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FUTURE LAND USE ELEMENT

I. INTRODUCTION

A. Purpose

The purpose of the Future Land Use Element is to delineate Palm Beach County's vision of how the communities within it are created, enhanced and maintained. The Future Land Use Element is the nucleus of 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.

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

Six broad principles guide sustainable land use planning and development: (1) Conserve and protect natural and man-made resources, and restore and maintain key ecosystems to provide adequate supplies of clean and safe water for natural, human and economic systems; (2) Prevent urban sprawl through establishment of urban development areas, and encourage urban revitalization and redevelopment; (3) Provide for sufficient open space to protect wildlife, and provide natural and recreational areas for public use; (4) Create quality livable communities by balancing, distributing and integrating the relationship among land uses to meet the needs of the diverse communities and their associated lifestyle choices, and improve the quality of life through better housing, recreational, and cultural opportunities for all; (5) Manage the development of land and service delivery, so that its use is appropriate, orderly, timely and cost effective; and, (6) Promote sustainable economic development initiatives in the County with the purpose of diversifying its economic base and enhancing the quality of life and well being of current and future County generations.

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 Future Land Use Element is intended to guide the location, type, intensity and form of various types of development patterns that respect the characteristics of a particular geographical area. This is needed to ensure development and maintenance of sustainable communities through smart growth practices which protect natural resources; prevent urban sprawl so that land, facilities and services are used most efficiently; provide for the appropriate distribution and arrangement of land uses; and, support the creation of research and development communities. These factors will facilitate balancing the physical, social, educational, cultural, environmental and economic needs, as well as economic growth opportunities of both current residents and future citizens of the County, and create and maintain liveable communities.

The main components of the Future Land Use Element are the County Directions, the Goals, Objectives and Policies, the Managed Growth Tier Map, and the Future Land Use Atlas (FLUA) that guide land use planning decisions.

County Directions. The County Directions have been created with input from the public and other agencies through citizen advisory committees, public meetings, interdepartmental reviews, and the Board of County Commissioners (BCC). All contributed to the generation of the long-term planning directions. These directions provide the basis for preparation of the Goals, Objectives and Policies of the Future Land Use Element. These directions reflect the kind of community the residents of Palm Beach County desire.

Goals, Objectives and Policies. The goals, objectives and policies provide the framework for decisions that direct the location, pattern, character, interrelationship and timing of development, which ultimately affects the distribution of facilities and services to support it. The location of natural resources and resource management areas, the development pattern and the design of residential and nonresidential development and open space, the location and type of employment centers, and the transportation network, provide the framework that establishes the form of the region. The relationship among these elements ultimately dictates the capacity of a community to accommodate growth and its ability to sustain a high quality of life for the citizens.

The Tier Map. The Managed Growth Tier Map defines distinct geographical areas within the County that currently either support or are anticipated to accommodate various types of development patterns and service delivery provisions that, together, allow for a diverse range of lifestyle choices, and livable, sustainable communities.

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

The Land Use Element comprises three sections. This section, Section I, provides the general description of Palm Beach County's Land Use Element, its purpose and fundamental principles and the County Directions. Section II presents the goals, each with supporting objectives and policies, that direct implementation of the County's vision and primary land planning principles. This Section comprises 5 goals which, though individually supported by a series of objectives and policies, must be considered in conjunction with one another as an integrated whole, in order to realize the County's desire to provide quality living environments for its citizens. These goals are: (1) Tier System; (2) Land Planning; (3) Service Areas and Provision of Services; (4) Community Planning and Design; and, (5) Natural Resource Protection. Section III, the Implementation Section, further clarifies the objectives and policies in Section II, by providing additional information to assist in interpreting the policies to properly carry out implementation of the Element.

B. Assessment & Conclusions

The protection of the quality of life for present and future citizens is undermined by piecemeal development. To ensure resources are maximized and used in the most cost effective manner, a framework is needed to provide the basis for land use decisions in order to create and maintain sustainable communities.

The updated 1989 Land Use Element addresses actions to correct unforeseen problems and opportunities of development, ensures consistency with State and regional plans and implements the direction provided by the Board of County Commissioners to:

1. maintain lifestyle choices;
2. create new land use designations to more closely reflect development patterns in the rural residential areas;
3. strengthen and facilitate revitalization and redevelopment and Infill development programs;
4. protect agricultural land and equestrian based industries;
5. balance growth throughout the County;
6. support opportunities for economic growth to enhance the quality of life and well being of current and future County generations;
7. increase the integration between land use planning, natural resource protection, water resource management, transportation planning, and economic planning;
8. provide incentives for mixed-use and new town developments and urban design;
9. establish a timing and phasing program to provide for orderly growth;
10. address the needs of developed urban areas that lack basic services;
11. coordinate growth with the provision of infrastructure;
12. define how growth/services will be managed in rural residential areas;
13. define service areas and the type of services to be provided within each service area;
14. provide criteria for expanding the Urban/Suburban Tier.

To respond to these Board directives, the Future Land Use Element has been amended to apply specific strategies to distinct geographical areas. This is necessary to provide the flexibility to permit the articulation of different, and even contrasting, strategies while maintaining a comprehensive approach to planning. Five distinct areas have been defined and are summarized below:

1. **Urban/Suburban Tier.** This tier is expected to accommodate the bulk of the population and its need for employment, goods and services, cultural opportunities, and recreation. It supports a variety of lifestyle choices, ranging from urban to residential estate; however, the predominant development form in the unincorporated area is suburban in character. The older, communities are primarily in municipalities, within approximately 2 miles of the Atlantic Ocean. Most of the neighborhoods within the tier are stable and support viable communities. However, due to the period in which many of the coastal communities were built and the County's efforts to keep pace with rapid growth in its western areas, some of the eastern areas did not receive a full complement of urban services.

If the County is to meet its primary goal to create and maintain liveable communities, balance growth throughout the County, protect natural resources and provide a variety of lifestyle choices beyond the long term planning horizon, it is imperative that land, services and facilities be used efficiently and effectively. In addition to maintaining many of the current strategies, new strategies have been applied to the Urban/Suburban Tier to ensure it can accommodate growth in viable, sustainable communities into the future.

2. **Exurban Tier.** The Exurban Tier lies between the Urban and Rural Tiers and supports residential subdivisions, created prior to 1970 before the adoption of the Comprehensive Plan and its regulations. Historically, these areas have been considered rural due to a sparse development pattern, large heavily treed lots, presence of small agricultural operations including equestrian uses, and a desire for minimal services and regulation. However, growth has marked a change in the character from rural to more suburban and

semi-rural, or exurban, as the existing and vested 1.25 acre lots develop with single family homes. The corresponding increase in population, which is anticipated in the Plan and its population projections, has caused an escalating increase in the demand for services. A recognition of the existing development pattern, demand for services and desire to maintain the rural character, warrants a specific set of strategies.

3. **Rural Tier.** The Rural Tier includes agricultural land and rural settlements that range in density from primarily 1 dwelling unit per 5 acres to 1 dwelling unit per 20 acres. These areas support large agricultural operations as well as single-family homes with small family -owned agricultural businesses, including equestrian related uses. Due to the declining availability of land and the increase in population in the Urban and Exurban Tiers, the Rural Tier is beginning to experience pressure for urban densities and nonresidential intensities normally associated with a more urban area. The strategies in the Rural Tier are established to protect and enhance rural settlements that support agricultural uses and equestrian uses.
4. **Agricultural Reserve Tier.** The Agricultural Reserve area is a portion of the County that encompasses unique farmland and wetlands. Based on policy direction adopted by the Board of County Commissioners in 1995, it is to be preserved primarily for agricultural use if possible. However, if not, it may be developed only at low residential densities. To preserve the area for agricultural use, several programs are offered, including unique development options targeted to achieve the goal of farmland protection and agricultural perpetuation. It is through this combination of public action and private development that a viable program for the protection of farmlands and the perpetuation of agriculture will occur.
5. **Glades Tier.** The Glades Tier is generally located west of the Conservation Areas and Twenty Mile Bend, and includes the Glades Communities. This area is designated primarily for specialized agricultural operations.

Communities within the Glades Tier are engaged in their own efforts with regard to planning and development. This effort is mainly in the form of economic development programming. The geographical distance and the nature of the issues faced by the Glades communities differ from the challenges faced by the coastal communities to manage growth. These factors warrant a separate initiative to further develop the Glades Tier, in conjunction with the Glades municipalities, business community and area residents.

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

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

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

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

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

In summary, tier specific policies guide the location and form of development as well as the type of services and facilities to be provided in each tier, while maintaining the general character and quality of life in each tier. This system and the Goals, Objectives and Policies supporting its implementation will assist the County in planning for future growth beyond the current planning horizon, protecting and managing its natural resources, preventing the proliferation of urban sprawl, providing for its economic vitality, and accommodating the lifestyle choices for its residents. These choices include urban, suburban, exurban and rural communities.

C. County Directions

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

- 1. Livable Communities.** Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services at levels appropriate to the character of the community, and opportunities for education, employment, active and passive recreation, and cultural enrichment.
- 2. Growth Management.** Provide for sustainable urban, suburban, exurban and rural communities and lifestyle choices by: (a) directing the location, type, intensity and form of development that respects the characteristics of a particular geographical area; (b) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (c) providing for facilities and services in a cost efficient timely manner.
- 3. Infill Development.** Encourage infill development in urban areas to increase efficient use of land, and existing public facilities and services.

4. **Land Use Compatibility.** Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.
5. **Neighborhood Integrity.** Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.
6. **Economic Diversity and Prosperity.** Promote the growth of industries that have relatively high wages and that can diversify the economic base.
7. **Housing Opportunity.** Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of very-low and low-income housing, Countywide.
8. **Economic Activity Centers.** Encourage the development of Planned Industrial Developments primarily designed to accommodate and promote manufacturing industry and other value-added activities.
9. **Research and Development Communities.** Support the location of regional economic development activities in the County, which promote science and/or technology uses and other significant employment opportunities and educational initiatives resulting in new technologies and manufacturing activities.
10. **Level of Service Standards.** Establish specific, public facility level of service standards that are directly linked to the Capital Improvement Program, to accommodate an optimum level of public facility and service improvements needed as a result of growth.
11. **Linear Open Space and Park Systems.** Enhance the appearance of the County by providing an open space network that will become a visual and functional organizer of recreational activities, natural resources and other open space areas. This should include public lands, passive as well as active recreation areas, beaches and conservation areas.
12. **Environmental Integrity.** Encourage restoration and protection of viable, native ecosystems and endangered and threatened wildlife by limiting the impacts of growth on those systems; direct incompatible growth away from them; encourage environmentally sound land use planning and development and recognize the carrying capacity and/or limits of stress upon these fragile areas.
13. **Design.** Promote the concept of design to direct development, in rural and urban areas. Design is used to prepare and implement policies and plans that guide the physical development of the built environment and make such development functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals.
14. **A Strong Sense of Community.** Encourage neighborhood spirit, local pride in the County and a commitment to working constructively on community problems.
15. **Externalities.** Recognize major negative externalities and attempt when economically feasible to place economic negative externalities away from neighborhoods.

II. GOALS, OBJECTIVES AND POLICIES

GOAL 1 TIER SYSTEM

It is the GOAL of Palm Beach County to establish a Managed Growth Tier System, which recognizes the diverse communities that share common characteristics within the County. Each of these communities requires specific policies to create and maintain quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors. The purpose of the Managed Growth Tier System is to provide strategies to protect viable existing neighborhoods and communities and promote the enhancement of areas in need of assistance. In addition, these strategies are intended to direct the location and timing of future development 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.

OBJECTIVE 1.1 Tier Designation and Tier Re-designation

Palm Beach County recognizes five (5) geographic regions (Tiers), each of which exhibits distinctive physical development patterns with different needs for services to ensure a diversity of lifestyle choices. The five (5) Tiers are:

1. **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.
2. **Exurban Tier:** The Exurban Tier shall include lands outside the Urban Service Area, platted prior to the adoption of the 1989 Comprehensive Plan, which have developed at

densities greater than 1 dwelling unit per 5 acres. These areas shall be provided with a mix of urban and rural services.

3. **Rural Tier:** The Rural Tier shall be located outside the Urban Service Area and east of the Water Conservation Areas, Twenty Mile Bend, and the J.W. Corbett Wildlife Management Area, and shall include large tracts of lands, as well as lands platted prior to the adoption of the 1989 Comprehensive Plan with a predominant density of 1 dwelling unit per 10 acres, but less than 1 dwelling unit per 5 acres. These areas shall be afforded rural levels of service.
4. **Agricultural Reserve Tier:** The Agricultural Reserve Tier shall be preserved primarily for agricultural use, reflecting the unique farmlands and wetlands within it. If it cannot be preserved, then it may become an urbanized area developed only at low residential density.
5. **Glades Tier:** 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 predominantly supports large-scale agricultural operations, which shall be afforded rural levels of service.

Policy 1.1-a: The County shall delineate each development Tier based upon common characteristics, including physical development patterns and service provision, and shall map the location of each Tier on the Managed Growth Tier Map located in the Comprehensive Plan Map Series.

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

1. The County shall not approve a change in tier boundaries unless each of the following conditions are met:
 - a) The area to be reassigned to another tier must be contiguous to the tier to which it would be assigned; and,
 - b) A Study must be conducted to determine the appropriate tier designation of the area and its surroundings, in order to avoid piecemeal or parcel-by-parcel redesignations. If a neighborhood plan or study recognized by the Board of County Commissioners includes the area and makes recommendations concerning tier boundaries, such neighborhood plan or study may serve as the Study required by this policy.
2. Additionally, the following factors shall be considered, as part of the required Study, to evaluate the merit of the potential Tier redesignation:
 - a) The availability of sufficient land to accommodate growth within the long range planning horizon, considering existing development approvals;
 - b) The need to balance future land uses, considering the impact of continued development on an area and/or its demographics, as identified through a Specific Area Plan within a Sector Plan or through the Community Planning process;
 - c) For redesignations to the Urban/Suburban Tier, the necessity of designating additional land for urban/suburban development in the particular location, considering any infill or redevelopment opportunities available within the Urban Redevelopment Area (URA) or Revitalization and Redevelopment Overlay (RR-O);

- d) For any redesignation subtracting land from the Rural and/or Exurban Tiers, the impact on the lifestyle and character of these tiers, including maintaining physical contiguity of existing neighborhoods and land use compatibility;
- e) The ability of the property to maximize the use of existing and/or planned public facilities and services under the proposed tier designation;
- f) For redesignations to the Urban/Suburban Tier, the potential for the Tier redesignation to further County land use goals and objectives, such as mixed-use development in appropriate locations, provision and geographic dispersal of affordable and workforce housing and/or improvement of public transit; and,
- g) The presence or absence of natural or built features which currently serve as, or have the potential to serve as, logical demarcations between Tiers.

If any property not within a Sector Plan area is removed from an assigned tier through the future land use amendment process, as allowed for under this policy, the Planning Division shall conduct a Study to determine the property's impact on the tier system, the appropriate tier designation for the property and if and how tier boundaries need to be further adjusted in the area of the property. In making these determinations, the Study shall employ the criteria listed above for evaluating adjustments to the tier system.

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

Policy 1.1-d: The County shall not modify the Tier System if the redesignation would exhibit the characteristics of urban sprawl, as defined by Rule 9J-5.006.5, Florida Administrative Code.

OBJECTIVE 1.2 Urban/Suburban Tier

Palm Beach County shall plan to accommodate approximately 90% of the County's population including, both existing and projected residents through the long-range planning horizon within the designated Urban/ Suburban Tier. Within this area, Palm Beach County shall protect the character of its urban and suburban communities by:

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

Policy 1.2-a: The following general future land use designations shall be allowed in the Urban/Suburban Tier:

- 1. Residential categories, ranging from Low Residential 1 (LR-1) to High Residential 18 (HR-18);
- 2. Traditional Town Development (TTD);

3. Commercial categories, ranging from Commercial Low - Office (CL-O) to Commercial High (CH);
4. Commercial Recreation (CR);
5. Industrial (IND);
6. Economic Development Center (EDC);
7. Agricultural, limited to the Special Agricultural (SA) category;
8. Parks and Recreation (PARK);
9. Conservation (CON);
10. Institutional and Public Facilities (INST);
11. Transportation and Utilities (U/T);
12. Multiple Land Use (MLU); and,
13. Spoil.

Residential

Policy 1.2-b: The County shall establish and maintain minimum densities in residential future land use categories of eight units per acre or greater, as specified in Table 2.1-1. To promote the most efficient use of infrastructure and reduce the potential for urban sprawl, development shall not be permitted lower than the established minimum density of a future land use category, unless exempted as provided below,

1. The Planning Director may approve a 25% exemption from the minimum density requirement subject to the following:
 - a) The proposed density reduction shall not exceed 25% of the specified minimum density of the applicable future land use category; and,
 - b) An analysis must be completed by the applicant that demonstrates:
 - i) that the impact of the reduction in density does not negatively impact or result in the under utilization of the overall infrastructure system; and,
 - ii) the resulting density of the proposed project is compatible with existing and proposed adjacent future land uses.
2. Property which, at the time of Plan adoption (August 1989), had zoning approval that allowed fewer dwelling units than the minimum required by the plan may also be exempted from the minimum density requirements.

Policy 1.2-c: The County shall coordinate with coastal municipalities to control population densities in coastal high-hazard areas, in accordance with Coastal Management Objective 2.3. The County shall not increase the density in unincorporated areas located within the coastal high-hazard areas.

Policy 1.2-d The County may allow an increase in density greater than the HR-12 Future Land Use category in appropriate areas within the County to direct growth away from natural resources and to use infrastructure more efficiently if the proposed development applies one of the following:

1. The Workforce Housing Program, which allows an opportunity to set aside a certain percentage of units for affordable housing, as described in the policies in Housing Element Objective 1.1 and 1.5;
2. The Transfer of Development Rights (TDR) Program as described in Objective 2.6;

3. The provisions of a Special Overlay as described in Future Land Use Table 2.1-3; or
4. The Traditional Neighborhood Development, Traditional Marketplace Development, Traditional Town Development, Mixed-use Planned Development districts, or Transit Oriented Development option.

Policy 1.2-e: To facilitate development of affordable housing, the County shall not require an amendment to the Future Land Use Atlas to increase the density higher than the future land use category, provided the development is consistent the Workforce Housing Program analysis required by policies in Housing Objective 1.1 and 1.5. and within the ULDC.

Policy 1.2-f: The County shall encourage the location of schools proximate to urban residential areas by:

1. Assisting the School District in identifying funding and/or construction opportunities (including developer participation or County capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements;
2. Providing an alternative and expedited review for all school sites as provided in Policy 2.2-b of the Public School Facilities Element; and,
3. Considering schools as an allowable use within all urban residential land use categories.

Mobile Home Parks

Policy 1.2-g: To the extent required by law, mobile home parks will be allowed in all urban residential future land use categories and associated zoning districts utilizing up to the number of units allowed in the “PDD maximum” in Table 2.1-1. A mobile home shall be the equivalent of one dwelling unit. The replacement or relocation of a unit in a mobile home park shall not cause the total number of units approved, at the time of Plan adoption, to be exceeded.

Policy 1.2-h: Land development regulations shall require mobile home parks to include a permanent structure adequate for an emergency shelter. The size of this shelter shall be established in the Unified Land Development Code pursuant to the square footage per person shelter requirements contained in the Comprehensive Emergency Management Plan.

Commercial

Policy 1.2-i: The County shall determine the appropriate Commercial future land use category considering compatibility with adjoining uses and the classification of the roadway on which the property proposed for Commercial designation is located, as further described in Future Land Use Objective 2.2.

Policy 1.2-j: By December 2002, the Planning and Zoning Divisions shall identify and evaluate criteria to provide opportunities for limited neighborhood commercial services in residential developments, including existing and proposed subdivisions. The criteria shall ensure that the locations and facilities do not adversely impact the character of the neighborhood.

Policy 1.2-k: The County shall prohibit new isolated mid-block commercial future land use designations along all arterials and collectors, unless such development is planned as a Traditional Neighborhood Development, Traditional Marketplace Development or Mixed-Use Planned Development.

Policy 1.2-l: The Unified Land Development Code shall be amended to require that new development or redevelopment of non-residential uses within the Urban/Suburban Tier strengthen the relationship among buildings and their relationship to the street, where appropriate. This shall be accomplished to increase transit accessibility, pedestrian orientation, and promote creation of community spaces through consideration of the elements listed below.

1. Utilize building mass, placement, and orientation, build-to lines and setbacks to increase walkability, provide spatial definition along streets, and create squares or greens at a human scale;
2. Create a distinct sense of identity and delineate the pedestrian system within and along public spaces and streets thereby encouraging pedestrians to walk between stores and other uses. This may be accomplished by placing human-scaled elements, such as light fixtures, casual seating, gathering spaces, water features, statuary, and landscaping;
3. Link the commercial center to adjacent land uses, provide convenient access to transit stops and off-site pedestrian and bicycle systems; and,
4. For new commercial areas, the amount of parking in the front of the building shall be limited to strengthen the relationship of the building to the street; provide for the dispersal of parking shared between adjacent businesses; and, reduce the number of curb cuts and expansive surface parking areas.

Policy 1.2-m: *Deleted in Amendment Round 05-1*

Agriculture

Policy 1.2-n: The County may permit agricultural land uses and operations in the Urban/Suburban Tier as an interim land use to support the agricultural industry, provided such land uses and operations are compatible with adjacent and surrounding land uses. As such, provisions to limit aerial applications of pesticides, fungicides, fertilizers, or any other chemical for agricultural purposes within the Urban/Suburban Tier shall be reviewed and appropriate regulations shall be included in the Unified Land Development Code (ULDC). Over spraying of pesticides, fungicides, fertilizers, herbicides, or any other chemical shall be prohibited by the County.

Policy 1.2-o: Any existing agricultural use within the Urban/Suburban Tier shall be considered to be a conforming use. Any expansion of existing agricultural uses, and any new agricultural uses, shall be consistent with all applicable requirements in the ULDC.

SUB-OBJECTIVE 1.2.1 Planned Development - General

Palm Beach County shall encourage the development of a variety of innovative types of mixed-use projects.

Policy 1.2.1-a: Palm Beach County shall encourage the development of a variety of innovative types of mixed-use projects, including, but not limited to:

1. Traditional Marketplace Development;
2. Traditional Neighborhood Development;
3. Mixed-Use Planned Development;
4. Planned Industrial Park Development; and,
5. Traditional Town Development.

All proposed mixed-use projects must demonstrate that the future land uses to be included on site are functionally integrated, and must be able to meet all level of service standards and all relevant criteria, as stated in the Unified Land Development Code.

Policy 1.2.1-b: Planned Developments shall require approval of a preliminary development plan, which shall:

1. Depict the location and distribution of future land uses and public facilities and demonstrate compliance with the Comprehensive Plan;
2. Depict the average density and/or intensity of the overall development; and,
3. Allow flexibility in the allocation of density and intensity within the overall development.

Policy 1.2.1-c: As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for inter-connectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.

Traditional Marketplace Development (TMD)

Policy 1.2.1-d: Traditional Marketplace Development may be allowed in the CH land use category. It shall include a concentrated area for shopping, entertainment, business, services, cultural, and housing opportunities. This shall be accomplished by allowing for a mix of uses in a manner that creates a stronger pedestrian and transit orientation through design, placement and organization of buildings, and common public space, while dispersing parking.

Traditional Neighborhood Development (TND)

Policy 1.2.1-e: Traditional Neighborhood Development may be allowed in all urban residential future land use categories. It shall include an interspersed mix of uses integrated with a recreation and pedestrian oriented open space system. The uses shall include an appropriate mix of residential housing types at a range of densities,

commercial, and institutional uses. At a minimum, 51% of the development shall be residential and a minimum of 5% of the development shall be usable, organized open space, in addition to the minimum park and recreation requirements established in the Recreation and Open Space Element.

