidelines in the maintenance and expansion of its transportation system. Palm Beach MPO's long range plan is developed through an iterative process in manner to reduce air pollution to meet specific air quality requirements. The recently adopted MPO 2035 Plan meets the air-quality requirements and the County will update its long range plan in coordination with the MPO's adopted Plan pursuant to Policies 1.1-e and 1.13-b, and pursuant to requirements of Rule 9J-5.019(1) and F.S. Ch. 339.175(7). This objective could be expanded to specifically address reduction of GHG emissions, as called for in the energy-efficiency requirements of Ch. 163, F.S.

# **Comprehensive Plan Map Series**

The map series in the Comprehensive Plan includes several maps that include features depicting what could be considered a component of "energy conservation areas" as called for in the statues as part of the energy-efficiency requirements. The following maps are listed in the order they appear in the map series with a brief description of the content and the aspect of energy conservation that each map appears to address.

## **Future Land Use Maps**

Map LU 3.1 Special Planning Areas - Includes several natural areas and state park overlays whose purpose is to protect open space, public lands and environmental sensitive lands. Generally, these natural area/park overlays could contribute to the reduction of GHG through carbon sequestration. Also depicted in this map is the Lake Okeechobee Scenic Trail (LOST) Overlay, which encourages bicycle, pedestrian and equestrian activities around the lake along the dike. Objectives and policies related to these overlays may need to be modified to address energy conservation.

Map LU 8.1 Greenways and Linked Open Space System – This map depicts greenway study areas, publicly owned and/or managed land and other features. This map is also linked to objectives, policies and programs in the Plan that generally support pedestrian, bike and equestrian activities and trail systems, including programs like the Northeast Everglades Natural Area (NENA) trail system and the South County Greenways and Trails program that have the goal of interconnecting these open space and trail systems countywide and with neighboring counties north and south of our borders. Objectives and policies related to these programs may need to be updated to address energy conservation.

### Transportation Maps

Map TE 2.1 Future 2020 Roadway System and Major Parking Facilities – depicts Tri-Rail train stations and Park'n'Ride lots, all other Park'n'Ride lots, and Intermodal Terminals in the County. This map depicts facilities related to alternative modes of transportation that help reduce VMT.

**Map TE 6.1 Future 2020 Major Intermodal Facilities** – depicts existing and proposed Tri-Rail stations and expansions, Park'n'Ride Lots, Express Routes with Park'n'Ride and Transit Routes. This map depicts transit and other facilities related to alternative modes of transportation that help reduce VMT

**Map TE 10.1 Future 2020 Bicycle Facilities** – depicts roadways with bikeways and without bikeways. This map depicts facilities that could contribute to promote alternative modes of transportation to reduce VMT.

Map TE 11.1 Future 2020 Pedestrian Facilities – depicts existing roads with sidewalks, future sidewalks and roads with no pedestrian walkways. This map depicts facilities that could contribute to promote alternative modes of transportation to reduce VMT.

### **Recreation and Open Space Maps**

**Map RO 1.1 and 2.1 -** depicts existing and future conditions of County parks. Parks and open space contain trees and shrubs that can contribute to reduce the emissions of greenhouse gases through carbon sequestration.

# **Summary of Public Input**

Comments received from the public at EAR issue meetings, including the Friday, December 3<sup>rd</sup> meeting for this major issue:

- Locate employment centers near existing residential development, and offer traffic concurrency exemptions (as incentives) that reward mixed-use and other infill types compatible with existing residential areas.
- Conduct a carrying capacity study.
- Coordinate with regional programs/efforts/entities so not to work at cross-purposes.
- Examine water supply as a limiting factor for future development.
- Curb the westward expansion/encroachment of urban development on rural/agricultural lands; balance development with agricultural needs; return to Eastward Ho!
- Approach sustainable initiatives cautiously, ensuring that any approaches are locally derived, not top-down impositions.
- Use of alternate modes of transportation, including multi-modal levels of service, to promote energy efficiency. Should be organized around transportation hubs.
- End/reduce restrictions on TPS in urban areas, continue efforts to infill and redevelop the eastern/coastal portion of the County.
- Incentivize economic development and clean/green business opportunities.
- Examine locally produced food, community gardens, co-ops, and relevant green markets
- Pursuing a "green local government" designation.
- Addressing sustainability in the use of resources, energy, conservation of water, and development patterns.
- Achieve "true sustainability."
- Implement low impact development standards.
- Tie water supply/availability to development, restrict overuse of water
- Preserve agricultural land, conservation areas, and open spaces through an urban development boundary.
- Water quality & quantity issues. Limit water used for irrigation.
- Plan for future conditions due to climate change, sea-level rise, and salt water intrusion.
- Develop infill policies that favor/allow small parcels to combine lots.
- Promote/require range of housing types for affordability; reduce the regulatory oversight for projects that "do the right thing."

# **Conclusions and Proposed Corrective Actions**

The emergence of climate change concerns reflects new scientific knowledge and evidence about the potential causes of climate change (due to vehicle emissions and land consumption), the impacts of climate change on the planet, and the apparent acceleration of climate change globally. This has prompted efforts to more seriously prepare for climate change impacts in the state and the region both in the short and long terms.

The implementation of some of the new energy-efficient provisions of Ch. 163, F.S. and of the regional strategies to address climate change will be lengthy and challenging. Likewise, potential positive impacts in the region will only be achieved in the long-term, as local population

preferences and planning practices adapt to this new reality, and older areas deteriorate and are replaced with more climate change resilient patterns of development and lifestyle choices.

Many of the potential strategies and solutions to address the impacts of climate change, including reduction in energy emissions, are being developed through regional and local efforts in Florida, specifically the SEF Climate Change Compact. Several of the recommended actions and strategies from these regional and local efforts would need to be implemented in the Comprehensive Plan and would be complementary to the energy-efficiency requirements of the new law.

While the Plan did not anticipate many of the concepts and principles used to address Climate Change and GHG emissions reduction, the Plan's objectives address many of the concepts found in the new requirements or will help to meet them in the future. There are many objectives and policies which indirectly could contribute to climate change mitigation and adaptation. The Future Land Use and Transportation Elements feature policies most conducive to energy efficient land use and transportation patterns, including mixed use provisions that provide and support mobility options. This includes strategies to transform the prevailing development patters to alternative ones that are more energy-efficient, like the establishment of the URA; and implementing strategies to reduce GHG emissions and VMT in the transportation sector. However, some enhancements to the Plan's objectives and policies are warranted; specific recommendations to be implemented as part of the EAR-based amendments include the following:

#### **Future Land Use Element**

- Objective 1.1 Additional steps could be taken to further the MGTS objectives to specifically address climate change and energy efficiency in land use patterns.
- Objective 4.4 encourages the development of innovative mixed use projects. Reevaluate and re-tool regulations to allow for a practical implementation of mixed-use strategies and to provide guidance to the ULDC to facilitate the development of mixed-use projects

### **Future Land Use Atlas Map Series**

The new law requires mapping energy conservation areas. This may require:

- Defining "energy conservation areas" before proceeding to the production of map or group of maps during the EAR-based amendment process.
- Determining whether use of one map is appropriate. The initial review of existing maps in the FLUA Map Series that appear to address the depiction of energy conservation areas indicates that depicting all potential energy conservation features in just one map may not be appropriate.
- Revisiting objectives and policies supporting some of these maps may need to be revisited to address energy-conservation requirements.

### **Conservation Element**

- Objectives 1.1 and 2.1 provide that the County shall adopt and maintain appropriate regulations to protect and conserve the County's natural resources. These objectives and attendant polices could be expanded to account for energy conservation lands and the beneficial effect they have in offsetting greenhouse gas emissions through sequestration. The SEF Climate Change Compact is developing more specific strategies on this topic which will be completed after the EAR timeframe. Therefore, it is recommended to delay any amendments to these objectives until recommendations from this regional effort are completed.
- Objective 4.1 requires that the County will maintain federal air quality levels. Although this applies to particulate emissions, it could be expanded to also regulate CO<sub>2</sub> and other greenhouse gas emissions which are not addressed in this Element. It is suggested that any steps on this matter be taken in the future to be consistent with recommendations and strategies being developed by the SEF Climate Change Compact, which will be completed after the EAR timeframe.

# **Housing Element**

Add a new policy to address energy efficiency in the design and construction of new housing and the use of renewable energy resources. The ULDC and in the County's Building Code have incorporated these provisions following recommendation of the Green Task Force 2009 report. The Element could be modified to acknowledge and enhance current development and building code regulations in the County addressing energy-efficiency.

## **Transportation Element**

- Goal One of the Transportation Element could be enhanced to more directly address reduction in GHG emissions per the new energy-efficient requirements of Ch 163, F.S.
- Objective 1.11 requires Palm Beach County to adhere to all applicable air, water and other environmental guidelines in the maintenance and expansion of its transportation system. This objective could be expanded to specifically address reduction of GHG emissions, as called for in the energy-efficiency requirements of Ch. 163, F.S.

# Major Issue: Strengthening the Managed Growth Tier System

# Description of the Issue

The intent of this major issue is to identify the successes and shortcomings of the Managed Growth Tier System (MGTS) to determine whether modifications are necessary to prepare the County for the next Planning period. This major issue focuses on the overall Tier System mechanics; the discussion of the successes, shortcomings, and corrective actions for the individual Tiers is provided in the Future Land Use Element Assessment.

The Tier System, the County's primary growth management strategy, was adopted in 1999 through the establishment of 5 geographically specific tiers. The fundamental premise is that the Tiers represent distinct regions based on characteristics and lifestyle, and regulations vary by Tier in order to manage growth in a manner that fosters the intent of each Tier and the County's Directions as a whole. Accordingly, the Comprehensive Plan future land use regulations and the Unified Land Development Regulations vary by Tier. However, the fundamental transportation, subdivision, drainage, and other infrastructure regulations remain largely suburban in nature and do not vary by Tier. The framework on which the Tier System was established was the 1989 Plan, a plan that was designed to foster a suburban development pattern.

The County based the Tier System on the Urban Service Area (USA) concept of the 1980 and 1989 Comprehensive Plans, but changed the approach from one of expansion to one of maintenance. In the prior Plans, the USA was considered an urban expansion line, and provisions were in place to contain urban services and urban density within the boundary, while providing justification mechanisms for when it may be appropriate to move the line westward and expand the urbanized area. The Managed Growth Tier System changed that philosophy to one that promoted the maintenance of character and lifestyle of each Tier, although the Tier System allows privately initiated requests to change Tier boundaries subject to specific criteria.

### **Description of the Tiers**

- **Urban Suburban Tier.** The County anticipates that 90% of the County-wide population will be accommodated within this Tier. This Tier includes the bulk of the County's municipalities, although the Tier provisions do not apply within these municipalities. The majority of the unincorporated land is suburban in character, although there are pockets of more intense urban development and areas development with near rural densities. The boundaries of this Tier are coterminous with the Urban Service Area, and consequently the County's planning strategies intend that this entire Tier ultimately receive the full complement of urban services. There are pockets remaining, however, that were developed many years ago without water, sewer, paving and drainage. The County has in place several strategies for these areas to attain these services through the Engineering and Water Utilities Departments, including the efforts of the Countywide Community Revitalization Team. The Tier System intends to promote the efficient use of land within the Urban Suburban Tier and encourages redevelopment and infill.
- Exurban & Rural Tiers. The Comprehensive Plan provisions for these Tiers are identical with the exception of density. The maximum density for the Rural Tier is Rural Residential, one unit per 5 acres (RR-5) outside the Agricultural Enclave. The Exurban

Tier is designated Rural Residential, one unit per 2.5 acres (RR-2.5), although the antiquated subdivisions with this designation actually have a platted density that is twice that (1 unit per 1.25 acres average). The provisions for the Rural and Exurban Tiers are designed to maintain the low residential density character by limiting the ability for increases in density by limiting the future land use designations allowed to rural and exurban densities and by limiting non-residential development to low intensity commercial at limited locations. The Rural and Exurban Tiers comprise four unique sub areas. While these areas may share some common characteristics, they are geographically separated from each other and each have unique characteristics, as discussed below:

- Heritage Farms/Homeland: This portion of the Rural Tier is bounded by the Urban/Suburban Tier to the east, Wellington's equestrian and agricultural lands to the north, and the Agricultural Reserve to the south. The unique climate that results in the Agricultural Reserve being ideal for agriculture (the location of the gulfstream and the proximity to the wetlands to the west) applies to this area.
- Lox Road Area: This area, approximately half of which was recently transferred to Broward County, is exclusively part of the Rural Tier. The remaining land is owned by South Florida Water Management District, and unlike the other portions of the Rural Tier, does not include any residents.
- Central Western Communities (CWC): The CWC area is unique in that the land area is nearly equally split between antiquated residential subdivisions and large agricultural tracts that are thousands of acres in size. This area is geographically isolated from the urbanized portions of unincorporated County by the Villages of Wellington and Royal Palm Beach, and the Town of Loxahatchee Groves, and the Water Catchment Area. The area also includes the Agricultural Enclave, an area approved for a mix of uses at the overall density of the surrounding Acreage neighborhood. County services extend throughout this area, including parks, fire-rescue stations, sheriff sub-stations, paved roadways, schools, and in some instances water and sewer lines, are dispersed throughout.
- Jupiter Farms/Palm Beach Country Estates Area: The Jupiter Farms area is located within the Rural Tier and predominately large lot residential development intermixed with agriculture, equestrian uses and environmentally sensitive lands. Palm Beach Country Estates is in the Exurban Tier and exclusively subdivided residential land. Similar to the CWC, much of the land in Jupiter Farms has a density of 1 unit per 1.25 acres, yet the future land use designation is one unit per 10 acres (RR-10). Unlike the CWC, this area does not contain expansive tracts of land, but there are larger sites located along Indiantown Road. Since these sites cannot be subdivided to a residential density that is similar to adjacent residences, they are often the target of rezoning requests for non-residential uses allowed in residential future land use designations.
- Agricultural Reserve Tier. The Plan's provisions within the Agricultural Reserve Tier are designed to foster agricultural and environmental preservation through planned development options that allow development clustered onto 20-40% a portion of a project's land area. The Tier was the subject of a 100 million dollar bond issued to preserve lands for agriculture in perpetuity. Today there are approximately 3,000 dwelling units built within this Tier, and another 7,000 with development approvals that have not yet been built.

• Glades Tier. The Glades Tier accounts for approximately half the County's land area, and 80% of unincorporated County. As discussed in the "Future of the Glades Communities" major issue, the County's Future Land Use Atlas identifies vast acreages of land in the unincorporated Glades Tier Urban Service Area as available for residential development (approximately 80,000 un-built dwelling units on over 11,000 acres), while designating over 460,000 acres in the Rural Service Area for Agricultural Production, most of which is also known as the Everglades Agricultural Area (EAA). The majority of the EAA is designated exclusively for commercial agriculture with the Agricultural Production future land use, although mining and everglades restoration efforts area also allowed. The County's Plan has succeeded in preventing development from encroaching into the EAA, which represent a major component of the County's economy.

### Assessment of the Issue

Pursuant to State Evaluation and Appraisal Report (EAR) requirements, this section includes an assessment of changes in conditions or circumstances related to the major issue, the potential social, economic, and environmental impacts of the major issue, the achievement of Plan objectives related to the major issue, and public input received regarding the major issue.

### **Changes in Circumstances**

This section identifies some of the unforeseen circumstances, as well as anticipated changes, within the County, and discusses some considerations with regard to the Tier System.

Change in Unincorporated Developable Lands: As discussed in the Population and Land Use Analysis Sections of this EAR, over 90% of the land available for residential development within the unincorporated Urban Suburban Tier has been built, and 83% of the Exurban Tier. The largest amount of residential land available for development is located within the Rural Tier, predominantly in the Central Western Communities. East of the L-8 Canal (at the western edge of the Rural Tier), over 50% of the land remaining for residential development (18,321 acres) is in the Rural Tier, and 18% (6,347 acres) is within the Agricultural Reserve. The bulk of the residential developable land east of the L-8, excluding the Rural Tier, has existing development approvals and/or has been subdivided. In the unincorporated Urban Suburban Tier, there are only 18 parcels remaining (just under 1,000 acres) available for residential development that are greater than 25 acres. The largest tracts designated for residential development east of the L-8 Canal are located within the Rural Tier (56 parcels accounting for over 12,568 acres).

• Suburban vs. Sustainable Development. With the 1989 Plan, the County established land use and transportation regulations to foster the desired suburban development pattern, including density incentives to promote the development of planned developments. This Plan has succeeded as the bulk of the development in the urbanized area of the County (the Urban/Suburban Tier) that occurred between 1990 and today has been planned developments with a suburban character. Planned developments offer many benefits for residents, including enhanced buffers and landscaping, common recreation areas, and often heightened security. The County's transportation network has evolved as planned as well, with an emphasis on major arterials that move traffic as efficiently and effectively as possible throughout the County, often on roadways up to six lanes, and greater, in width.

The suburban lifestyle in the Urban Suburban Tier, however, does have its shortcomings. Much of this Tier is dependent on the automobile for transportation as the densities are low and the design of the communities offer limited access to major thoroughfares. Commercial developments are largely retail and also car dependent, leaving limited opportunities for employment and pedestrian activity. Planned communities often contain community centers and other common areas for the residents, but there is little opportunity in the larger region for activity centers or hubs to foster interaction with residents outside of individual communities. Often these areas lack a focal point of the community that fosters a sense of place.

• Passive vs. Pro-active Planning. The Tier System attempted to change the development pattern set by the 1980 and 1990 Comprehensive Plans from expanses of single use, low density development to more a more sustainable form of development with mixed uses and neo-traditional forms of development. The intents was to curb urban sprawl by fostering a shift towards a more efficient land use pattern by establishing a series of mixed use planned development districts. These districts, including the Traditional Town, Traditional Marketplace, and Traditional Neighborhood districts are intended to offer neo-traditional activity centers designed with a mix of residential and non-residential uses at higher densities and intensities than typical suburban development in order to establish a community center that promotes alternate modes of transportation, including pedestrian, bicycle, and mass transit. These centers can vary by size and characteristics, from regional centers such as downtown West Palm Beach, to smaller village and local centers.

The Tier System approach to traditional development was largely a passive one; the Tier System did not engage in the pro-active identification of nodes and centers or in changing land uses or zoning districts. The traditional development districts are optional, offer little incentives, are heavily regulated, and have been rarely utilized. Their provisions relied upon individual property owners and developers to pursue mixed-development options independently through the development review process. Conversely, the Urban Form Study prepared by the County in the early 1990s actively identified key nodes for activity centers throughout the County. In addition, the County has been very proactive with the Urban Redevelopment Area, by not only approving a master plan, but pursing land use and zoning changes to implement the Plan.

- Urban Suburban Tier Regulations & Infill: The County is approaching build-out of the Urban Suburban Tier nearly exactly as planned, but the land use and development regulations that have fostered this pattern may not be suitable as the land available for development diminishes. There have been many small land use amendments in this Tier, but the overall land use pattern is largely suburban as planned. The bulk of the developed land in this Tier are very large planned developments, some covering thousands of acres of land. The development regulations are largely designed for these types of developments, and require large buffers and wide internal roadways. As the land in the County is diminishing, there is very limited opportunity for large planned developments within this Tier. An examination of the development regulations could ensure that they do not present any hindrances to infill on smaller tracts of land.
- **Urban Redevelopment Area.** The County has taken a more proactive role with its redevelopment and revitalization efforts within the Urban Redevelopment Area (URA) and within the Countywide Community Revitalization Team (CCRT) efforts. The URA was created pursuant to the recommendations of the Infill Study, a study identified as part of the Tier System, and was the subject of a special study the County contracted with the Treasure

Coast Regional Planning Council (TCRPC), which included a series of charrettees and the development a master plan. The plan was completed and incorporated into the Comprehensive Plan, followed by County initiated changes to the Future Land Use Atlas and Zoning Map to implement the new land use categories and zoning districts identified by the URA policies. In order to ensure that transportation constraints didn't impede redevelopment efforts, the County also established a Transportation Concurrency Exception Area (TCEA) for the URA. Due to the inertia of the local economy, the URA redevelopment efforts have yet to result in a much change in the area to date; however, due to the proactive land use and rezoning changes the area is set for an expedited review and development process when the economy returns.

• Central Western Communities Sector Plan. The Tier System identified the land use imbalance in the Central Western Communities (CWC) by directing the creation of a Sector Plan that would offer opportunities for land use balancing through additional non-residential and residential opportunities while ensuring that the character of the Rural and Exurban Tiers was maintained. Since the last EAR, the Sector Planning effort has come to an end without the adoption of a plan, partly due to the traffic constraints and the inability to achieve consensus. The Sector Plan stemmed from a concept of establishing large tracts of land in the CWC as "Future Planning Areas" as suggested by the Western Communities Task Force in the 1990s.

The land within the CWC is nearly equally split between antiquated subdivisions and agricultural land with rural residential designations which represents the greatest amount of undeveloped, residentially designated land east of the L-8 Canal. Non-residential land uses are currently limited to schools and other institutional uses, with a few scattered retail shopping centers, few employment options, and no industrial opportunities. Although this area is immediately south of the United Technologies Overlay, which includes significant built and un-built acreage of industrial and economic activity center land, there is limited access due to the lack of extension of either Seminole Pratt-Whitney Drive and State Road 7. The adoption of the Agricultural Enclave (discussed below) added densities and intensities consistent with the surrounding Acreage subdivision, but this change did little to offer more balanced land uses, including additional employment, cultural, and education opportunities. Establishing a task force, similar to the Western Communities Task Force established in the mid-90s, with representatives from community groups, land owners, Indian Trails Improvement District, the County, and perhaps neighboring cities, may offer a new strategy to arrive at a plan for this area amenable to all involved.

- Agricultural Enclave. The Florida legislature established mechanisms to allow agricultural lands that had been surrounded by residential development to receive equitable densities through the Agricultural Enclave legislation. The County adopted an "Agricultural Enclave" future land use designation for the Callery Judge Grove site to implement this legislation which increased the site's one unit per 10 acre density to one unit per 1.25 acres density and added 235,000 square feet of a village center to reflect the surrounding densities and intensities. The Agricultural Enclave remains ideally suited for a town center that could act as a hub for the CWC, providing additional opportunities for non-residential development that could reduce the vehicle miles traveled for the residents in the area.
- Agricultural Reserve Hospital. Since the adoption of the last EAR, the County as approved a 59-acre hospital facility at the northern end of the Agricultural Reserve. The hospital is under construction for a 207,750 square foot hospital and 135,000 square feet of medical office. The 80 bed hospital is scheduled to open by January 2013 and has land

area available to expand up to 400 beds in the future. The impacts of this additional use within the Ag Reserve will need to be addressed by the County to determine if additional changes are warranted to address these impacts.

### Potential Social, Economic and Environmental Impacts

The Tier System is based on a concept that recognizes and supports the diverse lifestyle and high quality of live offered in Palm Beach County and enjoyed by the County's permanent and season residents. The Tier System was developed through a series of intense community outreach meetings over a nine month period through the Policy Development Task Force. The 49 member Task Force were charged with obtaining public input and building consensus for the Tier System policies, and to make recommendations to the BCC. The Task Force included representatives and sub-committees representing every Tier of the County. Since that time, each resident in the County has essentially participated in the Tier System by choosing to reside in the neighborhoods and communities outlined by the Future Land Use Atlas. As such, any major shifts in the policies of the Tier System impacting an individual Tier should follow a similar outreach program through the use of Task Forces or Committees to offer community outreach and consensus building to engage the public to identify and resolve issues throughout the process.

The Plan currently allows private property owners to pursue changes to Tier Boundaries through the amendment process. The Tier System original provisions intended to limit changes to only those identified at time of each EAR and implemented through an EAR based amendment. Individual Tier changes can undermine the premise of the entire system and are more aligned with the 'urban expansion' concept of the prior Plans. In addition, although the 'Tier' may be changed for a particular property, the geographic location of the site remains the same, as do the adjacent neighbors impacted by the amendment. Finally, the land use amendment process doesn't offer the ability for public participation and consensus building efforts afforded by other planning strategies.

Offering greater flexibility for additional development opportunities within the individual Tiers, rather than through Tier changes, could further the overall goals and objectives of the Tier System provided that these opportunities are linked with fulfillment of specific Tier, and perhaps countywide, objectives and incorporate public involvement. Most of the land in the Exurban and Rural Tiers holds the maximum density designation allowed with these Tiers, and the only means to increase development options is through a change to a non-residential use and/or through a Tier change.

Regarding economic and environmental impacts, the implementation of the Tier System ensures consistent community character throughout the County and a mechanism of protection for the conservation and agriculture within the Glades Tier. However, the current provisions of the Tier System do not allow employment opportunities within the Rural and Exurban Tiers. Through local planning efforts in these areas, the County may allow additional opportunities at key locations within these Tiers.

# Assessment of Objectives Related to the Major Issue

This section examines the ability of the County to achieve its stated objectives with regards to the Managed Growth Tier System major issue, found in the Future Land Use Element.

**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.
  - Assessment, Objective 1.1. This objective establishes wide ranging policy directives for the Tier System, not all of which are represented elsewhere in the FLUE. The major strategies within the Tier System to manage growth were to maintain status quo through regulation and to promote sustainable forms of development through a series of optional mixed use development districts. The Tier System has succeeded in maintaining the existing development pattern in much of the County, but the mixed used development districts have been rarely used and have offered little to promote sustainability. These districts are optional, rather than 'required' as suggested in this objective.

This objective intends to support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades, which is being partially achieved through efforts in the Countywide Community Revitalization Team and Urban Redevelopment Areas. Through strategies in the Agricultural Reserve, the County has helped protect agricultural lands within this Tier, but lacks specific programs and strategies to actively preserve agriculture in the Everglades Agricultural Area.

In 2004, the County pursued the expansion of the local economy into biomedical sciences by pursuing a site for the Scripps Research Center, now being located in Palm Beach Gardens. The Plan includes the Bio-Tech overlay and the United Technologies Overlay designed to foster and preserve land for industry, and refers to the County's Economic Strategic Plan, but does not include specific programs or strategies to expand the County's economy and to promote the establishment of employment centers.

One of the key shortcomings of the Tier System with regards to this objective is the lack of measurable timing and phasing mechanisms for consideration of additional future development. The Tier System Plan language references timing and phasing frequently, but does not establish a specific mechanism to offer timing and phasing, other than through the Tier System re-designation process. The use of an implementation strategy, such as a 'development boundary', could demarcate the land available for development in the County, in the Planning timeframe, within the Urban Suburban, Glades Urban, Ag Reserve, Rural, and Exurban Tiers. In doing so, the boundary would also demarcate and protect those areas available only for non-urban uses in the Glades Rural Area in this Planning timeframe. As discussed in the Population and Land Use Analysis Sections of this Report, there is more than adequate land available for the population projected by the University of Florida Bureau of Economic and Business Research (BEBR) through the long range planning horizon and there is no basis in this EAR for expanding development outside the areas currently planned for development. At the time of the next EAR, the County could evaluate the land available for development, and determine whether to make adjustments to accommodate additional development if desired and consistent with the objectives of the community at that time. This being said, there may be areas already identified for residential development, such as in the CWC area or infill areas within the Urban Suburban Tier, that may warrant consideration for additional densities pursuant to energy efficient land use patterns and local planning efforts as discussed.

Objective 1.2, Urban/Suburban Tier—Urban Service Area. 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.

Assessment, Objective 1.2. The County's development regulations were written at a time when there was much more land available for suburban development, and may not offer the flexibility to promote infill development within the remaining lands inside the Urban Suburban Tier. Efficient development within the Urban Suburban Tier up to the maximum density allowed by the FLU designation is often hindered by the requirement that maximum densities can only be achieved if a project is developed as a planned development. Many of the sites remaining for development are too small to meet the

planned development requirements, and cannot achieve the maximum density allowed, creating inefficient use of land. Greater flexibility with these regulations would foster infill development in a more energy efficient land use patterns, as explored in the "Energy Efficiency - Meeting New Requirements" major issue.

**Objective, 1.3 Exurban Tier.** 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.

Objective 1.4, Rural Tier. 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.

Assessment, Objectives 1.3 and 1.4. The identification of individual Tiers has largely succeeded in identifying distinct, geographically cohesive areas with the exception of the Rural and Exurban Tiers. These Tiers are intertwined, extending through the central portion of the County from the Broward County line intermittently through to the Martin County line, and the Comprehensive Plan provisions for these Tiers are identical with the exception of density. The Rural and Exurban Tiers actually comprise of four unique sub areas discussed in the "Description of the Issue" section. While these four areas may share some common characteristics, they are geographically separated from each other and have unique characteristics and issues that may warrant individual consideration in the Plan.

Objective 1.5, Agricultural Reserve Tier. 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 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.

Assessment, Objective 1.5. As residents are moving into the planned developments, ensuring that compatibility is maintained between residents and commercial agricultural operations will be essential to continue the stated the long term preservation of agriculture. In addition, the impacts of the approval of the hospital in the Ag Reserve, and recent pressures for institutional lands uses, could warrant additional consideration in the Plan. As land is developing in Western Boynton, West Delray, and West Boca, pressure is increasing for non-residential uses, such as institutional uses, within the agricultural lands. Since the adoption of the 2004 EAR, the County approved a new hospital in the northern portion of the Tier. There have been several instances, including Brookside Farms, where property owners have approached the County to utilize land within the Ag Reserve, including land set aside for agricultural preservation for non-residential uses to serve the population outside the Ag Reserve. Currently the Plan

prohibits institutional uses west of State Road 7, but there is no other limitation on the amount or location of institutional uses within the Tier.

**Objective 1.6, Glades Tier.** 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.

Assessment, Objective 1.6. The Glades Tier combined with the Loxahatchee National Wildlife Refuge and the J.W. Corbett Wildlife Management Area, accounts for 80% of the land area in the County, yet only 3 pages of the County's Comprehensive Plan area exclusively devoted to this Tier. The bulk of this language in the Plan primarily discusses three Overlays, the Glades Economic Development Overlay, the Lake Okeechobee Scenic Trail Overlay, and the Sugar Cane Cooperative Protection Overlay. A policy directs the coordination between the County and the Glades cities, but there is little else with direct policies and objectives for the promotion of economic development within the Glades Urban Service Area as discussed in the "Future of the Glades Communities" major issue. There is also minimal policies and programs within the Plan to support of commercial agriculture within the Glades Rural Area.

Objective 1.8, Glades Area Protection Overlay. 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.

Assessment, Objective 1.8. This Overlay was established in 2004 as a barrier towards urban western expansion into Agricultural Production area in the Glades also known as the Everglades Agricultural Area (EAA) "from encroachment by urban development and suburban sprawl that could imperil the County's goals to protect the EAA, support the restoration of the Everglades and maintain existing rural and semi-rural communities in the CWC area." An additional strategy could be to establish a 'development boundary' at this location, from Martin County to Broward County, that could further reinforce this concept and provide a timing mechanism for consideration of any additional future growth as discussed under Objective 1.1.

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.

Assessment, Objective 2.1. The County has largely succeeding in establishing strong and effective managed growth strategies through the Managed Growth Tier System and regulations within. Since 1989 the County has adopted privately initiated Future Land Use Atlas (FLUA) amendments on just under 10,000 acres of land, which is relatively minimal to the total amount of acreage within unincorporated County (approximately 1%) indicating that the Plan has developed largely as anticipated. The County has many overlays, studies, and small area plans, but very few actually 'master plan' areas and/or propose proactive changes in land uses to implement this objective. Rather, the implementation of this objective is generally through the review of privately initiated FLUA Amendments. As discussed in the "Description of the Issue", nearly all of the land east of the Glades Tier is located in an area with an existing development pattern, and each remaining parcel of land available for development is surrounded by existing residences. Due to the diversity of the County, the Plan cannot anticipate every unique circumstance that may be presented with during the development review process. The Plan includes some criteria for amendment review, but these criteria have not been effective during the amendment review process to capture all of the issues that each site can present.

In addition, each proposed land use change can present impacts on surrounding residents. When the County's residents move into a neighborhood, either through renting or purchasing a property, they are doing so with an understanding that the character of the area is fairly set by the existing land use pattern and/or adopted future land uses. A proposed change in land use on even the smallest of parcels can impact neighbors. Although the County provides notification to surrounding residents, there is limited ability for public participation within the current development review processes, as explored in greater detail in the "General to Local Planning" major issue.

**Objective 4.4, Mixed-Use Development.** Palm Beach County shall encourage the development of a variety of innovative types of mixed-use projects.

**Assessment, Objective 4.4.** One of the key implementation strategies of the Managed Growth Tier System was the creation of a series of mixed use and multiple use planned development districts. As discussed in the FLUE Assessment, these districts have been rarely used since created over ten years ago, and have not proven to be an effective means for promoting sustainable development patterns in the County.

## **Summary of Public Input**

Comments received from the public at and following the November 5<sup>th</sup> major issue meeting:

- Protect sensitive coastal lands within the Urban/Suburban Tier
- Protect diversity and character in Exurban & Rural Tiers
- Recognize residential development pattern & need for services

- Preserve Agriculture and Environment
  - Protect Agricultural Production and Ag Reserve lands
  - o Economic benefits of each: Self sufficiency Tourism
  - Bind Open space preservation by 3rd party agreements
- Greater land use flexibility within Tiers
  - Promote energy efficiency
  - Provide economic incentives for infill
- Maintain Tier boundaries
  - Explore a carrying capacity analysis water supply
  - Consider an Urban Development Boundary

# **Conclusions and Proposed Corrective Actions**

The Tier System has largely succeeded in directing the County's growth in a manner that furthers the vision and intent of the County and within the Tiers, and is generally adequate through the next planning period to support the development pattern established by the Future Land Use Atlas. However, refinements to the Tier System could help further achievement of goals and objectives within the Plan, as provided below.

**Tier System Overall.** Strengthen the Tier system by ensuring that the provisions in place further the intent of each Tier and the Tier System.

- Revise the Future Land Use Element to require that requests for Tier change amendments are considered only with the EAR and adopted through the EAR based amendments.
- Revise the Future Land Use Element to establish a timing mechanism for consideration of any additional future growth beyond the adopted Plan by establishing a development boundary at the western border of the Rural and Ag Reserve Tiers and surrounding the Glades Urban Service Area. This development boundary would require future development to be located within the development boundary within the planning timeframe. Establish that each EAR would consider whether development outside the development boundary was warranted considering the overall goals and objectives of the Plan, as well as the capacity remaining for development within the boundary the potential for increased capacity within the development area, the cost for extension of services, and the availability of services such as water supply.

**Urban Suburban Tier.** Promote infill and eastward development.

- Increase flexibility within development regulations.
  - Examine the mixed and multiple use planned development options to determine if revisions or replacement strategies are warranted.
  - Eliminate the requirement to develop as a planned unit development in order for projects to achieve the maximum density and intensity allowed by the Future Land Use designation.
- Encourage intensification within specific nodes or centers to achieve objectives such as and land use balancing and energy efficiency as identified in the "Energy Efficiency – Meeting New Requirements" major issue.

• Develop incentives to foster infill and efficient use of land within nodes or activity centers, and explore the identification of these nodes through an overlay or map within the Comprehensive Plan.

### Rural and Exurban Tiers. Balance land uses while protecting character.

- Through local planning strategies (such as those explored by the "General to Local Planning" major issue) develop the plans and policies for each of the four distinct areas area through coordination with local residents, property owners, and special districts, such as:
  - Within Heritage Farms, consider mechanisms to further protect the agricultural lands from urban encroachment such as through the establishment of a historic rural subdivision or through other means.
  - Within Jupiter Farms, provide support for updating the Neighborhood Plan and/or expanding the boundaries of the Neighborhood Planning area.
  - Within the remaining of the Lox Road area, consider land use changes to reflect the ownership of land by the South Florida Water Management District (with District coordination).
  - Within the Central Western Communities, establish a task force to plan for the future of the community with neighborhood representatives, large land owners, special districts, and County agencies to develop a master plan for the area which may include:
    - Providing residents a greater role with planning the future of their community;
    - Proactively balancing land uses by providing quality employment opportunities and to reduce trip lengths;
    - Fostering sustainable development patterns;
    - Utilizing Transfer of Development Rights, Workforce Housing, and or and/or Traditional Town Development options or re-establish the Future Planning Area concept.
    - Identifying locations for moderate increases in density and/or intensity while addressing the impacts (including traffic) to address issues comprehensively and through a consensus building effort;

### **Agricultural Reserve Tier.** Continue to protect agriculture.

 Explore an amendment to the Future Land Use Element to identify whether limitations on the amount and location of additional institutional land uses are warranted, and if so, revise the Plan accordingly.

Glades Tier. Encourage development of the Glades Communities while protecting agriculture.

 Pursue the corrective actions identified in the "Future of the Glades Communities" major issue.

# Major Issue: Demonstration of Need

# Description of the Issue

This issue involves the need to identify and make clear in the Plan the community objectives that must be furthered in order to change the adopted Plan, particularly for changes of a significant nature. The current Plan was adopted based on data and analysis, and with ample public participation, and represents a formalized understanding of the uses and objectives that best reflect and balance the interests of the community. Property owners and residents place reliance on the established and planned patterns to understand the nature and character of their communities. Changes to the Plan can and should be made, as community conditions and objectives change over time; however, changes, and particularly changes of a significant scale, are not intended to be made lightly.

# **Background**

The "Demonstration of Need" issue was first identified as a potential major issue for the County's EAR in 2009, when a Marion County plan amendment to increase density was found not in compliance by the State because, in part, the local government failed to demonstrate a need for the proposed additional units. Marion County had based its justification for the amendment largely on the 'need' to accommodate projected population, one of several factors local governments are to consider when amending the comprehensive plan.

This was viewed as a potential major issue for Palm Beach County because the County's adopted Future Land Use (FLU) Map has capacity available to accommodate projected population for some time. As noted in the Population and Land Use Analysis Sections of this EAR, there is sufficient capacity east of the Glades Tier to accommodate the projected unincorporated population through the long range planning horizon of 2025, and well beyond if the capacity of the unincorporated area in Glades Urban Service Area is included. The specific concern for Palm Beach County was whether, given these data, the County might be precluded from approving any additional density even though the number, type or location of the proposed units might be beneficial in meeting other objectives.

A review of the planning requirements as well as guidance provided by the Department of Community Affairs (DCA) confirmed that current population capacity, relative to projected population, was but one consideration and, on its own, neither a reason to approve nor to deny a proposed amendment. Other factors are also to be considered, including those outlined in the State statute and objectives articulated in the Plan. DCA indicated that local governments may choose to approve amendments to increase density significantly above the projected 'need' if the proposal furthers the goals and objectives of the local plan and is consistent with State growth management requirements. The local government obligation is to apply a consistent methodology in the review of all plan amendments.

Current Palm Beach County Comprehensive Plan policies establish some criteria and requirements for amendment review, and amendment review procedures generally require an analysis of consistency with broader Plan policies, but the Plan lacks a clear statement of the threshold objectives that must be furthered in order to justify a departure from the adopted Plan in the form of a density increase or other change. Thus, the issue to be addressed in the EAR is to ensure that the appropriate objectives were clearly identified and stated in the Plan.

Pursuant to State EAR requirements, this section includes an assessment of changes in conditions or circumstances related to the major issue, the potential social, economic, and environmental impacts of the major issue, the achievement of Plan objectives related to the major issue, and public input received regarding the major issue.

# **Changes in Circumstances**

The current market situation, described in the data section of this EAR, constitutes a significant changed condition that represents an opportunity to make the necessary changes in the Plan at a time of reduced development pressure. Incorporating a clear statement of the threshold objectives that must be met in order to amend the Plan would enable future decision-making to occur within a comprehensive framework that clearly incorporates key Plan objectives as well as State requirements, such as consideration of 'need.'

In 2009, the State initiated a rule-writing process to provide formal guidance on the demonstration of need requirement; in 2010, that rule-writing was suspended. This represents a changed circumstance that results in a problem for the County and other local governments, which are left to make assessments as to acceptable methodologies and other factors independently. The County has undertaken efforts in the past to devise methodologies to determine need for non-residential uses, but these have been inconclusive and not implemented. In order to be consistent in the review of proposed amendments, an acceptable methodology is required.

### Potential Social, Economic, and Environmental Impacts

Much of the area designated for development in the County's Plan has been so designated since the first land use planning efforts in the 1970's and 80's. At present, the unincorporated County, and much of the County as a whole, is well into the build-out of these plans, as adopted and adjusted through amendments over time. As buildout of the unincorporated County's Plan approaches, pressure may build for expansion of development into areas not anticipated for development under the adopted Plan, such as the Glades Rural Service Area. This underscores the importance of clearly identifying those community objectives to be considered when determining whether, where, and when additional development could occur. This has applicability not only for the prospect of development in areas with currently no urban development potential, such as rural portions of the Glades Tier, but also for potential changes in development pattern within the established development Tiers, such as redevelopment within the Urban/Suburban Tier, or accommodation of mixed use patterns within the Rural or Exurban Tier to increase energy-efficiency.

Without a comprehensive and explicit framework for analysis and decision-making, important community objectives may not be properly balanced or may even be eroded or overlooked. Social impacts can include loss of the character intended to be preserved in a Tier, as well as the potential disillusionment of the public if community objectives appear to be ignored or compromised. While some short-term economic benefit can result from any development, longer term economic impacts can result from inappropriate changes in land use, such as premature or unwanted conversion of viable agricultural areas, and oversupply of particular uses.

# Assessment of Objectives Related to the Major Issue

The Plan presently contains several objectives and corresponding policies that establish criteria and requirements for the review of proposed amendments. These are located under several different objectives of the Future Land Use Element, as indicated below. Some apply specific, measurable tests, and others require interpretation. In addition, other objectives of the Plan are sometimes applied to the review of amendments, depending on the nature of the amendment. In general, through implementation of these policies, the stated objectives are furthered or achieved, but the objectives do not necessarily constitute a comprehensive, explicit, and integrated approach to evaluating proposed amendments to the Plan.

# **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.

**Assessment:** As part of this objective, the Plan includes several policies to guide the review of a proposed Plan amendment. These include:

- Policy 2.1-f, which lists both requirements for the applicant to meet and criteria
  for the County to apply to a proposed future land use plan amendment. The
  applicant must provide 'adequate justification' and for residential density
  increases, demonstrate that the current land use is inappropriate. The County is
  required to address compatibility, and evaluate impacts on the environment,
  facilities and services, surrounding development, future land use balance, special
  plans or studies, affected local governments, and State anti-sprawl requirements.
- **Policy 2.1-g** requires that the County apply the County Directions found in the Plan to guide decisions to update the Future Land Use Atlas; and
- Policy 2.1-h prohibits amendments that encourage piecemeal development or create residual parcels.

The first two of these policies form the basis for much of the review of proposed Plan map amendments, and do outline factors to be considered, and the third provides for a technical assessment. All three policies are applied in the review of proposed amendments, and achieve the aim of a consistent standard of review for amendments that may affect the land use balance and location of growth in the future. However, there is no guidance as to the necessary level of achievement of these factors, nor do the factors listed constitute a comprehensive list reflecting key Plan objectives. These policies do not provide guidance with regard to proposed text changes to the Plan. These are initiated by the County, typically in response to identified problems or opportunities, and lack specific review criteria in the Plan.

#### 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.

**Assessment:** Under this objective, several policies establish criteria for the review of proposed amendments:

- Policy 2.2.1-a prohibits density increases within the coastal high-hazard area.
- Policy 2.2.1-b provides guidance to avoid encroachment of incompatible future land uses and ensure compatibility.
- Policy 2.2.2-a, b and c establish locational requirements for various types of commercial uses, and the latter also establishes additional requirements specifically for the Lifestyle Commercial Center. All three policies are consistently applied in the review of proposed amendments, and further the objective of protecting character and environment.

The first and third policies establish location requirements, and these are clearly implementable, thus implementing the objective's intent. The second policy, however, is subjective in that it requires interpretations of encroachment and adverse impacts. The identified major issue of General to Local Planning may offer some means for public involvement in the review of proposed amendments, that can assist in determining when encroachment and adverse impacts might occur, as well as how to avoid or mitigate them.

# 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.

**Assessment:** Under this objective, **Policy 2.4-b:** requires the use of the Transfer of Development Rights Program for density increases within the Urban/Suburban Tier, unless 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, or the applicant pursues density increases through the Workforce Housing or Affordable Housing Programs.

This policy is a fundamental requirement, implementing a key policy position and objective; all other amendment review policies can only be applied provided this one is first applied and satisfied. For this reason, this provision should be centrally featured in the Plan's provisions for amendment reviews. In addition, the Board of County Commissioners directed that these density bonus programs not be allowed outside of the Urban/Suburban Tier. However, the premise is not stated within this objective or specifically elsewhere in the Element, and property owners outside the Urban Suburban Tier are not precluded from pursuing Future Land Use Atlas amendment and/or Tier changes in order to pursue additional density. Finally, no specific guidance is provided to determine need or inappropriateness, which provides for the potential for this policy to be inconsistently applied.

#### 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 public facilities at levels of service (LOS) that meet or exceed the minimum standards adopted in the Comprehensive Plan.

**Assessment:** Under this objective, **Policy 3.5-d** establishes the requirement that no amendment be approved which significantly impacts any roadway segment projected to fail to operate at the adopted level of service standard in the long term. This policy is applied in the review of proposed amendments, and helps to achieve the objective of ensuring that services are available concurrent with the impacts of development.

# **Summary of Public Input**

Input received from the public at the October 22, 2010 Major Issue meeting include, in general, two types of comments:

One set of comments identified specific objectives that should be furthered in order to justify the approval of additional density. These included: to address sprawl, and to accommodate or facilitate infill and redevelopment, economic development and diversification, employment centers, efficient and viable transportation, capital improvement efficiencies, educational objectives, green building, and affordable/workforce housing.

Some additional comments were also provided, relating to prohibiting density increases in order to further certain objectives such as Coastal High Hazard Areas Protection, assessing need by Tier, and analyzing need for each type of residential and non-residential use by acreage.

A second set of comments received at and following the meeting address how staff calculates the available capacity of the Plan and projects future growth. These comments focus on when the build-out of the adopted Plan would occur (the accuracy of calculations of available capacity and/or the projected future growth), and what State requirements obligate the County to do as build-out of the adopted Plan approaches. These issues are addressed in the Population and Land Use Analysis Sections of this EAR.

# **Conclusions and Proposed Corrective Actions**

The Future Land Use Element of the Comprehensive Plan incorporates several sets of statements intended to both describe the premises on which the Plan is based, and to guide the implementation of the Plan. These include the sustainable planning and development principles, the assessments and conclusions, and the County Directions. These tenets are then reflected in the Goals, Objectives and Policies of the Future Land Use Element as well as of other elements of the Plan. Some of these principles clearly carry through to the specific policies that address the review of proposed amendments; others are not addressed in any measurable, implementable way in the policies governing amendment review. To address this, several corrective actions are identified below:

- Incorporate a section in the Plan that centralizes all amendment review provisions, including State requirements and Plan requirements, and which builds on the adopted policy requiring TDRs as the mandatory method of increasing density (for residential land use amendments). This section should also provide guidance regarding the required determinations of need and inappropriateness. This section can also delineate differences in review requirements depending on the size, type, and location of the amendment. For example, distinctions might be drawn based on Tier, whether the proposed use is similar or dissimilar to surrounding uses, or whether an area presently has urban development potential.
- Clearly identify the key Plan objectives which must be furthered, to be applied during the
  consideration to any proposed Plan amendment. Objectives could include existing Plan
  objectives, such as those relating to the provision of affordable housing, as well as new
  objectives such as those that may be adopted to address energy-efficiency requirements, to
  recognize local planning efforts, or to other address new issues.