Policy 1.2.1-f: The Planning, Zoning and Building Department shall update the Unified Land Development Code and graphically depict the tenets and land development regulations to:

1. Set the range, ultimate density and intensity, and mix of land uses based on the underlying land use designation and size of the TND;
2. Encourage the location of TND's throughout the Urban/Suburban Tier, including areas defined as infill. The TND may include a mix of residential and commercial uses designed in a compact form, planned in accordance with the following principles:
 - a) The TND shall provide for a range of densities. The housing types in the TND may include an interspersed mix of detached homes, duplexes, townhomes, and apartments to provide housing choices for people of differing ages and incomes. Multi-family units and townhouses shall be located closest to the neighborhood center. Single-family lots in the neighborhood may include ancillary structures, such as detached one unit apartments/offices or garage apartments. The housing must be designed to provide a cohesive physical character within the residential area;
 - b) Residential lots shall be served by a system of streets, alleys and sidewalks, with setback/build-to lines established to ensure that buildings front on sidewalks and are oriented to the street. Garages shall be located on the rear portion of the property and accessed by an alley or driveway;
 - c) When a TND is adjacent to a land use of a significantly different intensity or density, a buffer, which may be vegetated open space or a transitional use, shall be provided at the edge of the TND;
 - d) A minimum of 5% of the land area in a TND shall be devoted to an organized open space system, inclusive of greens or squares, located within 1/4 mile of residences. This open space shall be provided in the form of passive open space, and gathering space throughout the neighborhood. These lands are exclusive of the minimum park and recreation requirements set forth in the Recreation and Open Space Element;
 - e) A discernable neighborhood center shall be established creating a community focal point. A neighborhood center or focal point may serve multiple neighborhoods if it is centrally located;
 - f) Civic buildings and public space shall be placed and oriented to terminate vistas, and provide a focal point in the TND. These sites shall provide for social, cultural, and/or religious activities, and become symbols of community identity; and,
 - g) Preservation of existing native vegetation and other natural features shall be incorporated into the layout of the neighborhood.
3. The transportation management (circulation) system within the TND shall be planned in accordance with the following principles:

- a) Pedestrian and bikeway circulation systems shall functionally and physically integrate the various land uses. This integration shall occur both within the neighborhood and to areas adjacent to and beyond the neighborhood;
 - b) A continuous interconnected street system shall form a grid, or traverse the neighborhood, to increase circulation both within and among adjacent land uses. Internal streets shall be narrow and designed with traffic calming features to control speed;
 - c) At a minimum, mass transit facilities shall be provided at the neighborhood center;
 - d) Parking and loading functions shall be located and designed to respect, and reinforce, the pedestrian orientation of the neighborhood. These functions shall provide for on-street parking, parking behind buildings or in side lots;
 - e) Street design standards shall address pavement and right-of-way widths, turning radii, on-street parking, and other design criteria for roads, alleys and lanes. These standards shall reflect the character of the neighborhood; and,
 - f) Use of sidewalks, street trees, landscaping, street furniture, entryway features, signage and lighting shall be required to strengthen the identity of the neighborhood and neighborhood center.
4. A neighborhood center shall be provided at an identifiable central location and shall:
- a) Contain shops and services serving the neighborhood. Such facilities shall include, but not be limited to: retail, offices, schools, day care, places of worship, libraries, government services, cultural facilities and banks;
 - b) Be encouraged to have residential units above the commercial or civic uses;
 - c) Be within 1/4 to 1/2 mile (5 -10 minute walk) from all residential land uses within the defined neighborhood or series of neighborhoods. The neighborhood center shall also accommodate a transit stop;
 - d) Be designed in accordance with the principles of a Traditional Marketplace;
 - e) Be located at an important intersection or the edge of a neighborhood. The neighborhood center shall be designed to serve multiple neighborhoods if located at the edge of a neighborhood; and,
 - f) Be limited to serve a population within a one (1) to one and a half (1½) mile radius.

Planned Residential Development (PRD)

Policy 1.2.1-g: The County shall allow Planned Residential Developments to include a limited amount of low intensity commercial and institutional uses intended to serve the residential development. The commercial uses may be located in:

- 1. A commercial pod, but must be integrated into the development;
- 2. A clubhouse in the interior of the development, accessible to the residents; or,
- 3. A multifamily structure which either independently supports high density or is in a tract containing multi-family development.

Policy 1.2.1-h: In conjunction with the Evaluation and Appraisal Report (EAR), the Planning and Zoning Divisions shall evaluate the provisions governing the Planned Residential Development option to determine its effectiveness in meeting the Goals, Objectives and Policies of the Plan.

Mixed-use Planned Development (MXPDP)

Policy 1.2.1-i: A Mixed-use Planned Development shall include an integrated mix of residential uses, open space, high intensity commercial uses, and institutional uses. At a minimum, 51% of the development shall be residential. Uses may be integrated vertically or horizontally. Horizontal integration shall be planned in such a way that a variety of uses front onto and share common areas designed to provide an amenity to all uses within the development. These uses may be allowed in the areas designated:

1. Commercial High or Commercial High-Office; or
2. High Residential 12 or High Residential 18, if located at an intersection or adjacent to a Commercial High future land use designation.

Policy 1.2.1-j: The standards for an MXPDP shall establish the character and promote design to achieve compatibility, and a pedestrian oriented livable community, with an integrated mix of uses. Compatibility with adjacent land uses and ability to fit into the community shall be given primary consideration in the design of the development. Site development standards for an MXPDP shall be reviewed to ensure that, at a minimum, the following general design guidelines are addressed:

1. Utilization of building mass, placement, orientation and build-to lines/setbacks, where feasible and appropriate, to provide spatial definition along streets and to create squares and greens;
2. Use of building design standards to include, but not be limited to, massing, scale, pattern, rhythm, material and color;
3. Creation of strong pedestrian and open space systems. This shall be accomplished by designing for pedestrian comfort and by placing human-scaled elements along these spaces which include, but are not limited to, light fixtures, seating, gathering spaces, water features, statuary, landscaping;
4. Creation of linkages to adjacent land uses;
5. Provisions for parking including minimums and maximum parking space requirements. These requirements shall be based on density/intensity, use, proximity to other land uses in the market area and availability of non-automotive modes of transportation such as transit; and
6. Creation of an interconnected circulation system which provides on-street parking, and provides convenient access to transit stops and off-site pedestrian and bicycle systems.

Planned Industrial Park Development (PIPD)

Policy 1.2.1-k: Planned Industrial Park Developments may be permitted in the Industrial or Economic Development Center future land use categories, to accommodate and promote cluster industries, manufacturing, research, development, other value added activities and support uses. Other uses, such as hotels, offices, commercial, institutional, and residential that serve the projected workforce and residential population and/or encourage internal automobile trip capture shall be permitted, along with accessory uses. For property designated PIPD within the Scientific Community Overlay as authorized by Objective 2.8 and its implementing policies, the uses specified in the

Overlay shall control in the event of a conflict between those specified in this policy and those in the Overlay.

SUB-OBJECTIVE 1.2.2 Sustainable Urban Development

Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.

Policy 1.2.2-a: To encourage redevelopment and infill, the county shall allow parcels of land that cannot fulfill the minimum acreage requirements for a Planned Development to develop consistent with the character, intensity, and density of the: 1) Existing built environment; and/or 2) Potential built environment, whose density is calculated at the standard density permitted by the land use designation(s) applicable to this environment, provided that:

1. The parcel: 1) Is less than 12 acres in size for a property designated LR-1, LR-2, LR-3, or MR-5; and 2) Is less than 10 acres in size for a property designated HR-8, HR-12, and HR-18.
2. The proposed development does not exceed the maximum density or intensity permitted by the applicable future land use designation; and,
3. The proposed development can meet the requirements of concurrency.

Policy 1.2.2-b: The Planning, Zoning, and Building Department shall continue to work with other local governments and appropriate agencies to develop programs consistent with, but not limited to, the Front Porch Florida Initiative, which create safe, livable communities by improving the functional relationship among land uses through design, improving infrastructure and/or services, and providing a range of housing and economic opportunities for urbanized areas.

Policy 1.2.2-c: By May 2001, the Planning Division shall facilitate an infill development study for the unincorporated area. The study shall include:

1. An inventory of vacant, abandoned, or significantly underutilized sites for infill initiatives;
2. A map of the infill sites;
3. Data describing, at a minimum, the sites' physical characteristics including acreage;
4. Current development potential;
5. Land assembly capability; and,
6. Consideration of the characteristics and issues associated with the Revitalization and Redevelopment Overlay to address the needs of these areas.

Upon the approval of the findings of the Infill Study by the BCC, the Unified Land Development Code shall be amended to provide flexible infill standards and incentives to support the revitalization and redevelopment of antiquated, small lot subdivisions and small lot commercial corridors.

SUB-OBJECTIVE 1.2.3 Revitalization, Redevelopment, and Infill Overlay (RRIO)

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

Countywide Community Revitalization Team (CCRT) Areas

The Office of Community Revitalization (OCR) is specifically responsible for developing and recommending revitalization strategies as well as providing technical and financial resources for designated neighborhoods in unincorporated Palm Beach County. The approved redevelopment strategies along with the OCR's technical and financial assistance will be utilized to institute resident-driven revitalization initiatives. These neighborhoods and other identified areas are designated through the Countywide Community Revitalization Team (CCRT) process instituted by the Board of County Commissioners in 1997. The Office of Community Revitalization is also responsible for the creation of financial incentives for neighborhood businesses to also become active partners in a community's revitalization.

Policy 1.2.3-a: The Office of Community Revitalization shall continue to coordinate delivery of appropriate resources to stabilize and revitalize neighborhoods by:

1. Identifying neighborhood and resident needs;
2. Identifying funding sources to complete infrastructure improvements;
3. Helping neighborhoods to form community improvement organizations;
4. Providing technical and financial assistance to neighborhood organizations and local businesses;
5. Directing the concentration of Code Enforcement efforts; and
6. Facilitating the provision of tailored health and human services.

Policy 1.2.3-b: The Office of Community Revitalization shall periodically review and update the "Community Needs Analysis and Resource Assessment" to assist in the prioritization of funding for improvements to code enforcement, health and human services, parks and recreation facilities, transportation systems, utilities, and drainage.

Policy 1.2.3-c: The Planning, Zoning, and Building Department shall continue to target concentrated code enforcement efforts in the Revitalization, Redevelopment, and Infill Overlay to reduce the number of code violations and improve the physical condition of neighborhoods.

Policy 1.2.3-d: In support of the Community Oriented Policing Program of the Sheriff's Office, the Unified Land Development Code shall be revised to incorporate Crime Prevention Through Environmental Design (CPTED) guidelines, a community design program which is aimed at reducing opportunities for criminal activity by increasing visibility from buildings, along streets, and in public areas.

Policy 1.2.3-e: The Revitalization, Redevelopment, and Infill Overlay (RRIO) shall be designated as a potential receiving area for the Transfer of Development Rights program described under Land Use Objective 2.6. Within this overlay, TDR units may be provided from the County TDR bank at no cost or at a discounted rate.

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

Policy 1.2.3-f: Higher development intensity/density should be encouraged in the URA where appropriate.

Policy 1.2.3-g: Mixed-use centers and employment centers shall be encouraged in the Urban Redevelopment Area (URA) where appropriate.

Policy 1.2.3-h: Higher development intensity/density should incorporate multi-modal transportation amenities for development and redevelopment projects in the URA where appropriate.

Policy 1.2.3-i: The County shall require, where feasible, inter-connectivity in the URA between complementary neighboring land uses for both vehicular and pedestrian cross access.

Policy 1.2.3-j: The County shall seek and encourage workforce housing opportunities in the URA.

Policy 1.2.3-k: The County shall coordinate with adjacent municipalities regarding redevelopment activities within the URA to ensure that such efforts are consistent with municipal annexation plans and redevelopment activities within the URA, as appropriate.

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

Policy 1.2.3-l: The Planning Division shall continue to investigate appropriate land use changes to industrial within the Lake Worth Park of Commerce to promote redevelopment and economic revitalization.

Policy 1.2.3-m: The Planning Division in coordination with the Office of Community Revitalization shall continue to coordinate and provide assistance to the City of Lake Worth and County agencies to ensure improved infrastructure, services and access within the Lake Worth Park of Commerce.

Policy 1.2.3-n: The Planning Division in coordination with the Office of Community Revitalization shall encourage new development proposals within the Lake Worth Park of Commerce, with emphasis on those at the north and south entrance of the Park of Commerce along Boutwell Road, to be consistent with the goal to create a quality office/industrial park, as established in the Lake Worth Park of Commerce Conceptual Plan.

Policy 1.2.3-o: By December, 2002, the County shall initiate an amendment to designate the Lake Worth Park of Commerce Urban Redevelopment Area as a Transportation Concurrency Exception Area (TCEA).

Lake Worth Road Commercial Corridor Overlay (LWRCCO) - The purpose of the Lake Worth Road Commercial Corridor Overlay (LWRCCO) is to provide incentives to encourage infill development and redevelopment along Lake Worth Road, improve the neighborhood characteristics of the area, and improve the overall quality of the surrounding community. The Lake Worth Road Commercial Corridor area is located approximately one mile west of the heart of downtown Lake Worth, and is bounded on the north by 2nd Avenue, on the south by the L-12 Canal, on the east by Congress Avenue, and on the west by Military Trail.

Policy: 1.2.3-p The Office of Community Revitalization shall continue to develop and recommend financial and regulatory incentives to encourage infill and redevelopment along Lake Worth Road.

Policy 1.2.3-q The Office of Community Revitalization shall continue to work with the Planning Division and the Engineering and Water Utilities departments to formulate a design and financing strategy for the installation of storm drainage and water/waste water improvements along Lake Worth Road.

SUB-OBJECTIVE 1.2.4 Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO)

The Westgate/Belvedere Homes Community Redevelopment Area Overlay was created to encourage development and redevelopment of the Westgate area. The special land use provisions for the Overlay are designed to arrest deterioration of property values, and preserve affordable housing and complement the efforts to prepare and implement a community redevelopment plan for the Westgate area.

Policy 1.2.4-a: The Westgate Community Redevelopment Area Overlay is depicted on the Special Planning Areas Map in the Map Series. The area is bounded on the south by Belvedere Road, on the north by Okeechobee Boulevard, on the east by Florida Mango Road and on the west by Military Trail.

Policy 1.2.4-b: The Board of County Commissioners has the authority within the WCRAO to approve residential densities higher than those shown on the Future Land Use Atlas for areas designated residential. These additional units must be obtained from a density pool of 1300 bonus units assigned to the Westgate/Belvedere Homes Area by this Element. A proposed residential project must be recommended for approval by the Community Redevelopment Agency to be eligible to receive bonus units from the density pool. The pool of units may be increased through amendments to the Comprehensive Plan text.

Policy 1.2.4-c: The total amount of acreage shown as Commercial on the Future Land Use Atlas, at the time of Plan adoption may be increased 20 percent, through the rezoning process, without an amendment to the FLUA. The Board may approve a zoning change from an Industrial or Residential zoning district to a Commercial zoning district using this provision, once the CRA determines that the proposed change is eligible. The 20 percent increase may be further increased through amendments to the Comprehensive Plan text.

Policy 1.2.4-d: Within the WCRAO, a parcel may be eligible to be rezoned to Industrial although it as a future land use designation that does not typically permit industrial uses, provide that it is within the Flight Path of the Palm Beach International Airport, as determined by the Airports Department under Article 16 of the Unified Land Development Code.

Policy 1.2.4-e: The policies of Objective 1.2, the Urban/Suburban Tier, as well as the policies of Sub-objective 1.2.3, the Revitalization and Redevelopment Overlay, shall apply within the Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO). The more specific policies in this Sub-objective, 1.2.4, shall apply in the case of a conflict.

SUB-OBJECTIVE 1.2.5 Palm Beach International Airport (PBIA) Approach Path Conversion Area Overlay

The purpose of the Palm Beach International Airport Approach Path Conversion Area (PBIA) Overlay is to provide for future land uses that are compatible with existing neighborhoods and the future operations of PBIA. The unique future land use provisions of the Overlay are designed to: 1) protect viable, existing neighborhoods from incompatible uses; 2) allow the residents within the area to directly participate in the future land use decision-making process, and 3) provide opportunities for property owners to initiate conversion of their properties to non-residential uses.

Policy 1.2.5-a: The PBIA Overlay is depicted on the Special Planning Areas Map in the Map Series and delineated as the area bounded on the north by Belvedere Road, on the south by Southern Boulevard, on the west by the Florida Turnpike, and on the east by the Palm Beach International Airport, excluding any lands lying within a municipality.

Policy 1.2.5-b: Land within the PBIA Overlay shall have the potential to be zoned for uses permitted within the Light Industrial or Planned Industrial Park Development zoning districts, subject to any further restrictions or requirements contained in the Comprehensive Plan, or development regulations adopted pursuant to the PBIA Overlay criteria. Industrial development using either of the zoning districts be in the form of a Planned Industrial Park or campus-like industrial development. Land within the Overlay shall not have the potential to seek commercial zoning unless the land is designated Commercial on the Future Land Use Atlas.

Policy 1.2.5-c: *Contents relocated into FLUE Policy 1.2.5-b in Amendment Round 01-1.*

Policy 1.2.5-d: All future land use designations within the Overlay shall be eligible to convert to Industrial uses, as provided for in Future Land Use Element Policy 1.2.5-b. Exceptions to this eligibility are:

1. Areas designated as Parks on the Future Land Use Atlas (FLUA). Areas possessing this designation shall remain as such.
2. The following areas, which shall only be allowed those uses permitted in the Residential future land use categories:
 - a) The Wooded Acres (Timber Run) subdivision;
 - b) The Lake Belvedere Estates subdivision;
 - c) The Overbrook subdivision;
 - d) The area defined by the following boundaries beginning at Wallis and Jog Roads:

Western boundary: Jog Road between Wallis Road and Belvedere Road;

Northern boundary: Belvedere Road between Jog Road and the Timber Run subdivision;

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

Policy 1.2.5-e: To provide landowners with the ability to convert to non-residential future land uses, both existing residential development and previously approved residential development that has not yet been constructed shall have the option to seek Industrial zoning. Exceptions to this occur for those parcels described in FLUE Policy 1.2.5-d. The parcels, which are allowed to convert must be:

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

Policy 1.2.5-f: Except for the area described in FLUE Policy 1.2.5-d, vacant land which does not possess a development approval at the time of Plan adoption will have the option to seek industrial zoning provided the parcel is:

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

Policy 1.2.5-g: The area of the PBIA Overlay that is bounded by Southern Boulevard on the south, the L-4 Canal on the north, Military Trail on the east, and the western boundary of the Royal Palm Estates subdivision on the west, shall only allow residential uses to convert to industrial uses, provided that the conversion is a minimum of twenty-five (25) acres.

Policy 1.2.5-h: The parcels located in the transitional area along the north and south sides of Bishoff Road and Alexander Road and on the west side of Jog Road may be rezoned to an industrial district without a corresponding future land use amendment. These parcels shall remain residential until property owners can assemble the minimum lot size for industrial use as set forth in the Unified Land Development Code.

SUB-OBJECTIVE 1.2.6 Indiantown Road Overlay Zone (IOZ)

Palm Beach County shall enhance its intergovernmental coordination with the Town of Jupiter thereby ensuring the Town's role in guiding appropriate development, improving overall aesthetics, and protecting residential neighborhoods in this important gateway area, by applying the provisions of the 1995 joint agreement between the Town and County, which details the IOZ.

Policy 1.2.6-a: The Indiantown Road Overlay Zone is depicted on the Special Planning Areas Map in the Map Series, and apply to properties east of I-95, along Indiantown Road, the unincorporated areas of which include properties generally on the southern side of Indiantown Road, east of Limestone Creek Road and west of 61 Terrace North.

Policy 1.2.6-b: Within the Indiantown Road Overlay Zone no County land use designations will be applied, allowing Town of Jupiter Land use designations to apply to unincorporated areas. The Town of Jupiter will maintain the authority for the general administration, application, and comprehensive planning for land development regulations and land use permitting and enforcement within the IOZ.

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. The County shall protect and maintain these semi-rural residential, equestrian, and agricultural communities by:

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

Policy 1.3-a: The following general future land use designations shall be allowed in the Exurban Tier:

1. Rural Residential future land use categories ranging from Rural Residential 20 to Rural Residential 2.5;
2. Commercial, limited to the Commercial Low (CL) categories;
3. Agricultural, limited to the Special Agricultural (SA) category;
4. Parks and Recreation;
5. Conservation;
6. Institutional and Public Facilities; and,
7. Transportation and Utilities.

Policy 1.3-b: The Rural Residential 2.5 (RR 2.5) Future Land Use category shall be established to maintain a rural residential lifestyle for the Exurban Tier. The County will initiate an amendment to the Future Land Use Atlas to designate qualifying subdivisions, which meet the criteria listed below, as RR2.5.

1. The average lot size is less than 5 acres;
2. The number of lots eligible for further subdivision does not exceed 15% of the total number of existing lots, consistent with the County's 85% Rule described in Land Use Policy 2.2.1-f; and,
3. The number of potential new lots created has minimal impact on the transportation network as defined in Land Use Policy 3.5-d.

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

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

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

Policy 1.3-e: All contiguous lots, which are owned by the same person or entity shall comply with the density requirements of the 1989 Comprehensive Plan, as amended, unless exempted by Land Use Policy 2.2.1-f. A lot(s) not exempted under this policy shall be combined with another contiguous lot(s) to either comply with the density requirements, or reduce the density inconsistency if there are not sufficient contiguous lots to fully comply with the density requirements.

Policy 1.3-f: The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as listed in the Florida Department of Transportation Palm Beach County Federal Functional Classification Table), unless it is shown that a vehicular cross connection can be established to an adjacent site with a non-residential future land use designation, such development is planned as a Traditional Marketplace Development (TMD) or such designation is allowed by an adopted Sector Plan.

Policy 1.3-g: *Deleted in Amendment Round 05-1*

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

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

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

1. Retain the Agricultural Residential zoning category and the agricultural uses permitted by the Unified Land Development Code;
2. Provide for zoning districts, which appropriately accommodate residential and/or agricultural uses, which are consistent with the Rural Residential Future Land Use designation;

3. Provide assurances that allowed agricultural uses shall be compatible with a rural residential neighborhood;
4. Guarantee the keeping of livestock;
5. Maintain specific regulations to restrict the types of non-residential and non-agricultural uses allowed and promote the rural character through design, and provide for locational criteria, which will prohibit the scattering of such uses throughout the Exurban Tier;
6. Provide limitations on the types and number of uses permitted by the conditional use process;
7. Allow home occupation uses that will not degrade the rural character of the area;
8. Include provisions for non-conforming agricultural uses consistent with this Plan, while not violating the Right-to-Farm Act;
9. Include provisions that: encourage maximizing the preservation of open space and protection of native vegetation and tree canopy in front, rear, and side yards; preserve environmental systems; protect wildlife; and, retain the rural character of the Exurban Tier; and,
10. Provide protection for Rural Residential areas in the Exurban Tier from the impacts associated with commercial mining operations and excavation, such as, but not limited to, hauling activity, blasting, vibration, noise, dust, and glare.

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. The County shall protect and maintain these rural residential, equestrian and agricultural areas by:

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

Policy 1.4-a: The following general future land use designations shall be allowed in the Rural Tier:

1. Rural Residential future land use categories ranging from Rural Residential 20 to Rural Residential 5;
2. Commercial, limited to the Commercial Low (CL) categories;
3. Agricultural, limited to the Special Agricultural (SA) category;
4. Parks and Recreation;
5. Commercial Recreation;
6. Conservation;
7. Institutional and Public Facilities; and,
8. Transportation and Utilities.

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

1. The average lot size is less than 10 acres;
2. The number of lots eligible for further subdivision does not exceed 15% of the total number of existing lots, consistent with the County's 85% Rule described in Land Use Policy 2.2.1-f; and,
3. The number of potential new lots created has minimal impact on the transportation network as defined in Land Use Policy 3.5-d.