# Major Issue: General to Local Planning

# Description of the Issue

In the next planning period, new development opportunities will more frequently occur on parcels within built areas that have adjacent neighbors. New development within communities with established patterns requires special attention to an area's characteristics and the neighbors' concerns. Due to the size and diversity of the County, the Comprehensive Plan cannot anticipate every unique circumstance that should be considered. As a result, over the last several decades, the County has increasingly been utilizing geographically specific planning strategies. These plans have been used to address a variety of planning objectives from agricultural protection to special land use concerns. Local planning strategies, like overlays and neighborhood plans, will continue to become more important as the County approaches the build out of its adopted 1989 Comprehensive Plan, and more development occurs through infill or redevelopment. Implementation of overlays and special studies is discussed in more detail in the Future Land Use Element Assessment of this EAR. This major issue focuses on the Plan's existing approach to community and neighborhood planning.

# **Background**

The idea of local planning, focusing on a specific geography and often involving public input, is not a new concept in Palm Beach County. Since the adoption of the first Comprehensive Plan in 1980, a number of overlays, special studies and neighborhood plans have been adopted to address concerns in various areas of the County. In general, special studies and overlays have been developed at the direction of the Board of County Commissioners in response to specific issues or concerns, while neighborhood plans have been developed at the request of residents seeking to guide development in their communities.

Since the adoption of the 1989 Plan, the Future Land Use Element has contained an objective and several policies addressing neighborhood and community planning. The neighborhood planning program came about to both foster community involvement and to resolve issues between local residents and property owners of developable lands.

Neighborhood plans are typically reviewed and received and filed by the Board of County Commissioners, and become part of the supporting documents for the Future Land Use Element, but are not formally adopted as part of the Comprehensive Plan. Once completed, neighborhood plans are used as guides in the review of amendments to the Comprehensive Plan.

To date, six neighborhood and community plans have been completed, with one addressing Loxahatchee Groves that subsequently incorporated. The first neighborhood plan was created in 1992, the Haverhill Neighborhood Plan. The neighborhood planning program was subsequently reconfigured to prioritize limited County resources on "lagging regions," areas of the County identified in a 1992 report as having higher poverty, crime, and unemployment rates. A "Guide to Neighborhood Planning was adopted by resolution in 1996, reflecting this focus. The Guide also provided general direction on the structure and process for creating a neighborhood plan and established public participation requirements, plan components and implementation guidance for all types of neighborhood and community plans. The "lagging

regions" subsequently became part of a separate Comprehensive Plan overlay with the Countywide

- 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

### Assessment of the Issue

Pursuant to State EAR requirements, this section includes an assessment of changes in conditions or circumstances related to the major issue, the potential social, economic, and environmental impacts of the major issue, the achievement of Plan objectives related to the major issue, and public input received regarding the major issue.

### **Changes in Circumstances**

- Land available for development has adjacent uses. This becomes evident by comparing the Developable Lands Map from 1989, 2003 and the current 2010 map. The remaining un-built parcels in the Urban/Suburban Tier are dispersed in and among built areas. Development on these properties is essentially infill as it is surrounded by existing residential and non-residential uses. In the Rural and Exurban Tier, larger parcels still exist, and may require a more comprehensive planning approach; however, these parcels are also located adjacent to or in the midst of existing communities. As parcels located adjacent to or within existing communities are built, they will require special attention to an area's characteristics and neighbors' concerns.
- The emphasis on Redevelopment and Revitalization has evolved into a dedicated effort. The Comprehensive Plan established an objective and policies to guide community and neighborhood planning with an emphasis on revitalization and redevelopment. Priority was given to "lagging regions," and this subsequently led to the establishment of the Countywide Community Revitalization Team. These efforts, which provide stabilization and revitalization activities in these areas, are now governed by a separate dedicated Overlay in the Future Land Use Element, distinct from neighborhood planning.
- New objectives and priorities have emerged since the last EAR, such as the need to increase energy efficiency and reduce greenhouse gas emissions. As new federal and state requirements are established, additional attention is turned to specialized land use methods such as mixed uses, redevelopment, and and land use balancing. Local planning can be a tool to identify areas where the most significant impact can be attained, and to determine how to retrofit or introduce new uses in established communities consistent with a community's vision and character.
- There is increased interest in public involvement. The Comprehensive Plan and the
  Unified Land Development Code have numerous requirements and criteria intended to
  protect adjacent residents and provide opportunities for public input. These requirements
  meet or exceed State requirements. During the EAR public participation process, several

residents expressed interest in receiving earlier notice on proposed amendments. There was also interest expressed in developing new or updating existing neighborhood plans. Additionally, the placement of Amendment 4 Florida Constitutional amendment, to require voter approval of changes to the comprehensive land use plan, on the November 2010 ballot may indicate a growing desire of Florida residents' to shape the future of their communities directly.

• The availability of new web based technologies has created opportunities to look at new communication and outreach efforts to local communities. The type of web technology that is now available permits greater access to public information and can incorporate public input in plan development and amendment review. The County publishes its meeting materials, calendars, regulatory documents and information related to current and special projects on the web for public access. However, several local municipal projects, including the Lake Worth Casino and Beach Redevelopment Project, have gone a step further and collected public input through the internet in addition to public meetings. This is an innovation in the use of the web to collect information from residents, instead of only using the internet to distribute information. Web based outreach and communication efforts will continue to grow in importance as a cost effective way to communicate with stakeholders. Additionally, web based public participation methods may allow residents that are not able to attend public meetings to participate in planning efforts.

## Potential Social, Economic and Environmental Impacts

### Social Impacts

- Local planning can result in development patterns that are better suited for the
  characteristics of an area. Comprehensive Plan policies apply to entire Tiers and are
  not geographically specific to communities within those Tiers. As a result, the County
  has been in practice applying area-specific planning strategies. As the buildout of the
  adopted Plan approaches, local planning efforts to assist in implementing the local
  community vision and preserving existing character are appropriate.
- Local planning provides increased opportunities for public involvement. The impacts of a site's development may be of great concern to the surrounding residents and business owners as new development can impact everything from storm water, traffic, and site access to property values. The local planning process can identify potential conflicts between developers and residents, while also offering a way to resolve conflicts and balance interests of stakeholders throughout the review process, including plan amendments and rezoning.
- Local planning efforts like neighborhood plans may have limited effectiveness without the social infrastructure necessary to engage active participants in the preparation of the plan as well as its implementation. Areas with limited or no organization are less likely to succeed in completing or following up on the implementation of a plan. A community's capacity for organizing and actively participation in the development of a neighborhood plan is an important consideration.

## **Economic Impacts**

- Local planning can result in improvements that maintain and enhance the character of an area and help to preserve or increase property values. As development and redevelopment is now more likely to occur in areas with adjacent property owners, local planning efforts could help ensure that new development would integrate into or enhance the existing land use patterns in an area.
- Local planning requires additional time and effort up front from owners of developable land, as well as local government resources, but can result in increased predictability and associated savings of time and money once a plan is in place. Specific impacts cannot be determined at this time, but concerns are often identified or expressed during the public hearing process after property owners have committed substantial resources to the development of proposed land use applications. Involving the public earlier in neighborhood planning and other local planning processes would allow the concerns of local residents to be considered prior to property owners requesting land use approvals; therefore, these plans would provide additional certainty about project components before any application is submitted.

#### **Environmental Impacts**

- Local planning can provide for a more integrated approach to more energy
  efficiency designs and patterns of development. Local planning tools would create
  greater ability in the current Comprehensive Plan to foster infill and redevelopment and
  create opportunities to create more energy efficient land use patterns, as explored in the
  'Meeting New Requirements'
- Local planning provides a collective approach to address environmental concerns and resources. General regulations applied parcel by parcel are not able to address environmental and other development constraints that may exist that prevent vacant land in an area from being utilized to its full development potential. A broader approach can address environmental issues like storm water management through by addressing the potential development area collectively. In addition, local planning approaches can yield natural resource protection mechanisms, such as the various overlays in the Comprehensive Plan that address protection of the aquifer, State parks, and native ecosystems.

#### Assessment of Objectives Related to the Major Issue

The Comprehensive Plan contains one objective and several associated policies, found in the Future Land Use Element, addressing the process and general parameters for community and neighborhood planning.

### 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.

**Assessment:** In general, this objective has been achieved. The intended emphasis for the Community and Neighborhood Planning Program (stated in the attendant policies) has been addressed, as a dedicated program for lagging regions (CCRT Areas) has been created and is implemented on an ongoing basis. Additionally, the Neighborhood Planning program was implemented and today five neighborhood plans are in place for the unincorporated County. They are considered when new development is proposed within the plan's area.

However the objective does not reflect current conditions, that the CCRT is now established and its functions implemented under a separate objective and policies elsewhere in the Comprehensive Plan. In addition, pursuant to the Community and Neighborhood Planning objective and its policies, a "Guide to Neighborhood Planning" was adopted to provide more specificity on the process to develop neighborhood plans. The Guide provides some direction with regard to various parameters, but over time neighborhood plans have been prepared using varying approaches as to content, public participation, Board acceptance, implementation and updates. The parameters outlined in the objectives and policies, as well as in the Guide, need to be revisited and revised or updated where appropriate.

### **Summary of Public Input**

The following comments were received from the public at the November 19<sup>th</sup> Major Issue meeting. The public input gathered at this meeting can be grouped into three general categories:

#### **Notice & Public Involvement:**

- Give more advanced notice of proposed changes
- Use Channel 20 to advertise meetings,
- Make sure there is adequate and large signage.
- Public meetings should be held in the evening to allow greater participation.
- Involve local governments for projects in their annexation areas or in the development review process regarding modifications impacting historic resources.
- Understand sunshine law applicability regarding public meetings and local planning efforts.

### **Neighborhood Plan & Community Technical Assistance:**

- Interest in a contact for local planning and neighborhood planning efforts by residents.
- Interest in the EAR Glades Issue meeting in technical assistance in planning efforts in their communities.
- Environmental and water concerns are important issues and should be addressed through education and outreach.

### **Local Planning:**

- Crossing jurisdictional boundaries in neighborhood and local plans is important because of service provision and infrastructure issues.
- Interest from residents and neighborhood groups in how to pursue neighborhood or local plans for their areas.
- Involve municipalities in local plans in their annexation areas.

# **Conclusions and Proposed Corrective Actions**

Local planning efforts have proved to be valuable inputs to land use decision-making, and their worth is likely to increase in the future given the location of remaining developable land and the need to meet emerging objectives such as enhanced energy-efficiency. In addition, the public's interest in participating in local planning appears to be growing, and technological advances increasingly facilitate that participation.

The Comprehensive Plan provides some guidance for the preparation of community and neighborhood planning, but that guidance is incomplete and outdated. Additional specificity is required for, at minimum, content, public participation, County review, Board acceptance, implementation and updates/sunsets. While specific details could be contained in a revised Guide or similar document, at least basic parameters should be established in the Plan.

Opportunities exist to formalize and/or expand early opportunities for public participation in the land use amendment process. Finally, opportunities may exist for local plans to be proactively developed, with public participation but not specifically at the request of a neighborhood, to address specific objectives such as energy efficiency and land use balance.

Neighborhood and Community Planning corrective actions include:

- Evaluate each aspect of the existing neighborhood planning process, including:
  - o How are neighborhood plans initiated?
  - What is appropriately included in a neighborhood plan (required components & analysis)?
  - How should public participation be conducted?
  - o How are neighborhood plans reviewed by the County?
  - o How are neighborhood plans formally accepted or adopted?
  - o How are neighborhood plans to be implemented? and,
  - What are appropriate protocols to update and sunset neighborhood plans?
- Update the Comprehensive Plan objective relating to Community and Neighborhood Planning, and the adopted Guide to Neighborhood Planning, to update changed conditions, and to provide the necessary programmatic guidance addressing the key aspects identified above.

Corrective actions beyond Neighborhood Planning include:

- Formalize existing informal processes, and identify new ones if appropriate, for earlier public input in the land use amendment review process
- Explore the establishment of a local planning process to, as resources allow, proactively
  identify and plan for specific areas, to achieve plan objectives such as increased energy
  efficiency and land use balance. These plans could focus on specific land use nodes,
  corridors, or undeveloped parcels where opportunities exist for development or
  redevelopment consistent with plan objectives.

# Major Issue: Future of the Glades Communities

# Description of the Issue

The County has identified the challenges facing the Glades communities, including the lack of economic development, employment options and housing opportunities as a major issue. This major issue is geographically specific, solely focusing on the lands within the Urban Suburban Tier of the Glades Tier, also known as the Glades Urban Service Area (USA) or the Glades Communities. The relative geographic isolation and the nature of the issues faced by the Glades Communities differ from the challenges faced by the coastal communities in Palm Beach County.

The Glades USA has a rich heritage. Agriculture is the primary economic driver in this region. With its unique access to Lake Okeechobee, the region offers a variety of opportunities due to its ecological and environmental components. The documented prehistoric resources in the area are significant on a regional and national level. Efforts towards tourism have taken place to emphasize tourism as an economic development tool in the Glades.

Within the context of the Evaluation and Appraisal Report (EAR), the County is limited in the options that can be provided to address economic problems and lack of job opportunities. Additionally, the County's Comprehensive Plan only applies to the unincorporated portion of the Glades USA. The communities within the Glades are engaged in their own efforts with regard to planning and development. Nevertheless, the County's Comprehensive Plan does contain a number of objectives that are focused on the future development and coordination with outside entities. This major issue assesses these objectives and other County efforts in order to determine how they can be strengthened and better implemented to address the issues of the Glades USA.

#### Data

The Glades USA includes three municipalities as well as a significant area of unincorporated land. The total population in the Glades USA is approximately 34,000 residents, of which approximately 6,500 reside in the unincorporated area. The total land area in the Glades USA is approximately 26,000 acres, of which 4,000 acres are developed, 6,000 acres are government-owned lands, and 16,000 acres are undeveloped or used for agricultural production. The primary uses include agriculture, institutional and government.

Nearly all of the unincorporated undeveloped land within the Glades USA is in agricultural production but has residential future land use designations. This land, totaling approximately 18,000 acres, has the future land use density to accommodate nearly 80,000 dwelling units, or approximately 196,000 future residents (at a person per household rate of 2.45). The County established this potential density on these lands in 1989 based on the land uses established in the 1980 Plan and based on requests by the Glades cities as it was envisioned that this available density would promote future growth and prosperity.

According to the Bureau of Economic and Business Research (BEBR), population in the Glades area has been mostly level, with a slight decline between 2000 and 2010, while the rest of the County has seen an increase in population. Development of the agricultural lands with

residential future land use designations, and the current maximum densities, would significantly increase the population.

Although the economy in the Glades USA is largely agriculturally based, there are several large government facilities that are also major employers. There are many local, regional and state facilities in the Glades USA near or within the cities. These include state penitentiaries, government offices, the Belle Glade regional hospital, two local airports and regional water supply facilities.

Several factors have led to the lack of economic development and employment opportunities in the region. Job opportunities have declined as increased mechanization of agricultural production has reduced workforce demands, and little private investment has occurred to generate new job opportunities. Based on 2009 data obtained from the State of Florida Agency for Workforce Innovation, the estimated unemployment rate in the Glades area is at 40%, as of December 2009. This unemployment rate is devastatingly high, compared to 11.5% for the County as a whole, as of December 2009. The lack of job opportunities contributes to high rates of poverty which in turn lead to disinvestment throughout this region. One result of this is the lack of population growth.

### Assessment of the Issue

Pursuant to State EAR requirements, this section includes an assessment of changes in conditions or circumstances related to the major issue, the potential social, economic, and environmental impacts of the major issue, the achievement of Plan objectives related to the major issue, and public input received regarding the major issue.

### **Changes in Circumstances**

Since the adoption of the last EAR, economic growth has been negative as job opportunities have decreased. In recent years, focus on this region has increased. Large scale restoration projects have been started or approved, including the purchase of US Sugar lands for Everglades' restoration. In an effort to provide additional economic diversity, the County has adopted an amendment to change approximately 849 acres of land from residential future land use to industrial for the development of an inland logistics center (ILC). If developed, the ILC is anticipated to be an economic and employment engine to improve the local economy. Additional efforts to address economic issues for the Glades communities have been undertaken over many years.

#### Potential Social, Economic and Environmental Impacts

- **Potential Social Impacts:** The Glades USA has experienced a lack of population growth in the last 10 years. The cost of living has increased and quality of housing has decreased with the occurrence of multiple hurricanes and a lack of new housing development. Crime and unemployment are aggravating factors in the effort to improve the quality of life.
- Potential Economic Impacts: The Glades USA has not experienced the diversity of
  economic development or employment opportunities as the eastern portion of the County
  (east of the Glades Tier). Economic growth has been stagnant and is primarily driven by a
  single industry, agriculture. The median household income for most of the Glades USA has
  declined since the Census in 2000.

• Potential Environmental Impacts: The Glades USA is surrounded by agricultural production which is regarded as having both environmental benefits and disadvantages. Furthermore, recent efforts to secure large tracts of land for water control and environmental restoration has been viewed as a potential boon to the region, creating new jobs and tourist opportunities, while at the same time leading to a loss of acreage in active agricultural production and a resultant job loss.

## Assessment of Objectives Related to the Major Issue

The Comprehensive Plan contains several objectives and subobjectives related to this major issue.

Future Land Use Element - Objective 1.6 Glades Tier: 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.

Assessment FLUE Objective 1.6 Glades Tier: The bulk of the language within this objective concerns three overlays: the Glades Economic Development Overlay, the Lake Okeechobee Scenic Trail Overlay, and the Sugar Cane Cooperative Protection Overlay. A policy directs the coordination between the County and the Glades cities, but there is little else with direct policies and objectives for the promotion of economic development within the Glades USA or the support of commercial agriculture within the Glades Rural Area.

Future Land Use Element - 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.

Assessment FLUE Sub-Objective 1.6.1 Glades Area Economic Development Overlay (GAEDO): This objective has been implemented through the ULDC but its effectiveness has been limited. To further this objective, a comprehensive review of the Overlay and regulatory practices is proposed in order to determine if all of the facets of this Sub-Objective are being addressed. Only a few projects have attempted to utilize the overlay. This overlay should be revised to better reflect that the GAEDO is an area within which the County seeks to expedite the approval process for projects that provide jobs.

Future Land Use Element - 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 (following text from Implementation Section); 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.

Assessment FLUE Sub-Objective 1.6.2 Sugar Cane Growers Cooperative of Florida Protection Area Overlay: This sub-objective is implemented through the Unified Land Development Code. This area remains a viable active agricultural area, and thus no change is required to this Sub-Objective.

Future Land Use Element - 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.

Assessment FLUE Sub-Objective 1.6.3 Lake Okeechobee Scenic Trail Overlay: This Sub-Objective remains valid and beneficial to the area. Several efforts are underway or have been completed adjacent to the Scenic Trail that seek to take advantage of the tourism related activity generated by this use. These include: improvements to Belle Glade Marina, enhancement of Torry Island, and the renovation of the Pahokee Marina. Economic development in the Glades area may be enhanced through historic preservation and heritage tourism efforts associated with the Historic Element.

Intergovernmental Coordination Element (ICE) - Goal 2 Glades Revitalization: It is the Goal of Palm Beach County to revitalize the Glades area through cooperative efforts with the Glades Communities, residents and organizations in a manner consistent with the goals, objectives and policies of the Palm Beach County Comprehensive Plan.

Assessment ICE Goal 2 Glades Revitalization: ICE Goal 2 remains the core focus of the Glades USA. Through outreach, community meetings, and greater appreciation of the ongoing successes and challenges in this area, the County is well positioned to meet this goal. This goal continues to contribute toward addressing this issue.

Intergovernmental Coordination Element - Objective 2.1 Glades Enhancement and Economic Diversification: 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 redevelopment, area beautification and coordinated land use planning.

Assessment ICE Objective 2.1 Glades Enhancement and Economic Diversification: There have been numerous efforts towards the enhancement of the Glades and economic diversification. This objective has been met through several endeavors, which also contribute to resolving this major issue, including:

- The County and cities created the Glades Utility Authority, a partnership to provide a regional solution for sustainable water and wastewater infrastructure;
- The County constructed a new hospital, accessible for nearly 40,000 residents, located strategically in the center of the Glades USA;
- The County created the Lake Okeechobee Regional Initiative to facilitate economic diversification along the southern rim of Lake Okeechobee;

- The County assisted in the creation of the Lake Okeechobee Regional Initiative Economic Alliance formed to create a regional economic development organization;
- The County approved the Inland Logistics Center which will provide jobs and economic energy to the region; and
- The South Florida Water Management District acquired lands for Everglades Restoration intended for water quality and environmental restoration projects.

Intergovernmental Coordination Element - Objective 2.2 Communication with Glades Communities: Palm Beach County shall increase communication and participation with Glades Communities, organizations and residents on Glades and Countywide matters through formal agreements, appointed committees, County programs and other informal efforts.

Assessment ICE Objective 2.2 Communication with Glades Communities: The EAR has provided an opportunity to set the groundwork to reopen the appropriate channels of communication, introduce interested stakeholders to one another, and begin an effort to prioritize the changes and projects that can be accomplished in the area, to address this major issue. The Glades Technical Advisory Committee (GTAC) does provide opportunity for open discussion and serves in an advisory role in planning efforts affecting the Lake Region communities. The Palm Beach County Office of Community Revitalization (OCR) is actively increasing the communication and participation with Glades Communities, organizations and residents on Glades and Countywide matters through formal agreements, appointed committees, County programs and other informational efforts. In the 1990s, the County's Planning Division provided a dedicated staff person to assist with the coordination with the city staff, to prepare grants, and to provide technical assistance with the development of special studies and plans. However, over the past several years the County's Planning and OCR staff have focused efforts on coordination with local residents. The establishment of a dedicated Planning or OCR staff person to coordinate and work directly with both the cities and unincorporated residents could offer the valuable technical assistance needed to secure grants and develop plans.

## **Summary of Public Input**

During the EAR process, the County conducted a series of meetings with the community and independently with city staff. The first meeting, held in October 2010, included residents from the community, city officials, interest groups, as well as interested parties from communities in eastern Palm Beach County.

The public comments expressed at the meeting focused on enhancing economic development and jobs while protecting the agricultural industry. Potential methods were suggested to accomplish these goals including focusing on the Glades Economic Development Overlay, allowing for more flexibility in the Glades USA, and seeking to improve the quality of existing housing options. Opportunities to assist in generating investment included identifying development potential for existing lands, exploring the benefits of linkages between the east and west coast of Florida, and helping to generate investment opportunities. Community specific issues were also expressed, including service provisions to the unincorporated residential communities such as Canal Point.

Subsequently, individual meetings were held with staff from each city. The majority of the comments focused on assisting the communities in their efforts at economic development. The suggestions included finding ways to identify "shovel-ready" projects that could seek investment or government aid, a need for assistance in coordinating with local and state governments, and maintaining an open dialog regarding annexation efforts of the municipalities.

# **Conclusions and Proposed Corrective Actions**

The lack of economic and job opportunities are the primary challenges facing the Glades Communities. Although the County has engaged in several efforts to promote economic prosperity in the region, the text of the Comprehensive Plan itself is limited in options to fully resolve these issues. The following corrective actions are geared to position the Comprehensive Plan and USA as favorably as possible to permit future economic growth.

## County Comprehensive Plan Policies

- Review Glades Area Economic Development Overlay and regulatory practices and revise as appropriate.
- Consider providing technical assistance to the cities within the Glades Communities.
- Evaluate the ability to provide localized neighborhood planning assistance to unincorporated areas such as Canal Point.

## Contingent on the Sustainable Communities Initiative Grant

- Provide planning services over the next three years that contribute to the development of a "Sustainable Community" in areas of transportation planning, affordable housing planning, neighborhood planning, and citizen participation. This includes providing services in planning, research, data gathering, data analysis, software support, GIS support, data mining, community meetings, and preparation of documents.
- Assist in the creation of a master plan for the Glades Region utilizing the proposed Inland Logistics Center as a prime economic generator coordinating amongst multiple County agencies, numerous outside agencies and three municipalities in the study region. Assist and guide in the development of the plan with a focus on considering challenges of economic competitiveness, revitalization, and access to opportunity. Using the Sustainable Communities Initiative Grant, participate in all relevant meetings, preparation of necessary maps and data and evaluating the proposed plan for consistency and/or necessary changes to the County's Comprehensive Plan and Unified Land Development Code.



**Chapter 2.B Element Assessments** 

## INTRODUCTION AND ADMINISTRATION ELEMENT

### **Element Overview**

The purpose of the Introduction and Administration Element is to provide an overview of the history and composition of the Plan, and with necessary procedures, definitions, and acronyms to understand how the Plan is implemented, interpreted and updated. This is an optional element, not required by State statute, and is primarily implemented by the Planning Division of the Planning, Zoning and Building Department of Palm Beach County.

The element outlines procedures for the following administrative actions:

- Certification Requirements for Plan and Land Development Code Consistency
- Interpretation of Regulations
- Enforcement of Regulations
- Applications for Amendment
- Appeals of Administrative Decisions

In addition, the element outlines procedures for the periodic State-mandated evaluation and appraisal report.

### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

## Changes in Growth Management Laws

As this is an optional element, there are no requirements specified in State statute. However, the element houses several components that are required generally for Comprehensive Plans in the Florida Administrative Code, including procedures for monitoring and evaluation of the Plan, and the establishment of planning timeframes.

## Element Successes and Shortcomings

The identified procedures are appropriately contained in the Plan and located in this Element. The procedures are generally accurately described in the Element; however, some minor updates may be necessary. The definitions and acronyms contained in the Element are also not fully updated; these will require verification that each term is still in use in the Plan, and review against definitions contained in the Unified Land Development Code, State statutes and the Florida Administrative Code, to ensure that redundant definitions are deleted and that retained terms are defined consistently where appropriate.

## Assessment of Objectives Related to the Major Issues

The Introduction and Administration Element does not contain objectives, and so this specific requirement of the EAR does not apply. However, any new or revised administrative procedures that may arise from the Major Issues, such as revised Plan

amendment review criteria and procedures resulting from the Demonstration of Need Major Issue, may affect the current provisions of the Element and result in necessary corrective actions.

# **Proposed Corrective Actions**

 Revise the Element to reflect updates to the procedures contained within the Element, to update definitions and acronyms, and to reflect any changes resulting from ongoing legislative actions.

## **FUTURE LAND USE ELEMENT ASSESSMENT**

#### **Element Overview**

The purpose of the Future Land Use Element (FLUE) is to delineate the 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, integrating the complex relationships between land use and all of the other elements of the Plan that address the physical, social, and economic needs of the people who live, work, and visit Palm Beach County.

Decisions on the appropriate use of land and delivery of services require a unified approach while respecting the character of the diverse communities throughout the County. The 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 through the Managed Growth Tier System. The entire Element is structured towards implementing the Tier System by establishing regulations. This Element assessment focuses on the regulations and mechanics of the Element outside the Tier System, which is addressed specifically in the "Managed Growth Tier System" Major Issue. The implementing agency for the Element is the Planning, Zoning, and Building Department, and its applicability is limited to unincorporated county.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

#### Changes in Growth Management Laws

No changes have been made to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, or to Rule 9J-5, F.A.C. since the adoption of the last EAR in October 2004. Changes to Chapter 187, F.S., the State Comprehensive Plan, since the adoption of the last EAR were addressed in part through amendments adopted in 2009, which allowed additional opportunities for the development of renewable energy electrical power generation facilities in residential areas. Changes to Chapter 163, Part II, F.S., include requirements that pertain to energy efficiency and greenhouse gas reduction, and are being addressed as part of the "Energy Efficiency – Meeting New Requirements" major issue. All requirements affecting this element are identified in the table found in the Appendix to this EAR. The table identifies whether each new requirement is addressed and, if not addressed, the necessary corrective actions.

## Element Successes and Shortcomings

The Element has been largely successful in establishing specific regulations governing growth management and development within unincorporated County. However, in many instances the Element lacks specific objective and policy direction on which the regulations are based. There is very little descriptive or visioning type of language; rather, the Element's policies are primarily regulatory. In the absence of strong and explicit policy direction, these regulations read often more like land development regulations rather than policy guidance.

The following provides an assessment of the element's key regulatory objectives in order to assess their achievement.

**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.

Assessment, Objective 2.1: Although this objective directs that the Future Land Use Atlas manage land uses to achieve balanced growth, the FLUE offers very little guidance in the form of guidelines on which to base land use decisions. The FLUE under this objective requires an adequate justification and demonstrated need, but often these factors of consideration are vague and difficult to quantify in a built out environment. Due to the diversity of the County, the established land use pattern, and that most of these parcels are essentially infill development, it would be nearly impossible to establish criteria that could take into account the unique circumstances on individual sites. Other local government Comprehensive Plans, including the County's 1980 Plan, included specific descriptions of actual geographic locations for activity centers or other types of commercial hubs to identify locations that qualify for commercial amendment requests, for example, rather than intersection or other generic types of criteria. In addition, other local governments establish minimum acreage, square footages, and design criteria for commercial land uses. approaches offer greater assurances to the County's residents and to prospective businesses with regards to where non-residential uses may occur, and also establish custom parameters for the size, scale, and characteristics for the individual activity centers taking into account the specific individual locations and constraints. The "From General to Local Planning" Major issue explores new planning strategies and the "Demonstration of Need" Major Issue identifies new approaches to considering FLUA amendments.

**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.

Assessment, Policy 2.1-k: In addition to the 5 Tiers, the FLUE identifies a series of Overlays, Special Planning Areas, and Neighborhood Plans to further detail the vision and planning strategies for individual geographic areas. The "From General to Local Planning" Major Issue is evaluating the County's Neighborhood Planning Program (Objective 4.1). Many of the overlays in the Element are implemented through the ULDC and many, such as the PBIA Overlay, have been in the plan for many years and may include outdated provisions. Other overlays, such as the ones related to natural areas ones, may be better located in the Conservation Element. The EAR based amendments shall identify revisions to these areas or may revise in order to ensure they remain current.

**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.

**Assessment, Policy 2.1-j:** Since the adoption of the last EAR, the Economic Element of the Plan was eliminated and replaced by this policy which directs the implementation of the SEDP. The SEDP was intended to be a finite 5-year document and based on identified and prioritized existing projects for implementation. To date, the priority projects are complete or are ongoing.

However, the SEPD was not intended to be a long term Plan for Palm Beach County's economy, nor does it accommodate the possibility of new clusters or strategies to address changes in the economy or policy direction set by the BCC. Given the changing economic climate and uncertain conditions, it would be more appropriate to provide the necessary guidance for the County's economic development through the Comprehensive Plan.

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.

**Assessment, Objective 2.2:** The bulk of the provisions within the FLUE are specific regulations relating to the future land use (FLU) designations on the Future Land Use Atlas. The plan outlines the purpose of each FLU, allowed uses, and floor area ratios (FARs). The availability of the FLUs and the FAR varies by each Tier. The following section explores some of the issues regarding the FLU designations and how these relate to the viability/effectiveness of the MGTS for next planning period.

- **Designations and Allowed Uses:** The bulk of the designations and list of allowed uses were established with the original 1989 Plan, although changes have occurred throughout the years. The County's Unified Land Development Code (ULDC) has been created and subsequently revised to create zoning districts and planned development districts and specific uses to implement the FLU designations. As the County is moving towards build-out, there is a question as to whether the current FLU designations and corresponding districts offer enough flexibility on the smaller parcels that are remaining for development and to foster redevelopment, and to ensure that the provisions in the ULDC accurately reflect the purpose and intent of each designation.
- Commercial Designations: The Future Land Use Element (FLUE) establishes four Commercial designations: Low Office, Low, High Office, and High. The High designations are limited to the Urban/Suburban Tier. Although the FLUE regulations allow a greater FAR in the High category, there is little distinction made between the uses allowed. Recent privately initiated amendments requesting a change from Commercial Low to Commercial High have brought into question the nature of these categories, and whether it is appropriate to continue to have two types of commercial retail designations within the

Urban/Suburban Tier. Further, there may need to be a Commercial FLU designed specifically for the Rural and Exurban Tiers to reflect the difference of development pattern within these Tiers vs. the Urban Suburban Tier. Currently the only difference for Commercial Low between the Urban Suburban Tier and the other Tiers is the FAR. For the next planning timeframe, amendments should be considered to modify the intent and regulations for the various commercial categories, evaluate whether two commercial designations are necessary in the Urban Suburban Tier, and consider establishing a designation exclusively for the Rural and Exurban Tiers.

- Residential Density: The FLUE restricts maximum density to projects that are developed as a planned development district in order to encourage the use of planned development districts. Planned unit development (PUD) districts require that 40% of the land area be utilized for open space. As the lands remaining for development are becoming smaller and are located in urbanizing areas, the PUD requirement can hinder smaller sites remaining within the Urban Suburban Tier from achieving the maximum density allowed by the Future Land Use Atlas, which is contrary to the objective of the FLUE to accommodate 90% of the County's population within this Tier. For the next planning timeframe, the Plan should eliminate the requirement for planned developments for sites to achieve the maximum density.
- Variability by Tier and FARs: The FLUE establishes that certain FLUs are limited to certain Tiers and that each FLU has a varying FAR by Tier. The intent is that the low density Rural and Exurban Tiers, for example, are developed with low intensity (meaning low FAR) non residential development. For example, the Commercial Low designation has a maximum of .25 FAR in the Urban Suburban Tier and .10 FAR in the Rural and Exurban Tiers. The typical suburban plaza is developed at about .23 FAR and usually a single story in height. There may have been the intent that the low FAR would foster the provision of additional open space for common areas and usable open space uses, but this basis is not established in the Plan and there is no required amount of open space for the commercial designations. The unintended consequence of this provision is that it may require more land to be utilized than necessary, while not providing open space that may be desired. The regulations within the Element need to be assessed with regards to the policy direction that they are intending to implement, and the actual policy direction may need to be more expressly stated within the Plan.
- Alternative and Underlying Designations: The FLUE allows properties to hold more than one future land use designation; however, there is little guidance in the Element or ULDC to guide the use of these designations within a single development. Further clarification may be warranted to allow the most flexible use of these properties.

**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-b:** The Workforce Housing Program, the Affordable Housing Program and the Transfer of Development Rights Program are the required methods for increasing density within the County, unless 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 the 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.

**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....

Assessment, Objective 2.4: The County's Comprehensive Plan strictly governs the availability for properties to achieve density increases. The County has increased densities on the Future Land Use Atlas through amendments by just over 2,000 units net over the past 20 years. The Plan requires that density increases in the Urban Suburban Tier be achieved through the Transfer of Development Rights (TDR) Program unless the applicant is able to justify and demonstrate a need for the density through the Future Land use Atlas amendment process, or the applicant pursues density increases through the Workforce Housing or Affordable Housing Programs. Although not mentioned in this objective, these density bonus programs are not allowed outside of the Urban Suburban Tier on the premise that the County encourages density increases in the Urban Suburban Tier rather than the other Tiers. However, this premise is not stated within this objective or specifically elsewhere in the Element, and property owners outside the Urban Suburban Tier may pursue Future Land Use Atlas amendment and/or Tier changes in order to pursue additional density.

The Transfer of Development Rights program was created in the 1990s and maintains a bank of available units available for purchase through the development review process rather than through a FLUA amendment. By allowing property owners to purchase TDR units from the bank, the County is able to utilize these funds for the maintenance of environmentally sensitive lands. The role of TDRs can be an extremely valuable growth management strategy that may not be fully utilized or effective under the current provisions.

- **Tapering densities.** Policy 2.4-g identifies the 'tapering off' of density within the Urban Suburban Tier, from higher densities to the east and lower densities to the west. As this Tier is approaching build-out and the County is exploring strategies to make more efficient use of the remaining land available (as discussed in the Energy Major Issue), this concept may no longer be longer relevant.
- Densities allowed. The TDR program offers up to 2 or 3 units per acre density increase regardless of the base density of the subject site. This creates disproportionate increases, as a site with Low Residential, one unit per acre, can

more than double its density, yet a site with High Residential, eight units per acre, can only achieve a 20% density bonus.

- Buffer requirements. When a subject site utilizes the TDR Program, it is required to develop with larger buffers than if the site had been subject to a FLUA amendment.
- **Density Bonuses for Mixed Use or to further other objectives.** The County could offer TDRs as an incentive to mixed use development patterns.

**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.

**Assessment, Objective 4.3:** The emphasis of the Element's efforts to meet this objective are through the establishment of a series of mixed and multiple use planned development districts. These districts are optional and have been used little since they were established as part of a strategy of the Managed Growth Tier System to promote sustainable forms of development. The EAR based amendments should evaluate their requirements within the Plan and ULDC to determine whether changes or consolidation are necessary.

**Overlays and Planning Areas (several Objectives):** In addition to the 5 Tiers, the Element identifies a series of Overlays, Special Planning Areas, and Neighborhood Plans.

**Assessment, Objective 2.4:** Many of the special studies and overlays are implemented through the ULDC, but others are not. Many of these areas, such as the PBIA Overlay, have been in the plan for many years and may include outdated provisions. Other overlays, such as the natural areas ones, may be better located in the Conservation Element. The "From General to Local Planning" Major Issue explores this aspect of geographically specific planning practices and strategies in greater detail.

## Assessment of Objectives Related to the Major Issues

In an effort to avoid redundancy within the EAR, objectives that are primarily related to one of the major issues are specifically addressed within the major issue documents.

#### **Proposed Corrective Actions**

The FLUE has largely succeeded in directing the County's growth in a manner that furthers the vision of the County, and is generally adequate through the next planning period to support the development pattern established by the Future Land Use Atlas. However, the County could improve the Element by addressing the following corrective actions in the EAR based amendments.

- Perform a comprehensive evaluation of the land use regulations within the Future Land Use Atlas and ULDC to:
  - Identify any inconsistencies between the two documents;

- Identify hindrances to efficient land use development;
- Establish clear policy direction within the FLUE for each regulation within;
- Identify whether changes are necessary to the floor area ratios within individual future land use designations and/or whether open space requirements should be established for non-residential designations;
- Identify whether changes are needed to the mixed use and multiple use planned development districts;
- Identify whether the commercial future land use designations and zoning districts should be consolidated, the intensities revised, and/or whether a specific designation for the Rural and Exurban Tiers is warranted; and
- Establish parameters for the use of alternative and underlying future land use designations within single projects.
- Eliminate the requirement to develop as a planned unit development in order for projects to achieve the maximum density and intensity allowed by the Future Land Use designation.
- Establish specific, quantifiable parameters for the review of Future Land Use Atlas amendments, such as proactively identifying locations for activity centers through the land use planning strategies as identified in the "From General to Local Planning" Major Issue, and establish specific objectives and policy with regards to density and intensity increases as identified in the "Demonstration of Need" Major Issue.
- Examine the Transfer of Development Rights program to determine if changes are needed to further implement other objectives and policies within the Plan, such as promoting eastward development and energy efficient land use patterns, to identify if other updates are necessary to regulations to reflect other ongoing efforts, and to revise regulations accordingly.
- Examine the existing overlays and studies identified within the FLUE and ULDC to determine if changes are necessary to update and/or revise their provisions.
- Revise accordingly to reflect the corrective actions identified in the Major Issues.

## TRANSPORTATION ELEMENT ASSESSMENT

#### **Element Overview**

The purpose of the Transportation Element is to:

- 1. Address the specific transportation system requirements of the local area;
- 2. Provide for an interconnected system of roadways, transit, paratransit services, port and airport facilities, and bicycle, sidewalk, and linked open space facilities options that offer alternative mobility modes of travel and which meet the County's level of service standards;
- 3. Promote the use of the transportation system, especially non-automobile modes of travel, through effective marketing;
- 4. Provide for a financially feasible system;
- 5. Address coordination of land use and transportation planning in Palm Beach County;
- 6. Ensure that all transportation impacts on the environment are addressed; and,
- 7. Ensure that public involvement is included in the transportation planning process.

The implementing agencies for the Transportation Element are the Engineering Department, Palm Tran, the Department of Airports, the Port of Palm Beach and the Metropolitan Planning Organization.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

#### Changes in Growth Management Laws

Changes to Chapter 163, Part II, F.S., affecting this element are identified in the table found in the Appendix to this EAR. The table identifies whether and how each new requirement is addressed or, if not addressed, the necessary corrective actions. The Transportation Element is consistent with most State requirements, including some of the requirements of SB 360 and HB 697 imposed since the last EAR; however, some additional changes to the Element will be required to address HB 697, as reflected in the "Energy Efficiency - Meeting New Requirements" major issue of this EAR, relating to energy efficiency and greenhouse gas reduction. Minor changes will also be required to reflect revised timeframes for Development of Regional Impact, from 3 to 5 years. Some changes to Chapter 163 resulting from Senate Bill 360 are addressed under Special Topic – TCEA Evaluation, in the Special Topic Section of this EAR. To continue to meet State requirements, the planning timeframes of the Element will need to be revised, including updating the 2020 TE map series to a 2025 long range plan horizon considering MPO's 2035 Plan.

## Element Successes and Shortcomings

Based on a review of the Element's objectives, the implementation of the Element has been successful in the process of coordination between stakeholders, helping to address mass transit needs, incentivizing workforce and affordable housing, encouraging transit oriented development and creating a framework for addressing transportation issues in general. The key successes and shortcomings of this element were:

### <u>Successes</u>

### URA TCEA

In 2005, the County's Comprehensive Plan was amended to establish the Urban Redevelopment Area (URA). The Treasure Coast Regional Planning Council (TCRPC) undertook a detailed planning study and master plan for the URA. In the master plan, the TCRPC included analyses within the proposed URA area for several factors affecting redevelopment, including traffic and transportation along the arterial and collector roadways, existing land use and zoning regulations, retail/market conditions, and public facilities and infrastructure in including schools and stormwater management.

A central recommendation of the Urban Redevelopment Area Planning Study and the URA Master Plan was to establish a Transportation Concurrency Exception Area (TCEA) as an incentive to facilitate redevelopment. In 2007, the URA TCEA was created, reflecting two of the designated Priority Redevelopment Areas (PRAs), the Military Trail and the Congress Avenue corridors from Southern Boulevard to Forest Hill Boulevard. The URA TCEA proposed strategies to mitigate trips through the integration of mixed uses, the incorporation of design elements that would support both pedestrian and vehicular mobility/interconnectivity, and the coordination of transit opportunities. In 2008, the PRA concepts (including the designated TCEAs) within the URA were further expanded to include the following:

- Military Trail South (the extension of the existing Military Trail PRA from the LWDD L-8 Canal to the L-14 Canal)
- Lake Worth Corridor/ Congress Avenue South (Military Trail East to the E-4 Canal/ southern portion of Congress Avenue south of Lake Worth Road to the L-14 Canal)
- o An isolated node identified as 10<sup>th</sup> Avenue and Florida Mango.

The entire URA TCEA allowed redevelopment intensity to exceed what may have been supported by regular concurrency. New residential, non-residential and redevelopment scenarios are then facilitated by the URA TCEA smart planning techniques to include inclusionary housing for proposed residential development, mobility/mitigation measures and provisions for cross connectivity between parcels.

### Level of Service Exceptions

Objective 1.2 of the Element provides for exceptions to the County's Level of Service standards in select cases where facilities or areas meet the County's specified criteria to incentivize redevelopment, urban infill, mixed-use development or further other good planning goals. For example. TCEAs address LOS deficiencies on County roadways, while requiring or implementing good planning concepts as mitigation. Energy efficiency is being addressed to enhance mobility as part of mitigation while reducing greenhouse gas emissions, fulfilling some of the requirements of SB 360 and HB 697. F.S. Ch. 163.3180(5)(b)4., which requires local governments to adopt strategies to support and fund mobility within TCEAs designated by SB 360 but DCA has not yet promulgated a rule providing guidelines to develop mobility measures.

## Shortcomings

## Corridor Master Plan Policy

Transportation Element Policy 1.1-n was first added to the Comprehensive Plan in amendment round 02-2. At that time, the Traffic Performance Standard (TPS) committee proposed a buildout analysis policy to address roadway failures as identified in the Metropolitan Planning Organization (MPO) 2025 Long Range Transportation Plan (LRTP). The proposed policy required that the County establish a process to prepare Corridor Master Plans (CMPs) which address anticipated roadway failures through coordination with affected local governments and property owners. The CMPs were to consider mitigation methods to maintain good mobility within the corridor, including but not limited to:

- land use modifications
- connectivity
- mixed-use developments
- o alternative modes of transportation
- increased roadway capacity

Initially, there were four corridors on the CMP list with a completion date of 2005; this was expanded to twenty eight corridors by the Board of County Commissioners in 2003, at the recommendation of the TPS committee. In 2006-07 the County worked for over a year and half, preparing the SR 7 CMP in cooperation with FDOT, and the affected municipalities. The process for preparing a CMP was time and resource dependent and any local government involved in a CMP could veto the process, highlighting a fundamental shortcoming of the Policy.

Due to subsequent budgetary constraints, the BCC eliminated some of the resources available to develop CMPs, further limiting the County's ability to complete CMPs. The complexity involved in resolving Intergovernmental differences and additional budget constraints in recent years prompted an amendment in round 2009 to remove Policy TE 1.1-n regarding Corridor Master Plans. The County also recognized that additional tools were available to address level of service issues and the Corridor Master Plan (CMP) was just one of several available tools included in the County's comprehensive plan.

#### Level of Service Standards

Objective 1.1 of the Element commits to operate the Countywide transportation system at the adopted Level of Service standard by 2020. Funding and tools are available in the Plan (thru CIE) to ensure that this objective is met to the extent possible; reduced LOS standards using CRALLS or TCEA can be anticipated in the future in light of diminishing funding for roadway improvements. In addition, future LOS for County roadways may be reassessed and adjusted if necessary to reflect state changes and reductions in capital and operating budgets.

# Assessment of Objectives Related to the Major Issues

As outlined below, several of the Element objectives, as well as the Element Goal and several policies, relate to the "Energy Efficiency - Meeting New Requirements" major issue of this EAR. This issue, which addresses new State requirements (HB 697) for increasing energy efficiency and reducing greenhouse gas emissions, and the associated impacts of climate change and sea-level rise, is an emerging issue; reconsideration of Element objectives may be appropriate as more data and analysis and recommendations become available, as discussed in the "Energy Efficiency - Meeting New Requirements" major issue.

### GOAL 1: TRANSPORTATION ELEMENT

It is the GOAL of Palm Beach County to provide an interconnected multimodal transportation system which moves people, goods, and services in a safe, efficient, convenient and economical manner with minimal adverse impact to the environment. [9J-5.019(4)(a) F.A.C.]

**Analysis:** Although the Goal indirectly addresses the reduction of Green House Gas (GHG) emissions through efficiency and minimizing the impact to environment, it can be modified to specifically address reduction in GHG emissions per the requirements of HB 697. The Goal may be modified to address the GHG reduction.