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

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

Policy 1.4-d: Any parcel of land in the Rural Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless: each parcel created is consistent with the minimum lot size required by its respective future land use designation, or is developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. Parcels may be subdivided for the purpose of enlarging other parcels in the subdivision. The overall number of units of the reconfigured lots may not exceed the original number of units calculated for the lots being reconfigured.

Policy 1.4-e: All contiguous lots, which are owned by the same person or entity shall comply with the density requirements of the 1989 Comprehensive Plan, as amended, unless exempted by Land Use Policy 2.2.1-f. A lot(s) not exempted under this policy shall be combined with another contiguous lot(s) to either comply with the density requirements, or reduce the density inconsistency if there are not sufficient contiguous lots to fully comply with the density requirements.

Policy 1.4-f: The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as listed in the Florida Department of Transportation Palm Beach County Federal Functional Classification Table), unless it is shown that a vehicular cross connection can be established to an adjacent site with a non-residential future land use designation, such development is planned as a Traditional Marketplace Development (TMD) or such designation is allowed by an adopted Sector Plan.

Policy 1.4-g: *Deleted in Amendment Round 05-1*

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

Policy 1.4-i: Where feasible considering the existing development pattern, the County shall promote the development of central community places by clustering and co-locating neighborhood commercial uses, day care, places of worship, and public community-serving uses which may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Within these central community places, buildings should be sited to form a public common or green space for community use. Site planning, building orientation,

architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

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

Policy 1.4-k: The County shall not make future land use decisions that increase density and/or intensity, which would require major new public investments in capital facilities and related services in the Rural Tier.

Policy 1.4-l: As an incentive to preserve wetlands, the County shall continue to assign areas with a RR20 Future Land Use designation as sending areas, consistent with the TDR program described in Objective 2.6.

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

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

OBJECTIVE 1.5 The Agricultural Reserve Tier

Palm Beach County shall preserve the unique farmland and wetlands which lie outside the Urban Suburban Tier between Hypoluxo Road (extended) on the north, Clint Moore Road on the south, the Ronald Reagan Turnpike on the east, and the Arthur R. Marshall Loxahatchee National Wildlife Refuge on the west in order to preserve and enhance agricultural activity,

environmental and water resources, and open space. 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, which serve the needs of farmworkers and residents of the Tier.

Policy 1.5-a: The following general future land use designations shall be allowed in the Agricultural Reserve Tier:

1. Agricultural; limited to the Agricultural Reserve and Special Agriculture categories;
2. Commercial Low and Commercial Low-Office;
3. Commercial Recreation;
4. Parks and Recreation;
5. Conservation;
6. Institutional and Public Facilities; and,
7. Transportation and Utilities.

Existing Uses

Policy 1.5-b: Within the Agricultural Reserve Tier there are existing land uses which are benign to the purposes of the Tier and/or which provide essential services for farmworkers and residents of the Tier. The uses below are to be accommodated as a part of the continuation of the Tier.

1. Eternal Light Cemetery;
2. Faith Farms;
3. 4 Points Market;
4. 3 Amigos Convenience Store;
4. Fina Gas Station-Hey 4 U Trucking;
6. Churches, farm worker quarters, and social service facilities.

In the event that any of these existing uses, or those that legally existed along Boynton Beach Boulevard, Atlantic Avenue and S.R. 7/441 prior to the August 27, 2001 adoption of the Agricultural Reserve Master Plan provisions into the Comprehensive Plan, are eliminated due to Right-of-Way Acquisition or Eminent Domain, and relocation of the use on the current site is infeasible, then the use may be relocated to an adjacent site upon approval of the Board of County Commissioners. Any expansion of the current use (with no new uses) will be subject to the requirements of the Unified Land Development Code, Comprehensive Plan, and approval shall be at the discretion of the Board of County Commissioners.

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

Agriculture

Policy 1.5-d: The Board of County Commissioners, through the Cooperative Extension Service and the Office of Economic Development, shall establish economic development programs for agriculture that promote development of alternative and niche crops and programs that provide opportunities for cost sharing for improvements in farming practices consistent with the programs described in Economic Objective 1.1.

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

Policy 1.5-f: The Agricultural Reserve Tier shall be designated as a sending area for the Transfer of Development Rights (TDR) program established under Future Land Use Objective 2.6. TDR credits shall be assigned to lands within the Agricultural Reserve Tier at a transfer rate of one (1) du/acre.

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

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

Residential

Policy 1.5-i: Residential uses shall be permitted within the Agricultural Reserve Tier under the Agricultural Reserve land use designation as further regulated by the Unified Land Development Code. Consistent with the provisions of Future Land Use Policy 2.1-b and Table 2.1-1, the land shall be allowed to develop at a density of one dwelling unit per five acres (1DU/5AC), unless the property meets the requirements for an Agricultural Reserve Planned Development (AgR-PDD) or an Agricultural Reserve Traditional Marketplace Development (AgR-TMD) as described in Future Land Use Sub-Objective 1.5.1, in which case the land may be developed at a density of one dwelling unit per acre.

Commercial

Policy 1.5-j: Commercial uses permitted in the Agricultural Reserve Tier shall be limited to those, which serve the needs of the farmworker community, existing residents, and future residents of an AgR-PDD.

Policy 1.5-k: The County shall not approve any land within the Agricultural Reserve Tier for the Commercial Low designation unless the property is within 1/4 mile of the intersections of Lyons Road with either Boynton Beach Boulevard or Atlantic Avenue. The County shall not approve any land within the Agricultural Reserve Tier for the Commercial Low-Office designation unless development area of the property is within 1/4 mile of the northeast quadrant of the intersection of State Road 7 and Clint Moore Road.

Policy 1.5-l: The County may approve a maximum of 80 acres within the Agricultural Reserve Tier with a Commercial Low designation. This maximum acreage shall not include the acreage required as the preserve area of an Agricultural Reserve Traditional Marketplace Development (AgR-TMD) pursuant to Future Land Use Policy 1.5.1-n.

Policy 1.5-m: All new Commercial Low development in the Agricultural Reserve Tier shall be in the form of an AgR-TMD, as described in the Traditional Marketplace Development provisions in the Implementation Section of the FLUE and shall not exceed a total of 750,000 square feet of Commercial Low uses for the entire tier.

Policy 1.5-n: A Commercial Low-Office development in the Agricultural Reserve Tier is not required to be in the form of an AgR-TMD. However, approval of a Commercial Low-Office development must comply with the preserve area requirements for TMDs included in Future Land Use Policies 1.5.1-m and 1.5.1-n.

Policy 1.5-o: All land use amendments seeking Commercial Low or Commercial Low-Office designation in the Agricultural Reserve Tier shall be accompanied by site plans illustrating compliance with the AgR-TMD or with the applicable regulations as specified in the Comprehensive Plan and the ULDC. Applications for rezoning of property seeking a commercial land use designation shall be filed concurrent with the Plan amendment.

Commercial Recreation

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

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

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

Institutional

Policy 1.5-r: Institutional and Public Facilities uses shall be allowed in the Agricultural Reserve Tier. Such uses shall not be permitted west of State Road 7.

Planned Developments

SUB-OBJECTIVE 1.5.1 Planned Developments

To achieve the goal of farmland protection and agricultural perpetuation, unique planned development options, which ensure the preservation of significant open space may be permitted and may be developed at a density of one dwelling unit per acre.

Policy 1.5.1-a: Three planned development options may be permitted in the Agricultural Reserve Tier:

1. the 80/20 AgR-PDD;
2. the 60/40 AgR-PDD; and
3. the AgR-TMD.

Policy 1.5.1-b: An AgR-PDD shall require the following:

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

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

Policy 1.5.1-d: Utilization of these planned development options may result in a maximum density for an AgR-PDD of 1 du/ac for a residential AgR-PDD except that the maximum number of units shall be reduced to reflect the number of farm worker quarters and/or grooms quarters located in the preserve area. For a residential AgR-PDD or an AgR-TMD, the preserve area requirement shall be established as:

1. a 80/20 development, 75 percent of the total land area;
2. a 60/40 development, 60 percent of the total land area; and
3. a TMD, 60 percent of the total land area.

Policy 1.5.1-e: Property owners located along a designated rural parkway in the Agricultural Reserve Tier shall receive credit for the parkway easement as a portion of their required preserve area as described in Future Land Use Policy 1.5.1-d without regard to the minimum contiguous acreage requirement for the preserve area of an AgR-PDD established in Future Land Use Policies 1.5.1-i and 1.5.1-l.

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

Policy 1.5.1-g: The County Planning Division shall administratively identify the preserve areas of all AgR-PDDs on the Future Land Use Atlas as an Agricultural Reserve Preserve after approval of the AgR-PDD if the preserve area is not contiguous to the buildable area. The County has the authority to administratively designate the areas purchased by the County with bond funds for Ag Preserve purposes as an Agricultural Reserve Preserve once the Planning Division has been notified by the Department of Environmental Resources Management (ERM) to place a preserve note on a property. If development rights are retained on the preserve area, for purposes of providing farm worker quarters consistent with Future Land Use Policy 1.5.1-k and Housing Policy 1.4-d or grooms quarters consistent with Future Land Use Policy 1.5.1-k, the number of farm worker quarters or grooms quarters which may be located on the preserve area shall also be administratively identified on the Future Land Use Atlas.

80/20 Planned Development Option

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

1. a minimum of 40 contiguous acres;
2. that the buildable area be contained in one compact area and not exceed 20 percent of the gross acreage. Land dedicated as rights-of-way for the County's Thoroughfare System, land allocated for the internal street system, and water areas required for on-site drainage retention may be deducted from the 80 percent; however, in no event shall the buildable area be increased to greater than 25 percent of the gross acreage;
3. that the remainder of the gross acreage be maintained in agriculture, passive recreation or other open space use, except that water features may only be considered within the preserve area if the feature is designated by the South Florida Water Management District as a Water Preserve Area (WPA). No other open space or recreational use that is intensive in nature, such as a golf course; or, which would interfere with the future practice of agriculture on the subject

- property; or continued practice of agriculture on adjacent properties shall be permitted; and
4. that the preserve area be held in common ownership and control by an HOA or other party for access by, and on behalf of, residents of the AgR-PDD or agricultural users, and operate under common management of an HOA or third party.

60/40 Planned Development Option

Policy 1.5.1-i: A 60/40 AgR-PDD shall require the following:

1. a minimum of 250 acres exclusive of right-of-way as shown on the Thoroughfare Identification Map;
2. that the development area be contained in one compact area and not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map. The development area shall contain uses normally associated with a PDD such as the street system, water retention areas, water amenity areas, active recreational areas (including golf courses), open space, which is integral to the PDD, and civic center sites;
3. the development area and the protected area need not be contiguous;
4. that the development area shall be situated east of State Road 7 with frontage on either State Road 7, State Road 806 (Atlantic Avenue), State Road 804 (Boynton Beach Boulevard), Clint Moore Road, Lyons Road extending north of Boynton Beach Boulevard or Lyons Road extending south of Atlantic Avenue and Acme Dairy Road extending south of Boynton Beach Boulevard to the L-28 canal. Other roadways may be added to this list, by Plan amendment, consistent with the goal of preservation and perpetuation of agriculture in the Agricultural Reserve Tier;
5. the development area shall not be situated west of State Road 7; and
6. that the preserve area shall consist of, at least, 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map and be maintained in agriculture, passive recreation or other open space use. The preserve area shall:
 - a) contain a minimum contiguous area of 150 acres; or,
 - b) shall have a common boundary with other lands that aggregate to a total of 150 acres and 1) have a future land use designation of Conservation; and/or 2) that are designated as an Agricultural Reserve Preserve; and/or 3) that have had the development rights removed and remain in some type of open space; and
 - c) be utilized for crop production, pasture, equestrian purposes, retained as fallow land or, if designated by the South Florida Water Management District as a Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District or South Florida Water Management District, or for water management purposes not directly related to the 60/40 AgR-PDD if approved by the Department of Environmental Resources Management, managed for environmental resource values. Accessory agricultural structures such as barns and pump structures shall be permitted. Agricultural support uses such as processing facilities, and the like shall not be accommodated in the protected area of an AgR-PDD; nor shall new residential uses be accommodated thereon except for farm worker quarters as described in Future Land Use Policy 1.5.1-k and Housing Policy 1.4-d or grooms quarters as described in Future Land Use Policy 1.5.1-k; and

- d) that in cases of contiguous preserve areas, these preserves be held in common ownership and control by an HOA or other party for access by, and on behalf of, residents of the AgR-PDD or agricultural users, and operate under common management of an HOA or third party.

Policy 1.5.1-j: If the preserve area of a 60/40 AgR-PDD is contiguous to the development area, it shall be shown on the AgR-PDD Master Plan and Plat and designated appropriately. Further, a restrictive covenant limiting it to such use, made in favor of Palm Beach County, shall be recorded concurrent with the plat. As an alternative, the protected area may be subjected to an agricultural conservation easement to Palm Beach County, or may be deeded to the County.

If the preserve area is not contiguous to the development area, it shall be platted with a boundary plat as part of the AgR-PDD, with its use restricted by a restrictive covenant limiting it to preservation uses, made in favor of Palm Beach County. As an alternative, the protected area may be subjected to an agricultural conservation easement in favor of Palm Beach County, or it may be deeded to the County, (or such other governmental entity) which may be willing to assume responsibility for the property given the restrictions placed upon its use.

Policy 1.5.1-k: To accommodate farm worker housing or grooms quarters, some density may be retained on the preserve areas of 60/40 Agricultural Reserve Planned Development Districts (AgR-PDDs). Such housing may be located on these preserve areas at the following densities:

1. Farm worker quarters – a minimum site size of 25 acres per Housing Policy 1.4-d and a maximum density of one unit per acre, provided such units are clustered onto a single compact area of the preserve area and are restricted to occupancy by farm workers.
2. Grooms quarters - the number of grooms quarters shall be based upon the number of stalls in the preserve area with a maximum of 20 grooms quarters allowed with no density requirement. For AgR-PDD Preserve Areas seeking more than 20 grooms quarters, the allowable density of the development area shall be decreased by one unit for each grooms quarter to a maximum reduction of one-half of the number of dwelling units associated with the preserve area property.

All such agricultural support housing shall require that density be left on the site of the preserve area at the time the AgR-PDD is platted.

Policy 1.5.1-l: The Unified Land Development Code shall require that any golf course, which is constructed in the Agricultural Reserve Tier as a part of a 60/40 AgR-PDD have a management plan, which at a minimum, shall contain the following:

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

Traditional Marketplace Development

Policy 1.5.1-m: An Agricultural Reserve Traditional Marketplace Development (AgR-TMD) shall require the following:

1. a minimum of 25 acres;
2. that the development area be contained in one compact area, except as otherwise specified below, and shall not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map. The development area shall contain uses normally associated with commercial development such as the street system, parking and water retention areas;
3. that the development area shall be located within 1/4 mile of the intersections of Lyons Road and Atlantic Avenue or Lyons Road and Boynton Beach Boulevard; and
4. that the preserve area shall consist of, at least, 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map. Up to 10 percent of the preserve area may be located within the development area for use as open space or public greenspace. Any portion of the preserve area not located within the development area:
 - a) may be contiguous with the developed area; and/or it may be noncontiguous with the developed area, in which case it shall have a common boundary with other lands that aggregate to a total of 150 acres and 1) have a future land use designation of Conservation; and/or 2) that are designated as an Agricultural Reserve Preserve; and/or 3) that have had the development rights removed and remain in some type of open space.
 - b) shall be utilized for crop production; pasture; equestrian purposes; if designated by the South Florida Water Management District as a Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District or South Florida Water Management District, or for water management purposes not directly related to the AgR-TMD; or, if approved by the Department of Environmental Resources Management, managed for environmental resource values. Accessory agricultural structures such as barns and pump structures shall be permitted. Agricultural support uses such as processing facilities, and the like shall not be accommodated in the protected area of an AgR-TMD; nor shall new residential uses be accommodated thereon except for farm worker quarters or grooms quarters as described in Future Land Use Policy 1.5.1-o or, if located east of State Road 7, for civic purposes such as schools, libraries, or fire stations.

Policy 1.5.1-n: If the preserve area of a 60/40 AgR-TMD is contiguous to the development area, it shall be shown on the AgR-TMD Master Plan and Plat and designated appropriately. Further, a restrictive covenant limiting it to such use, made in favor of Palm Beach County, shall be recorded concurrent with the plat. As an alternative, the protected area may be subjected to an agricultural conservation easement to Palm Beach County, or may be deeded to the County.

If the preserve area is not contiguous to the development area, it shall be platted with a boundary plat as part of the AgR-TMD, with its use restricted by a restrictive covenant limiting it to preservation uses, made in favor of Palm Beach County. As an alternative, the protected area may be subjected to an agricultural conservation easement in favor of

Palm Beach County, or it may be deeded to the County, (or such other governmental entity) which may be willing to assume responsibility for the property given the restrictions placed upon its use.

Policy 1.5.1-o: To accommodate farm worker housing or grooms quarters, some density may be retained on the preserve areas of Agricultural Reserve Traditional Marketplace Development (AgR-TMD). Such housing may be located on these preserve areas at the following densities:

1. Farm worker quarters - one unit per acre, provided such units are clustered onto a single compact area of the preserve area and are restricted to occupancy by farmworkers
2. Grooms quarters - the number of grooms quarters shall be based upon the number of stalls in the preserve area with a maximum of 20 grooms quarters allowed with no density requirement. For AgR-TMD Preserve Areas seeking more than 20 grooms quarters, the allowable density of the development area shall be decreased by one unit for each grooms quarter to a maximum reduction of one-half of the number of dwelling units associated with the preserve area property.

All such agricultural support housing shall require that density be left on the site of the preserve area at the time the AgR-TMD is platted.

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.

Policy 1.6-a: The following general future land use designations shall be allowed in the Glades Tier:

1. Rural Residential, limited to Rural Residential 20 and Rural Residential 10;
2. Agricultural, limited to the Agricultural Production (AP) category;
3. Conservation categories;
4. Parks and Recreation;
5. Commercial Recreation;
6. Spoil;
7. Transportation and Utilities; and,

within the general areas of Lake Harbor and Canal Point, which are rural towns with both rural and urban land uses, the following additional future land use designations shall be allowed:

8. Residential categories ranging from Rural Residential 2.5 (RR 2.5) to Medium Residential 5 (MR 5);
9. Commercial, limited to the Commercial Low (CL) and Commercial Low-Office (CL-O) categories,
10. Industrial;
11. Institutional and Public Facilities; and,

within the Glades Urban Service Area, the future land use designations of the Urban/Suburban Tier shall apply.

Policy 1.6-b: Within the Urban Service Area boundary within the Glades Tier the provisions of the Urban/ Suburban Tier shall apply.

Policy 1.6-c: Glades Tier. The Board of County Commissioners may consider the waiver of the minimum density requirement for proposed development in the Glades Tier when:

1. The proposed development is consistent with the provisions of any "Joint Planning Area" agreement (Policy 1.4-d, Intergovernmental Coordination Element); and,
2. An analysis is completed that addresses:
 - a) the impact of a reduced density development on the overall infrastructure system; and,
 - b) the compatibility of the proposed development with adjacent land uses; and,
 - c) the effect of the reduced density development on the ability of the County to meet its Goals, Objectives and Policies related to affordable housing.

If the development is located in a municipal annexation area, the analysis must be performed by the annexing municipality.

Policy 1.6-d: By January 2002, the County's Planning Division shall initiate coordination of policy development for the Glades Tier, in cooperation with the cities of Belle Glade, South Bay and Pahokee, and other local and regional organizations. The purpose shall be to provide an overall plan for promoting the revitalization of the Glades area. The County shall work with the existing communities to jointly plan for timely and managed growth in order to prevent urban sprawl, protect native vegetation and address the unique character and challenges of the unincorporated Glades area. The Glades Tier development shall also consider revision of the Glades Economic Overlay.

SUB-OBJECTIVE 1.6.1 Glades Area Economic Development Overlay

Palm Beach County shall use existing mechanisms or develop new strategies to assist Glades communities, residents and organizations to promote economic diversification, cultural preservation, greenways planning, local revitalization and redevelopment, area beautification and coordinated future land use planning while complying with all applicable environmental regulations and constraints by applying the provisions of the Glades Area Economic Development Overlay.

Policy 1.6.1-a: The Glades Area Economic Development Overlay (GA-O) shall apply to all land within the Urban Service Area in the Glades, including the State-designated enterprise zone for the municipalities of Belle Glade, South Bay and Pahokee.

Policy 1.6.1-b: Within the GA-O, the County shall provide flexibility in the range of uses and land development regulations allowed to accommodate uses which, if deemed appropriate, will increase job opportunities and improve the economic vitality of the area.

Policy 1.6.1-c: By January 2002, the County shall review and revise the Glades Economic Overlay Zone to increase opportunities for establishing home-based businesses and other mixed future land uses.

SUB-OBJECTIVE 1.6.2 Sugar Cane Growers Cooperative of Florida Protection Area Overlay

The purpose of the Sugar Cane Growers Cooperative of Florida Protection Area Overlay (Sugar Cane Growers Cooperative Overlay) area is to provide for the protection of the sugar industry, a significant agricultural industry from encroachment of incompatible uses and activities.

Policy 1.6.2-a: The Sugar Cane Growers Cooperative Overlay is depicted on the Special Planning Areas Map in the Map Series, and is generally described as the area east of State Road 15, east and north of Belle Glade's city limits south of State Road 80, and west of the adopted Urban Service Area for the Glades.

Policy 1.6.2-b: All lands within the Sugar Cane Growers Cooperative Overlay shall be designated as Industrial on the Future Land Use Atlas. The permitted uses within the Overlay shall be limited to those uses that support and contribute to, or are compatible with, the operations of the Sugar Cane Growers Cooperative of Florida, including agriculture.

Policy 1.6.2-c: Uses permitted within and adjacent to the Sugar Cane Growers Cooperative Overlay shall be compatible with or complement the operations of the purpose of the Overlay, and allow the continuation and future development of the sugarcane industry.

SUB-OBJECTIVE 1.6.3 Lake Okeechobee Scenic Trail Overlay

The purpose of the Lake Okeechobee Scenic Trail Overlay is to increase job opportunities and improve the economic vitality of the area by supporting the development of tourist-related facilities in conjunction with the Lake Okeechobee Scenic Trail, a segment of the Florida National Scenic Trail atop of the Herbert Hoover Dike.

Policy 1.6.3-a: The Lake Okeechobee Scenic Trail Overlay (LOST-O) consists of the area shown outside the Urban/Suburban Tier on the Managed Growth Tier System Map located between the Herbert Hoover Dike and 250 feet South of U.S. 27, and between the Herbert Hoover Dike and 250 feet East of Conners Highway as depicted on the Special Planning Areas Map in the Map Series.

Policy 1.6.3-b: The LOST-O shall accommodate uses such as inns, cabins, restaurants, and trail outfitters (e.g. bicycle and boat rentals) which support outdoor recreational activities. Within the Overlay, such tourist-related uses shall be allowed in all Future Land Use designations.

Policy 1.6.3-c: Only properties which represent a lot of record as of December 31, 2000, at least 50% of which lies within the LOST-O, may utilize the provisions of the LOST-O.

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 accommodate the population 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 established in the Introduction and Administration Element.

Policy 2.1-a: The following Future Land Use designations and their respective categories, shall be established to manage and direct future development in Palm Beach County and shall be shown on the Future Land Use Atlas, where applicable:

1. Residential, ranging from Rural (RR20-RR2.5) to Urban (LR1-HR18);
2. Commercial, Low Intensity, Low Intensity-Office, High Intensity, High Intensity-Office;
3. Commercial Recreation;
4. Industrial, Industrial and Economic Development Center;
5. Agricultural, Agricultural Production, Agricultural Reserve, and Special Agriculture;
6. Parks and Recreation;
7. Conservation;
8. Institutional and Public Facilities;
9. Transportation and Utilities;
10. Traditional Town Development (TTD); and,
11. Multiple Land Use (MLU).

Policy 2.1-b: The County shall utilize a range of residential future land use categories to accommodate growth and non-residential land use designations to support and serve the residential and tourist populations. The entitlement, minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in Table 2.1-1 and Table 2.1-2 and further described in the Implementation Section.

Policy 2.1-c: The County may grant a development order at entitlement densities as described in Table 2.1-1, if a parcel cannot be developed in accordance with its future land use designation and zoning category because concurrency requirements cannot be satisfied, provided that the levels of service for drainage can be met. The maximum number of units for a project at entitlement density is either the number of units calculated at the entitlement density or one dwelling unit, whichever is greater.

A proposed residential development proceeding at entitlement densities will be required, at the time the development order is granted, to demonstrate:

1. How the proposed development, will achieve at least a minimum density for the applicable land use category when services and facilities become available, at the adopted levels of service; and
2. How, within two years of the services and facilities becoming available, the proposed development will commence and proceed in good faith toward achieving at least the minimum urban density. A proposed development, which does not proceed in good faith shall be subject to revocation of the "entitlement" development order.

Policy 2.1-d: For a commercial or industrial development, which cannot satisfy the concurrency management provisions, the County may grant a Development Order that does not exceed 2.5 percent of the maximum square footage allowed under the Unified Land Development Code. These provisions shall be considered this parcel's "entitlement intensity." Within the time frame provided by S. 163.3202(1), F.S., Palm Beach County will ensure that development orders for commercial or industrial development, will be based on the County's ability to maintain minimum levels of service as provided by the Concurrency Management Program contained in the Capital Improvement Element. Development orders shall not be issued for projects at entitlement intensity unless the development can demonstrate that the levels of service for drainage can be met.

Policy 2.1-e: The Comprehensive Plan shall use population projections and associated dwelling unit projections to guide public and private entities in planning for urban development and redevelopment. The projections shall also guide the location, timing and capacity of urban services and facilities, where other regulatory planning tools do not apply.

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

**TABLE 2.1-1
RESIDENTIAL CATEGORIES & ALLOWED DENSITIES**

Category	Dwelling Units Per Gross Acres			
	Maximum	Standard ¹	Minimum	Entitlement ²
Special Agriculture	---	0.10 DU/AC	---	---
Agricultural Reserve	1.0 DU/AC	0.20 DU/AC	---	---
Rural Residential 20 Not to exceed 1 du per 20 acres	---	0.05 DU/AC	---	0.05 DU/AC
Rural Residential 10 Not to exceed 1 du per 10 acres	---	0.10 DU/AC	---	0.05 DU/AC
Rural Residential 5 Not to exceed 1 du per 5 acres	---	0.20 DU/AC	---	0.05 DU/AC
Rural Residential 2.5 Not to exceed 1 du per 2.5 acres	---	0.40 DU/AC	---	0.05 DU/AC
Low Residential 1 Not to exceed 1 du per 1 acre	---	1.0 DU/AC	---	0.1 DU/AC
Low Residential 2 Up to 2 du per 1 acre	2.0 DU/AC	1.5 DU/AC	---	0.1 DU/AC
Low Residential 3 Up to 3 du per 1 acre	3.0 DU/AC	2.0 DU/AC	---	0.1 DU/AC
Medium Residential 5 Up to 5 du per 1 acre	5.0 DU/AC	4.0 DU/AC	---	0.2 DU/AC
High Residential 8 5 to 8 du per 1 acre	8.0 DU/AC	6.0 DU/AC	5.0 DU/AC	0.4 DU/AC
High Residential 12 * 5 to 12 du per 1 acre	12.0 DU/AC	8.0 DU/AC	5.0 DU/AC	0.4 DU/AC
High Residential 18 ³ 5 to 18 du per 1 acre	18.0 DU/AC	8.0 DU/AC	5.0 DU/AC	0.4 DU/AC

1. The Standard density is the highest density permitted in each future land use category, unless the parcel is developed as a Planned Development District, Traditional Development District or is granted an exemption pursuant to this Element.
2. The Entitlement density is as shown, or 1 unit per lot, whichever is greater.
3. High Residential 12 is the maximum density allowed by the Comprehensive Plan except for an area that has a future land use designation of High Residential 18 as the equivalent to the designation the area had under the prior Comprehensive Plan effective from 1980 to 1989 or for development that qualifies for a density bonus provided for in FLUE Policy 1.2-d.
4. The density calculation for a property is based on the property's gross acreage.
5. That portion of a property dedicated for right-of-way in exchange for compensation may not subsequently be included with the parent property or another property for the purpose of a density or intensity calculation.

**TABLE 2.1-2
Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories
and Non-Residential Uses**

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
Residential	All Residential Categories	.35 (Low Density) .45 (Medium & High Density)	.20	.20	.15	.20
Agriculture	AP	not allowed	not allowed	not allowed	not allowed	.10
	SA	.15	.15	.15	.15	.15
	AgR	not allowed	not allowed	not allowed	.15	not allowed
Commercial Low (Neighborhood Commercial)	CL-O	.35	.20	.20	.20	.20
	CL	.20 w/o PDD ^{1,3} .25 w/ PDD ^{1,3}	.10 1.0 w/ TMD	.10 1.0 w/ TMD	.10 ⁵ .40 w/ TMD ⁴	.10
Commercial High (Community or Regional Commercial)	CH-O	.35 w/o PDD .50-.85 w/ PDD ²	not allowed	not allowed	not allowed	not allowed
	CH	.35 w/o PDD ¹ .50-.85 w/ PDD ² .85-1.0 ³	not allowed	not allowed	not allowed	not allowed
Industrial	IND	.45	not allowed	not allowed	.45	.45
	EDC	.45	not allowed	not allowed	not allowed	not allowed
Commercial Recreation		.10-.50	not allowed	.05	.05	.05
Parks & Recreation		.10-.45	.10	.10	.10	.10
Conservation		.05	.05	.05	.05	.05
Institutional & Public Facilities		.1-.45	.20	.10	.10	.10
Transportation & Utilities		.10-.45	.10	.05	.05	.05
Traditional Town Development		1.0	not allowed	not allowed	not allowed	not allowed

Notes:

1. For Commercial Low (CL) and Commercial High (CH), the maximum allowable FAR for non-retail projects is .50.
2. For Commercial High (CH) and Commercial High Office (CH-O), the maximum allowable FAR is .50 for MUPD, and .85 for MXPDP, as defined in the ULDC.
3. Provided development furthers the objectives and policies of the Comprehensive Plan, an exception to the FAR, up to 1.0 may be permitted to allow for: infill development; mixed-use development (MXPDP); Traditional Neighborhood Development (TND); Traditional Market Place Development (TMD); or Traditional Town Development (TTD).
4. For Ag Reserve TMDs the FAR is calculated on the total area of the development, including both the developed and preserve area.
5. Only future land use designations of Commercial Low located in the Agricultural Reserve Tier and approved prior to January, 2002, shall be allowed to develop at this FAR.

Policy 2.1-g: The future land use designation for individual parcels shall be shown on the Official Future Land Use Atlas (FLUA) maintained by the Planning, Zoning and Building Department. The Atlas shall depict future land use designations for all parcels in unincorporated Palm Beach County, including underlying/ alternative land uses, and the boundaries and ordinance numbers of all adopted FLUA amendments.

Policy 2.1-h: All zoning related decisions, including revisions to the Zoning Quad Maps, shall be consistent with the Comprehensive Plan and Future Land Use Atlas.

Policy 2.1-i: The County shall maintain the Unified Land Development Code to provide for zoning districts to accommodate health and human service needs such as hospitals, public clinics, emergency health shelters, child care facilities, adult day care facilities, group homes, foster homes, congregate living facilities and other residential care.

Policy 2.1-j: The County shall consider in the future land use planning process, the economic development objectives described in the Economic Element.

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 Table 2.1- 3. These overlays shall be depicted on the Special Planning Areas Map in the Map Series.

**TABLE 2.1-3
OVERLAY SERIES**

Overlay	Tier	Reference
Revitalization and Redevelopment (R/R-O)	Urban Suburban Tier	Sub-Obj. 1.2.3
Westgate/Belvedere Community Redevelopment Area (WRCAO)	Urban/ Suburban Tier	Sub-Obj. 1.2.4
Palm Beach International Airport (PBIA-O)	Urban/ Suburban Tier	Sub-Obj. 1.2.5
Glades Area Economic Development (GA-O)	Glades Tier	Sub-Obj. 1.6.1
Sugar Cane Growers Cooperative of Florida Protection Overlay (Sugar Cane Grower Cooperative-O)	Glades Tier	Sub-Obj. 1.6.2
United Technologies (Pratt and Whitney-O)	None	Objective 2.7
Scientific Community Overlay	None	Objective 2.8
Glades Area Protection Overlay	West of L-8: Glades Tier East of L-8: None	Objective 2.9
Native Ecosystem	Countywide All Tiers	Objective 5.2
John D. MacArthur Beach State Park Greenline	Urban/ Suburban	Objective 5.3
Jonathan Dickinson State Park Greenline	Urban/ Suburban	Objective 5.4
Turnpike Aquifer Protection (TAPO)	Urban/ Suburban	Objective 5.5

OBJECTIVE 2.2 Future Land Use Provisions - General

Palm Beach County shall ensure development is consistent with the County's diverse character as reflected in the Tier System and corresponding future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provision of facilities and services shall be consistent with the property's future land use designation, and the applicable Goals, Objectives and Policies of this Element.

Policy 2.2-a - Future Land Use Provisions - General: All development approvals and actions within the unincorporated limits of the County shall be consistent with the provisions contained within the Comprehensive Plan, as amended. Such approvals shall also be consistent with any restrictions or special conditions attached to a Comprehensive Plan amendment, as referenced on the Future Land Use Atlas and contained within the Ordinance adopting the amendment.

Policy 2.2-b: Before approval of a future land use amendment, the applicant shall provide an adequate justification and a demonstrated need for the proposed future land use, and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:

1. The natural environment, including topography, soils and other natural resources;
2. The availability of facilities and services;
3. The adjacent and surrounding development;
4. The future land use balance;
5. The prevention of urban sprawl as defined by 9J-5.006(5)(g), Florida Administrative Code (F.A.C.);
6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and
7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

Policy 2.2-c: The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.

Policy 2.2-d: The County shall ensure its Unified Land Development Code is consistent with the appropriate elements of the Comprehensive Plan. This consistency shall, at a minimum:

1. Ensure that no development permits will be issued to a development whose impact may degrade adopted levels of service, pursuant to the Concurrency Management Program contained in the Capital Improvement Element;
2. Ensure future land uses are consistent with the Future Land Use Atlas;
3. Ensure compatibility with adjacent future land uses;
4. Protect residential areas from adverse impacts and undesirable effects from adjacent land uses;
5. Regulate subdivision of land;

6. Protect areas subject to seasonal or periodic flooding, as provided in the Utility and Conservation Elements;
7. Regulate stormwater management and drainage;
8. Protect potable water wellfields and aquifer recharge areas;
9. Protect open spaces and natural resources;
10. Protect historically significant properties, as provided in the Historic Preservation Element;
11. Provide efficient service delivery systems;
12. Regulate landscaping;
13. Regulate lighting; and,
14. Incorporate the Principles of Livable Communities listed in the County Directions.

Policy 2.2-e: The County shall encourage the elimination or reduction of existing or previously approved land uses, and activities, which were lawful before the adoption of the Plan but are prohibited, regulated or restricted under the terms of this Plan. This shall be accomplished by prohibiting enlargement, expansion, or extension of non-conforming future land use activity unless the action decreases the nonconformity. A non-conforming use shall be permitted to enlarge, expand or be rebuilt on one occasion through an administrative variance process provided that the value of the improvement would not exceed ten percent of the original value of the structure and the expansion does not create a non-conforming structure.

Policy 2.2-f: The County shall not approve site specific Future Land Use Atlas amendments, which encourage piecemeal development or create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.

2.2.1 Residential

Policy 2.2.1-a: The County shall establish and maintain maximum densities, as specified in Table 2.1-1, in the residential future land use categories. To obtain the maximum density for a property of Low Residential 2 or greater, the development must receive a development order for a Planned Development District, Traditional Development District, or be granted an exemption pursuant to provisions of this element.

Policy 2.2.1-b: Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.

Policy 2.2.1-c: *Deleted in Amendment Round 00-1*

Policy 2.2.1-d: In areas with a Residential future land use designation, the County may allow non-residential uses allowed in the Parks and Recreation, Institutional and Public Facilities, or Utilities and Transportation future land use designations, as further described in the Implementation Section.

Policy 2.2.1-e: The County shall apply the following criteria to determine if a parcel may be developed for residential purposes:

1. The lot is described and identified in a deed or agreement for deed, dated prior to February 2, 1973, and has the same boundaries as shown on that deed; or,

2. The lot is delineated on the current plat of record for that property, or in a duly approved affidavit of exemption or affidavit of waiver; or,
3. It is demonstrated that the lot resulted from a division of land between February 2, 1973, and June 15, 1992, and complied with the density requirements of the Plan in effect at the time the lot was created.

Policy 2.2.1-f: The County shall require all contiguous lots, which were owned by the same person or entity and which do not qualify for an administrative order exempting a single lot as provided below to comply with the density requirements of the 1989 Comprehensive Plan as amended. If contiguous lots owned by the same person or entity do not meet the density requirements, then the lots shall be combined to either comply with the density requirements or to reduce the density inconsistency, if there are not sufficient lots to fully comply with the density requirements. The following criteria shall be applied to determine if a parcel may be exempt from the consolidation requirements:

1. A lot that was not contiguous to any other lot owned by the same person or entity as of December 1, 1989; or
2. A lot for which a building permit application has been filed with the County on or before December 1, 1990; or
3. A lot or lots that are contiguous to a lot owned by the same person or entity and that has an existing dwelling unit; such lot(s) shall be allowed one additional dwelling unit on the remaining contiguous lot(s); or,
4. A lot or lots that are contiguous to a lot owned by the same person or entity for which a building permit has been granted on or before October 1, 1990; such lots(s) shall be allowed one additional dwelling unit on the remaining contiguous lots; or,
5. A lot located in an approved Planned Residential Development; or,
6. A lot located in a properly recorded subdivision within the Urban/Suburban Tier; or
7. A lot located in a recorded and/or unrecorded subdivision or contained within, or subject to the control of a special district, provided that:
 - a) The Planning Division determines the number of single lots of record exempt from the density requirements of the 1989 Plan, as determined by criteria 1-4 above is equal to or exceeds 85% of the total lots in the subdivision or area controlled by the special district; and/or,
 - b) The subdivision is determined by the Planning Division to contain existing residences on a minimum of 85% of the existing lots of record in the subdivision.

Policy 2.2.1-g: The Planning, Zoning, and Building Department shall monitor previously committed residential developments in order to:

1. Identify and analyze residential developments and corresponding totals of previously committed dwelling units retained in the unbuilt inventory used to determine infrastructure needs; and,
2. Recommend the redesignation of those projects which are built out, but which have not fully utilized their inventory of approved units.

Upon direction by a majority vote of the Board of County Commissioners, the Department of Planning, Zoning, and Building shall initiate an amendment to the Future Land Use Atlas to amend the future land use category of any residential development which has substantially developed at a density less than the permitted density of the

applicable future land use category to more closely reflect the actual density. A residential development is considered substantially developed when it is built to an extent that the ultimate character and density are established.

2.2.2 Commercial

Policy 2.2.2-a: The County shall apply the following range of commercial future land use categories at appropriate locations and intensities to satisfy the need for commercial space. One of these categories shall be designated on the Future Land Use Atlas once a future land use amendment for a commercial designation is approved.

1. Commercial Low (CL) Intensity - The CL category shall include a limited range of neighborhood-oriented commercial activities intended to provide services to adjacent residential areas. The maximum floor area ratio shall be as defined in Table 2.1-2. The land development regulations developed to implement the CL category shall contain site design requirements to ensure compatibility with adjacent uses. Additionally, uses may be restricted in the Rural, Exurban and Ag Reserve Tiers;
2. Commercial High (CH) Intensity - The CH category shall include a wide range of uses, intended to serve a community and/or regional commercial demand. The CH category shall only be applied in the Urban/Suburban Tier. The land development regulations developed to implement the CH category shall contain site design requirements to ensure compatibility with adjacent uses;
3. Commercial Low Intensity-Office (CL-O) - The CL-O category shall include a limited range of neighborhood-oriented office and accessory uses intended to provide services to adjacent residential areas. The intensity of the use shall be consistent with the intensity levels as defined in Table 2.1-2. The CL-O uses may be restricted in the Rural, Exurban and Ag Reserve Tiers; and,
4. Commercial High Intensity-Office (CH-O) - The CH-O category shall include higher intensity office and accessory uses, intended to serve a community and/or regional commercial demand. The intensity of the use shall be consistent with the intensity levels as defined in Table 2.1-2. The CH-O category shall only be applied in the Urban/Suburban Tier.

Policy 2.2.2-b: In order to be granted a CH category by the BCC, a parcel subject to a proposed Commercial amendment, or with a 'C' designation on the FLUA, must meet the criteria in this policy. These criteria are to be applied to determine if a CH category is appropriate, not to be used as a basis for determining if a commercial designation is appropriate. The subject site must be located within the Urban/Suburban Tier, and directly on a roadway classified as an arterial on the Federal Functional Classification Table, and meet one or more of the following:

1. be contiguous on two or more sides (intersection property), or three or more sides (non-intersection property), to:
 - a) parcels which possess a CH future land use category (or determined to be such pursuant to these criteria); or
 - b) parcels with a residential future land use category of MR-5, or greater, which are: (1) vacant; and/or (2) built at a density of at least 4 units per acre, or greater; or
 - c) parcels which meet any combination of items a) or b) above.
2. have an underlying Industrial or HR-8 future land use category.

3. Intersection properties may also be assigned a CH designation if they are not contiguous to any residential land use designations, and are contiguous to CL or IND designations on all sides.

A subject site which meets the CH criteria may be designated as either CH-O, CL, or CL-O by the BCC. Subject sites which do not meet the CH criteria may also be assigned either a CH-O, CL, or a CL-O category.

Policy 2.2.2-c: The Additional Criteria for Determining the Depth, Width, and Use for Commercial and Industrial Designations Table 2.2.2-1 is established in order to provide direction for commercial and industrial Future Land Use Atlas determinations on individual parcels.

Policy 2.2.2-d: The Future Land Use Atlas may depict residential or industrial underlying/alternative land uses for properties designated Commercial. The County may initiate a land use amendment to remove the non-utilized future land use designation after the property is developed.

Policy 2.2.2-e: The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development.

Policy 2.2.2-f: Residential uses may be permitted in areas with a Commercial Future land use designation (using the underlying Residential Future land use designation to calculate density) as follows:

1. A congregate living facility which is multi-family in character and which has an intensity compatible with densities of the surrounding residential areas; or
2. A part of a planned development; or
3. A caretakers quarters; or
4. An alternative use, if the Board of County Commissioners deems a residential use to be more appropriate and denies a proposed Commercial rezoning for a property; or
5. The BCC approves a rezoning to a residential district consistent with the underlying residential future land use category; or
6. Multiple use projects: These may be allowed to utilize up to 100% of the combination of a site's residential density and its commercial intensity equivalent. (Additional density or intensity is equivalent to the corresponding amount of non-utilized existing density or intensity.) ($A = \text{percent of additional density or intensity}$, $U = \text{percent of utilized density or intensity}$. $A = 100 - U$)
7. Mixed use projects: (Projects which vertically integrate at least 20% of their allowed residential units with non-residential uses.) These may be allowed to utilize up to 100% of both a site's residential density and commercial intensity.

**Table 2.2.2-1
Additional Criteria for Determining the Depth, Width, and Use
for Commercial and Industrial Designations**

IF:	THEN:
<p>A. 1.A lot extends beyond the commercial or industrial land use designation line on the FLUA; and 2.the land area beyond the line on the FLUA totals less than one acre.</p>	<p>The County may rezone the area beyond the line to commercial with cross-hatching or industrial, provided: 1. the entire lot is developed as a unified site plan; and 2. the amended lot area on the FLUA is only be used for water retention, landscaping, and/or at-grade parking.</p>
<p>B.1.A lot extends beyond the commercial or industrial land use designation line on the FLUA; and 2.the width of the lot does not exceed 300 feet; and 3.the lots adjacent to both sides of the subject lot have previously been granted a commercial or industrial designation beyond the line on the FLUA.</p>	<p>The County may rezone the lot area beyond the line to commercial or industrial to the same depth as exists on the adjacent lot with the lesser depth designated commercial or industrial, provided: 1.the remaining portion of the lot would not be substandard for residential or another use permitted under its future land use designation. 2.both lots are not cross-hatched. If both lots are designated as commercial with cross-hatching, then the portion of the subject lot behind the line shall be amended to commercial with cross-hatching.</p>
<p>C. 1.A lot has a commercial or industrial land use designation on the FLUA; and 2.does not front on a collector or arterial roadway.</p>	<p>The lot may be rezoned to commercial or industrial provided: 1.it is combined through a unity of title with a lot which fronts on a collector or arterial roadway; and 2.the lots are developed through a unified site plan.</p>
<p>D.A lot does not have a commercial or industrial land use designation, but: 1.has frontage on a collector or arterial roadway; 2.has a maximum width of one hundred and fifty (150) feet; and 3.is situated between and adjacent to lots with commercial and/or industrial land use designations.</p>	<p>The County may rezone the subject lot to commercial or industrial. This shall apply even if one or both of the adjacent commercial and/or industrial designated lots are located within a municipality.</p>
<p>E.A lot with a commercial land use designation on the FLUA has a portion which is indicated by cross-hatched lines.</p>	<p>The portion of the lot that is cross-hatched: 1.must only be used for water retention, landscaping, and/or at-grade parking; or 2.may be developed as residential based on the underlying residential land use designation.</p>
<p>F. A lot, or portion thereof: 1.was granted commercial or industrial zoning prior to August 4, 1980; and 2.has a commercial or industrial land use designation on more than fifty percent of the lot area.</p>	<p>The County may rezone the entire lot to commercial or industrial. Lots that meet this criteria may not be restricted by the requirements of A through E above; however, the County may impose cross-hatching on the parcel to address compatibility concerns.</p>
<p>G.1. A lot was granted a commercial designation on the FLUA at the time of the adoption of the Comprehensive Plan; and 2. its sole frontage is on a local street.</p>	<p>The lot shall be limited to single or double occupancy professional offices; or may be rezoned to commercial or provided: 1.it is combined through a unity of title with a lot which fronts on a collector or arterial roadway; and 2.the lots are developed through a unified site plan.</p>

Note: 'Lot' is defined in the Introduction and Administration Element.

The intent of the above language which references rezoning to "commercial or industrial" is meant to grant commercial land use designations and zoning to those parcels located between or adjacent to commercial parcels and grant industrial land use designations and zoning to those parcels located between and adjacent to industrial parcels. Properties utilizing the provisions of A, B, C, or D, above, may be the subject of a County initiated land use amendment after the rezoning.

Policy 2.2.2-g: Deleted in Amendment Round 05-1

Policy 2.2.2-h: To ensure the compatibility of Commercial properties which abut Residential areas, the County may restrict the use of portions of property given a Commercial land use designation to water retention, landscaping, and/or at-grade parking. Such areas shall be depicted on the FLUA with cross-hatched lines. Long term storage, including vehicular storage, shall not be allowed in these restricted areas.

Policy 2.2.2-i: The ULDC shall be revised to institute neighborhood-oriented zoning districts, which are only classified under the CL future land use category designation. At a minimum, characteristics, which describe neighborhood commercial must include: F.A.R., total square feet, square feet of the largest tenant, and acreage. These changes should employ the F.A.R. ranges stipulated in Table 2.1-2: "Maximum Floor Area Ratios for Non-Residential Future Land Use Categories."

2.2.3 Commercial Recreation

Policy 2.2.3-a: The following land uses shall be allowable in areas designated Commercial Recreation where permitted by the terms of the Unified Land Development Code: Outdoor and indoor recreational facilities including, but not limited to, tennis clubs, jai alai frontons, amusement and sport centers, outdoor amphitheaters, hunting and gun clubs, marinas, vehicular and non-vehicular race tracks, and outdoor wildlife attractions; Golf courses; Parks and Recreation; Mining and Excavation; and, Accessory facilities and activities that are an integral part and supportive of the recreational facility.