**Objective 1.3:** The County shall emphasize the safe and efficient management of the transportation system.

Analysis: Policy 1.3-b under this objective calls for Transportation System Management (TSM) strategies such as coordinating traffic signals, turning lanes, ride sharing etc. Policy 1.3-b calls for Transportation Demand Management (TDM) strategies such as density/intensity of land uses, increasing transit attractiveness etc. Policy 1.3-d calls for promoting programs which reduce per capita vehicle miles traveled (VMT) and discourage single occupant vehicle trips, recognizing that these programs assist in reducing the overall air quality emissions by supporting Tri-Rail, bicycling, alternative fuels, ridesharing, alternative work hour programs, public transit, parking management etc. Palm Beach County's transportation network is developed in coordination with MPO's Long Range Transportation Plan pursuant to requirements of Rule 9J-5.019(1) and F.S. Ch. 339.175(7). The currently adopted MPO Plan, approved by Federal Highway Administration (FHWA) and coordinated with FDOT and Broward and Miami-Dade Counties was developed to achieve an acceptable (and measureable) level of air quality and hence is a designated "Attainment Area" in terms of air quality. GHG reduction strategies (including but not limited to: measureable VMT reduction, transit, TDM, TSM) are an integrated part of the MPO Plan. TE Introduction and Policies 1.1-e and 1.13-b provide for coordination with MPO Plan. These policies are consistent with the transportation strategies called for in HB 697 and SB 360.

**Objective 1.5:** The County shall encourage the use of transit within Palm Beach County. The measurement of the success of this Objective shall be through increased usage of transit services within Palm Beach County.

**Analysis:** Policies 1.5-a thru 1.5-f, 1.5-h thru 1.5-m, and 1.5-p thru 1.5-r encourage the provision or use of transit services/facilities, consistent with some of the requirements of HB 697 and SB 360. Transit use increased over the EAR timeframe from an average weekday ridership of 25,121 in 2004 to 35,086 in 2010.

**Objective 1.9:** The County shall promote the increased use of the bicycle, pedestrian, and linked open space facilities as viable alternate means of transportation.

**Analysis:** Policies 1.9-a thru 1.9-q encourage the provision or use of bicycle, pedestrian, and linked open space facilities, thus reducing greenhouse gas emissions and providing mobility measures consistent with some of the requirements of HB 697 and SB 360.

**Objective 1.11** -Air, Water, and Other Environmental Concerns-Palm Beach County shall adhere to all applicable environmental guidelines in the maintenance and expansion of its transportation system

**Analysis:** Palm Beach MPO's long range plan is developed through an iterative process in a manner to reduce air pollution and GHG to meet specific air quality requirements. The recently adopted MPO 2035 Plan meets the air-quality requirements and the County will update its long range plan in coordination with the MPO's adopted Plan pursuant to Policies 1.1-e and 1.13-b, and pursuant to requirements of Rule 9J-5.019(1) and F.S. Ch. 339.175(7). The deficiencies will be addressed in subsequent amendment rounds, pending promulgation of a Rule to develop mobility measures.

# **Proposed Corrective Actions**

Palm Beach County will continue to update the Transportation Element as required by State statutes and directed by the Board of County Commissioners. Corrective actions include:

- Levels of service and concurrency: Traffic concurrency restriction may need to be reevaluated where appropriate to encourage development or redevelopment in Infill, Revitalization and Redevelopment areas and to discourage urban sprawl. Future LOS for County roadways may be reassessed and adjusted if necessary to reflect state changes and reductions in capital and operating budgets.
- **General updates:** Update the Element throughout, including updating the planning timeframe for this and all Elements of the Plan, reflecting the renaming of the Land Use Advisory Board to Planning Commission, reflecting the recently adopted Master Comprehensive Bicycle Plan, updating date references or the completion of specific tasks included in the Element, and revise DRI timeframes from 3 to 5 years.
- Energy Efficiency: Revise to address the EAR major issue of "Energy Efficiency Meeting New Requirements", such as modifying the Goal of the element to include GHG reduction and recognizing high efficiency vehicles among alternative modes of transportation in pertinent policies.

# **UTILITY ELEMENT ASSESSMENT**

#### **Element Overview**

The Utility Element comprises three sub-elements (Potable Water and Wastewater, Stormwater Management and Solid Waste), which are intended to address the provision of adequate public facilities and services related to water & wastewater provision, water supply, storm water management and solid waste.

Water is a critical issue the County is taking action on to ensure adequate water supplies to meet the needs of its current and future residents, and to protect and restore natural systems. However, there are several pending rules, planning efforts and legislative actions that may have substantial impacts on water supply and storm water planning over the next planning period. These changes could require substantial changes to the County's Comprehensive Plan. The County is actively monitoring these pending actions. In fact, the County is already coordinating with the South Florida Water Management District for the upcoming Lower East Coast Water Supply Plan update. Below is a list of the pending water supply regulatory efforts that the County is actively monitoring:

- The 2012 Lower East Coast Water Supply Plan Update The South Florida Water Management District develops and implements the Lower East Coast Water Supply Plan. This plan assesses projected water demands and potential sources of water to meet demands and was used by the County to create the 20 Year Water Supply Work Plan. The last update was completed in 2006. The District is now beginning efforts to update this plan for the 2012 update. The County is actively coordinating with the SFWMD and other water and wastewater providers in Palm Beach County to prepare for the upcoming plan update.
- Upon completion of the LEC Water Supply Plan the County will update its 2008 20-Year Water Supply Work Plan as required by Florida Statute. This update must be completed and adopted 18 months after the LEC Water Supply is approved by the SFWMD's Governing Board. The County is estimating a completion date for the 20 year Work Plan in 2013 and no later than early 2014, depending upon the final completion date of the LEC Water Supply Plan.
- Numeric Nutrient Rule The United States Environmental Protection Agency has mandated that Florida adopt numeric nutrient criteria for all discharges into flowing waters, and lakes. The mandates for the South Florida canals are anticipated in November 2011 with rule promulgation in August 2012. The new criteria for the rest of Florida would severely limit concentrations of nitrogen and phosphorus that can be discharged into state water bodies. The new rule for the remainder of Florida will not be implemented in April 2012 because the USEPA has established a process for comment on its implementation. The South Florida region was excluded for the new rule because of the region's unique mix of water bodies (canals), but it is anticipated that there will be criteria established for South Florida flowing waters and lakes by early next year. There will be a second federal rule making process establishing a rule to regulate estuaries and coastal water bodies, beginning January 2012 for the entire State of Florida.

The South Florida region was originally included in the adopted numeric nutrient criteria for all discharges into flowing waters, and lakes. At that time, the County Water Utilities Department (WUD) and County Water Resource Manager had concerns that the federal

limits for flowing waters and lakes were so low that the existing technologies would not have been able to meet these requirements or may have been too cost prohibitive to implement. The WUD had also expressed concerns that meeting the original criteria for flowing waters and lakes would have had extremely high costs (in excess of \$250 million) and would have also limited the County's ability to provide reclaimed water, causing the existing reuse infrastructure to become a stranded investment cost of more than \$200 Million. Palm Beach County is the leading supplier of reclaimed water in Southeast Florida, which is used for the irrigation of golf courses and residential lawns. The treatment process eliminates harmful substances, but not nitrogen and phosphorous. One of the major findings of the 2005-2006 LEC Water Supply Plan Update was that use of reclaimed water is important in extending existing traditional water sources. These cost estimates do not address the retrofitting of existing stormwater facilities that may be required to meet new nutrient criteria. The County continues to monitor the Federal rule making process and the pending state legislative action to direct Florida local government to not comply with the adopted Federal nutrient rule.

- The County will need to reapply for its Consumptive Use Permit prior to its expiration in 2023. New requirements that will be used to evaluate the Consumptive Use Permit application will include the Regional Water Availability Rule, which has had significant implications for water supply planning. The rule will restrict urban withdrawals from the Biscayne Aquifer to those levels realized prior to April 2006, and requires that any water demands beyond these levels be met with the production of alternative water supplies (AWS).
- Palm Beach County has been coordinating with other reclaimed water providers throughout Florida, the State's water management districts, water and wastewater supply organizations (FWEA Utility Council & AWWA Utility Council), the Century Commission, the Florida Department of Environmental Protection, and other important stakeholders to develop a +30-year strategic water plan for Florida. Palm Beach County has been working closely with a Reuse Work Group under the auspices of the Governor and Legislature to bring regulatory clarity to long-standing reuse issues, which have been problematic for public and private utilities, and those regulatory agencies that permit these systems throughout Florida. Legislation has been drafted for consideration by the Legislature to encourage and promote water conservation and reuse of reclaimed water in Florida, including better defining the role of reuse providers and regulatory agencies in implementation of reuse programs.

## **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR. The element analysis is divided by sub-element and includes a summary of the sub-elements objectives success and shortcomings and recommended corrective actions.

#### **Solid Waste Sub-Element**

This sub-element incorporates the Solid Waste Authority's (SWA) Integrated Solid Waste Management Plan (ISWMP) into the Comprehensive Plan, which meets the requirements of Ch. 403 F.S. The SWA is a Dependent Special District responsible for providing disposal infrastructure for the County. The objectives of the sub-element are related to the implementation and monitoring of the ISWMP by establishing a minimum level of service for the

collection and disposal of solid waste, setting goals for reduction in landfill waste quantity and increasing recycling and addressing special wastes.

## Changes in Growth Management Laws

Since the adoption of the last EAR (2004), there have been no changes to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, no Changes to Rule 9J-5 to and no changes to Chapter 187, F.S., the State Comprehensive Plan, that affect any of the three sub-elements. Additionally, there have been no changes affecting the Solid Waste Element that have been made to Chapter 163, Part II, F.S., since the adoption of the last EAR in October 2004.

# Sub-Element Successes and Shortcomings

The SWA's integrated solid waste management system, which includes a landfill, a 2,000 ton per day waste-to-energy facility (WTE), a biosolids pelletization facility, a vegetative waste processing operation, household hazardous collection facilities and five transfer stations. The purpose of the system is to minimize reliance on the landfill in an environmentally responsible and cost effective manner. The SWA coordinates with municipalities that deliver waste and recyclables to the SWA facilities, and PBC private sector operations that recycle construction / demolition debris and yard waste to consistently achieve waste reduction and recycling goals. Under Objective 1.2, the Element established a policy to meet the recycling goals of the 1988 Solid Waste Management Act, which was achieved within the specified timeframe. The SWA continues efforts to promote recycling and education programs to continual improve upon recycling and waste reduction goals. The objective related to these goals should be updated to reflect achievement of the goal.

The Land fill Depletion Model Report is the SWA's long-range planning tool, which is published annually and available on the Authority's webpage at www.swa.org. The current analysis indicates that given the current information the 2010 Landfill Depletion Model predicts that the SWA's 334 acre landfill will be depleted in 2031. This anticipated depletion date would be extended to 2044 with the added capacity of the waste-to-energy facility (WTE) and through 2048 with the expanded WTE capacity. The current landfill capacity is sufficient to accommodate anticipated growth beyond the current planning horizon of 2030.

Further, the SWA has continued to construct and operate the infrastructure necessary to implement the ISWMP and as consistent with its legislative mandate.

- The new SWA Southwest County Transfer Station (SWCTS) will be completed in mid-2011. Modeled on the new Central County Transfer Station building, which was completed in 2010, the SWCTS will provide improved capacity and efficiency for the solid waste collection systems in the Incorporated and Unincorporated areas of southern Palm Beach County. The opening of SWCTS will allow the South County Transfer Station (SCTS) in Delray Beach to be closed for up to a year which it is refurbished and reconstructed. The SCTS was built in 1986, and requires substantial refurbishment to allow it to continue to operate efficiently.
- SWA has entered into a partnership agreement with all of the major wastewater utilities in the County to construct and operate a Biosolids Pelletizer Facility (BPF) at the SWA North County site. This facility takes the biosolids from wastewater processing, and dries them into pellets which serve as a feedstock for fertilizer blending. One advantage

of the location of the pelletizer if that Landfill Gas is used as part of the fuel supply for the facility, beneficially using this gas and replacing fossil fuel as a heat source. This facility direct impacts the implementation of Policy 1.3-a.

- The SWA continues to report remaining landfill capacity annually in the Landfill Depletion Model report, and account for the costs of the disposal system in the annual Component Cost Summary. Both of these reports are available for examination or download on the SWA web page.
- The SWA has solicited proposals for a significant expansion of Waste-to-Energy capacity, through the construction of a 3000 ton per day combustion facility. It is anticipated that the decision to proceed with the proposed facility will be finalized in 2011. If constructed, the facility will be operational in 2015. Once the decision is made to proceed with the facility, the SWA Integrated Solid Waste Management Plan will be updated to reflect this change in system capacity.

## Sub-Element Assessment of Objectives Related to Major Issues

The Solid Waste Sub-Element does not contain objectives that specifically address the major issues.

### **Sub-Element Corrective Actions**

- The Solid Waste Sub-Element Objective 1.2 should be updated to reflect the achievement of recycling goals.
- If the Waste-to-Energy Facility is expanded, then the Solid Waste Sub-Element should be updated to reflect this change in the system's capacity.

### **Potable Water and Wastewater Sub-Element**

The Potable Water and Wastewater Sub-element addresses the availability of adequate water supply and appropriate quality to meet the consumption needs of the population, agricultural production and natural system functions in Palm Beach County.

### Changes in Growth Management Laws

Since the adoption of the last EAR (2004), there have been no changes to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, no Changes to Rule 9J-5 and no changes to Chapter 187, F.S., the State Comprehensive Plan that affect any of the three sub-elements, since the adoption of the last EAR in October of 2004.

However, there have been changes affecting the Potable Water and Wastewater Sub-Element that have been made to Chapter 163, Part II, F.S., which the County has already implemented. The 2005 changes to F.S. 163.3177(6)(c) regarding water supply planning were the most significant of these modifications. This change required this element to be updated to reflect the adoption of a ten-year water supply work plan that incorporated alternative water supply projects. Before the legislation was enacted, Palm Beach County was one of five "pilot communities" that developed the groundwork for water supply plans in the state, in cooperation with the SFWMD and DCA. During the pilot project process the

County decided to prepare a 20-Year Water Supply Plan. The experience of these pilot water supply plans was used as the basis to draft the 2005 changes to the statutes. Palm Beach County continued working with the SFWMD, the State, and water suppliers in the County to further refine the water supply plan based on the 2005 changes; the County updated its Comprehensive Plan including establishing a new goal in the Potable Water and Wastewater Sub-Element and completing the County's 20-Year Water Supply Work Plan. The Water Supply Work Plan and Comprehensive Plan amendments were adopted and found in compliance by the Florida Department of Community Affairs in 2008.

There were also two other modifications to the Florida Statutes relating to the Utility Element that were implemented by the County. F.S. 163.3180(2)(a) added water supply to the concurrency system, requiring the availability of water supplies for new development prior to the issuing of building permits. The County's Water Utilities Department (WUD) is a reviewing department for new development through the land development review process, prior to issuance of a certificate of occupancy. As result of implementing the new requirement, the WUD in conjunction with the Engineering Department's Land Development Division and Building Department ensure adequate water supply is available for all new development, in addition to ensuring there is sufficient water treatment capacity and access to water and sewer infrastructure. The County also reviews all proposed land use amendments to ensure adequate water supplies for any increases in potential new development.

The second set of changes to F.S. 163.3180(2)(a) permitted onsite sewage treatment and disposal systems that are approved by the Department of Health to meet the concurrency requirement for sanitary sewer. In the Potable Water and Wastewater Sub-Element, Policy 1.3-d permits these systems to satisfy the concurrency requirement for wastewater treatment in Limited Urban Service Areas in the County provided they are approved in accordance with State and local regulations as administered by the Palm Beach County Public Health Department.

### Sub-Element Successes and Shortcomings

This sub-element has three goals: Provision of Services, Water and Groundwater Protection, and Water Supply Planning. The Goal 1 objectives that regulate service provision have policies relating to the establishment of levels of service for water and wastewater and require that adequate treatment and distribution systems are in place concurrent with new development approvals. The County continues to enforce the water and wastewater concurrency through the land development review process. Further, the Water Utilities Department employs strategies identified in an Asset Management Plan that are designed to extend the life of water and wastewater infrastructure through the use of technology. The key objectives of the Plan are proactive maintenance, planning work, mobile capture of field data, extending life of major assets and managing risk and costs.

Goal 2 objectives guide resource protection and conservation through the use of alternative technologies and programs and the establishment of aquifer and well field protection areas with local regulations that are designed to protect these resources. The County requires the use of reclaimed water for irrigation in any development within a PBC WUD Mandatory Reclaimed Water Service Area (MRWSA) or where a reclaimed water main is within 300 feet of the property to be developed. The County has invested in reclaimed water treatment facilities to support water conservation through alternative technologies that augment existing water resources.

Goal 3 is related to the new statutory requirements since the last EAR, which required the adoption of a Water Supply Work Plan that incorporates alternative water supply projects into the Comprehensive Plan. The current 20-Year Water Supply Work Plan was successfully adopted and found in compliance by the State of Florida in 2008. The Work Plan is being implemented by the County's Water Utilities Department. The County is actively coordinating with the SFWMD on the next LEC Water Supply Plan update and will begin work to update to the current 20 Year Water Supply Work Plan.

The County continues to develop and invest in alternative water supplies as it has since the early 1990's. Since the last EAR the Water Utilities Department has completed the several alternative water supply projects and has developed over 40 MGD in alternative water supplies as described in the Water Supply Special Topic.

## Sub-Element Assessment of Objectives Related to Major Issues

The Potable Water & Wastewater Sub-Element does not contain objectives that specifically address the major issues.

#### Sub-Element Corrective Actions

- Continue to engage in water supply planning and monitor new legislation for impacts on the sub-element.
- After the Completion of the next Water Supply Work Plan evaluate updating Level of Service definitions and other policies related to water provision for consistency with the pending update of the Lower East Coast Water Supply Plan the PBC Work Plan.

### **Stormwater Management Sub-Element**

Stormwater and surface water management is the focus of this Sub Element, including identification of drainage systems, characteristics, problems, needs and studies to support the County's drainage, water control, improvement and water management districts. Recommendations are made regarding drainage facilities and surface water management, to ensure protection of developed areas from flooding and prevent damage to critical environmental resources.

### Change in Growth Management Laws

Since the adoption of the last EAR (2004), there have been no changes to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, no Changes to Rule 9J-5 and no changes to Chapter 187, F.S., and the State Comprehensive Plan that affect any of the three sub-elements. Additionally, no changes affecting the Stormwater Management Element have been made to Chapter 163, Part II, F.S., since the adoption of the last EAR in October 2004.

## **Sub-Element Successes and Shortcomings**

The Stormwater Management Sub-Element has three goals that:

- Establish levels of protection for new development to prevent flooding;
- Provide regulations relating to stormwater quality; and
- Require coordination with special districts and agencies to address stormwater and surface water management issues related to the environment, urban growth and agriculture.

These current storm water regulations, including levels of protection, were established after the bulk of the most eastern urban areas in the County were developed in the 1950's & 1960's. Current regulations require a legal positive outfall for developments to be permitted: 1) designs must demonstrate that there is a legal ability to use the system that they will require a connection to (primary or secondary); and 2) designs must demonstrate that there is downstream capacity to achieve positive discharge. Smaller properties in these areas cannot meet these requirements on-site as land may not be available or sufficient to retain the specified volume of water by current standards, limiting infill and redevelopment opportunities. The County has recognized the need to retrofit stormwater facilities in these existing developed areas in Policy 3.2-d of this sub-element.

One of the County's major Comprehensive Plan priorities continues to be redevelopment and infill. In 2007 the County established an Urban Redevelopment Area Master Plan. The Master Plan also identified that drainage was an impediment to the implementation of the plan. The proposed more intense and dense urban form of development in the URA will require a local area solution to address storm water. However, to date, insufficient funding has been available to support the development of stormwater facilities in the URA. A stormwater utility may be required to coordinate and fund improvements to address drainage in these areas. At the request of Planning, WUD has set aside \$1.0 Million to be used in the development of a stormwater utility feasibility study, to be repaid upon adoption of any stormwater utility from fees collected to support that effort. A study to analyze how a stormwater utility could function in the URA areas is being developed and is anticipated to be completed in 2011.

An additional consideration for stormwater management is water supply planning and the need for alternative water supplies. The 2005-2006 LEC Water Supply Plan had several major findings, including limitations on additional demands from traditional water sources due to Everglades Restoration efforts. Also, this may be limited by the Lake Okeechobee dike rehabilitation and associated changes required to the Lake's regulation schedule, which increased the need for the development of alternative water supplies to water providers that typically used Lake Okeechobee as a water supply source. The 2005 water supply legislation required the County to develop its 20 Year Water Supply Work Plan with alternative water supplies consistent with LEC Water Supply Plan. The Florida Statutes (Chapter 373, F.S.) that govern State water resource planning identifies treated stormwater as an alternative water supply option; also, there were alternative water supply projects approved as part of the 2005-2006 LEC Water Supply Plan for other utilities that captured stormwater that would have been otherwise lost to tide. Therefore, stormwater is an option for local governments investing in alternative water supply projects. stormwater infrastructure in the URA and other older developed areas will open up opportunities for redevelopment and infill, mitigate stormwater quality concerns and provide a viable alternative water supply option due to aquifer recharge.

The Planning Division and WUD will continue to coordinate on stormwater and alternative water supply opportunities in County redevelopment and infill areas. The County will also continue to monitor the USEPA numeric nutrient criteria rule making process for Florida water bodies, which may impact the provision of alternative water supplies as described in the pending legislation section of the Utility Element analysis.

# Sub-Element Assessment of Objectives Related to Major Issues

The Stormwater Management Sub-Element does not contain objectives that specifically address the major issues. However, the major issues of "General to Local Planning" and "Energy Efficiency - Meeting New Requirements" may impact this element because of the identified strategy to engage in planning for activity centers or special areas to promote more efficient land uses as discussed with the major issue analysis. Stormwater in developed areas like the URA may require unique stormwater mitigation strategies to implement these activity centers or special area plans. As these plans area developed stormwater should be considered in the development of energy efficient land use strategies.

#### Sub-Element Corrective Actions

 Prioritize storm water improvements and management systems in existing urban areas to meet two County objectives of redevelopment and alternative water supply, while improving stormwater quality.

## HOUSING ELEMENT ASSESSMENT

#### **Element Overview**

The purpose of the Housing Element is to 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; to analyze housing trends and the causes, scope and nature of any housing problems; to 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, to guide and coordinate all housing activities to eliminate duplications and increase efficiency of the housing delivery system.

There are many strategies identified in the element including the implementing and monitoring of affordable housing programs, pursuing housing funding, providing for the elimination of substandard housing, guiding housing conservation, rehabilitation and demolition, providing for relocation housing, providing housing for special needs populations, including rural and farmworker populations, and avoiding undue concentrations of very low and low income housing through the Workforce Housing and the Affordable Housing Programs.