Policy 2.2.3-b: The Future Land Use Atlas may depict residential or industrial underlying/alternative land uses for properties designated as Commercial Recreation. The County may initiate a land use amendment to remove the non-utilized future land use designation after the property is developed.

2.2.4 Industrial

Policy 2.2.4-a: The County shall apply the following range of Industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space and to promote economic development consistent with the Objectives in the Economic Element.

1. Industrial (IND): The IND category shall be primarily utilized by light, medium and heavy industrial uses and related services, and shall permit the following uses: manufacturing, assembly of products, processing, research and development, wholesale distribution and or storage of products, transportation, fabrication, salvage and junkyards.
2. Economic Development Center (EDC): The EDC category shall be primarily utilized by office and research parks, and shall permit the following uses: manufacturing, assembly of products, processing, office, research and development, and wholesale distribution and storage of products. For property designated EDC within the Scientific Community Overlay as authorized by Objective 2.8 and its implementing policies, the uses specified in the Overlay shall control in the event of a conflict between those specified in this policy and those in the Overlay.

Policy 2.2.4-b: A Planned Industrial Park Development District (PIPD) is an economic activity center primarily designed to accommodate and promote manufacturing, research, development, other value-added activities and support uses. Uses such as hotels, offices, commercial and institutional that serve the projected workforce and residential population and/or encourage internal automobile trip capture shall be permitted, along with accessory uses. Residential uses may be permitted within a PIPD provided: 1) recreation to meet the needs of the residential population is provided; and, 2) a balanced mix of land uses is provided to meet the needs of the projected work force and residential population. For property designated PIPD within the Scientific Community Overlay as authorized by Objective 2.8 and its implementing policies, the uses specified in the Overlay shall control in the event of a conflict between those specified in this policy and those in the Overlay.

Policy 2.2.4-c: Industrially designated parcels may be assigned an underlying residential density for the development of a PIPD without a land use amendment. The Planning Director shall assign the underlying density based upon the densities of adjacent residential properties.

2.2.5 Agricultural

Policy 2.2.5-a: The County shall designate properties with one of the three agricultural categories to ensure compatibility with surrounding future land uses, and to prevent encroachment of incompatible uses into agricultural areas. These three categories are depicted on the Future Land Use Area Atlas and include:

1. Special Agriculture (SA). The SA category shall primarily be used as a transitional agricultural classification and is utilized for more intense agricultural uses and related services. Limited commercial activities that provide a convenience to the rural or agricultural community may be permitted within this category;
2. Agricultural Production (AP). The AP category shall be applied to the Everglades Agricultural Area to protect areas for bona fide agriculture and related farming operations, particularly where conditions favor continued agricultural production. Agricultural Production uses shall be protected from encroachment of incompatible urban land uses;
3. Agricultural Reserve (AGR). The AGR category shall be applied within the Agricultural Reserve Tier, and shall limit uses to agriculture and conservation with residential development restricted to low densities.

Policy 2.2.5-b: The County shall not violate the Right-to-Farm Act.

Policy 2.2.5-c: The Future Land Use Atlas may depict underlying/alternative residential land uses for properties designated Special Agriculture (SA). The County may initiate a land use amendment to remove the non-utilized future land use designation after the property is developed.

2.2.6 Parks and Recreation

Policy 2.2.6-a: Parks and Recreation uses shall be allowed in all future land use designations except the Special Agriculture future land use designation. Within areas designated as Transportation and Utilities, Parks and Recreation activities may be permitted, provided they are part of the overall program to support the utility uses.

2.2.7 Conservation

Policy 2.2.7-a: The County shall apply the following range of Conservation future land use categories at appropriate locations.

1. Natural Areas Conservation (CON): The County shall apply a CON category to natural areas for the purpose of conserving or protecting natural resources or environmental quality. These areas may be used for wildlife management, passive recreation, and environmental restoration/ preservation. The County shall designate lands which contain natural resources that are to be protected, restored, enhanced, and managed, as appropriate, to sustain viable ecosystems and wildlife habitat and natural resources. These natural areas may include site improvements to support uses which are deemed appropriate and consistent with the function of the designated area.
2. Water Resource Area (WRA): The County shall apply a WRA category to areas being used for regional/local water management purposes. Such purposes include but are not limited to: water supply development, flood protection, stormwater attenuation, seepage management, wetland enhancement and mitigation, water quality treatment (either passive or alternative technologies as provided in Chapter 373, F.S.), and recharge areas. These areas may include site improvements to support uses as deemed appropriate and consistent with the function of the designated area.

Policy 2.2.7-b: The County shall initiate amendments to designate environmentally sensitive lands purchased by the County as Conservation. The County shall also coordinate with municipalities to designate County acquired environmentally sensitive lands within incorporated areas as Conservation.

Policy 2.2.7-c: The County may designate privately held lands, that have a Conservation future land use designation, as sending areas for the transfer of development rights, consistent with the requirements of the Transfer of Development Rights (TDR) Program described in Future Land Use Objective 2.6. The sending rate shall be one dwelling unit per 10 acres.

Policy 2.2.7-d: Conservation uses shall be permitted and encouraged in all future land use designations.

2.2.8 Institutional and Public Facilities

Policy 2.2.8-a: The Future Land Use Atlas may depict underlying/alternative residential future land uses for properties designated as Institutional and Public Facilities. If an underlying/alternative designation is not depicted on the Atlas, the Planning Director may assign an underlying density based on the densities of adjacent residential parcels without a land use amendment. The County may initiate a future land use amendment to remove the non-utilized future land use designation after the property is developed.

Policy 2.2.8-b: Institutional and Public Facility uses may be allowed in all future land use designations, provided the uses are consistent with the provisions of the Comprehensive Plan and ULDC.

Policy 2.2.8-c: The County shall seek to co-locate public facilities, such as parks, libraries, and community centers, with schools to the extent possible as sites for these facilities and for schools are chosen and development plans prepared.

2.2.9 Transportation and Utilities

Policy 2.2.9-a: No future land use or activity may be permitted within any roadway right-of-way designated on the County's Thoroughfare Right-of-Way Identification Map that would impede the future construction of the roadway, unless such prohibition is contrary to law or constitutes a taking.

Policy 2.2.9-b: The Transportation and Utilities future land use designation may be applied as a designation or as an underlying designation to property owned or operated by the Department of Airports. Related facilities, designated either to serve the needs of airport users and airport employees or to provide enterprise activities to support the operation of the County's airports, may be permitted within areas designated Transportation and Utilities.

Policy 2.2.9-c: Parks and Recreation activities may be permitted in the Transportation and Utilities land use designation, provided they are part of the overall program to support the utility uses.

Policy 2.2.9-d: Transportation and Utilities uses, with the exception of power plants, shall be permitted in all future land use designations subject to special siting criteria set forth in the Unified Land Development Code. The placement of utility uses in residentially designated areas shall be controlled through the ULDC to ensure the protection of existing and anticipated residential areas from adverse impacts of the facility.

2.2.10 Traditional Town Development

Policy 2.2.10-a: The County shall apply the "Traditional Town Development" (TTD) future land use designation to provide for innovative and alternative development patterns that are residentially based, provide for employment centers, and require the integration of residential uses with:

1. Community serving commercial and office uses;
2. Industrial uses;
3. Recreation and Open Space systems; and,
4. Institutional and Public Facility uses.

The mix of uses required on properties assigned the TTD designation is shown in Table 2.2.10-1 and is further described in the Implementation Section.

Policy 2.2.10-b: In approving a TTD designation, the BCC may allow a residential density increase of up to an additional two (2) dwelling units per acre over the underlying land use. If the underlying land use is five (5) dwelling unit per acre, an amendment to TTD will permit the property to be developed at a density of up to seven (7) dwelling units per acre. (The designation would be TTD 7/MR-5.) Additional densities (up to 18 units per acre) can also be achieved, where appropriate, only through the use of the Transfer Development Rights (TDR) Program or the Workforce Housing Program.

Policy 2.2.10-c: Traditional Town Developments shall be located within the Urban/Suburban Tier.

Policy 2.2.10-d: All Traditional Town Developments must have an underlying residential land use designation of MR-5, HR-8 or HR-12.

Policy 2.2.10-e: All Traditional Town Developments must be a minimum of 200 contiguous acres.

Policy 2.2.10-f: A Traditional Town Development shall consist at a minimum, of a series of TNDs, as further regulated in the ULDC, and a town center in the form of a Traditional Marketplace (TMD), linked by an interconnected vehicular and pedestrian network.

Policy 2.2.10-g: Applications for the TTD designation shall require a master plan, which shall be a condition of approval of the TTD amendment and shall serve as the basis for all future development within the TTD. Table 2.2.10-1 provides the allowed mix of uses and maximum densities and intensities allowed in a TTD.

If a project is to be built in phases, each phase shall include a balanced share of the proposed residential, recreational, open space, commercial, and other sites and building amenities of the entire development. Those phases which include components that are not part of the individual neighborhoods, such as employment, recreation, and education centers, should be timed and built in a sequence that would contribute to the completion of the TTD development as a whole.

**TABLE 2.2.10-1
ALLOWABLE MIX OF FUTURE LAND USES IN A TTD**

FUTURE LAND USE*	DENSITY/ INTENSITY	MINIMUM	MAXIMUM**
RESIDENTIAL Medium Residential 5 (MR-5) High Residential 8 (HR-8) High Residential 12 (HR-12) <i>[as TND, PUD and/or TMD districts]</i>	5 du/ac 8 du/ac 12 du/ac	60%	80%
COMMERCIAL HIGH (CH) <i>[as TMD districts]</i>	1.0 FAR	20 ac.	lesser of: 50 ac. or 30%
INDUSTRIAL (EDC) <i>[as MUPD districts]</i>	1.0 FAR	-	6%
PUBLIC/CIVIC (INST)	1.0 FAR	-	20%
RECREATION/OPEN SPACE (CR, PARK, CON)	-	-	30%

*See Definitions section of Introduction/Administration for explanations of future land uses specific to TTDs.

Policy 2.2.10-h: The TTD designation is subject to revocation if the development fails to meet the conditions and regulations outlined in the Comprehensive Plan and the Unified Land Development Code. The Board of County Commissioners may initiate a future land use amendment to revoke the TTD designation and consider returning all undeveloped portions of the property to their original future land use designations or modify conditions of approval.

2.2.11 Multiple Land Use

Policy 2.2.11-a: The Multiple Land Use (MLU) future land use designation may be applied for through the Future Land Use Atlas amendment process. The MLU is project specific and is limited to projects that demonstrate a functional integration and mix of land uses which is of superior design and exceed minimum zoning code requirements.

Policy 2.2.11-b: The following minimum standards shall apply to proposed MLU designations during the amendment review process and will be affixed to the approved MLU project in the adopting ordinance:

1. Underlying Land Use Designations: The project must have a minimum of two different land use designations at least one of which shall be residential (i.e. Residential, Commercial, Industrial). The project shall have minimum and maximum intensities/densities for each land use. The following criteria shall apply towards the land use designations:
 - a) Residential Density: The maximum number of units for the parcel shall be calculated by multiplying the total acreage of the parcel by the density permitted with the original residential land use category (if the property has a non-residential land use designation, then the density permitted shall be determined by the Planning Director, based on consistency with

surrounding land use designations) at the time the amendment is submitted for projects which include significant vertical integration (involving a minimum of 10% of the total allowed dwelling units). Projects that demonstrate only horizontal integration may receive a maximum of 50% of the density permitted for the entire parcel. However, the maximum allowed number of units may be reduced and limited by the County during the review process. Additional density may be allowed, through the Transfer of Development Rights program and/or the Workforce Housing Program following an approval of an MLU project.

- b) Non-residential Intensity: The maximum intensity for each proposed non-residential use shall be calculated by assigning all non-residential uses a percentage of the total site area, not to exceed 100% for vertically integrated projects; 50% for non-vertically integrated projects. The maximum intensity for each of the projects non-residential land use designations may be reduced by the County, during the review process considering the extent of integration of uses within the project.

- 2. Conceptual Master Plan: The project shall include a conceptual master plan, which depicts (in a generalized or conceptual map format) the location of the various land uses, specifically including the location of open spaces and linkages which functionally integrate the different land use categories. The conceptual master plan shall comply with the following criteria:

- a) Land Use Integration: The project must demonstrate functional integration between the project's land uses in the master plan. To facilitate integration, the placement of an interconnected system of streets within both the residential and non-residential components is required.
- b) Open Space: At a minimum, 10% of the property must be committed to usable open space (as defined by the Introduction and Administration Element). Open space must functionally integrate the project's land uses and may not be applied to the recreation and/or parks requirements or any other required dedication of land during the development review/re-zoning process. Water retention, lakes, drainage, and canals shall not be considered usable open space.
- c) Pedestrian Oriented/Non-vehicular Pathways: The master plan must include a pedestrian/non-vehicular circulation system that integrates the project's land uses and open spaces. All rights-of-way or parking access drives must have shaded pedestrian pathways.
- d) Mass Transit: The project and master plan must provide for mass transit and/or public transportation facilities.
- e) Pedestrian-Oriented Zone: The conceptual master plan must include a pedestrian-oriented zone (POZ). The POZ is an area specifically designed to be an attractive, and active, pedestrian-oriented environment, fronted by buildings, that incorporates and integrates portions of all the various land uses, in the form of "streets", "plazas" and "squares". At a minimum, the POZ must incorporate all of the following:

- i) There shall be only one POZ for each MLU.
 - ii) The POZ must be primarily organized around at least one area of Usable Open Space, and should enhance functional integration and improve pedestrian connectivity for the entire project.
 - iii) The POZ must indicate frontage lines for all buildings contained within or abutting it. The frontage line indicates the required location of all front building facades and other affected building facades. On the ground floor, no single commercial tenant shall occupy more than 20% of the total commercial frontage of commercial structures on the frontage line, up to maximum of 180 feet. All non-vehicular gaps in building frontages must be closed with either walls or fences at least 6 feet in height along the frontage line, which also may include a pedestrian door or gate, pedestrian pergola or other form of acceptable visual enclosure. There may be no more than one vehicular gap per 100 linear feet of frontage.
 - iv) Architectural elevations for all frontages within the POZ must be provided.
 - v) All ground floor commercial frontages must have a minimum of 70% transparent glazed area. All residential and upper story frontages must have at least 25% transparent glazed area.
 - vi) All vehicular circulation areas within the POZ must exhibit the characteristics of a "street" and include, wherever possible and/or necessary, curbs & gutters, parallel parking, shaded or covered sidewalks and, pedestrian scale lighting.
- f) Out-parcels: Out-parcels or freestanding commercial structures which do not conform to POZ criteria, shall be prohibited.
 - g) Illustrative Plans: MLU projects shall include an illustrative plan. An illustrative plan is used to show the potential locations and configurations of all the proposed elements, such as parking, buildings, open space, public amenities, etc., in order to verify they can all be accommodated on site.
 - h) Limitation on commercial square footage: In no event shall any single tenant occupy more than 40% of the total commercial square footage allowed on site. The next largest commercial tenant may occupy no more than 20% of the total square footage on site.
3. Exceeding Code Requirements: The project must demonstrate that it exceeds minimum requirements in the ULDC. The project shall comply with the following criteria:
- a) Demonstrate a 30% increase in landscaping and buffering over that which is required by the ULDC. This is accomplished by providing increased amounts of plant material, increased size of plants and trees, or increased size of landscaped areas.
 - b) All MLU projects, which are applied for through the land use amendment process must concurrently submit an application for the Zoning review process for the entire site;
 - c) Construction of all buildings within the Pedestrian Oriented Zone shall be completed within three (3) years following the date of issuance of the first Certificate of Occupancy for the site.

- d) Access to residential portions of the project shall not be controlled by gates, guardhouses or be otherwise separated from any non-residential portions.

In the event of a conflict between the project’s development standards or design guidelines and the existing ULDC requirements, the more restrictive requirement shall prevail.

- 4. Design Guidelines: To ensure superior design, the project shall include design guidelines, which shall at a minimum:
 - a) Include scaled cross-section drawings through key public space locations within the POZ showing dimensions and with all elements labeled
 - b) Provide a detailed master plan, including a detailed landscaping plan, for any Usable Open Space within the POZ; and
- 5. Minimum Acreage: The minimum acreage for an MLU project shall be based on the underlying residential designation as follows:

Underlying Residential Designation	Minimum Acreage
LR-1 through LR-3	50
MR-5 and greater	25

For properties located within the Redevelopment and Revitalization Overlay, or located east of Military Trail, the minimum acreage may be reduced by 50%.

- 6. Unity of Control: The MLU project shall be required to be the subject of a Unity of Control to ensure a consistent and cohesive project.

Policy 2.2.11-c: The County may impose mitigation measures on a proposed MLU during the amendment review process. Mitigation measures may include, but are not limited to, the following:

- 1. The requested intensity and/or density of the project may be altered.
- 2. The mix of land uses may be restricted to ensure that an efficient and appropriate land use balance is achieved within the project.
- 3. Conditions may be imposed to ensure that environmentally sensitive portions of the property are protected and/or to ensure preservation of existing native vegetation.
- 4. Timing criteria may be imposed on a proposed MLU designation when deemed essential to assure that necessary and appropriate land uses are developed in a timely manner and to assure reasonable and appropriate development opportunities for other property owners. Failure to comply with imposed timing criteria may result in the County’s initiation of a FLUA amendment to remove the MLU designation and replace it with the site’s original land use designation.

Policy 2.2.11-d: In order to allow for flexibility in future site planning of specific MLUs, related uses (commercial, office, commercial recreation, etc.) can be shifted between the designated areas, as long as the minimum and maximum acreages and densities/intensities are adhered to in the ordinance. Any substantial changes to the adopted master plan, as determined by the Planning Director, during the development review process, will result in the MLU designation being remanded back to the Local Planning Agency and the Board of County Commissioners for public hearings during the next applicable amendment round. Substantial change shall consist of:

1. Changes which affect 20% or more of the land area; and/or
2. Changes which result in the project no longer meeting the intent of the MLU language (i.e. changes which reduce the connectivity or the integration between the land uses, changes in location of open space, or other changes which raise compatibility issues.)

If an MLU designation is remanded back, during the next applicable amendment round, Planning staff and the Local Planning Agency shall review the original application and the proposed changes, and make recommendations to the BCC. The BCC will re-evaluate and, if necessary may revoke the MLU designation.

Policy 2.2.11-e: The Future Land Use Atlas shall depict underlying/alternative residential future land uses for properties designated as Multiple Land Use. The County may initiate a future land use amendment to remove the non-utilized future land use designation after the property is developed.

2.2.12 Spoil

Policy 2.2.12-a: The County shall designate spoil disposal sites and limit their use to spoil and associated uses, or other compatible uses.

Policy 2.2.12-b: Passive parks may be permitted in the Spoil future land use designation, provided that they are not in conflict with the primary purpose of the designation as a spoil disposal site.

OBJECTIVE 2.3 Mining and Excavation

The County shall regulate mining and excavation activities to ensure that such activities are appropriately located to be compatible with surrounding land uses and conducted in a manner that is environmentally sound and does not adversely impact the health of citizens. Also, the County shall ensure that reclamation of disturbed areas shall be appropriate and timely.

Policy 2.3-a: Palm Beach County shall continue to implement its Unified Land Development Code (ULDC) to ensure that mining and excavation activities:

1. are conducted in an environmentally sound manner, such as, but not limited to, depth restrictions and impacts on littoral zones, groundwater, distribution of dissolved chlorides or existing and future wellfields and private wells;
2. are performed to protect archeological sites, as defined in the Unified Land Development Code, from destruction until the site has been examined, cataloged and recorded, and the preservation status determined;

3. are located to minimize distances to major transportation facilities to reduce impacts on roadways and residential neighborhoods; and,
4. are limited to transportation routes which are primarily on roadways that are currently operating as major arterials or collectors which can withstand the effects of transporting the volume and weight of the extracted material.

Policy 2.3-b: The County shall continue to prohibit mining and excavation in the Pleistocene Sand Ridge.

Policy 2.3-c: Mining is prohibited in the following future land use designations, however excavation may be permitted in conjunction with implementation of a site development plan:

1. Residential categories, from Rural Residential 5 to High Residential 18;
2. Agricultural Reserve;
3. Parks and Recreation;
4. Institutional and Public Facilities;
5. Conservation categories;
6. Transportation and Utilities;
7. Traditional Town Developments; and,
8. Multiple Land Use.

Policy 2.3-d: Mining and excavation may be permitted in the following future land use designations subject to the Mining and Excavation regulations of the ULDC:

1. Rural Residential, limited to Rural Residential 10 and Rural Residential (20);
2. Commercial categories;
3. Commercial Recreation;
4. Industrial categories;
5. Special Agriculture; and
6. Agricultural Production.

Policy 2.3-e: Mining and excavation activities, as applicable, shall be restricted as follows:

1. Within the Residential future land use designations, excavation may be permitted for the development of fill for use on-site or to support the drainage system of the development, provided that only a minimal amount of fill is distributed off-site;
2. Within RR-10 and RR-20, mining is permitted subject to compatibility with adjacent existing land uses. Compatibility, as used here, shall include, but not be limited to, any negative impacts to surrounding land uses with regards to density, intensity, function, air quality, water quality, noise, traffic, aesthetics, vibrations, smoke, odors, radiation, or any other land use conditions.
3. Within the Agricultural Production Future Land Use designation, mining may be permitted only to support public roadway projects or agricultural activities, or water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District or the U. S. Army Corps of Engineers where such uses provide viable alternative technologies for water management.
4. Within areas zoned Agricultural Residential, excavation may be permitted only for the extraction of fill for use on-site;

5. Within areas zoned Special Agriculture, mining may be allowed to remove excavatable material for use as fill off-site.

Policy 2.3-f: Mining operations existing and permitted before the adoption of the 1989 Comprehensive Plan shall be exempted from the provisions or requirements of the Plan.

Policy 2.3-g: By 2004 the County shall complete a study of potential alternative uses and implementation strategies following reclamation efforts for large-scale mines and excavations.

OBJECTIVE 2.4 Mixed-Use Development

Palm Beach County shall encourage the development of a variety of innovative types of mixed-use projects.

Policy 2.4-a: The County may permit the mixed-use development patterns identified in Table 2.4-1 within the appropriate Tiers.

Policy 2.4-b: All proposed mixed-use projects shall demonstrate that the land uses to be included on site are functionally integrated, and meet all level of service standards and all relevant land development criteria as stated in the Unified Land Development Code.

**TABLE 2.4-1
MIXED-USE DEVELOPMENT PATTERNS**

Mixed-use Development Pattern	Reference	Tiers				
		Urban/ Suburban Obj. 1.2	Exurban Obj. 1.3	Rural Obj. 1.4	Ag Reserve Obj. 1.5	Glades Obj. 1.6
TTD Traditional Town Development	Sub-Objective 2.2.10	X	--	--	--	--
TMD Traditional Marketplace Development	Policies 1.2.1-d, 2.4-c	X	X	X	X	--
TOD Transit Oriented Development	Policy 2.4-d	X	--	--	--	--
TND Traditional Neighborhood Development	Policy 1.2.1-e	X	--	--	--	--
PUD Planned Unit Development (Residential)	Policy 1.2.1-g	X	X	X	X	--
MXPD Mixed-use Planned Development	Policy 1.2.1-i	X	--	--	--	--
PIPD Planned Industrial Park Development	Policy 1.2.1-k	X	--	--	--	--

Policy 2.4-c: The County may allow a Traditional Marketplace Development (TMD) which shall provide an alternative commercial development pattern in the form of a “Traditional Main Street”. Traditional Marketplace Development may be allowed in the CL land use category in the Exurban and Rural Tiers and in the CH category in the Urban/Suburban Tier and shall contain a minimum of 51% commercial land uses. This alternative pattern shall allow low intensity commercial and institutional uses, vertically integrated with residential uses, and shall include a concentrated area for shopping, entertainment, business, services, cultural and housing opportunities. This concentration shall be accomplished by allowing for a mix of uses in a manner that creates a stronger pedestrian orientation through design, placement and organization of buildings, and common public space while dispersing parking and respecting and maintaining the character of the surrounding area.