Implementing Agencies include the following:

- 1. Palm Beach County Department of Housing and Community Development (HCD) and the Commission on Affordable Housing (CAH) administer the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Neighborhood Stabilization Program (NSP-1), and State Housing Initiative Partnership (SHIP) Programs on behalf of the Board of County Commissioners.
- 2. The Community Land Trust of Palm Beach County, Inc. (CLT of PBC) is a countywide housing non-profit organization created by Palm Beach County for the purpose of providing permanently affordable housing opportunities for residents of Palm Beach County.
- 3. The Housing Finance Authority of Palm Beach County (HFA), also created by Palm Beach County, issues tax exempt municipal bonds to make below market interest rate loans to first time homebuyers and for the development or redevelopment of affordable rental housing apartments.
- 4. The Palm Beach County Division of Human Services is the lead entity for the Homeless and Housing Alliance (HHA) of Palm Beach County. The aim of the HHA is to deliver a comprehensive and coordinated continuum of services for homeless individuals and families.
- 5. The Palm Beach County Planning, Zoning and Building Department (PZB) administers the Workforce Housing Program (WHP) and the Affordable Housing Program (AHP)
- 6. The Palm Beach County Engineering Department provides guidance with the Traffic Performance Standards Exception, an incentive of the WHP and the AHP.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

## Changes in Growth Management Laws

No changes have been made to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, or to Rule 9J-5, F.A.C. since the adoption of the last EAR in October 2004. No changes directly affecting this element have been made to Chapter 187, F.S., the State Comprehensive Plan, since the adoption of the last EAR. Changes to Chapter 163, Part II, F.S., affecting this element are identified in the table found in the Appendix to this EAR. The table identifies whether each new requirement is addressed and, if not addressed, the necessary corrective actions.

As a result of State legislation adopted in 2008, one minor change to the Housing Element is required. The Element is required to identify the standards, plans and principals to be followed in energy efficiency in the design and construction of new housing and in the use of renewable resources. The County utilizes the Florida Building Code 2007, which meets the State's new energy efficiency requirement. The EAR based amendments will include the addition of a policy to incorporate the energy efficiency standards and principals as mandated by the State in the Florida Building Code.

# **Element Successes and Shortcomings**

Several economic issues have impacted both the provision of housing and access to housing across the Country, in Florida and in Palm Beach County. These economic issues are not directly addressed in the objectives and policies of the Housing Element but have had a major impact on the housing market. To provide a context for understanding the successes and shortcomings of the Housing Element, a description of these changed conditions and current housing market is provided in the Population and Land Use Analysis Sections of the EAR.

#### Successes

The following is a brief summary of successes that correspond to each Objective of the Housing Element.

### Provision of Affordable Housing

From October 1, 2005 through September 30, 2010, Palm Beach County HCD and the CAH utilized the CDBG, HOME, NSP-1, and SHIP Programs to provide a total of 3,253 affordable housing units (1,442 owner and 1,811 renter units). Also, SHIP funds were used to provide for the payment of impact fees and/or sewer and water connection fees for 63 income eligible households.

From 2008 through May 2010 the CLT of PBC acquired 8 existing single-family homes and has an additional 4 foreclosed homes under contract, sold 6 of those homes to households with incomes at or below 80% of AMI. The CLT of PBC is

leasing the other two homes to households with incomes at or below 80% AMI under a lease with an option to purchase.

From October 1, 2005 through March 31, 2011 the HFA has made available over \$10 million of bonds and instituted its first ever mortgage credit certificate program in the amount of \$2.5 million for first time homebuyers with incomes below 115% of AMI, issued \$58.09 million of bonds for the construction and or refinancing of 4 multifamily rental housing complexes restricted to households at 60% of AMI or less and adopted official action resolutions for the issuance of up to \$26.1 million for an additional 3 multifamily rental housing complexes, and closed one revolving loan in the amount of \$500,000 and made loans reservations totaling \$6.25 million to three other not-for-profit developers for the construction or renovation of homes for households at incomes below 150% of AMI.

In December 2004, the Board of County Commissioners adopted a voluntary Workforce Housing Program (WHP) and in November 2006 made the WHP mandatory. Since the inception of the WHP through July 2010, approximately 1,800 WHP priced units have been included among the nearly 4,000 residential units approved through this program. To date, permits have been issued for a few of these developments, and few if any WHP units have been built.

In November 2009 the Board of County Commissioners adopted a voluntary Affordable Housing Program (AHP). Since the inception of the AHP, one application has been received and the development has been approved. The developer is seeking affordable housing funding in order to move forward with construction.

## Substandard Housing

From October 1, 2005 through June 30, 2009, Palm Beach County HCD address substandard housing conditions as follows: 327 owner occupied units and 455 rental units were assisted to bring substandard structures to standard condition.

## Relocation Housing

Palm Beach County has in place a Residential Anti-displacement and Relocation Assistance Plan which takes steps to minimize the displacement of families and individuals from their homes, provides relocation assistance for displaced persons and provides for a one for one replacement of lower income dwelling units. From October 1, 2005 through September 30, 2010, Palm Beach County HCD provided relocation assistance to 41 households.

## Provision of Special Needs Housing

Palm Beach County provides both Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) funding to a number of partner agencies that provide direct services to the homeless and other special needs residents. From October 1, 2005 through September 30, 2010, Palm Beach County HCD provided assistance to 25,021 persons. The types of assistance included direct assistance to the homeless, assistance to implement the Continuum of Care and homeless prevention assistance.

In addition State Housing Initiative Partnership (SHIP) funds were used to assist 82 households that faced foreclosure.

On September 23, 2008, the Board of County Commissioners adopted the Ten-Year Plan to End Homelessness in Palm Beach County. The system's fundamental components include homeless prevention, outreach and assessment, emergency shelter, transitional housing, supportive services, permanent housing, and permanent supportive housing. The Palm Beach County Division of Human Services is the lead entity for the Homeless and Housing Alliance (HHA) of Palm Beach County. The HHA is intended to deliver a comprehensive and coordinated continuum of services for homeless individuals and families.

The County is the recipient of a multi-million dollar allocation from the U.S. Department of Housing and Urban Development (HUD) through its Neighborhood Stabilization Program (NSP), \$7.5 million of which was dedicated to the purchase and rehabilitation of the County's first Homeless Resource Center. The center located in the City of West Palm Beach, will provide initial services and short-term housing to approximately 1,776 homeless persons residing in PBC. The renovation of the building began during FY 2009-10.

#### **Shortcomings**

Provision of Affordable Housing

Affordable housing targets identified in the Element have not been met. The Element identified a need of 6,654 units annually per the County's Affordable Housing Study (2006), which looked at the housing needed for the entire County and without regard for resources available to address the identified need.

The Five Year Consolidated Plan prepared by Palm Beach County HCD projected a total of 6,901 affordable units from 2005-2010. This target reflects what HCD could provide by utilizing their anticipated funding for the five-year period. A total of 5,061 total affordable or workforce units was provided/approved from 2005-2010 with HCD financial assistance and including units approved using the WHP.

Housing affordability for working households remains a major concern despite declining housing cost. According to data from the Florida Realtors Association, the 2010 single-family median sales price for Palm Beach County was \$228,900. This was the highest annual single-family median sales price when compared to the other fifteen Metropolitan Statistical Areas (MSAs) throughout Florida. The second highest was Ft. Lauderdale at \$206,100. These were the only two MSAs in Florida with annual median sales prices in excess of \$200,000 in 2010.

Many factors affected the provision and availability of affordable units in this time frame, including:

 The reduction or elimination of program funding, including Federal and State resources

- The tightening of lender's underwriting requirements making it harder for homebuyers to get private mortgage financing because this impedes successfully implementing 2<sup>nd</sup> mortgage homebuyer programs.
- Increased difficulty in finding first mortgages for Community Land Trust homes for income qualified clients.
- Significantly fewer dollars available to fund predevelopment costs and to subsidize the construction and acquisition of affordable housing (i.e. no SHIP, not a CDBG priority, fewer community lenders). Additionally, while the depressed housing market provides an unprecedented opportunity for leveraging especially as it relates to locking in today's housing prices in perpetuity through some type of shared equity program, there are no funds available to take advantage of this opportunity beyond Neighborhood Stabilization Program.
- Limited availability of lower priced individual units to working households due to either the bundling of the lower cost units being sold by lending institutions or other mortgage holders, or the unwillingness to negotiate with individual homeowners, as well as the impacts of foreign investment and housing speculators' purchases.
- Construction of very few of the 1,800 approved WHP units, due to the economic downturn and the ensuing housing construction slowdown

## Concentrations of Affordable Housing

The intent of this Objective is to discourage undue concentrations of affordable housing as required in 163.3177(6)(f)1g, F.S., through the geographical dispersal of lower cost residential units throughout the unincorporated area of the County by utilizing the WHP and more recently the AHP.

As noted above, the AHP was created for developments located within the Urban/Suburban Tier and the Urban Service Area of the Glades Tier, in order to provide very-low and low income residents easier access to supportive services, employment and public transportation. When first adopted, the WHP allowed greater geographic dispersal of WHP units as it included the Exurban and Rural Tiers. Subsequently, the Board of County Commissioners directed the WHP be limited to the Urban/Suburban Tier and the Urban Service Area of the Glades Tier, citing concerns about locating higher densities in the Exurban and Rural Tiers. The WHP and the AHP are now available exclusively in the Urban/Suburban Tier and the Urban Service Area of the Glades Tier.

Limiting the WHP to the Urban/Suburban Tier and the Urban Service Area of the Glades Tier has a negative impact on the intent to discourage concentrations. The dispersal of all new WHP and AHP units now occurs only within the Tier where areas of highest concentration already exist. Many of the WHP applications that have been received are located in areas with existing concentrations of very-low and low income households at 50% or higher. The limitation of WHP to the Urban/Suburban Tier and the Urban Service Area of the Glades Tier appears to work at odds with the stated objective of avoiding concentrations of affordable housing through use of the WHP. Higher residential densities are typically required for the delivery of affordable

and workforce housing. Limiting this program to the Urban/Suburban Tier and the Urban Service Area of the Glades Tier impedes the objective to promote dispersal and avoid concentrations. This apparent internal inconsistency appears to result from an effort to balance competing objectives, including the preservation of tier character and the dispersal of workforce and affordable housing.

# Assessment of Objectives Related to the Major Issues

The following major issues identified in this EAR relate to the objectives of this element:

**Future of the Glades Communities:** This major issue includes housing conditions and availability as an ongoing concern. Historically the County has provided funding and technical assistance for housing efforts and various support services to the Glades communities, but the element does not include objectives specific to the Glades area.

**Energy Efficiency - Meeting New Requirements:** This issue relates to new State requirements for local governments to address energy efficiency and greenhouse gas emissions in Comprehensive Plans. One minor change to the Housing Element is required. The Element is required to identify the standards, plans and principals to be followed in energy efficiency in the design and construction of new housing and in the use of renewable resources. The County utilizes the Florida Building Code 2007, which meets the State's new energy efficiency requirement. The EAR based amendments will include the addition of a policy to incorporate the energy efficiency standards and principals as mandated by the State in the Florida Building Code.

## **Proposed Corrective Actions**

- Revise the Element to include updated housing targets that better reflect anticipated resources, and to include other data such as the Ten-Year Plan to End Homelessness.
- Explore ways to better balance the objectives of preserving Tier character and promoting geographic dispersal of affordable housing. Affordable housing location models should be explored, as should means to limit the impact of higher densities introduced to facilitate the provision of workforce units in lower-density areas.
- Add a policy to meet State requirement regarding energy efficiency in the design and construction of new housing, as part of the Energy Efficiency - Meeting New Requirements major issue of the EAR.
- Explore creation of a Glades-specific housing objective/policies, to better address the housing availability and condition issues identified in the Future of the Glades Major Issue of the EAR.

# **CONSERVATION ELEMENT ASSESSMENT**

#### **Element Overview**

The purpose of the Conservation Element is to promote the responsible use, protection and restoration of the County's natural resources. This Element is prepared pursuant to Chapter 163, F.S., and Rule 9J-5.013 F.A.C. The protection and conservation of natural resources is of paramount importance in maintaining and improving the high quality of life that county residents demand. The Element focuses on natural resources and contains policies necessary for, or related to, the protection and preservation of such resources. The resources addressed in the Element include conservation areas, air quality, water quality and quantity, estuarine systems, lakes, rivers, native vegetation and wildlife habitat.

The Department of Environmental Resource Management (ERM) is the primary County Department to implement the Conservation Element.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

## Changes in Growth Management Laws

No changes have been made to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, or to Rule 9J-5, F.A.C. since the adoption of the last EAR in October 2004. No changes directly affecting this element have been made to Chapter 187, F.S., the State Comprehensive Plan, since the adoption of the last EAR. Changes to Chapter 163, Part II, F.S., include the requirement that the conservation element must now include factors that affect energy conservation. All requirements affecting this element are identified in the table found in the Appendix to this EAR. The table identifies whether each new requirement is addressed and, if not addressed, the necessary corrective actions.

## **Element Successes and Shortcomings**

All of the Element objectives have been achieved. Based on a review of the Element objectives, the key successes and shortcomings of this element were:

#### Successes

Protection of Natural Resources

Since the 2004 EAR was conducted, The ULDC has been updated to reflect current trends in demand for natural resources, reductions in permitting requirements to address redundancies and reductions in revenues. However there have been no reductions in the overall protections of the natural resources contained within the County. ERM produces educational brochures and hosts approximately 76 volunteer events and 57 educational outreach programs to promote education and participation in the ongoing care and maintenance of the County's Natural Areas. The Natural Areas do utilize Wildfire Mitigation as a management tool and conducts

approximately 7-8 prescribed burns with the coordination of the Forest Service and County Fire Rescue.

## Protection of Native Communities and Ecosystems

The County continues to utilize all available resources to protect the natural resources within the County. To date 31,188 acres acquired by bond and grant money and designated as Conservation; 1,695 under conservation easement via DRO. The County has 35 Natural Areas with 17 complete public use facilities. As of December 2010, 17 of the 35 Natural Areas have approved Management Plans. No bond money remains of the \$100 million approved for environmentally sensitive land acquisitions in 1999. The County continues to coordinate and comment to the permitting agencies regarding wetland alteration. The County has undertaken the restoration and/or creation of approximately 1,717 acres of wetlands Countywide and shoreline habitat within the Chain of Lakes lake system.

ERM coordinates with the South Florida Water Management District, Town of Jupiter and the Loxahatchee River groups to protect the Loxahatchee River which is a federally designated Wild and Scenic River. The County purchased 12,836 acres of the Loxahatchee Slough in 2009. Portions have been turned into The River Bend Park. The ULDC contains regulations to protect native species and specifically listed species of both animal and vegetation. The County conducts approximately 10 listed species surveys each year. Additionally the County continues to eradicate invasive nonnative vegetation from County owned natural areas.

## Protection of Surface Water and Groundwater Quality and Quantity

The County adopted the Wellfield Protection Ordinance which restricts land uses and the use of regulated substances within zones of influence of potable water wells. Additionally, the County adopted a Storm-water Pollution Prevention Ordinance which restricts non-storm-water discharges from entering Waters of the United States. Approximately 1,052 Wellfield permits are currently active and inspected by the County within Wellfield Zones of influence for 2010. The County performs water quality sampling for 44 sites; 18 of which are for the SFWMD, 18 for the area wide NPDES permit and 11 for the County's Chain of Lakes system.

#### Protection of Air Quality

The County Health Department regulates air quality requirements. The Health Department requires a "Dust Control Letter" prior to any development approval being issued. In an effort to promote alternative fuels use the Tri Rail system now utilizes Bio-diesel and the County's Fleet management has purchased hybrid and flex-fuel vehicles.

## • Linked Open Space Network – Conservation Greenways/Wildlife Corridors

The County Environmental Resource Management Department along with the Parks Department is the implementing departments. This Objective is scattered among many Elements and may be best served to be housed only under Conservation, Parks and Intergovernmental Elements and removed from the FLUE. The County

has recently opened a connection known as The Blue Gill which connects the County Riverbend Park with the Town of Jupiter and the Historic Indiantown Road Grade parklands.

The one shortcoming that has been identified is related to Policy 5.1-c which requires standards to be implemented within the ULDC for the designs of greenways and linked open spaces. Codification of design standards into one uniform standard cannot be accomplished, due to the unique diversity of ecosystems within the County, and the conflicting requirements that partnering agencies may stipulate. Design standards are instead identified and carried out through each site's approved Management Plan.

# Assessment of Objectives Related to the Major Issues

While this Element does not contain objectives specifically intended to address any of the identified Major Issues of this EAR, Element objectives may eventually be affected by corrective actions implemented as a result of the "Energy Efficiency - Meeting New Requirements" major issue. This issue, related to increased energy efficiency, and the associated impacts of greenhouse gas emissions, climate change and sea-level rise, is an emerging issue, and reconsideration of Element objectives may be appropriate as more data and analysis and recommendations become available, as discussed in the "Energy Efficiency - Meeting New Requirements" major issue.

# **Proposed Corrective Actions**

Update the Element to address program name changes, removal of references to programs that are no longer performed, or are established in the Unified Land Development Code or other standards. In addition, as noted above, changes to the Element may result from the corrective actions associated with the "Energy Efficiency - Meeting New Requirements" major issue.

# COASTAL MANAGEMENT ELEMENT ASSESSMENT

#### **Element Overview**

The purpose of the Coastal Management Element is to provide for the responsible use and management of coastal resources related to development activities, protection of human life, the limitation of public expenditures in areas subject to natural disaster and protection of wildlife and natural habitat. The element focuses on the proper use and management of the County's coastal resources such as beaches and lagoons, which are key to the tourism industry, a major component of the County's economy.

The main strategies employed in the element to achieve this purpose are the protection of coastal resources through restoration/management projects and intergovernmental coordination. In addition, the element ensures that sound pre- and post-disaster policies are developed to reduce loss of life and protect property along the coastal areas of the County.

Implementation of this Element is primarily the responsibility of the County's Environmental Resources Department, and the Emergency Management Division of the Public Safety Department.

### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

### Changes in Growth Management Laws

No changes have been made to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, or to Rule 9J-5, F.A.C. since the adoption of the last EAR in October 2004. No changes directly affecting this element have been made to Chapter 187, F.S., the State Comprehensive Plan, since the adoption of the last EAR. Changes to Chapter 163, Part II, F.S., affecting this element are identified in the table found in the Appendix to this EAR. The table identifies whether each new requirement is addressed and, if not addressed, the necessary corrective actions. Changes to the element will be required to address recent changes to the state definition of the Coastal High Hazard Area (CHHA). The coastal high-hazard area is now defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, rather than as the Hurricane Evacuation Zones Categories 1-2 as established by the Palm Beach County Division of Emergency Management.

## Element Successes and Shortcomings

Based on a review of the Element's objectives, the key successes and shortcomings of this element were:

#### Successes

• Coastal Protection and Resources Management

Since the last EAR in 2004, the Division of Environmental Resources Management (ERM) has completed numerous environmental restoration projects which assist in achieving the objectives of this element, specifically the protection and enhancement of coastal and estuarine environmental quality. For example, 10.9 acres of dune restoration projects have been completed by removing exotics, filing and re-grading the slope, planting native dune vegetation and monitoring and maintaining the dunes. In addition, ERM has carried out several beach nourishment projects which provide storm protection to uplands by adding sand to the littoral system and reduces the need for coastal armoring. One example of this type of project was the Juno Beach Shore Protection nourishment which was completed in March of 2010 and added 1 million cubic yards of sand to act as a sacrificial berm.

## Emergency Management

Consistent with Element objectives, the Department of Emergency Management in 2006 published an update to the Post Disaster Redevelopment Plan (PDRP) which was adopted by the Board of County Commissioners. The purpose of the plan is to act as a single reference for guiding decision-making and action during the difficult disaster recovery period.

#### Port of Palm Beach

The Port of Palm Beach Master Plan was updated on February 19, 2009 by the Port of Palm Beach Commission to incorporate the concept of an Inland Logistics Complex/Center. Subsequently, the Palm Beach County Commission adopted a text amendment to the CME in Round 09-1 to the Comprehensive Plan to reflect the revisions.

#### **Shortcomings**

## Sea Level Rise

As discussed in the "Meeting New Requirements" major issue of this EAR, the emerging issue of sea-level rise and its effect on the coastal areas of Palm Beach County is not addressed in this Element or elsewhere in the Comprehensive Plan.

#### Coastal Resources

In addition, CME Map 1.1 Coastal Resources will need to be updated to reflect new data regarding coastal resources.

#### Assessment of Objectives Related to the Major Issues

While this Element does not contain objectives specifically intended to address any of the identified major issues of this EAR, certain of the Element objectives may eventually be affected by corrective actions implemented as a result of the "Energy Efficiency –Meeting New Requirements" major issue. This issue, related to increased energy efficiency, and the associated impacts of greenhouse gas emissions, climate change and sea-level rise, is an emerging issue, and reconsideration of Element objectives may be appropriate as more

data and analysis and recommendations become available, as discussed in the "Energy Efficiency - Meeting New Requirements" major issue.

# **Proposed Corrective Actions**

- An amendment is being processed in Round 11-2 to revise the Coastal High Hazard Area definition (in the Introduction and Administration Element) and depict the area pursuant to the new definition on Map CM 2.1.
- Revise the Coastal Resources Map of the Comprehensive Plan Map Series to reflect updates information on resources.
- As part of "Energy Efficiency Meeting New Requirements", monitor ongoing local, regional, and State studies and recommendations regarding energy efficiency, greenhouse gas reduction, climate change and sea level rise, and consider revisions to Element objectives and policies if appropriate as components of a coordinated County response to this issue.

## INTERGOVERNMENTAL COORDINATION ELEMENT

#### **Element Overview**

The purpose of the Intergovernmental Coordination Element is to identify coordination measures for addressing intergovernmental issues and to provide policy direction for implementing County programs involving other jurisdictions. This element is implemented by many County departments in coordination with outside County and State agencies. The Element has guidelines to assist in coordinating the County's Comprehensive Plan with plans of other local governments providing services but not having regulatory authority over the use of land. This element also serves to coordinate the County's Comprehensive Plan with comprehensive plans of adjacent municipalities, adjacent counties, or the region, and the state comprehensive plan. This Element identifies the coordination mechanisms and conflict resolution systems that are necessary for the implementation of the Comprehensive Plan.

The main strategies employed are providing Comprehensive Plan coordination and consideration of affected governmental entities, recommending strategies to revitalize the Glades area, resolving conflict resolution through coordination, mediation and other dispute resolution measures, and monitoring and providing service delivery coordination.

### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

# Changes in Growth Management Laws

No changes have been made to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, or to Rule 9J-5, F.A.C. since the adoption of the last EAR in October 2004. No changes affecting this element have been made to Chapter 187, F.S., the State Comprehensive Plan, since the adoption of the last EAR. Changes to Chapter 163, Part II, F.S., affecting this element are identified in the table found in the Appendix to the EAR. The table identifies whether each new requirement is addressed and, if not addressed, the necessary corrective actions. All requirements from Chapter 163, F.S., affecting the Intergovernmental Coordination Element since the 2004 EAR have been met.

## Element Successes and Shortcomings

The Intergovernmental Coordination Element has been pivotal in creating a broader framework for cooperation between multiple jurisdictions and agencies. While the implementation of this Element is continuously ongoing, nevertheless there are objectives that have been met, and others that need to be updated to reflect current conditions and practices.

### Successes

Policies addressing intergovernmental coordination are implemented successfully through the Intergovernmental Plan Amendment Review Committee ("IPARC") which was created to establish communication amongst the participating local governments.

This process has played an important role in coordinating and resolving Comprehensive Plan issues throughout the County. Open channels of communication have also been established with outside agencies such as the South Florida Water Management District, the League of Cities, and the Water Drainage Districts.

Communication with the public has been codified in the County's Unified Land Development Code, ensuring that adequate notice and opportunity for input are maintained. Informational public meetings are also regularly held on controversial topics or amendments to further ensure adequate cooperation is effectuated.

An important role for the County has been the review, tracking, and coordination of annexations of local municipalities. The County has played a role in coordinating Interlocal Service Boundary Agreements, Voluntary and Involuntary annexation actions, and conflict resolution regarding municipal boundary changes.

A significant effort has been made to address the Glades Area in an effort to revitalize this portion of the County. The County's Office of Community Revitalization has worked with municipalities in the Glades to establish a greater rapport.

Finally, the County has succeeded in coordinating the levels of service delivery throughout the County through its Level of Service regulations, and diligent monitoring of the implementation of those services.

## **Shortcomings**

Efforts must be undertaken to continue the objective of assisting the Glades area to promote economic diversification, cultural preservation, and coordinated land use planning. Additional technical assistance for the municipalities is needed to assist them in gathering the most current and accurate data needed to obtain grants and attract outside businesses to relocate. This item is further addressed in the Glades Major Issue Topic.

While there are codified rules for notification and involvement of the residents for all issues that may affect homeowners, nevertheless, it has proven to be the case that meeting these minimum standards cannot be the sole metric for success. Community involvement should occur at the earliest time possible, continues throughout the process, and that communication channels are established and maintained.

Finally, annexations remain a difficult issue for the County and local communities. The annexation of high value properties, while often skirting around lower value, high service demand areas, has created conflicts for the County, and difficulty in maintaining appropriate service levels. While the basis for annexations is found in the State Statutes, it is critical that the cities and the County work together to ensure that all boundary changes are a benefit to the local communities and citizens and that the County continues to promote intergovernmental coordination efforts through tools such as the Interlocal Service Boundary Agreement.

# Assessment of Objectives Related to the Major Issues

The ICE Element contains several objectives related to the "Future of the Glades Communities" major issue. These are discussed in the Section of the EAR addressing that major issue.

# **Proposed Corrective Actions**

 Revise the Element to (a) reflect updates to the references to other Elements contained within it, (b) evaluate notification requirements, and (c) reflect any changes resulting from ongoing legislative actions.

## CAPITAL IMPROVEMENT ELEMENT ASSESSMENT

#### **Element Overview**

The purpose of the Capital Improvement Element (CIE) is to implement the provisions of the Palm Beach County Comprehensive Plan by:

- Using timing and location of capital projects to provide services efficiently and effectively, avoiding placement in areas that cannot be efficiently served;
- Establishing a system of examining and assigning priorities to the needs of the County, thereby assuring that the most essential improvements are provided first;
- Coordinating the timing and location of capital improvements among County agencies as well as other local governments, special districts, and state agencies to maximize benefit from public expenditures, minimize disruption of services to the public and implement land use and infrastructure decisions;
- Allowing sufficient time in advance of actual need to allow for proper planning, design and construction:
- Coordinating financial planning, allowing maximum benefit from available public funds;
- Providing cost information on a timely basis for the evaluation and formulation of alternative financing programs;
- Helping to provide an equitable distribution of public improvements throughout the County; and
- Providing for a Concurrency Management System.

Maintaining levels of service (LOS) as new growth occurs is one of the criteria for prioritizing capital improvements. The other criteria for prioritizing capital improvements are to correct public hazards, eliminate existing deficiencies as described by the minimum levels of service, provide capacity for developments that have received a valid Development Order/Permit determination when such developments are within the Urban Service Area, increase existing levels of service to desired levels of service, and implement the goals, objectives and policies of other plan elements.

A Capital Improvement Program (CIP), annually compiled by the Financial Management and Budget Department for public information, identifies and funds those projects for which the County is the service provider, and which are required to maintain the minimum levels of service and satisfy other prioritization criteria listed above. Further details are provided in the CIE Tables, which include the capital projects contained in the CIP, as well as program costs, human resources and other operation and maintenance costs, and compares the projected revenue streams.

Projected costs of operations, debt service and capital are compared to projected revenues from existing revenue sources. In those instances where a shortfall might occur (projected existing revenues did not sufficiently fund projected expenditures), staff review would consider specific proposals to reduce, eliminate or delay the program or project, with corresponding adjustments to the goal, objectives and policies of the appropriate element, in order to maintain consistency in regard to levels of service or timing. The finalized expenditure projections are compared to the projections of existing revenues to verify the fiscal feasibility of the plan. The BCC approves the finalized staff recommendations and projections.

The primary implementing agency for the CIE is the Office of Financial Management & Budget (OFMB), which is responsible for the County's budget process, and administers the County's fiscal policies. A secondary level of agencies are the Departments which determine the County's LOS for their respective facilities, and which propose capital projects to maintain those levels of service – Engineering & Public Works, Water Utilities, Parks & Recreation, Fire-Rescue, and the School District of Palm Beach County.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

# Changes in Growth Management Laws

No changes have been made to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, or to Rule 9J-5, F.A.C. since the adoption of the last EAR in October 2004. No changes directly affecting this element have been made to Chapter 187, F.S., the State Comprehensive Plan, since the adoption of the last EAR. Changes to Chapter 163, Part II, F.S., affecting this element are identified in the table found in the Appendix to this EAR. The table identifies how each new requirement is addressed and, if not addressed, the necessary corrective actions.

## Element Successes and Shortcomings

The County continues to meet its Capital Improvement Element objectives, in terms of Levels of Service, Concurrency Management, and fiscal policies, although, due to current budget restrictions, some capital expenditures have had to be delayed. CIE Tables are updated in the Element each year.

### Assessment of Objectives Related to the Major Issues

The following objectives of this element relate to the major issue identified as "Future of the Glades Communities".

The primary objective affected by the EAR Issue "Future of the Glades" is: Objective 1.4 – Criteria for Prioritizing Capital Improvements. An assessment of this objective as it relates to the issue of the ongoing need for infrastructure (capital improvements) and economic development in the Glades points primarily to:

- Policy 1.4-a: Capital Improvements funding criteria to be funded based on a list of factors, including, the correction of public hazards and eliminating level of service (LOS) deficiencies.
- Policy 1.4-b: Prioritization of capital projects, with essential services (that is, relating to protecting the immediate health and safety of citizens) as the highest priority.
- Policy 1.4-g: Provision of special consideration to projects that address economic development and infrastructure issues relating to the Strategic Economic Development Plan, adopted by the Board of County Commissioners on March 13, 2007. Many of the Economic Development Plan's issues relate to the Glades.

First, Glades residents must receive basic services that will meet LOS and protect their health and safely. In addition, for the Glades area to experience sustained growth and to create jobs, infrastructure is needed that will provide the basis for economic development opportunities (per the Strategic Economic Development Plan). These capital projects are or will be funded through the five-year Capital Improvement Schedule, which is also reflected in the Capital Improvement Element.

The Lake Region Water Treatment Plant #11, a reverse osmosis water treatment facility, has provided water services to the municipalities of Belle Glade, Pahokee and South Bay since March 2008. Water services are administered through the Glades Utility Authority (GUA), which was also created in 2008.

Capital improvements to the Glades airport are currently programmed into the CIE. Desired improvements to greenbelt areas and canals that will connect the business districts of Belle Glades and South Bay to the Lake Okeechobee Scenic Trail (LOST) must be preceded by the structural strengthening of the Hoover Dike (an Army Corps of Engineers project).

This Element objective, as it pertains to the "Future of the Glades Communities" major issue, has been achieved.

## **Proposed Corrective Actions**

No corrective actions are proposed.

# RECREATION AND OPEN SPACE ELEMENT ASSESSMENT

### **Element Overview**

This Element guides the County's capital program to meet the demand for parks, beaches, recreational facilities, and open space necessary to serve new development and to maintain the quality of life enjoyed by existing residents. To accomplish this goal, additional parks and recreation facilities will be provided commensurately with future population growth, existing deficiencies will be addressed with available funds, accessibility will be increased to the many components of the recreation and open space system, and additional environmentally sensitive lands will be acquired and/or protected. Unless otherwise indicated, the Palm Beach County Parks and Recreation Department is responsible for implementation of the Goal, Objectives, and Policies of this Element.

## **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

## Changes in Growth Management Laws

No changes have been made to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, or to Rule 9J-5, F.A.C. since the adoption of the last EAR in October 2004. No changes directly affecting this element have been made to Chapter 187, F.S., the State Comprehensive Plan, since the adoption of the last EAR. Changes to Chapter 163, Part II, F.S., affecting this element are identified in the table found in Appendix (TBA). The table identifies whether each new requirement is addressed and, if not addressed, the necessary corrective actions. All requirements have been met, and no changes to the element will be required.

### **Element Successes and Shortcomings**

Based on a review of the Element objectives, the key successes and shortcomings of this element were:

#### Successes

Since the adoption of the EAR in 2004, the County has spent over \$134 million on over 40 projects, developing almost 1,500 acres of additional park property including two new regional parks, four new district parks, one new community park, and six new neighborhood parks.

The County provides a wide array of active and passive recreational opportunities to serve the diverse needs of Palm Beach County residents and visitors alike. Over the past eight years the County has open a new aquatic facility, three splash playgrounds, nature center, two golf courses, golf learning center, three amphitheaters, equestrian center, boat launching facility, fishing pier and dog park as well as many new picnic, playground and athletic facilities.

The Park Ridge Golf Course, Jim Brandon Equestrian Center, and "Club Managers Association of America" Therapeutic Recreation Center are three examples of the type of projects completed by the County over the past several years.

In the winter of 2007, at a cost of \$12.8 million the County opened the Park Ridge Public Golf Course on the former Lantana landfill. This 18-hole golf course features a links-style championship golf course on 180 aces, a driving range, practice putting and chipping greens, pro shop and snack bar. This County project was completed in cooperation with the Palm Beach County Solid Waste Authority. This course was built over formerly filled cells of household and construction waste, atop a 30'+ mound. Because of the "rolling hilly" terrain (which is foreign to much of South Florida) the course may be offered as a "walking course" during the cooler months of operation.

The Jim Brandon Equestrian Center was opened in 2006, at a cost of \$9.8 million. The equestrian center includes a covered, lighted show arena, two lighted show rings, three lighted training rings, a lighted open riding area includes two show rings with western event and team penning arena. Two jump courses, two dressage arenas, and two barns for 128 horses. Additional amenities include show office and general purpose building, concession building, equipment storage, general purpose building, electrical equipment/EMS building, manure receptacle building, equestrian washing station, shade pavilion, restrooms, trailer and public parking, site lighting and support infrastructure.

In 2007, the County completed the John Prince Memorial Park "Club Managers Association of America" Therapeutic Recreation Center\_at a cost of \$9.3 million. The complex features a 16,775 square foot athletic center, 9,760 aquatic center, renovations to the existing 2,200 square foot recreation center, an 8,984 square foot arts center and administration building, and parking and associated infrastructure. The Therapeutic Recreation Center serves children and adults with special needs.

### Shortcomings

No shortcomings were identified.

# Assessment of Objectives Related to the Major Issues

This Element does not contain objectives specifically addressing any of the identified Major Issues of this EAR.

# **Proposed Corrective Actions**

- Update Maps and text of Element, including adjustments to future LOS as needed to reflect budget cuts and reduced funding available for ROS services. Remove Active and Passive Recreation Facility Tables and data from the Element, heretofore to be maintained in supporting documents.
- Add an objective to address energy and water conservation in the development of new facilities and the rehabilitation of existing facilities.

## FIRE RESCUE ELEMENT ASSESSMENT

#### **Element Overview**

The purpose of the Fire Rescue Element is to develop Levels of Service for both emergency and non-emergency functions of the Fire-Rescue Department and to establish indicators that project service demands in relation to growth.

The main strategies employed in the Element are the establishing standards for system evaluation, establishing levels of Service (LOS) for emergency response and non-emergency response, enabling intergovernmental service agreements and cooperation with neighboring agencies when assistance is required, and identifying alternative funding in addition to the Fire Rescue Municipal Service Tax Unit (MSTU).

The Element is implemented by the Fire-Rescue Department.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

## Changes in Growth Management Laws

This is an optional element of the Comprehensive Plan; as such there are no specific requirements for this type of element. As far as general growth management requirements that may affect this element, no changes have been made to the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, nor to Rule 9J-5, F.A.C. since the adoption of the last EAR in October 2004. No changes affecting this element have been made to Chapter 187, F.S., the State Comprehensive Plan, nor to Chapter 163, Part II, F.S., since the adoption of the last EAR in October 2004.

### Element Successes and Shortcomings

Based on a review of the objectives of this element, no shortcomings and two main successes were identified, as noted below.

#### Successes

Average Response Time

Fire-Rescue's level of service indicator for concurrency is indicated in Policy 1.2-a as an aggregate average response time of 7 minutes 30 seconds. Since the adoption of the Comprehensive Plan in 1989, the department's average has stayed far under that threshold. Although PBCFR is now serving five additional cities, the average response time still decreased 1 second from the previous EAR update to 6 minutes 30 seconds in FY2010.

#### Facilities

In 2010, Palm Beach County provided fire-rescue services from 49 facilities. Since 2005, four new fire stations have opened and five facilities have also been replaced, rebuilt or relocated.

## Assessment of Objectives Related to the Major Issues

While this Element does not contain objectives specifically intended to address any of the identified Major Issues of this EAR, Element Objective 1.1, relating to System Evaluation, generally addresses efficiency improvements. As part of an ongoing target to increase efficiency, energy usage is being addressed with the intent to increase efficiency. Fire Rescue has initiated several energy saving measures throughout Palm Beach County. New stations (starting with the new FS#31) will be built to the LEED NC standard. In addition, Fire Rescue is also installing motion detectors in many stations to control the lighting in each room, and to shut off the lights when no one is in the room. Fire Rescue is also testing a new type of light bulb in one station, with the intent to reduce electrical use.

# **Proposed Corrective Actions**

 Update the Fire Rescue Map 1.1 in the Comprehensive Plan Map series to reflect updated information regarding existing stations, future stations, rebuilt and relocated stations and municipalities that Palm Beach County Fire Rescue does not serve.

## LIBRARY SERVICES ELEMENT ASSESSMENT

#### **Element Overview**

The purpose of the Library Services Element is to ensure the provision of library services to residents. The main strategies employed in the element to achieve this purpose are through the annual review of the Library System's Long Range Plan; public participation in the planning process is through forums, focus groups, and user surveys; the use of level of service standards for materials, staff, and facilities; the participation in regional, statewide, and national networks to enhance access to information and achieve economies by sharing resources; and utilize alternative methods of funding for facilities, equipment, staff, and collection acquisition. The Library Department is the implementing department for the Library Services Element.

### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

## Changes in Growth Management Laws

The Library Services Element is an optional element of the Comprehensive Plan; there are no specific requirements for this Element.

# **Element Successes and Shortcomings**

Based on a review of the Element objectives, the key successes and shortcomings of this element were:

### <u>Successes</u>

The goal for holdings per capita ratio was exceeded (2.09 per capita versus 2.0 per capita), as well as that for periodical/newspaper subscription (5. 47 per 1,000 persons versus 5.0 per 1,000 persons. The Department has also successfully obtained \$1,500,000 in State library construction grants since 2004, permitting the construction of the Wellington, Hagen Ranch Road, and Gardens branches. In addition, the Friends of the Library have provided \$708,645 in private funding during that time. Volunteers also provided 34,868 hours in FY 2010, a 35% increase since 2004.

### **Shortcomings**

LOS for facilities at 0.44 square feet per capita is just short of the 2010 goal in the Library Services Element of 0.46. However, the Library Department anticipates Phase II of the Library Expansion Program will be completed in 2012, with construction finished on the Glades and Acreage branches. This will increase the LOS to 0.48 square feet per capita at that time. Also, in 2012 the Department will be preparing a Phase III report for the Library Expansion Program.

The ratios of one (1) library staff member to 7,094 persons and 2.89 other staff members to one (1) librarian are short of their 2010 goals in the Library Services Element. The

Department, though, in anticipation of declining revenues, began freezing and deleting vacant positions starting in 2007, while introducing equipment to automate check-in and check-out transactions for materials to support these current levels of service (which are 95% and 86% of their respective goals) with fewer employees. The Department anticipates most branches will have this technology by FY 2011.

The Department presently budgets \$630,000 for online databases and e-resources. This is supplemented by the access residents have to the Florida Electronic Library (FEL) funded by the State. This results in the Library's budget for this activity being adequate to conform to the Standards for Florida Public Libraries, as long as the State maintains its current funding level for the FEL. However, the \$630,000 is the maximum amount the Department can budget for the online databases and e-resources activity. Any cut by the State in its funding of the FEL would cause the Department to have to reduce funding to current resources in order to adequately fund, as defined by the Department, this core resource of online databases and e-resources.

# Assessment of Objectives Related to the Major Issues

This Element does not contain objectives addressing any of the identified Major Issues of this Evaluation and Appraisal Report.

## **Proposed Corrective Actions**

• Revise the Element to address the LOS information in the above section.

## HEALTH AND HUMAN SERVICES ELEMENT ASSESSMENT

#### **Element Overview**

The purpose of the Health and Human Services Element (HHS) is to assist in the development of an infrastructure to ensure availability of health and human services sufficient to protect the health, safety and welfare of Palm Beach County residents. The Element identifies the County's role in funding, providing and/or supporting the delivery of health and human services. It also defines the County's relationship with other funders and providers of services for the purpose of maximizing the resources and benefits available to Palm Beach County residents. The HHS Element carries out this mandate through an ongoing system of communication and interaction with a variety of health and human service funders and service providing agencies at the local, state, and federal level. The County's Department of Community Services is responsible for implementation of this Element.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

## Changes in Growth Management Laws

This is an optional element of the Comprehensive Plan; as such there are no specific requirements for this type of element.

### Element Successes and Shortcomings

Based on a review of the objectives of this element, several successes and shortcomings and were identified, as noted below.

### Successes

• Ten - Year Plan to End Homelessness in Palm Beach County: On September 23, 2008, the Board of County Commissioners approved the Ten-Year Plan to End Homelessness in Palm Beach County. The Plan became the framework for policies and programs, to assist those at imminent risk of homelessness as well as those experiencing homelessness. The Plan outlines a strategy to design, fund and develop permanent housing solutions for our homeless population. The Plan creates an integrated, countywide response to ending homelessness that encourages and supports collaboration, offers long-term solutions and is fiscally responsible. The system's fundamental components include homeless prevention, outreach and assessment, emergency shelter, transitional housing, supportive services, permanent housing, and permanent supportive housing.

The County received a multi-million dollar allocation from the U.S. Department of Housing and Urban Development (HUD) through its Neighborhood Stabilization Program (NSP), \$7.5 million of which was dedicated to the purchase and rehabilitation of the County's first Homeless Resource Center. The center located in the City of West Palm Beach, will provide initial services and short-term housing to

approximately 1,776 homeless persons residing in PBC. The renovation of the building began during FY 2009-10.

- The Report on Health and Human Services in Palm Beach County Based on Key Community Indicators was approved by the Citizens Advisory Committee on Health and Human Services in April, 2011. The Board of County Commissioners is tentatively scheduled to hold a public hearing/workshop and approve the document in late June or early July, 2011. Utilization of information contained with the publication will be used in annual and special reports to the Board of County Commissioners and as a tool to help with goals and objectives relative to the evaluation of services and future amendments to the Health and Human Services Element.
- Community Wide Funders: The Department of Community Services collaborates with communitywide funders through the Financially Assisted Agency (FAA) program.
   Collaboration has resulted in a better use of leveraging of dollars, reduction in duplication of similar services and programs, developing measurable outcomes through the use of logic models and reducing gaps in services provided. All FAA agencies receiving county funding must be certified by Non-Profits First on an annual basis.

Moreover, Palm Beach County provides both Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) funding to a number of partner agencies that provide direct services to the homeless and other special needs residents. From October 1, 2005 through September 30, 2010, Palm Beach County HCD provided assistance to 25,021 persons. The types of assistance included direct assistance to the homeless, assistance to implement the Continuum of Care and homeless prevention assistance.

- Participation in Evidence Based Program: The County in collaboration with Non-Profits First, Children's Services Council, United Way, Quantum Foundation, Department of Children and Families, Palm Health Care, Area Agency on Aging, etc. have collectively participated in evidence based program planning efforts. Evidence based programs demonstrate accountability that organizations and funders are being asked to show that they are implementing programs which will work and provides a return on investment dollars. Numerous training sessions and workshops have been held. All 50 FAA agencies and services are now monitored by staff to ensure programs and services are evidence based.
- Participation in Mobilizing for Action through Planning and Partnerships (MAPP):
   MAPP is a strategic approach to community health improvement. Using MAPP, communities seek to achieve optimal health by:
  - Identifying and using their resources wisely:
  - o Taking into account their unique circumstances and needs; and
  - Forming effective partnerships for strategic action. The MAPP tool was developed by the National Association of County and City Health Officials (NACCHO) in cooperation with the Public Health Practice Program Office Centers for Disease Control and Prevention (CDC).

The Citizens Advisory Committee on Health and Human Services is expected to receive an update on the MAPP program in August, 2011. Currently, the Community Service staff is collaborating with the Palm Beach County Health Department on the use of MAPP policies and resources within Head Start facilities, Senior Centers, migrant areas and homeless facilities.

### **Shortcomings**

#### Homelessness

A count of homeless persons in Palm Beach County was done in January 2011. This project found 2,148 people technically homeless, which includes living in an uninhabitable space or shelter. This number was virtually unchanged from the 2009 count of 2,147. An additional 1,080 were doubled up, or living with family or friends due to economic hardship.

Despite the considerable efforts to stave this growing social disaster, progress has been slow. The existing homeless response system is somewhat fragmented and built on a system of managing, rather than ending homelessness.

## Human Services Reduction of Poverty

This objective is not fully achieved. Poverty continues to impose costs on society in the form of increased crime, broken neighborhoods, and squandered human resources. The current rate (date) of poverty in PBC falls at 11.5%, 2.0% below the national average, and 1.7% below Florida's average according to American Community Survey 2005-2009 average statistics. However, specific communities, particularly in the Lake Okeechobee area, are experiencing significantly higher rates, such as 24.8% in South Bay.

## Assessment of Objectives Related to the Major Issues

This Element does not contain objectives addressing any of the identified major issues of this Evaluation and Appraisal Report.

### **Proposed Corrective Actions**

- Update Element to reflect the "Ten-Year Plan to End Homelessness in Palm Beach County."
- Consider revisions to the goal and policies pertaining to Local Public Health Systems to better reflect the purpose of the purpose of the Element.

## PUBLIC SCHOOLS FACILITIES ELEMENT ASSESSMENT

#### **Element Overview**

The Public Schools Facilities Element (PSFE) sets the framework for implementation of a uniform, district-wide public school concurrency system addressing the requirement that public school facilities needed to serve residential development be in place, at the adopted level of service, prior to or concurrent with the impacts of the development. The Element also establishes joint planning processes and coordination procedures for population projections, and public school siting. The implementing department is the Planning Division in cooperation with the School District of Palm Beach County.

In 1985, local governments were given authority to impose school concurrency on a local-option basis. In 1989, Palm Beach County adopted the Public Education Element as an optional element in the Comprehensive Plan. The goal of the element was to address "planning and procedural responsibilities" related to public education within the County.

In 1998 the Florida Legislature established specific minimum requirements for the optional implementation of public school concurrency, including the requirement for an interlocal agreement among all affected local governments and the local school district, and the adoption of a Public Schools Facilities Element in the Comprehensive Plan of each affected local government. In 2001 the Public Education Element was deleted and the Public Schools Facilities Element was adopted pursuant to an interlocal agreement (ILA) and consistent with the State requirements, making Palm Beach County the first jurisdiction in the state to implement school concurrency.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

### Changes in Growth Management Laws

In 2005, new legislation made school concurrency mandatory for each school district and its municipalities. The new legislation provided an exemption until the time of the next Evaluation and Appraisal Report, for local governments which had previously adopted elements implementing school concurrency programs. The legislation also expanded upon existing requirements for a public school ILA, and mandated a closer integration of planning for school capacity with comprehensive planning.

While the ILA and Element adopted in 2001 already address many of the requirements established in 2005, some revisions to the element may be necessary to address the 2005 legislative changes, such as the addition of "charter schools" as a mitigation option. The School District is coordinating the effort to update the ILA in spring 2011.