The ULDC shall be amended to establish development standards for the Traditional Marketplace. Such standards shall incorporate the following design guidelines:

1. Compatible building heights to fit with the character of the community;
2. Build-to lines which place buildings close together, fronting on a sidewalk, to create a sense of place and provide spatial definition along streets;
3. Building design standards, including, but not limited to; massing, scale, pattern, and consistent architectural style. Fronts of buildings, within the same block, shall have doors and windows reflecting similar architectural style, doors and display windows shall be placed to maximize visual interest and accessibility to the pedestrian.
4. Public space amenities, including, but not limited to; wide sidewalks, lighting, seating, signage, gathering space, water features, and landscaping;
5. Community open space shall be provided and shall be used to preserve and incorporate natural features into the site design to enhance identity;
6. Strong pedestrian systems that link building and community open space and encourage pedestrians to walk between land uses. A pedestrian system shall also include significant landscape treatment, including trees, plants and hardscape to delineate the pedestrian system;
7. Street design standards that promote pedestrian usage. These standards shall address but are not limited to, pavement and right-of-way width, turning radii, on-street parking, tree planting and protection, and sidewalk location and widths, including the ability to provide outdoor dining and merchant displays on the sidewalk; and,
8. Crime Prevention Through Environmental Design (CPTED) principles.

Policy 2.4-d: By December 2001, the Planning Division shall develop criteria to encourage Transit Oriented Developments to be located within a reasonable walking distance of a fixed transit node to increase the use and efficiency of mass transit.

Policy 2.4-e: By August 2002, the Planning Division shall evaluate and develop incentives to promote the use of mixed development patterns. A resource manual promoting the use of these patterns shall also be prepared.

OBJECTIVE 2.5 Greenways and the Linked Open Space Program (GLOSP)

Palm Beach County shall encourage the creation of an open space network linking environmentally viable natural systems through strategies, which will:

1. Support the preservation of Conservation areas while helping to define the overall future land use pattern of the County;
2. Support County Directive #11 regarding open space and park systems through the creation of linear open spaces, which will enhance the appearance of the County by providing a visual organizer of recreational resources, natural resources and other open space areas, including public and private lands and water; passive as well as active recreational areas, beaches, and conservation areas;
3. Protect the health and safety of residents by providing safe recreational opportunities in close proximity to residences;
4. Increase recreational access opportunities that support "eco-tourism," and reduce the need to develop land for parking; and,
5. Encourage alternatives to the automobile to conserve scarce resources, comply with Federal Air Quality standards, and provide for "bikeable, walkable, and equestrian friendly" communities, consistent with Florida Pedestrian System goals.

Policy 2.5-a: The County shall coordinate with other local governments and private citizens to develop a continuous network of greenways linking viable natural systems and Conservation designated lands throughout the County. The components of this network shall be designated as the Greenway and Linked Open Space Program.

Policy 2.5-b: The County shall develop the Greenways and Linked Open Space Program using the following techniques:

1. Purchase of connecting lands and predesignation of such lands to either the Conservation or Parks and Recreation land use designations, as appropriate;
2. Use of existing publicly owned rights-of-way for roads or drainage canals; and,
3. Modification of the Unified Land Development Code to allow either the consideration of connection between upland set-aside areas, pursuant to Conservation Element Objective 5.2; or use of overlay districts to allow development with design features which will preserve a connection between the open spaces to be linked.

Policy 2.5-c: By December 2002, the Planning Division shall incorporate the Greenways and Linked Open Space Program into its Future Land Use planning efforts. At a minimum, this shall be accomplished by considering the potential for open space linkages in the evaluation of land use amendments. Additionally, the Greenways and Linked Open Space Program shall be considered in neighborhood and community planning efforts.

Policy 2.5-d: By December 2002, Palm Beach County shall review the potential for using road rights-of-way, publicly-owned canal maintenance rights-of-way and other public land identified on the map entitled "Greenways and Linked Open Space Program", within the Palm Beach County Comprehensive Plan, as well as the Bicycle Route Map adopted by the Metropolitan Planning Organization. When determined feasible by the Board of County Commissioners, these areas shall be acquired, or easements obtained, for multi-purpose open space links and/or recreational greenways, where such linear rights-of-way connect conservation areas, preserves, parks and/or residential areas.

Policy 2.5-e: The County shall pursue grant funds to acquire, design or retrofit the linked open space greenway system. The County shall continue to implement the strategies contained within the Comprehensive Plan to achieve a Greenways and Linked Open Space system and identify possible funding sources for land acquisition to link conservation areas, and to encourage the creation of environmental systems, and recreational areas.

Policy 2.5-f: The County shall pursue interlocal agreements and maintenance agreements with third parties, to implement recreational greenways.

Policy 2.5-g: Palm Beach County shall amend its Unified Land Development Code to require that:

1. Whenever feasible, all new subdivisions and residential developments meet the current open space requirements by providing "usable" open space, including safe and accessible bicycle and pedestrian circulation systems within the development;
2. All new subdivisions and residential developments allow the continuation of any greenway/path located adjacent to the new subdivision or development, when feasible, and when such continuation does not result in a taking of private property or an inordinate burden to private property, pursuant to the Bert J. Harris Private Property Rights Protection Act. New developments shall allow the continuation of an adjacent greenway by avoiding the obstruction of external greenways with barriers;
3. Sidewalks or hardened walking surfaces shall be provided within a two (2) mile radius of all schools, where feasible; and,
4. Site planning considerations shall allow for the preservation of open space corridors, without removing permitted density or intensity of land to be developed, in instances where land cannot be acquired in corridors identified on the "Greenways and Linked Open Space Program", as depicted on the Linked Open Space Map.

Policy 2.5-h: Palm Beach County shall amend its Unified Land Development Code to enable existing residential developments that wish to establish greenways between the development and other destinations to work with the Zoning Division and Land Development Division to incorporate the proposed connections within site plans or subdivisions.

Policy 2.5-i: The County shall participate in the planning of a “Trail Network Plan” to accommodate equestrian, pedestrian and bicycle trails within a community upon initiation by residents and the appropriate Special District. The plan should include provisions to connect to both the existing and the proposed State Greenway System and the County’s Greenways and Linked Open Space System.

OBJECTIVE 2.6 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.

Policy 2.6-a: The Transfer of Development Rights program shall:

1. designate sending areas;
2. assign densities within the sending areas on equitable bases, based on the parcel’s location, development potential and value to the community;
3. delineate specific receiving areas, and designate appropriate density increases within each;
4. provide variable pricing for the County-owned TDR units, based on location and furthering the County Goals and Objectives contained within the Comprehensive Plan;
5. establish incentives other than density, that the County would use to encourage Transfer of Development Rights; and,
6. define administrative and legal requirements, including notification to the Property Appraiser’s office and recordation in the public records.

Policy 2.6-b: The Transfer of Development Rights program shall be the required method 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, as outlined in the Housing Element of the Comprehensive Plan and the Palm Beach County Unified Land Development Code.

Policy 2.6-c: The County shall designate the following as sending areas:

1. lands designated Rural Residential (RR-20) on the Future Land Use Atlas;
2. lands designated as priority acquisition sites by the Conservation Land Acquisition Selection Committee (CLASC) that meet the criteria listed below:
 - a) rarity in Palm Beach County of the native ecosystems present on the environmentally sensitive lands site;
 - b) diversity of the native ecosystems present on the environmentally sensitive lands site;
 - c) presence of species listed as endangered, threatened, rare, or of special concern by the U.S. Fish and Wildlife Service, the Florida Game and Fresh Water Fish Commission, the Florida Committee on Rare and Endangered Plants and Animals, or the Florida Department of Agriculture.
3. lands designated Agricultural Reserve (AGR) on the Future Land Use Atlas;

4. privately owned lands designated Conservation (CON) on the Future Land Use Atlas; and,
5. other sites determined by the BCC to be worthy of protection, provided that the sites further the purpose of the TDR program (to protect Environmentally Sensitive Lands (ESLs), in keeping with the criteria listed above, and the Agricultural Reserve) or the sites further County Goals, Objectives, and Policies.

Policy 2.6-d: Transfer rates for the sending areas shall be assigned as follows:

1. for RR-20 lands, TDR credits are assigned at one du/five acres;
2. for lands designated by the CLASC (residential and non-residential), TDR credits are assigned at one du/five acres if located outside of the Urban Service Area. For residentially designated parcels, within the Urban Service Area, TDR credits for those sites shall equal the current PDD Land Use Designation plus a 15% transfer bonus above the maximum PDD density if less than the total available units are transferred, or the current PDD Land Use Designation plus a 25% transfer bonus above the maximum PDD density if all the available units are transferred;
3. for Agricultural Reserve lands, TDR credits are assigned at one (1) du/acre; and,
4. for Conservation lands, TDR credits are assigned at one (1) du/ ten acres.

Policy 2.6-e: By January, 2000, and annually thereafter, the County shall evaluate the TDR Program to assess the need for additional sending areas. Should a need exist, the County shall investigate and designate, if warranted, the following as sending areas: school sites, historic and archaeological resources, and linked open space sites. Need shall be based upon at least a fifty (50) percent reduction in the number of TDR units in the County's TDR Bank or available in the private market.

Policy 2.6-f: Potential receiving areas shall be inside the Urban/Suburban Tier and Scientific Community Overlay and shall include:

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

Policy 2.6-g: In order to encourage eastward development and a tapering off of density towards the western edge of the Urban/Suburban Tier and support development within the Urban/Suburban Tier in the Glades, or to protect rural residential areas by concentrating needed housing units where urban residential future land use designations already exist, bonus densities may be applied for as follows:

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

Policy 2.6-h: The County shall not approve the designation of receiving areas, which would result in a significant negative impact upon adjacent Environmentally Sensitive Land. Significant negative impact shall be determined by the BCC based on findings by the Planning Division, in conjunction with the Department of Environmental Resources Management, the South Florida Water Management District and other applicable agencies, and be based upon data and analysis.

Policy 2.6-i: The County shall not approve the designation of receiving areas, which would result in an incompatibility with the surrounding land uses (both existing and future). Compatibility shall be determined based upon the following factors:

1. The character of the proposed development in relation to the adjacent properties including building type and size and the gross and net densities of the proposed receiving area and the adjacent properties; and,
2. Proximity of the proposed receiving area to environmentally sensitive lands.

The determination of compatibility may be made by the BCC or the Development Review Committee (DRC).

Policy 2.6-j: Receiving areas meeting one or both of the following criteria shall be eligible for an additional one (1) du/acre density bonus: 1) proximity to community services and amenities including parks, community commercial facilities, and mass transit; or 2) proximity to employment centers (defined as regional commercial facilities or major industrial facilities). The determination of the appropriate density increases shall be based upon location, compatibility with the surrounding land uses, and consistency with County Goals, Objectives and Policies.

Policy 2.6-k: The County shall maintain a Transfer of Development Rights (TDR) bank which shall include development rights from environmentally sensitive lands acquired by the County as of August 31, 1999. The administrative and legal requirements for the TDR bank shall be outlined in the Unified Land Development Code. Development rights in the TDR bank were generated from:

1. development rights associated with environmentally sensitive lands which are purchased by the County, including the 14 Native Ecosystem "A" Quality Ecosites targeted for purchase through the County's bond issue; and,
2. development rights associated with other lands purchased by the County, in whole or in part, for the purposes of protection of agricultural lands and environmentally sensitive lands, including wetlands.

Policy 2.6-l: The value of the County's TDR units shall be established by the Board of County Commissioners. The price will be updated annually as part of the TDR annual report.

Policy 2.6-m: Areas within the Revitalization and Redevelopment Overlay may receive preference as receiving areas. Within this overlay, TDR units may be provided from the County TDR bank at no cost or at a discounted rate. Other receiving areas, which further County Goals, Objectives and Policies may be eligible for a reduction in cost.

Policy 2.6-n: The BCC shall price the TDR units within the TDR Bank either by utilizing the value of TDR units established by transactions in the private market or a recommendation by the Planning Division and/or Land Use Advisory Board.

Policy 2.6-o: *Deleted in Amendment Round 01-1.*

Policy 2.6-p: By January 2000, the County shall seek municipal involvement by investigating and establishing, if feasible and warranted, a Countywide TDR program. The County shall utilize the Intergovernmental Plan Amendment Review Committee (IPARC) and the Issues Forum to seek municipal involvement.

Policy 2.6-q: By January 2005, the County shall investigate and allow, if warranted, additional units to be placed within the TDR Bank. Need shall be based upon at least a fifty (50) percent reduction in the number of TDR units in the County's TDR Bank.

OBJECTIVE 2.7 United Technologies Corporation (Pratt-Whitney) Protection Area Overlay

Palm Beach County shall protect critical industrial, manufacturing and research and development activities, from encroachment of incompatible uses and activities, which would be unable to withstand the noise generated by jet and rocket propulsion engine testing in the Overlay, while providing the opportunity to locate compatible office and industrial uses together with compatible supporting, accessory, and ancillary uses in proximity to the existing facilities facilitating the continuation and further development of this manufacturing and research and development area through designation of the United Technologies Corporation (Pratt-Whitney) Protection Area Overlay.

Policy 2.7-a: The United Technologies Corporation (Pratt-Whitney) Protection Area Overlay, generally described as the area east and north of the Beeline Highway and the Pratt-Whitney facility, encompassing all or portions of Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, Township 41 Range 40; Sections 5, 6, 7, 8, 9, 17, 18, Township 41 Range 41; and, Section 13, Township 41 Range 39, is depicted on the Special Planning Areas Map in the Map Series.

Policy 2.7-b: The following future land use designations shall be allowed in the United Technologies Corporation (Pratt-Whitney) Protection Area Overlay:

1. Industrial, including the Economic Development Center category; and,
2. Conservation, including the Water Resources Area category.

Commercial and Commercial Recreation future land use designations are prohibited, except for those parcels which held Commercial or Commercial Recreation designations prior to the adoption of the 1989 Comprehensive Plan.

Policy 2.7-c: The County shall designate the Overlay as a Limited Urban Service Area based on the nature of the industrial operations and need for urban levels of potable water and sanitary sewer. The boundaries of the Limited Urban Service Area shall be depicted on the "Service Areas Map" contained in the Comprehensive Plan Map Series.

Policy 2.7-d: The County shall limit permitted uses within the United Technologies Corporation (Pratt-Whitney) Protection Area Overlay to those uses that are ancillary or accessory to, and/or compatible with and do not endanger the continuation and expansion of the existing industrial, manufacturing, and research and development operations within the Overlay. Certain uses permitted within the allowed future land use designations may generate conflicts with the Pratt-Whitney facilities, and shall be prohibited. Such incompatible uses (due to their sensitivity to noise) include, but are not limited to, the following:

1. Residential (excluding Caretakers quarters);
2. Hotels, motels;
3. Medical and dental offices; and
4. Hospitals, medical centers.

Uses (not listed above) which generally would not be allowed within the UT Overlay may be permitted as accessory uses to a permitted primary use.

OBJECTIVE 2.8 Scientific Community Overlay

This Overlay shall provide an array of services designed to allow for functional interaction with the predominant science and technology based uses. The Overlay implements a unique opportunity for Palm Beach County to incorporate a regional economic development initiative providing a functional mix of uses. Palm Beach County shall provide for research, development and manufacturing activities contained within a sustainable community through the creation of the Overlay. The Overlay shall require an integrated mix of uses that provide common support and promote economic development while preserving and enhancing natural resources. It is through the incorporation of other uses, such as residential, commercial, institutional and recreational, that a science and technology based community will be formed.

In the Scientific Community Overlay, the rules and property development regulations governing densities and intensities of the Urban/Suburban Tier shall apply. The Overlay will consist of two future land use categories: Economic Development Center (EDC) and Low Residential, 2 units per acre (LR-2). The maximum densities and intensities for each category shall be consistent with those established in Table 2.1-1 "Residential Categories and Allowed Densities" and Table 2.1-2 "Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories and Non-Residential Uses".

Policy 2.8-a: The Scientific Community Overlay, generally described as the area east of the J.W. Corbett Wildlife Management Area and Seminole Pratt Whitney Road, north of the Acreage, south of Unit 11 and west of the City of Palm Beach Gardens, encompassing all of Sections 6 and 7 and the western portions of Sections 5 and 8, Township 42 Range 41, is depicted on the Special Planning Areas Map in the Map Series.

Policy 2.8-b: The County shall designate the Scientific Community Overlay as a Limited Urban Service Area based on the mix of land uses and need for urban levels of service, while furthering the six principles of sustainable land use planning and development established in the Introduction of the Future Land Use Element. The boundaries of this Limited Urban Service Area shall be depicted on the "Service Areas Map" contained in the Comprehensive Plan Map Series.

Policy 2.8-c: The County shall adopt and implement design standards for all development in the Scientific Community Overlay (SCO), reflecting principles set forth under Objective 2.8 of the Future Land Use Element. These design standards shall, at a minimum, address the following issues:

1. Minimization of traffic impacts on roadways external to the SCO, as well as encouragement of transportation alternatives to the automobile by:
 - a) requiring a connected pathway, bikeway and multi-use trail system which shall connect all areas within the Overlay and providing for the use of low speed electric vehicles within the SCO;
 - b) encouraging bicycle use by requiring a number of bicycle racks related to the number of dwelling units;
 - c) requiring slip roads along PGA Boulevard;
 - d) requiring designation of at least 5% of the ULDC required parking spaces within each parking area exclusively for low speed electric vehicles;
 - e) providing for incentives for employees who make work trips by modes of transportation other than single-occupant vehicles;
 - f) providing a range of workforce housing to help maximize internal trip capture;
 - g) developing a significant portion of the area to include a block design with multiple pathways, including alleys, allowing for reduced trip lengths and trip dispersion;
 - h) designing each residential neighborhood to have shaded pedestrian connections to the Pedway system and to open spaces, parks, plazas and other public areas; and
 - i) requiring all residential development to include covered and garage parking for low-speed electric vehicles for use in commuting within the SCO.

2. Provision of areas of mixed-use development by:
 - a) clustering uses to promote the intellectual exchange between researchers, scientists and others in the workforce;
 - b) establishing locations for land use pods of light industrial, commercial, recreation/civic and residential based on use, site constraints, functional relationships and overall design;
 - c) adopting design standards for each type of pod to further the intended character and use with them and complementing one another in order to achieve a cohesive development with a functional and enjoyable environment;
 - d) creating an urban, pedestrian-oriented environment with a mix of uses;
 - e) clustering residential uses to achieve high net densities and to promote integration of mixed uses;
 - f) providing educational opportunities for the surrounding residential and workforce uses; and
 - g) providing residential opportunities in close proximity to workplaces; business, retail, shopping, personal services, recreation and educational facilities.

3. Requiring that urban development allowed by the Overlay have a defined edge and include a mixed-use Town Center which will serve as a central core for the Overlay and will:

- a) encourage mixed-use compact development that is pedestrian in scale;
 - b) co-locate commercial, transportation, office, laboratory research, educational and residential uses for the daily needs of the residents and workforce;
 - c) provide attainable housing opportunities;
 - d) encourage walking, biking and other modes of non-vehicular transportation to reduce the need for local automobile trips; and
 - e) provide a safe and efficient circulation system for pedestrians, non-motorized or low-speed vehicles and emphasize connectivity within and to adjacent uses.
4. Protection of conservation lands to the north and west of the SCO and include a passive recreational wetland system to enhance the quality of surrounding areas of environmentally sensitive lands.
 5. Encouraging “green building” techniques and materials that are energy- and resource-efficient.
 6. Compatibility with, and minimization of impacts on, land uses adjacent to the SCO.
 7. Provision of sufficient open space for residents, employees and visitors of the SCO integrated with a campus setting for research and development.
 8. Ensuring that uses within the Overlay are functionally integrated with one another.
 9. Provision of mass transit facilities and discouragement of single-use vehicular travel by requiring that a transit master plan is prepared through consultation between Palm Tran, FDOT and Palm Beach County and provides for:
 - a) a fixed-route commuter (Palm Tran) system serving the site from the surrounding area;
 - b) continued coordination for an on-site, community-based shuttle-trolley circulator system;
 - c) an Intermodal Center to accommodate for Palm Tran buses and community shuttles;
 - d) parking and transit strategies to be included in site plans for development pods or parcels in order to maximize access to transit and community shuttles, use of pedestrian facilities, shared parking and car-pooling; and
 - e) locational and design standards for parking lots and garages to enhance pedestrian travel.
 10. Appropriate development regulations (setbacks, buffers, parking, etc.) and street design to create areas of differing development types (mixed-use, campus style, cohesive neighborhoods) that are functional and integrate effectively with one another.

Compliance with the adopted design standards shall be included as a condition of approval in any development order issued for development inside the SCO.

Policy 2.8-d: In order to ensure an appropriate land use balance, each phase of the DRI development order inside the SCO shall include a balanced share of the proposed residential and non-residential uses. If an amendment to the DRI development order

results in a reduction of residential units, research and development square footage, retail square footage or square footage for educational facilities for any phase by 30% or more, the Board of County Commissioners shall initiate an amendment to rebalance the land use mix within the SCO.

Policy 2.8-e: In five year increments from the effective date of any future land use amendment within the SCO, and at the end of each phase of any Development of Regional Impact development order issued within the SCO, the Planning Division shall review the absorption rate for research and development uses in the SCO. Upon completion of this review, the BCC may initiate an amendment to reconsider any minimum or maximum densities or intensities allowed by the future land use amendment.

Policy 2.8-f If the Scripps Research Institute does not move forward on the Mecca site, Staff shall bring to the BCC for initiation proposed amendments to consider removing any text and maps related to the Scientific Community Overlay from the Comprehensive Plan.

OBJECTIVE 2.9 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.

Policy 2.9-a: The Glades Area Protection Overlay, generally described, as the area north of State Road 80 (SR-80), approximately 2.25 miles west of Seminole Pratt Whitney Road directly south of the Deer Run rural subdivision, to approximately 2.0 miles west of the SFWMD L-8 Canal, encompassing the western portions of sections 8 and 17, all of sections 20, 28, 29 and 32, and the northern portion of section 33, Township 43, Range 40, with an approximate total acreage of 3,063.66 acres, is depicted on the Special Planning Areas Map in the Map Series. The boundaries of the Glades Area Protection Overlay shall not be modified or expanded to incorporate areas other than the ones described in this policy.

Policy 2.9-b: The County shall limit permitted uses within the Glades Area Protection Overlay to those uses that are compatible with the purpose of this overlay. No residential uses shall be allowed west of the L-8 Canal.

- a. West of the L-8 Canal: Future Land Use Designation: Rural Residential 10 (RR-10). Specific Existing Uses: Mining, excavation and other related uses consistent with the Overlay, and for Everglades restoration and water management purposes; Conservation, including wildlife corridors: Florida Power and Light (FPL) proposed Power Plant and related cooling areas.
- b. East of the L-8 Canal: Future Land Use Designation: Low Residential 2 (LR-2) and related complementary uses as approved by the Board of County Commissioners.

Policy 2.9-c: The area within the Overlay located east of the SFWMD L-8 Canal shall be designated as a Limited Urban Service Area (LUSA) based on the area meeting the criteria for a LUSA designation in FLUE Objective 3.3. The boundaries of the LUSA shall be depicted in the "Service Areas Map" contained in the Comprehensive Plan Map Series.

GOAL 3 SERVICE AREAS AND PROVISION OF SERVICES

It is the GOAL of Palm Beach County to define graduated service areas for directing services to the County's diverse neighborhoods and communities in a timely and cost-effective manner, reflective of the quality of life associated with each respective Tier.

OBJECTIVE 3.1 Service Areas - General

Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.