### Element Successes and Shortcomings

The County has generally met its Element objectives and issues related to concurrency have been handled effectively.

The goal of school concurrency has been to have all schools in the County operating at no more than 10 percent over capacity by 2004. Initially, when the Plan was adopted, tiered level of service was temporarily utilized because some schools exceeded LOS of 110%. Capacities were added to address LOS. Since 2002, 30 new constructions and 46 modernizations and replacements occurred. Currently, all schools meet adopted levels of service with the exception of two schools which exceed 110% of utilization percentage. However, the School District has planning solutions for both schools to meet the adopted LOS. The Five-Year Capital Improvement Plan added enough capacities and projects to meet levels of service. As a result of school concurrency, utilization of schools decreased, facilities were modernized and coordination with local governments improved. At this time, schools meet adopted levels of service for facilities requirements. Therefore, mitigation is not required.

The school siting process has complied with established requirements and criteria. Planning and coordinated efforts with all parties have been maintained and continued. The School District has indicated that a more timely process of notifying the County and other interested parties for school facility siting would be useful.

There are some conflicts between local land development regulations and State Requirements for Educational Facilities (SREF)/Florida Building Codes (FBC). According to the School District, this creates an inconsistency in the County's review and approval processes. Clarification is required to address the resolution when local and State requirements conflict. It is the intent of School District to clarify this issue through revisions to the ILA, to indicate that when such cases arise, the State requirements shall prevail.

Coordination and collaboration on population projections has continued; however, updates to the Element are necessary to accurately describe the process and sources of data involved.

### Assessment of Objectives Related to the Major Issues

This Element does not contain objectives specifically addressing any of the identified Major Issues of this EAR.

# **Proposed Corrective Actions**

- Revise to ensure consistency with the State requirements enacted in 2005 and anticipated updates to the ILA, including:
  - Delete Policy 1.1-d, since the County has met capacity and no longer needs the option of "tiered-level-of-service" as a tool for meeting capacity;
  - o Revise Policy 1.1-I, suspensions and terminations, per changes to statute in 2005;
  - o Revise Policy 2.3-a, for consistency with the ILA).
  - Add a new Objective 1.2 to include "Charter Schools" from the ILA as a mitigation option per statute.

# HISTORIC PRESERVATION ELEMENT ASSESSMENT

#### **Element Overview**

The purpose of the Historic Preservation Element is to protect the historic resources within unincorporated Palm Beach County from adverse impact and to promote public awareness of the benefits of preserving such resources. Historic resources include resources which are historically, architecturally, or archaeologically significant. The Element is implemented by Planning, Zoning and Building Department, with assistance from a volunteer Historic Resources Review Board (HRRB) appointed by the Board of County Commissioners.

The Historic Preservation Element and the HRRB are also essential to the County's Certified Local Government status as set forth by Section 103 of the National Historic Preservation Act, which requires that, among other things, the County maintain an ongoing system for the survey and inventory of historic resources; develop a four-year historic preservation goals for the community; and provide adequate public participation in the local historic preservation program.

#### **Element Assessment**

Pursuant to State requirements, this assessment addresses changes to growth management laws affecting this element, the successes and shortcomings related to this element, and assessment of element objectives related to the identified major issues of the EAR.

### Changes in Growth Management Laws

This is an optional element, and as such there are no requirements specified in State statute. However, the Element addresses several requirements of the Florida Administrative Code that local governments must address in their Comprehensive Plans. For example, the FAC requires that local governments include in their future land use elements (or other appropriate place in the Plan) objectives and policies to ensure the identification, designation, and protection of historically significant properties.

No changes have been made since the last EAR in 2004 to Chapter 163, Part II, F.S. (the Growth Management Act), Chapter 187, F.S. (The State Comprehensive Plan), Rule 9J-5, F.A.C., or the Treasure Coast Strategic Regional Policy Plan affecting historic preservation requirements.

### **Element Successes and Shortcomings**

#### Successes

A key success has been enhanced preservation efforts through creation of a County Historic Preservation Officer/Archaeologist (CHPO) position in 2005 year. Prior to creation of the position, the primary active function was the processing of historic tax exemption. Since the creation of the position, implementation of the Plan objective has been possible, and the County has come more in line with State and Federal requirements regarding historic preservation

Additional successes relate to implementation of the various policy areas of the Element, all of which have been implemented or are being implemented on an ongoing basis. Since the last EAR, these successes include:

- Location, identification and evaluation of sites, through use of an automated database and maps available to other County agencies:
  - 33 new sites were located and identified on Lake Okeechobee.
  - Numerous historic structures have been evaluated throughout the county.
  - A section of the "Old Wire Trail" was identified by the County's Environmental Resources Management Department.
  - The County's database of historic and archaeological resources is updated directly from the Florida Master Site File (FMSF) as available from the state.
- Identification of county-owned historic sites and structures' potential for heritage tourism, including restoration and reuse, and historic markers:
  - Riverbend Park was divided into two parks; Loxahatchee River Battlefield Park can increase historic tourism dollars received.
  - o Two historic markers were erected in Loxahatchee River Battlefield Park.
  - Historic tourism webpage created with Tourist Development Council
- Nomination and listing of eligible sites and districts in a local registry and listing of sites and districts eligible for the National Registry of Historic Places.
  - The Dubois Historic District and the Wenger House were as added to the Palm Beach County Registry of Historic Places.
  - The Loxahatchee River Battlefield Park is being evaluated for inclusion in the National Registry of Historic Places.
- Preparation of FMSF listings for applicable structures and sites.
  - Numerous FMSF forms have been submitted to the state for the Housing and Community Development Department, the Facilities Development and Operations (FDO) Department, the Building Division, Environmental Resources Management (ERM) Department, and the Parks and Recreation Department.
- Enforcement of Code provisions regarding the HRRB, protection of resources, and applicable provisions of the Standard Building Code.
  - The HRRB has met at least quarterly since its creation, and considered the evaluation and appraisal of the Element on August 31, 2010.
- Encouragement of restoration and reuse of historic buildings and sites for tourism development.
  - The Old Court House was restored and houses the County's Historical Society's Museum.
  - The County's Parks and Recreation Department has been a good steward of the Dubois Historic District (including the newly added Pineapple House property).

- The County's Parks and Recreation Department created the Loxahatchee River Battlefield Park.
- The County's Parks and Recreation Department erected several historic markers.
- The County's ERM Department worked with the HRRB and the Element facilitate greater recreational opportunities on the historically designated "Old Indiantown Road"
- Prior review for all transfers, sales, modifications and development of County-owned properties containing known archaeological sites or buildings of at least 50 years.
  - The Facilities and Operations Department has been before the HRRB for both Certificates of Appropriateness (COAs) for the Old Courthouse and Certificates to Dig for archaeological investigations for Waterway Park.
  - ERM sought a COA from the HRRB regarding restoring the historically designated portion of Old Indiantown Road.

## **Shortcomings**

Possible Element shortcomings include:

- A standing historic resource inventory has not been undertaken for the unincorporated portions of the County, due to limited financial resources. It is difficult to evaluate the significance of historic structures or potential historic districts without a survey in hand.
- Currently designated and potential historic districts are sometimes annexed by municipalities which do not have historic preservation codes to protect these resources.
- While the goal of the Element includes "expanding public awareness" there is no policy that spells out the method for accomplishing this. At present, this is limited to periodic public lectures by the CHPO.
- There is no explicit description in the Element of the responsibilities associated with the historic preservation functions implemented by the CHPO.
- The CHPO is generally not consulted during the conception phase of projects, and the HRRB is involved at the final review, which can lead to issues at the development phase of projects.

#### Assessment of Objectives Related to the Major Issues

The objective of this Element does not specifically relate to the major issues identified in this EAR. However, the use of local planning processes may be helpful in determining preferred preservation and reuse strategies for historic resources, and economic development in the Glades area may be enhanced through historic preservation and heritage tourism efforts associated with the Element.

# **Proposed Corrective Actions**

- Update the introduction section of the Element to reflect current conditions and updated terms, such as replacing "ecotourism" with "historic tourism."
- Explore ways to enhance the historic designation process, such as the addressing the limited availability of financial incentives for property owners to seek historic designations, or the annexation of currently designated and potential historic sites and districts by municipalities which do not have historic preservation codes to protect these resources.
- Explore means to achieve the stated goal of "expanding public awareness"
- Make explicit in the Element the responsibilities associated with the Historic Preservation functions implemented by the CHPO.
- Greater oversight may be needed during the planning phases of improvements to ALL potential and historically designated resources within the County, with earlier participation by the CHPO and HRRB as appropriate, to avoid or minimize problems during the development phase.



**Chapter 2.C Special Topics** 

# SPECIAL TOPIC: WATER SUPPLY PLANNING

## This section of the EAR addresses the following required special topic:

The extent to which the local government has been successful in identifying alternative water supply projects and traditional water supply projects, including conservation and reuse, necessary to meet the water needs identified in s. 373.709(2)(a) within the local government's jurisdiction. The report must evaluate the degree to which the local government has implemented the work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, identified in the element as necessary to serve existing and new development.

# Response:

### Introduction

The provision of water supply for agricultural, environmental restoration and urban development continues to be a critical issue to South Florida. The uncertainty regarding the final outcome of ongoing studies and regulatory policies increases its importance. The availability of water supply for the County in the next decades will have a deciding role on the future growth of the County. How much development will be permissible in the future, and how and where that development will take place will depend on the water supply for Palm Beach County. Consequently, the Comprehensive Plan will have to be amended accordingly. However, without clear direction at this time, it is not feasible to incorporate or consider pertinent changes to the Comprehensive Plan. As the SFWMD supply plan is completed and the regulatory framework is in place, the County will modify if needed, existing policies in the Plan.

The purpose of this special topic is to evaluate the implementation of water supply projects necessary to meet water needs and to evaluate the implementation of the County's 20-Year Water Supply Work Plan, which identified both water supply projects from both traditional and alternative water sources and projected anticipated funding and construction timeframes for those projects.

## **Background**

Chapter 373 Florida Statutes and Chapter 62-40 of the Florida Administrative Code govern water supply planning in Florida and required that the South Florida Water Management District (SFWMD) develop regional water supply plans to support the planning efforts of local governments and individual utilities. The regional water supply plan that is currently regulating water supply planning in Palm Beach County is the Lower East Coast Water Supply Plan 2005-2006 Update (LEC 2005-2006 Update) with a planning horizon of 2025. After the SFWMD adopted the LEC 2005-2006 Update, the County was subsequently required to adopt in 2008 a water supply work plan that identified both traditional and alternative water supply projects required to meet anticipated County water needs and project annual capital expenditures associated with those projects. The County's Water Utilities Department (PBCWUD) has been implementing the identified water supply projects identified in the work plan since its adoption in 2008.

As discussed in the Utility Element Analysis, the SFWMD has started the most recent update to the LEC 2005-2006 Update Plan and anticipates the completion of the revised regional water supply plan in 2012. The County is actively coordinating with the SFWMD to participate in the plan update. Upon completion of the 2012 LEC Water Supply Plan Update, the County will update its 20-Year Water Supply Work Plan as required by Florida Statute.

# 20-Year Water Supply Work Plan Implementation

The 2008 20-Year Water Supply Work Plan identified water supply capital projects that were anticipated to increase the supply capacity by approximately 43.8 MGD of water by 2013 and 101 MGD by 2025. The bulk of water supply projects identified are alternative water supply projects. Since the adoption of the work plan, the County has increased its water supply capacity to over 40 MGD all in alternative water supply projects. The County is ahead of schedule in achieving its anticipated alternative water supply capacity increases because of the Florida Power and Light (FPL) Reclaimed Water Facility that was completed in November 2011. This project was not originally identified in the 20-Year Water Supply Work Plan, but will be included in the County's update to this plan, which will be completed in late 2013-2014. Also the proposed Acme Dairy project was not originally identified in the 20-Year Water Supply Work Plan, but was recently approved for cost share funding by the SFWMD and will increase alternative water supply capacity by 1.64 MGD when completed.

The County has expanded the reclaimed water system at the Southern Region Water Reclamation Facility (SRWRF) over the last ten years to be the largest in Southeast Florida, with a maximum filtration capacity of 22 MGD. The PBCWUD will increase its reclaimed water capacity from 22 mgd to 42 mgd with an expansion at SRWRF and its new Central Region Water Reclamation Facility located at the former Century Village Wastewater Treatment Plant (placed on-line in 2007). Due to the lack of growth in the wastewater customer base the expansion of the SRWRF is being delayed until at least 2015. In addition, the WTP 8 ASR well is being delayed until at least 2016 due to flattening of the water system demand caused by the lack of anticipated growth. These changes will be reflected in the upcoming update to the 20-Year Water Supply Work Plan as well.

#### 20-Year Water Supply Work Plan Projects

Since 2008, Palm Beach County has implemented the following projects:

- The new Lake Region Water Treatment Plan located in the Glades communities area was completed in 2008 and serves the 25,000 residents of Belle Glade, Pahokee and South Bay. The treatment facility is an alternative water supply project that was identified in and implemented as part of the 20-Year Water Supply Work Plan. The total water plant capacity is 10 million gallons per day and uses low pressure reverse osmosis (RO) filtration to treat water from the deeper Floridan Aquifer. Utilizing the Floridan Aquifer will not impact the shallower surficial aquifer or Lake Okeechobee.
- Palm Beach County Water Utilities Department, in coordination with the East Central Regional Wastewater Facility member entities, the City of West Palm Beach, the Town of Palm Beach, the City of Riviera Beach, the City of Lake Worth, and FPL, completed the Reclaimed Water Facility Project in November 2010. That project is an innovative water reuse project that conserves valuable natural resources at considerable savings to County ratepayers. The project provides up to 27 million gallons of treated wastewater for cooling to the Florida Power and Light West County Energy Center, a 3,750

megawatt combined-cycle natural gas power plant. This irrigation-quality water is also available to neighboring communities based on supply availability. Reusing 27 million gallons per day of treated wastewater eliminates the need to cool the facility with ground water, conserving precious resources. The Reuse project will also save money for regional wastewater and electric customers. This facility was not identified in the 20-Year Water Supply Work Plan. However, this is an alternative water supply project for reclaimed water that benefits the environment by utilizing reclaimed water to cool the power generating facility. The County will include this project in the upcoming update to the work plan.

- In the 20-Year Water Supply Work Plan the following reclaimed water supply projects were identified and have been completed:
  - Century Village Reclaimed Water Facility construction is complete and has added an additional 3 MGD of reclaimed water.
  - Aberdeen Reclaimed Main from Boynton Beach Blvd is complete and has added an additional 1.6 MGD of reclaimed water.
  - Greystone Reclaimed Main Turnpike Crossing is complete and has increased access to reclaimed water for irrigation.
- In the 20-Year Water Supply Work Plan, the County identified annual expenditures related to wellfield rehabilitation activities. The County owns over 100 surificial aquifer wells for the production of potable water; these wells become less efficient as they age. The continued rehabilitation of these wells allows the County to maintain water treatment capacity without having to construct new wells, which reduces the potential impacts to the environment.

Additionally, there is an alternative water supply project that has been approved by the SFWMD for funding. Funds for water supply development are for cost sharing assistance, where the County must pay for at least 60% of the project's construction. The PBCWUD was approved for one project for funding in the FY 2011 by the SFWMD.

• The Acme Dairy Reclaimed Water Main Project was approved by the SFWMD for cost share funding in FY 2011. This is a reclaimed water alternative water supply project, when complete, is intended to provide approximately 1.64 MGD of reclaimed water to three existing developments and one potential new development on Acme Dairy Road. The existing developments include an elementary school, a shopping center, and two residential communities (Valencia Reserve and Canyon Lakes). These developments are located within Palm Beach County's Mandatory Reuse Zone and will be required by County Ordinance to immediately connect to the new system.

In conclusion, the County has increased water supply capacity through the implementation of alternative water supply projects ahead of the adopted 2008 Water Supply Work Plan schedule. The County intends to complete all LEC 2005-2006 Update Plan projects, or substitute alternative project that will be identified in the upcoming 2012 LEC Water Supply Plan update. However, as stated in the 2008 Water Supply Work Plan, the timing for project implementation may need to continue to be re-evaluated and updated due to decreasing demands, severe impact of drought on utility revenue and reserves, and now anticipated significant regulatory constraints (e.g. new EPA Numeric Nutrient Criteria), as well as other factors that were presented in the 20-Year Water Supply Work Plan. County staff has already started coordinating with the SFWMD on the LEC update and the subsequent update to the 2008 Water Supply Work Plan.

# SPECIAL TOPIC: CONCURRENCY MANAGEMENT SYSTEM

## This section of the EAR addresses the following required special topic:

The financial feasibility of implementing the comprehensive plan and of providing needed infrastructure to achieve and maintain adopted level-of-service standards and sustain concurrency management systems through the capital improvements element, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities.

**Response:** An essential requirement of the State's local comprehensive planning law is the adoption of Level of Service (LOS) standards in order to implement concurrency; that is, to identify the infrastructure required to support the elements of the Comprehensive Plan. Palm Beach County's LOS standards for all the services are adopted and contained in the appropriate elements, as well as in its Capital Improvements Element (CIE).

Each County must adopt in its CIE a Concurrency Management System consisting of the existing LOS standards for required services, and the conditions for approving development orders. Palm Beach County's Concurrency Management System satisfies statutory requirements, and is contained in both the CIE (Objective 1.2) and the County's land development regulations.

In addition, the County has adopted a Capacity Management System which details the methods and criteria to be used by the concurrency review agencies for evaluating development order impacts on the adopted LOS standards.

The County's CIE's 5-year schedule of capital improvements is reviewed and updated on an annual basis. Projects, costs and revenues are modified, and the schedule may include privately funded projects. The CIE capital improvement tables show committed funding sources for the first 3 years, and committed or planned funding for years 4 and 5. This system is capable of addressing infrastructure backlogs.

# SPECIAL TOPIC: TRANSPORTATION CONCURRENCY

# This section of the EAR addresses the following required special topic:

An assessment of the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing its concurrency management system in coordination with the municipalities and counties, as appropriate pursuant to s. 163.3180(10).

Response: Palm Beach County has exercised its home rule power to adopt Section 1.3 (4) of the Palm Beach County Charter (pursuant to a Countywide referendum) which established the County's Charter Authority to set a county-wide Level of Service standards for collector and arterial roads which are not the responsibility of any municipality. Pursuant to this charter authority, County has adopted a countywide Traffic Performance Standards ordinance. This Charter authority preempts municipal authority to change these standards. In Amendment Round 10-1, the County assessed and updated its Level of Service tables to be generally consistent with Florida Department of Transportation's updated tables, and revised Policy TE 1.1-b requiring peak season peak hour peak directional analysis for purposes of traffic concurrency. This amendment was coordinated through the Palm Beach County League of Cities and Palm Beach County Intergovernmental Plan Amendment Review Committee.

# SPECIAL TOPIC: CONCURRENCY EXCEPTION AREAS

# This section of the EAR addresses the following required special topic:

The extent to which a concurrency exception area designated pursuant to s. 163.3180(5), a concurrency management area designated pursuant to s. 163.3180(7), or a multimodal transportation district designated pursuant to s. 163.3180(15) has achieved the purpose for which it was created and otherwise complies with the provisions of s. 163.3180.

**Response:** Palm Beach County Does not have a concurrency exception area designated pursuant to s. 163.3180(5), a concurrency management area designated pursuant to s. 163.3180(7), or a multimodal transportation district designated pursuant to s. 163.3180(15). Palm Beach County has exercised its home rule power to adopt Section 1.3 (4) of the Palm Beach County Charter (pursuant to a Countywide referendum) which established the County's Charter Authority to set LOS standards for collector and arterial roads which are not the responsibility of any municipality. Palm Beach County has not amended its comprehensive plan to create any TCEAs designated by SB 360, and therefore, such TCEAs do not exist in Palm Beach County.

# SPECIAL TOPIC: COASTAL HIGH HAZARD AREAS

## This section of the EAR addresses the following required special topic:

If any of the jurisdiction of the local government is located within the coastal high-hazard area, an evaluation of whether any past reduction in land use density impairs the property rights of current residents when redevelopment occurs, including, but not limited to, redevelopment following a natural disaster. The property rights of current residents shall be balanced with public safety considerations. The local government must identify strategies to address redevelopment feasibility and the property rights of affected residents. These strategies may include the authorization of redevelopment up to the actual built density in existence on the property prior to the natural disaster or redevelopment.

## Response:

# **Background**

In 2006, State legislation revised the definition of Coastal High Hazard Area (CHHA) to be the area below the Category 1 storm surge line as established by the Sea, Lake and Overland Surges from Hurricanes (SLOSH) model, and required each local governments to amend its Future Land Use Map (FLUM) and Coastal Management Element to include the new definition of the CHHA, and to depict the CHHA on the FLUM by July 1, 2008. The existing definition in the County's Comprehensive Plan identified the CHHA as the evacuation zone associated with a Category 1 or 2 storm event. Funding was also authorized by the Florida Legislature to update all Regional Evacuation Studies in the State, including updated information regarding storm surge. The Regional Evacuation Study for Palm Beach County became available in late 2010, and the County is incorporating the required updates as part of EAR-based amendments.

Based on preliminary analysis of data for eastern Palm Beach County, the CHHA in the unincorporated County has been reduced from approximately 3,300 acres under the County's existing definition, to about 330 acres under the current State definition. Data for the Glades area are being analyzed at this time. An amendment is being processed in Round 11-2 to revise the Coastal High Hazard Area definition (in the Introduction and Administration Element) and depict the area pursuant to the new definition on Map CM 2.1.

## **Special Topic**

To assess this topic, the County has evaluated actions taken since the last EAR in the CHHA as currently defined in the County's Comprehensive Plan. The County has taken no action since the last EAR to reduce land use density on private property in the Coastal High Hazard Area. Three amendments have been adopted which changed residential densities to "Park" or "Conservation" uses for publicly-owned land; no amendments have been adopted reducing the allowable density or intensity on private property. In addition, no new policies have been adopted which have the effect of limiting density or redevelopment. Therefore, no impairment of property rights has occurred.

# SPECIAL TOPIC: PUBLIC SCHOOL COORDINATION

## This section of the EAR addresses the following required special topic:

The coordination of the comprehensive plan with existing public schools and those identified in the applicable educational facilities plan adopted pursuant to s. 1013.35. The assessment shall address, where relevant, the success or failure of the coordination of the future land use map and associated planned residential development with public schools and their capacities, as well as the joint decision-making processes engaged in by the local government and the school board in regard to establishing appropriate population projections and the planning and siting of public school facilities.

**Response:** Issues related to concurrency have been handled effectively. Currently, all schools meet adopted levels of service with the exception of two schools which exceed 110% of utilization percentage. However, the School District has planning solutions for both schools to meet the adopted LOS. The Five-Year Capital Improvement Plan added enough capacities and projects to meet levels of service. As a result of school concurrency, utilization of schools decreased, facilities were modernized and coordination with local governments improved. At this time, schools meet adopted levels of service for facilities requirements. However, some changes are required for consistency with revised statute; specifically, the addition of "charter schools" as a mitigation option.

In addition to providing for future availability of public school facilities consistent with the adopted concurrency Level of Service (LOS) standard, the Public Schools Facilities Element also establishes joint planning processes and coordination procedures for population projections, and public school siting. These efforts have also been largely successful; coordinated planning efforts with all parties have been maintained and continued, and school siting has complied with the required process and criteria.

However, two areas for potential improvements in coordination have been identified, based on experience with the coordination processes. First, there is a need for a more timely process of notifying the County and other interested parties for school facility siting. Secondly, there is a need for clarification regarding resolution of conflicts between local land development regulations and state requirements for educational facilities. The School District has indicated their intent to address this issue in amendments to the interlocal agreement that governs school concurrency and coordination.