Policy 3.1-a: The County shall establish the Urban, Limited Urban, and Rural Service Areas, described in Table 3.1-1, considering the following factors:

1. The density and intensity of land uses as depicted in the Future Land Use Atlas;
2. The cost and feasibility of extending services;
3. The necessity to protect natural resources; and,
4. The objective of encouraging reinvestment in the Revitalization and Redevelopment Overlay.

Policy 3.1-b: Minimum levels of service shall be reviewed during preparation of the Evaluation and Appraisal Report, and the Comprehensive Plan as amended. Each service provider shall determine the maximum and available capacity of their facilities or services for this review to assess the ability to accommodate projected population growth.

OBJECTIVE 3.2 Urban Service Area

Palm Beach County shall require urban levels of service within the designated Urban Service Area.

Policy 3.2-a: The Urban Service Area shall consist of the Urban/Suburban Tier and its official boundaries shall be depicted on the Service Areas Map in the Map Series. The Urban Service Area shall be defined to include those areas in which the County anticipates the extension of urban services through the long range planning horizon.

Policy 3.2-b: Development orders for projects not exceeding the entitlement density or intensity, may be permitted within the Urban Service Area at rural levels of service for potable water and sanitary sewer on an interim basis before urban levels of service are in place, consistent with the provisions of Environmental Control Rules I and II.

**TABLE 3.1-1
Service Provision by Service Area**

Service/ Facility	Unit of Measure	Rural Service Area	Limited Urban Service Area	Urban Service Area
Traffic	Volume Delay Speed	<p align="center">Countywide</p> <p>Includes roads in both the incorporated and unincorporated areas. The level of service or facility is provided at the same level in each of the service areas. There are provisions for exemptions from concurrency within the Coastal Residential Exception Area (as defined in Transportation Element Objective 1.2) and in the Revitalization and Redevelopment areas.</p>		
Mass Transit	Headways	<p align="center">Countywide</p> <p>A countywide LOS is used for concurrency purposes. Generally, shortened headways are provided in the Urban/Suburban Tier as a preferential level of enhanced service delivery.</p>		
Storm Water	Storm Return Frequency	<p align="center">Countywide</p> <p>While there is a Countywide LOS, the standard as applied to development will vary, based upon the type of development and capacity of individual drainage basins.</p>		
Potable Water	Gallons per Capita per Day	Well	Well (minimum LOS) Centralized Potable Water Supply System (allowable LOS)	Centralized Potable Water Supply System
Sanitary Sewer	Gallons per Capita per Day	Septic tank	On-site Sewage Disposal System (minimum LOS) Centralized Sanitary Sewer System (Allowable LOS)	Centralized Sanitary Sewer System
Fire/Rescue	Response Time	<p align="center">Countywide</p> <p>A countywide average response time is used for concurrency purposes. Actual response time may vary based upon distance from a fire station.</p>		
Parks	Acres per Capita	<p align="center">Countywide Regional, Beach, and District Parks</p> <p>A countywide LOS is used. Distances from parks to residences will vary, based on the density and distribution of population. Additionally, within the Urban/Suburban Tier, some local parks may be provided.</p>		
Solid Waste	Pounds per Capita per Day	<p align="center">Countywide</p>		
Libraries	Volumes and Space per Capita	<p align="center">System Wide</p> <p>The Library LOS is not used for concurrency purposes: a system wide average LOS is used. The actual holdings of an individual branch library may vary.</p>		

OBJECTIVE 3.3 Limited Urban Service Areas (LUSAs)

A full complement of urban levels of service are allowed within Limited Urban Service Areas (LUSAs), while still remaining outside the Urban Service Area and the Urban/Suburban Tier. This allows urban levels of service necessary to support uses in a LUSA, while continuing to discourage urban levels of service for residential uses in areas that lie between the Urban Service Area and a LUSA. A LUSA is not required to have an underlying Tier designation.

Designation of an area as a LUSA shall be based upon consideration of the following factors:

- The need for the proposed facilities;
- The ability of the proposed facilities to meet policy goals coupled with a demonstration of significant relative advantages of the area of the proposed LUSA over possible sites within the Urban Service Area; and
- The extent to which the designation would allow for significant public benefits, such as major economic development or environmental benefits.

Policy 3.3-a: The Limited Urban Service Area:

The following are designated as Limited Urban Service Areas:

1. the area described as the United Technology - Pratt and Whitney Overlay;
2. the area defined as the General Aviation Facility/ North County Airport;
3. the Agricultural Reserve; and
4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
5. the area described as the Scientific Community Overlay;
6. the area east of the SFWMD L-8 Canal within the Glades Area Protection Overlay.

The LUSA shall be depicted on the Service Areas Map in the Map Series upon designation through a Plan amendment. In the United Technology – Pratt and Whitney Overlay, the General Aviation Facility/North County Airport, and the Scientific Community Overlay, the rules and property development regulations governing densities and intensities of the Urban/Suburban Tier shall apply.

The official boundaries of each LUSA shall be depicted on the Service Areas Map in the Map Series.

Policy 3.3-b: The Palm Beach County Water Utilities Department shall provide potable water, reclaimed water and wastewater services to any area designated by the BCC as a LUSA except those areas where the BCC has entered or enters into a written agreement that provides utility service area rights within a LUSA to another public or privately owned potable water, reclaimed water and wastewater utility, or in areas where the Palm Beach County Water Utilities Department is specifically excluded from providing utility service by Florida law.

OBJECTIVE 3.4 Rural Service Area

Palm Beach County shall require a rural level of service, which meets the needs of rural development and uses without encouraging the conversion of rural areas to more intense uses.

Policy 3.4-a: The Rural Service Area shall include those areas of the County where the extension of urban levels of service is neither foreseen during the long range planning horizon nor warranted by the development patterns or densities or intensities allowed. The official boundaries of the Rural Service Area shall be depicted on the Service Areas Map in the Map Series.

Policy 3.4-b: Development on a parcel in the Rural Tier that is adjacent to water and/or sewer lines which existed prior to the adoption of the Comprehensive Plan in 1989 shall be allowed an urban level of service when required by the Public Health Department.

Policy 3.4-c: The County shall neither provide, nor subsidize the provision of centralized potable water or sanitary sewer in the Rural Service Area, unless urban levels of service are required to correct an existing problem, prevent a projected, public health hazard or prevent significant environmental degradation, or the areas meet the criteria described in Future Land Use Policy 3.4-b.

OBJECTIVE 3.5 Levels of Service Required for Development

Palm Beach County shall require the availability of services concurrent with the impacts of development, as provided by Section 163.3177(10)(h), F.S. Decisions regarding the location, extent and intensity of future land use in Palm Beach County, particularly urban-type expansion, shall ensure consistency with the type of uses and development established within each Tier. Future land use decisions shall also be based on the physical constraints and financial feasibility of providing areas with services at levels of service (LOS) that meet or exceed the minimum standards adopted in the Comprehensive Plan.

Policy 3.5-a: As specified in the Concurrency Management System adopted in the Capital Improvement Element, development orders and permits shall not be issued unless services and facilities meet or exceed minimum LOS standards specified in the various elements of this Plan as follows:

Element	Location of LOS Reference
Transportation (traffic & mass transit), Utilities Potable Water & Sanitary Sewer	Objectives 1.1 and 1.2 Policies 1.2-a, 1.2-b, 1.2-f, 1.2-g, 1.3-a, 1.3-b, 1.3-d, 1.3-e.
Stormwater Management (drainage)	Policies 1.1-a, 1.1-b, 1.1-c
Solid Waste	Objective 1.2
Recreation/Open Space	Objective 1.2
Fire/Rescue	Policy 1.2-a

Policy 3.5-b: Within the time frame provided by Section 163.3202(1), FS, the Planning, Zoning, and Building Department shall ensure that development orders will be based on the County's ability to maintain minimum levels of service, and shall coordinate with other agencies in administering the Concurrency Management System to ensure that the necessary public facilities and services are available at the adopted Level of Service concurrent with the impacts of development.

Policy 3.5-c: The following options shall apply in areas with facilities and services that do not meet minimum levels of service required for concurrency:

1. Projects may be phased to maintain minimum level of service standards concurrent with the development; and/or
2. Developers may provide the County's share of such facilities, if such facilities are identified in the Capital Improvement Element, with the agreement that the County reimburse the developer at such time as the facility would have been provided. Such agreements may also provide for credits against countywide development impact fees, if reimbursement costs are waived by the developer.

Policy 3.5-d: The County shall not approve a change to the Future Land Use Atlas which:

- 1) results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon the MPO's 2025 Long Range Transportation Plan dated March 18, 2002. Significant impact shall be as defined in Table 3.5 -1.

**TABLE 3.5-1
Significant Impact**

Net Trip Generation**	Distance
1 - 50	No significant impact
51 - 1,000	Only address directly accessed link on first accessed major thoroughfare*
1,001 - 4,000	One (1) mile*
4,001 - 8,000	Two (2) miles*
8,001 - 12,000	Three (3) miles*
12,001 - 20,000	Four (4) miles*
20,001 - up	Five (5) miles*

* A project has significant traffic: (1) when net trips increase will cause the adopted LOS for FHS facilities to be exceeded; and/or (2) where net trips increase impacting roads not on the FHS is greater than one percent (1%) for volume to capacity ratio (v/c) of 1.4 or more, two percent (2%) for v/c of 1.2 or more and three percent (3%) for v/c of less than 1.2 of the level of service "D" capacity on an AADT basis of the link affected up to the limits set forth in this table. The laneage shall be as shown on the MPO's 2025 Long Range Transportation Plan dated March 18, 2002.

** When calculating net trip increase, consideration will be given to alternative modes of transportation (i.e. bicycle lanes, bicycle paths, bus lanes, fixed rail, and light rail facilities) in reducing the number of net trips. These alternative modes must either be operating at the time of the change to the Future Land Use Atlas or be included in both the Transportation Element (Mass Transit) and the Capital Improvement Element of the Comprehensive Plan.

or;
results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1-b.

This policy shall not be applicable to the Scientific Community Overlay.

Policy 3.5-e: The Planning, Zoning, and Building Department, along with the appropriate operating departments, shall monitor existing and projected levels of service through the Concurrency Management System, as provided in the Capital Improvement Element and shall prepare Annual Public Facilities Update Reports.

OBJECTIVE 3.6 Prioritizing Services

Palm Beach County shall prioritize the provision of services and facilities in order to provide timely and appropriate levels of service to further the Goals, Objectives, and Policies of the Comprehensive Plan.

Policy 3.6-a: The County shall direct the provision of infrastructure and services to:

1. Address deficiencies for the neighborhoods in the Revitalization and Redevelopment Overlay, as identified on the Managed Growth Tier Map contained in the Map Series, in order to encourage private reinvestment to meet the Revitalization and Redevelopment Overlay's Sub-objective 2.2.3;
2. Serve existing urbanized areas that either lack basic services or demonstrate a particular infrastructure/service deficiency; and,
3. Encourage development of property to be used by basic industry, in accordance with the provisions in the Economic Element.

GOAL 4 COMMUNITY PLANNING AND DESIGN

It is the GOAL of Palm Beach County to develop and implement strategies that will enhance the quality of life within its neighborhoods and communities by ensuring that these areas are well-planned, visually pleasing, safe, devoid of substandard housing and blight, and coordinated with County historic preservation efforts. Neighborhoods and communities shall also be accessible to all of the residents of Palm Beach County through an emphasis on the provision of a variety of housing opportunities through the continuous development of affordable housing.

OBJECTIVE 4.1 Community and Neighborhood Planning

Palm Beach County shall develop and implement a Community Planning and Neighborhood Planning program to allow consideration of Community and Neighborhood Plans and strategic actions to create, enhance, and maintain more livable communities, which provide a strong sense of place and identity for the various regions within the County.

Policy 4.1-a: The County shall allow for the creation and adoption of Community and Neighborhood Plans throughout the unincorporated area of the County with an emphasis on providing neighborhood planning services to the Revitalization and Redevelopment Overlay within unincorporated Palm Beach County, consistent with the Tier System.

Policy 4.1-b: In conjunction with development of a Community/ Neighborhood Planning Program, the County shall review and amend as needed, the guidelines and rules for preparation and submittal of neighborhood plans, and procedures for amending the Palm Beach County Unified Land Development Code to reflect neighborhood plans as approved by the Board of County Commissioners.

Planning for a Community Plan or Neighborhood Plan shall include area residents, business and community/neighborhood leaders. Each community/neighborhood shall be defined by its Tier and geographic, socio-economic, and physical characteristics. The primary purpose of these programs will be to address the "Principles of a Livable Community" listed in the County Directions, and to incorporate those Principles into existing and planned neighborhoods and communities. However, in addition to these principles, Community Planning shall address:

1. A balanced mix of land uses, including open space;
2. A balanced and compatible mix of single family and multi-family market rate, affordable housing, and housing for the elderly;
3. Employment opportunities; and,
4. Facilities and services.

Policy 4.1-c: The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Committee approval. These plans are identified in the Implementation Section.

Policy 4.1-d: By 2002, the County shall initiate an amendment to the Future Land Use Atlas and the Future Land Use Element to incorporate a Conceptual Plan Overlay, through the Optional Sector Planning process for the central western portion of the County, including the areas west of the Urban Service Area Boundary, north of Southern Boulevard, east of Twenty Mile Bend, and south of Beeline Highway, excluding the J.W. Corbett Wildlife Management Area.

OBJECTIVE 4.2 Joint Planning Areas

Palm Beach County shall facilitate a coordinated planning approach with other local governments to ensure the proper allocation and placement of future land uses and provide for the diverse needs of the County regarding employment, housing, services, goods, and recreational/cultural opportunities.

Policy 4.2-a: The County shall pursue interlocal agreements with municipalities that have established future land use designations for adjacent unincorporated areas. These interlocal agreements will establish "Joint Planning Areas" between the County and the respective municipalities, pursuant to Chapter 163.3171, FS, and Policy 1.4-d of the Intergovernmental Coordination Element.

Policy 4.2-b: The County shall promote development, redevelopment, and revitalization of the coastal communities through intergovernmental coordination efforts.

OBJECTIVE 4.3 Community Design

Palm Beach County shall develop and implement strategies to improve the visual appearance of the County in order to maintain and enhance its various identities and attractive characteristics.

Policy 4.3-a: By October 2000, the Department of Facilities Development and Operations shall develop a program to ensure that the County evaluates proposed plans for all public buildings and facilities to ensure that their design is consistent with the character of the neighborhood considering architectural style and/or any historic buildings within the area. The program shall include provisions to ensure that the cost of the design and the nature of the services to be provided are considered in the decision making process.

Policy 4.3-b: Palm Beach County shall encourage the development of positive community identification and appearance by implementing unique architectural and site design themes for different areas of the County in conjunction with development of any Community or Neighborhood Plans.

Policy 4.3-c: The County shall encourage the development of visually pleasing roadways. The Planning, Zoning and Building Department shall review and amend, as appropriate, the Sign Code to strengthen the regulations for all signs and billboards, including criteria for legibility and directions. These standards shall be reviewed periodically and changes shall be made to the Unified Land Development Code as necessary.

Policy 4.3-d: By December 2002, the Planning Division shall complete a study to identify potential Scenic Highways, Roadways, and Corridors, including commercial corridors, in both urban and rural areas of the County, in conjunction with implementation of the Greenways and Linked Open Space Program. The study shall include criteria for streetscaping standards and prioritizing and designating Scenic Highways, Roadways, and Corridors, as well as designation of entryways to the County and communities within the County.

Policy 4.3-e: The County shall continue to pursue public/private partnerships, such as, but not limited to, partnerships with the Solid Waste Authority (SWA) and Keep Palm Beach County Beautiful for the design and funding of community appearance enhancement projects, which shall include, but not be limited to, litter reduction, streetscape enhancement, and landscape treatments.

Policy 4.3-f: The County shall maintain provisions in the Unified Land Development Code to ensure that parking and traffic flow is safe and convenient within and adjacent to developments, including but not limited to access requirements from roadways, lighting, pervious surfacing materials, landscaping and buffering criteria.

Policy 4.3-g: Where appropriate, similar and/or complementary neighboring land uses shall employ access management techniques such as shared entrances (to reduce the number of curb cuts) and vehicular and/or pedestrian cross access between like development projects (to encourage inter-connectivity both within and between sites, and reduce the need to use the primary street system to access adjacent sites).

Policy 4.3-h: The County shall encourage the use of innovative site design techniques, which are visually attractive and help to reduce the potential for crime.

Policy 4.3-i: The Unified Land Development Code, based on County Directives and the Livable Communities Principles, shall promote sustainable design and future land use compatibility by:

1. Requiring setbacks that reduce adverse impacts on adjacent future land uses, and requiring build-to-lines, where appropriate, to improve pedestrian scale and access to transit facilities;
2. Specifying placement of open space;
3. Requiring landscaping;
4. Regulating building orientation, including height and mass restrictions;
5. Establishing architectural and design criteria;
6. Establishing pedestrian system linkages; and,
7. Establishing transit and non-motorized system linkages.

The Development Review process shall also consider the compatibility of the density or intensity of proposed development with adjacent future land uses. The ULDC requirements for landscape buffers and open space shall be reviewed and amended as needed.

Policy 4.3-j: The County shall amend the Unified Land Development Code to create rural design standards and development regulations for non-residential development in the Exurban and Rural Tiers. The rural design standards shall address intensity, scale, and character of these tiers, and shall:

1. minimize access to adjacent arterial or collector roadways, with no direct roadway access provided to outparcel locations.
2. provide for increased setbacks (except for roads designated as Rural Parkways); lesser lot coverage and floor area ratios; increased landscape buffers, incorporation of open space and pervious area; and, additional screening of parking areas.

Policy 4.3-k: The County shall require, where feasible, that commercial land uses employ access management techniques, such as shared entrances and vehicular cross access, between adjacent existing and proposed commercial land uses.

OBJECTIVE 4.4 Historic Preservation

Palm Beach County shall ensure the protection of its historic resources, including historic sites, buildings, structures, objects and districts that are associated with the archeological, historical, engineering, and cultural development of the unincorporated area of Palm Beach County. This shall be accomplished by considering historic preservation opportunities and implications in its future land use decision-making process, through implementation of the historic preservation provisions of the Unified Land Development Code, and through intergovernmental coordination.

Policy 4.4-a: The County shall locate, identify, evaluate and protect historic and archaeological sites, through the policies of the Historic Preservation Element and the implementing provisions of the Unified Land Development Code.

GOAL 5 NATURAL RESOURCE PROTECTION

It is the **GOAL** of Palm Beach County to provide for the continual protection, preservation, and enhancement of the County's various high quality environmental communities for the benefit of its current and future residents and visitors.

OBJECTIVE 5.1 Protection of Natural Resources and Systems

Palm Beach County shall ensure the protection of natural resources and systems by enforcing and monitoring existing environmentally related ordinances and developing ordinances, as needed, pursuant to the Conservation Element.

Policy 5.1-a: Palm Beach County shall ensure the protection and stewardship of natural resources and systems, including quality uplands and wetlands, environmentally sensitive lands, wildlife habitats and regional water management areas. The County shall request review and comments from the South Florida Water Management District, Department of Environmental Protection, Game and Fresh Water Fish Commission, and other governmental/ environmental agencies, during the Plan amendment process.

Policy 5.1-b: The impact of development on natural resources and systems, including high quality coastal and inland wetlands and future potable water supply wellfield areas, as identified in the Future Land Use, Coastal Management, and Conservation Elements, shall be evaluated during the development review process, as outlined in the Unified Land Development Code, to protect these resources from the adverse impacts associated with incompatible future land uses on or near such sites.

Policy 5.1-c: During the development review process, the County shall determine the consistency of developments with any future resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes.

Policy 5.1-d: By October 2000, the Planning and Zoning Divisions, in cooperation with the Department of Environmental Resource Management, shall develop regulations and incentives providing for the use of buffering, or other land management techniques, to ensure compatibility with the function and purpose of conservation lands, and development of those properties adjacent to conservation lands.

OBJECTIVE 5.2 Native Ecosystem Overlay

Palm Beach County shall protect high quality native ecosystems within the unincorporated area of the County through establishment and maintenance of a Native Ecosystem Overlay.

Policy 5.2-a: The Department of Environmental Resources Management shall provide for the preservation and protection of native vegetation and environmental systems by applying the Native Ecosystem Overlay through implementation of the Vegetation Preservation and Protection Ordinance. Areas identified shall require preparation of a written environmental assessment, as part of the environmental review process. This review will result in specific recommendations regarding purchase or development, subject to conditions such as reduced density or intensity of future land use, and increased set-aside requirements.

Policy 5.2-b: Areas identified and designated as a Native Ecosystem Overlay shall be reviewed and may be re-designated to an appropriate future land use designation that furthers the protection of the native ecosystem.

OBJECTIVE 5.3 John D. MacArthur Beach State Park Greenline Overlay

The County shall continue to maintain the John D. MacArthur Beach State Park Greenline Overlay to protect resources within park boundaries, such as water, wildlife populations, and the aesthetic quality of recreation in this Park, from impacts caused by activities on adjacent land. The greenline buffer provides:

1. Further protection of the State Park from surface water runoff and groundwater contamination in accordance with Conservation Objective 3.1;
2. Further protection of the State Park from over-spraying of pesticides on adjacent properties;
3. Protection of the Park properties from potentially incompatible adjacent future land uses;
4. Critical habitat for wildlife, including threaten and endangered species, in accordance with Conservation Objective 2.4;
5. Protection to Manatees, in accordance with Coastal Policy 1.1.m, and Sea Turtles, in accordance with the Sea Turtle and Sand Preservation Ordinance;
6. Support for the preservation of the native ecosystem by encouraging the planting of native vegetation, as specified in Conservation Objective 2.5; and,
7. Prohibition of the introduction of non- native plant species into the in natural systems of the Park.

Policy 5.3-a: The Overlay shall continue to be maintained as a peripheral boundary around the State Park as established by the Florida Department of Environmental Protection. The greenline encompasses the north end of Lake Worth, Little Lake Worth, Lake Worth Creek, the Earman River, the North Palm Beach Waterway, and their associated natural and manmade waterways. Seaward, the area extends offshore as far as the park boundary. These extensive systems, or parts thereof, are contained within the greenline because of their actual or potential impact on the Park.

Policy 5.3-b: The County shall continue to maintain the Greenline Buffer to protect the State Park from incompatible adjacent future land uses and to enhance the experience of visitors to the Park. The Department of Planning, Zoning and Building shall notify the Florida Department of Environmental Protection and the County Parks and Recreation Department of any proposed change in use within the Greenline buffer. The purpose of this notification shall be to obtain comments from the agencies regarding the potential impacts the proposed use may have on the State Park to ensure that there are no negative impacts to the Park's natural resources and wildlife as identified in this Land Use Objective 5.3.

Policy 5.3-c: The County's Department of Animal Care and Control shall assist in the removal of domesticated or exotic animals within the Park's boundaries.

OBJECTIVE 5.4 Jonathan Dickinson State Park Greenline Overlay

The Jonathan Dickinson State Park Greenline Overlay shall be maintained as a peripheral zone around Jonathan Dickinson State Park, and along the Loxahatchee River to protect the resources within the Park, such as hydrology, wildlife populations, and the aesthetic quality of recreation in the Park from new development activities. The greenline buffer, and the buffer that rings the park, provide:

1. Protection of the State Park, and Loxahatchee River, from surface water runoff and groundwater contamination in accordance with Conservation Policy Objective 3.1;
2. Protection of the State Park, and Loxahatchee River, from over-spraying of pesticides on adjacent properties;
3. Protection of the State Park, or Loxahatchee River, from potentially incompatible adjacent future land uses;
4. Protection of properties within and adjacent, to the State Park and Loxahatchee River, from potential nuisances caused by prescribed burning;
5. Critical habitat for wildlife, including threaten and endangered species, in accordance with Conservation Objective 2.3;
6. Support for the preservation of the native ecosystem by encouraging the planting of native vegetation, as specified in Conservation Objective 2.5; and,
7. Prohibition of the introduction of non-native plant species into the in natural systems of the Park.

Policy 5.4-a: The Overlay shall be maintained as a peripheral zone, established by the Florida Department of Environmental Protection, around Jonathan Dickinson State Park and includes portions of northeastern Palm Beach County and southeastern Martin County. The Department is concerned that new development activities within the Overlay may have an impact on resources within park boundaries.

Policy 5.4-b: The Department of Planning, Zoning and Building shall notify the Department of Environmental Protection and Parks and Recreation Department of any proposed new development activity or change in use within the Greenline buffer, as described herein, to obtain comments from these agencies regarding the potential impacts the proposed use may have on the State Park.

Policy 5.4-c: The County shall maintain, at a minimum, a 660 foot wide buffer zone, around the State Park to protect the site against potentially incompatible adjacent future land uses, and/or to enhance the experience of visitors.

OBJECTIVE 5.5 Turnpike Aquifer Protection Overlay (TAPO) District

Palm Beach County shall maintain the Turnpike Aquifer Protection Overlay District, for the purposes of: (1) protecting and safeguarding the public health, safety and welfare by enhancing the functions of natural groundwater recharge areas; (2) minimizing any potential adverse impacts on the "Turnpike" aquifer by limiting or restricting certain incompatible uses and developments; and, (3) preventing the continuing loss of prime water supply sites by requiring certain developments to identify and dedicate water supply sites, unless such dedication is contrary to law, or constitutes a taking for which compensation is due and for which no compensation has been paid.

Policy 5.5-a: The TAPO District boundary is shown on the Special Planning Areas Map in the Map Series and described as that area generally located south of Northwest 22nd Avenue, north of West Atlantic Avenue (State Road 806), east of the Florida Turnpike, and west of Military Trail.

Policy 5.5-b: Any person seeking development approval within the TAPO District shall be required to identify and, if applicable, dedicate well sites provided the development meets any of the following criteria:

1. A residential development is proposed greater than or equal to twenty-five (25) acres, or greater than or equal to fifty (50) lots; or
2. A non-residential development is proposed greater than or equal to ten (10) acres, or a structure that is greater than or equal to 75,000 square feet; or
3. A mixed development is proposed greater than or equal to ten (10) acres.

The number of well sites to be dedicated shall be based upon the development's size. The following guidelines shall be used in securing the dedication, unless such dedication is contrary to law, or constitutes a taking for which compensation is due and for which no compensation has been paid:

1. Developments greater than or equal to twenty-five (25) acres but less than 50 acres shall be required to dedicate one (1) well site;
2. Developments greater than or equal to 50 acres but less than 125 acres shall be required to dedicate two (2) well sites;
3. Developments greater than or equal to 125 acres but less than 200 acres shall be required to dedicate three (3) well sites; and,
4. Developments exceeding 200 acres shall be required to dedicate three (3) well sites for the first 200 acres and then one (1) additional well site for each 100 acres.

A minimum 60 foot by 40 foot site shall be dedicated for each wellhead unless site characteristics make this unnecessary. To the maximum extent possible, properties acquired or dedicated (such as parks, open space, easements or rights-of-way) to the County within the TAPO District shall be considered as potential well sites.

Policy 5.5-c: The Palm Beach County Water Utilities Department (PBCWUD) shall use the following criteria in locating well sites within the TAPO District:

1. Well sites shall be located along the perimeter of the development, where feasible;
2. Well sites shall be located as close as possible to either Jog Road or Hagen Ranch Road to facilitate connection to the raw water line which will supply the System 3 water plant; and,
3. As a way of limiting potential drawdown impacts, well sites shall be evenly spaced, with a minimum spacing of 500 feet between adjacent production wells.

Policy 5.5-d: Any person seeking development approval shall meet the following additional requirements, unless the PBCWUD determines, based upon site characteristics, that such requirements are not necessary:

1. An access easement shall be provided for maintenance equipment and water piping;
2. A temporary access easement shall be provided during well installation to allow the mobilization of the required equipment and drainage of test water prior to installation of the well pump and motor; and,
3. Agreements for well site easements shall include a hold harmless agreement to relieve the County from liability for impacts to on-site irrigation wells, aesthetic lakes, and surface water management systems.

Policy 5.5-e: Existing or approved uses and developments within the TAPO District shall be exempt from the requirements of this section; however, existing or approved uses and developments which store, process or handle regulated substances shall be considered non-conforming uses. Such non-conforming uses or developments shall comply, at a minimum, with the Zone 3 requirements of the Wellfield Protection Ordinance if such use or development enlarges or expands. Further, any new uses or developments, which include the storage, processing, or handling of regulated substances shall comply with, at a minimum, the requirements of Zone 3 of the Wellfield Protection Ordinance.

III. IMPLEMENTATION

A. Introduction

The Directions, Goals, Objectives and Policies in the Future Land Use Element reflect the long term planning directions of the Board of County of Commissioners. This section of the Land Use Element includes the requirements for approving developments in accordance with the Land Use Element and requirements for amending and adopting the Unified Land Development Code. This section also identifies those general uses permitted in the future land use designations established within this Element. All land use decisions must be consistent with all elements of the Comprehensive Plan.

B. County Directions

The Characteristics of a Livable Community, as contained in the County Directions, outline the components necessary to provide for sustainable communities with a high quality of life. The primary characteristics include:

For all tiers:

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

8. Elimination of facilities and uses that are incompatible with the community in which they reside.

Housing, in all Tiers, which includes:

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

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

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

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

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

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

1. Open space, squares, parks with landscaping, walkways, seating, appropriate recreational facilities and appealing vistas;
2. Comfortable streets, pathways, and trails;
3. Public and private buildings designed and placed to reflect a rural character.

Modes of alternative transportation, including:

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

Commercial centers addressing the neighborhoods daily needs include:

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

A. Land Use Designations

This section identifies the categories, uses, design criteria and any special requirements associated with the future land use designations contained in Goals 1 and 2 of the Element.

1. Residential

Land Use Designation Categories

General. The residential future land use designation encompasses two general residential types, rural and urban. The rural type is defined by four categories. The urban type is defined by seven categories. Generally, the rural residential areas are located in the central-western coastal area and the urban densities are located on both the east and west coast, primarily within municipal boundaries.

Glades. The Glades area, surrounding Lake Okeechobee, has rural and urban residential categories. With the exception of Lake Harbor and Canal Point in the Glades Tier, which are rural towns with urban densities, all of the residentially designated land in the Glades Area is shown on the FLUA as Urban Residential.

Residential Uses

Permitted Uses The following land uses may be permitted within areas designated Residential on the Future Land Use Atlas (FLUA), but are further restricted by the Tier in which they are located and the terms of the Unified Land Development Code (ULDC). Permitted uses include: dwelling units and accessory uses and structures; congregate living facilities; Park and Recreation uses designed to serve the residential area; Institutional uses designed to serve the residential area such as schools, child care facilities and adult day care facilities, houses of worship, governmental administration, law enforcement substations, fire protection facilities, libraries, civic centers, community service centers and similar uses. Some uses may be appropriate in residential areas if limited, such as: nursing homes subject to special criteria; utilities designed to serve the residential area; communication facilities subject to special criteria; limited commercial uses within a Planned Development District designed for the convenience of the residents; streets and other transportation corridors; agricultural uses compatible with the residential area; and, limited excavation operations.

In the Rural land use categories, limited agricultural uses are expected to co-exist with residential uses, while in the Urban land use categories, agricultural uses are expected to convert to other uses consistent with the Plan when those agricultural uses are no longer economically viable. Agricultural uses permitted by the Residential land use category must be compatible with the protection of the lifestyle and quality of life of the residents.

Non-Residential Uses. Non-residential uses permitted in residential areas shall only be allowed if they meet the criteria below. The ULDC adopted pursuant to this Comprehensive Plan shall ensure that non-residential uses allowed by residential zoning districts shall satisfy the Goals, Objectives and Policies of the Comprehensive Plan. All decisions of the Board of County Commissioners that implement the provisions of the ULDC which allow a non-residential use in a residential area must be based on a determination that:

1. The residential neighborhood is protected from the undesirable impacts of adjacent and surrounding development;

2. The non-residential use is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan;
3. The non-residential use satisfies any special siting criteria adopted by the Board of County Commissioners; and,
4. The density or intensity is comparable to and compatible with the density of the residential development within areas designated Residential on the FLUA.

Non-residential land uses that have an underlying residential land use, shall be governed by the density provisions in Land Use Objective 2.2.1, unless specifically noted.

Uses Discouraged in Residential Future Land Use Categories. Large-scale Park and Recreation uses, Institutional and Public Facility uses, and Utilities and Transportation uses designed to serve regional needs, including regional parks, regional water and wastewater treatment plants, power transmission facilities, solid waste transfer stations and disposal sites are discouraged in residentially designated areas and may be permitted only subject to the siting criteria of the appropriate regulatory authority(ies) as well as any special review and siting criteria adopted by the Board of County Commissioners. Power plants and correctional facilities shall be prohibited in residential land use categories.

Density

Density Calculations. The number of units permitted by the Plan for any parcel of land can be obtained by multiplying the gross acreage of the parcel by the density permitted by the residential category, as indicated in Table 2.1-1. The number of units permitted shall always be rounded down to the nearest dwelling unit.

Minimum Density Exemptions. Densities less than the Minimum Density indicated in Table 2.1-1 may be granted as follows:

1. Parcels may be granted a density exemption pursuant to FLUE Policy 1.2-b;
2. Parcels within the Glades Tier may be granted a density exemption pursuant to FLUE Policy 1.6-c.

Minimum Density Exemption - Vested Projects. The Development Review Officer (DRO) may approve density below the minimum density requirement, regardless of the number of units approved by the Board of County Commissioners, provided a valid local development order was approved prior to the adoption of the 1989 Comprehensive Plan, development of the Planned Development has commenced, and:

1. Units were transferred to the remaining unbuilt pod(s) in the development, thereby inflating the density in these pod(s) to a density that is out of character with the constructed portions of the Planned Development; or
2. The remaining unbuilt pod(s) shall be built at a density greater than, or equal to, the density of the approved and/or built pod(s) within the Planned Development to ensure conformity within the development; or
3. The Planning Division approved, prior to an approval by the Development Review Officer, the proposed decrease in density based on compatibility with adjacent future land uses, and efficient use of infrastructure.

Standard and Maximum Density Exemptions - Urban/Suburban Tier. Densities greater than those indicated in Table 2.1-1 may be granted as follows:

1. Parcels may achieve up to the Maximum Density pursuant to FLUE Policy 1.2.2-a (for infill), or FLUE Policy 1.2-g (for mobile home parks);
2. Parcels may be granted density above the Standard and/or Maximum Density pursuant to the Transfer of Development Rights Program, Workforce Housing Program, and/or a Special Overlay outlined in this Element;
3. Parcels that are developed as Traditional Town Developments.

Maximum Density Exemptions -- Exurban and Rural Tiers. Until such time as a recorded or unrecorded subdivision, or an area contained within or subject to the control of a Special District, is determined by the Planning Division to meet the provisions of the 85% rule exemption, the specified area shall comply with the lot combination requirements in Sub-objective 2.2.1. However, in the Exurban and Rural Tiers, there are antiquated subdivisions, which are subject to special provisions. Pursuant to FLUE Policy 1.3-e and FLUE Policy 1.4-e, the following areas meet the provisions of the 85% rule exemption:

1. Jupiter Farms;
2. Palm Beach Country Estates;
3. Royal Palm Beach Acreage;
4. Fox Trail;
5. Caloosa;
6. Homeland;
7. Tierra Del Ray Estates;
8. Tierra Del Ray South;
9. Deer Run;
10. Deer Run Plat 2;
11. Kramer's Unrecorded Subdivision: Located on the south side of Northlake Boulevard, adjacent to the west side of Ibis Golf and Country Club, and four miles west of Beeline Highway (State Road 710); and,
12. Mandell's Unrecorded Subdivision: Located in the southeast half of Section 9, Township 43, Range 40, and adjacent to the east right-of-way line of the M Canal Cut-off (L-8 Spur Canal.)

Entitlement density. Within the time frame provided by 163.3202(1), F.S., Palm Beach County will ensure that development orders for residential development will be based on the County's ability to maintain minimum levels of service as provided by the Concurrency Management System contained in the Capital Improvement Element.

Recreational Vehicle Parks and Mobile Home Parks. The density for a Recreational Vehicle Park shall be described in the ULDC. Mobile home parks in existence at the time of Plan adoption are considered in conformance with the Plan, regardless of the Future Land Use Atlas density. Some existing mobile home parks are shown on the Future Land Use Atlas within residential land use categories that allow fewer units than currently permitted. If the mobile home park is removed to allow an alternative type of residential development, the new development must conform to the density provisions of the Future Land Use Atlas.

Land Development Regulations

Urban/Suburban Tier:

Density Transfers. Densities may be transferred within a parcel covered by more than one Urban Residential category except where the transfer results in a net negative impact on a roadway shown on the County's Thoroughfare-Right-of-Way Identification Map. The total number of units allowed for the entire parcel shall not exceed the total number of units allowed by each future land use category.

Arrangement of Dwelling Units. Any arrangement of dwelling units on a parcel of land is allowed, as long as the maximum number of dwelling units designated for the parcel is not exceeded, the list of permitted land uses is not violated and the arrangement is allowed by the ULDC.

Application of Rural Standards. In the Urban/Suburban Tier, the County may apply the ULDC standards for rural residential development as follows:

1. in low density areas in Urban Residential future land use categories;
2. on parcels presently used for agricultural purposes; or
3. on parcels with a Special Agricultural futureland use category.

2. Commercial

Land Use Designation and Categories

Commercial Designation Eligibility. A property designated on the Future Land Use Atlas with any land use designation other than commercial may be eligible to receive a commercial future land use designation through the Comprehensive Plan amendment process. The ability of a property to receive a commercial future land use designation is based on consistency with 1) the Goals, Objectives, and Policies of the Comprehensive Plan, 2) all applicable data and analysis requirements of Chapter 163, F.S., and Rule 9J-5, F.A.C.; and, 3) good planning concepts.

Commercial Categories. The Commercial future land use designation is divided into four categories, which shall be shown on the Future Land Use Atlas depicting the precise boundaries of the areas eligible for commercial zoning. The four categories are:

3. CL Commercial Low Intensity
2. CL-O Commercial Low Intensity-Office Only
3. CH Commercial High Intensity
4. CH-O Commercial High Intensity-Office Only

The Future Land Use Atlas depicts the appropriate category for property designated Commercial, but not possessing valid commercial zoning at the time of Plan adoption. All property designated as Commercial on the Future Land Use Atlas that possessed valid commercial zoning at the time of Plan adoption in 1989 is designated as "C." If a parcel has a "C" designation then, prior to any zoning action, the commercial category criteria shall be applied to determine whether the CL or CH category is applicable to the parcel.

Commercial Uses

General. The uses listed below are allowable within the Commercial future land use designation, where permitted by the Unified Land Development Code.

1. Parks and Recreation;
2. Conservation;
3. Institutional and Public Facilities;
4. Transportation and Utility Facilities;
5. Communication Facilities;
6. Non-residential agricultural uses as provided by the Unified Land Development Code;
7. Mining and excavation, subject to the limitations;
8. Residential uses will be permitted only as described below:
 - a) Congregate living facilities, provided these areas are of an intensity compatible with the density of any adjacent residential neighborhoods and subject to other locational and density requirements of the Unified Land Development Code. The overall residential density will not exceed that of the underlying use;
 - b) Dwelling units as expressed by the underlying alternative land uses where the Board of County Commissioners approves a rezoning to a residential district consistent with the underlying residential land use;
 - c) Mixed commercial/residential planned developments within the Urban/Suburban Tier. The overall number of units will not exceed that calculated by the underlying residential category;
 - d) Caretakers' quarters.
9. Uses and structures accessory to permitted uses.

Commercial Low Uses. CL uses shall include a limited range of neighborhood-oriented commercial activities designed primarily to provide services to adjacent residential areas. The land development regulations developed pursuant to the CL category shall contain additional site design requirements in order to ensure compatibility with adjacent uses.

Commercial High Uses. CH uses shall include, but not be limited to, establishments primarily engaged in providing a wide variety of service for individuals, business and government establishments and other organizations. Retail uses; hotels and other lodging places; establishments providing personal business, repair and amusement services; health, legal, engineering and other professional services and offices; educational institutions; museums; membership organizations; and other miscellaneous services are permitted. The permitted uses within the CH category are intended to serve areas greater than the adjacent residential areas, and serve a community and/or regional commercial purpose.

Commercial Office Uses - Commercial Low and Commercial High. Offices for administrative, professional and business purposes; banking and financial institutions; membership organizations; and, uses that are accessory to the office use including restaurants, personal services and health clubs may be permitted in any of the four Commercial categories.

Commercial with Cross-hatching. The County's Future Land Use Atlas (FLUA) includes Commercially designated parcels depicted with cross-hatching. Uses within the cross-hatched portion of a commercial parcel are limited to water retention, landscaping, and/or at-grade parking. Vehicular storage, or storage of any kind, is prohibited in the cross-hatched area. The

purpose of applying cross-hatching to a portion of a Commercial parcel is to ensure compatibility by limiting the intensity of use and providing for a transition from a commercial use to less a intensive use, such as residential.

Alternative Uses. The Future Land Use Atlas identifies alternative residential densities or industrial land uses for areas designated as commercial. The alternative use will permit development provided maximum allowable densities or intensities are not exceeded.

Urban/Suburban Tier - Mixed-uses. Commercially designated areas within the Urban/Suburban Tier are eligible for consideration for mixed residential/commercial planned developments if all levels of service standards and other requirements are met, and the site has an underlying Residential future land use designation.

Exurban and Rural Tier. In the Exurban and Rural Tiers, CL uses shall be restricted as necessary to further Objectives 1.3 and 1.4, to preserve and protect the rural residential lifestyle and comply with the provisions of the ULDC.

Land Development Regulations

Application of Traffic Performance Tests. The Traffic Performance Test shall only apply to developments, which are projected by the Office of the County Engineer to result in an increase in traffic generation.

3. Commercial Recreation

Uses and Intensities

Commercial Recreation areas are designated on the Future Land Use Atlas to reflect and accommodate major public and private commercial recreation facilities that meet a portion of the recreational needs of residents and tourists. These facilities may be profit-making enterprises and/or may be held in private ownership. The Future Land Use Atlas may indicate two types of commercial recreation facilities: privately owned golf courses or uses such as fairgrounds, outdoor attractions and outdoor amphitheaters.

4. Industrial

Uses

General. The Future Land Use Atlas delineates the Industrially designated areas to include lands primarily used for manufacturing, assembly, processing, research and development and wholesale distribution and storage of products. The land uses listed below are allowable within the Industrial future land use designation as permitted by the ULDC.

1. Mining, subject to the limitations included in the subsection entitled "Mining and Excavation";
2. Accessory commercial uses within buildings devoted to primary industrial uses (automotive paint and body shop, car wash and auto detailing, and repair and maintenance, general, shall be allowed as freestanding uses);
3. Commercial uses within areas zoned as Planned Industrial Park Developments;
4. Parks and Recreation;
5. Commercial Recreation;
6. Conservation;

7. Institutional and Public Facilities;
8. Transportation and Utility Facilities;
9. Communication Facilities;
10. Non-residential agricultural uses;
11. Caretakers' quarters;
12. Uses and structures accessory to a permitted use; and,
13. Residential uses, subject to the limitations described in the provisions for a Planned Industrial Park Development.

The Unified Land Development Code shall include, at a minimum, the following three zoning districts, which generally allow the uses described below:

Light Industrial. This district includes light manufacturing, processing, wholesaling, fabrication or storage of non-objectionable products not likely to cause undesirable effects upon nearby areas. These uses shall not cause or result in the dissemination of excessive dust, smoke, fumes, odor, noise, vibration or light beyond the boundaries of the lot on which the use is conducted. Examples of the allowable uses identified in Policy 2.2.4-a include, but are not limited to:

1. Assembly of computer products;
2. Business dispatching offices; and,
3. Pest control operations.

General Industrial. This district includes medium to heavy industrial operations such as manufacturing, transportation and wholesale trade, construction and agricultural uses. These uses may cause or result in the dissemination of dust, smoke, fumes, odor, noise, vibration or light beyond the boundaries of the lot on which the use is conducted. These effects will be minimized through the Unified Land Development Code. Examples of the allowable uses identified in Policy 2.2.4-a include, but are not limited to:

1. Salvage and junkyards;
2. Storage of regulated substances;
3. Outdoor storage, including storage of construction material;
4. Asphalt and concrete mixing and product manufacturing;
5. Foundry and steel or metal fabricating and manufacturing;
6. Transshipment terminals; and,
7. Light industrial uses (as described above).

Planned Industrial Park Development. The uses allowed in a PIPD are identified in Policy 2.2.4-b.

5. Agriculture

General

The State Comprehensive Plan clearly emphasizes the continuation of agriculture as an important and stable part of the State economy. The Agriculture Goal states: "Florida shall maintain and strive to expand its food, agriculture, ornamental horticulture, aquaculture, forestry, and related industries in order to be a healthy and competitive force in the national and international marketplace."

The Treasure Coast Comprehensive Regional Policy Plan also stresses the importance of agriculture to Palm Beach County. The land use designations and provisions included in this Element are designed to support the Agricultural Industry while satisfying other goals of the County.

Uses

Urban/Suburban Tier. Areas within the Urban/Suburban Tier may be suitable for agricultural use throughout the implementation period of the Plan. It is not the intent of the Plan to encourage premature urbanization of these areas. In the Urban/Suburban Tier agricultural uses are expected to convert to other uses consistent with the Plan when those agricultural uses are no longer economically viable. Agricultural uses permitted in the residential land use designation must be compatible with the protection of the residential lifestyle and quality of life.

In this Tier agricultural uses shall be allowed, subject to conditions of approval. These conditions may include but are not limited to: compatibility analysis; controlling objectionable odors; fencing; sound limitations; inspections; reporting or monitoring; preservation areas; mitigation; and, such other conditions of operation or other limitations found in the ULDC. Conditions would be imposed concurrent with development approval either as a conditional use, a site plan, or any other process identified in the ULDC. Failure to meet these standards and conditions shall subject the agricultural use to the enforcement procedures in Article 10 of the ULDC.

Land Development Regulations in the Urban/Suburban Tier. The County may apply the ULDC standards for rural residential areas in the Urban/Suburban Tier in low density areas in the Residential future land use designations which are used for agricultural purposes, or on parcels with a Special Agricultural (SA) land use category.

Rural and Exurban Tiers. Limited agricultural uses are expected to co-exist with residential uses. Additionally, the County encourages the continuation and enhancement of the equestrian industry by acknowledging the keeping, raising and training of horses as an agricultural use and shall allow a wide range of related activities and accessory uses in appropriate locations throughout Palm Beach County.

Special Agriculture Uses. The following land uses and intensities are allowed in areas designated Special Agriculture where permitted by the terms of the Unified Land Development Code:

1. Fruit and vegetable markets and terminals for farm products;
2. Agricultural production uses including, but not limited to, produce packing plants, poultry and egg production, nurseries, growing, livestock, kennels, training centers and potting soil manufacturing;
3. Agriculturally related services such as feed and grain stores and farm implement sales and service and fueling areas restricted solely to agricultural activities;
4. Mining, subject to the limitations;
5. Uses and structures accessory to a permitted use; and
5. Limited residential uses as described below,
 - a) farm labor quarters and camps;
 - b) caretaker's quarters, such as for pump houses;
 - c) dwelling quarters and farm residences for bona fide farm operations; or
 - d) dwelling units allowed as alternative use.

In order to protect existing residential uses, intense agricultural or other similar uses in the Special Agricultural (SA) future land use designation shall be limited or restricted. Some agricultural uses and intensities will not be permitted as a right within residential areas. While many agricultural uses may be permitted within residential areas, special care shall be taken to protect the existing neighborhoods. Alternative residential designations are depicted on the Future Land Use Atlas for some sites to allow these areas to convert to other uses.

Agricultural Production (AP) Uses: The following land uses and intensities are allowed within areas designated as Agricultural Production, where permitted by the terms of the Unified Land Development Code.

1. Cultivation of crops and livestock including: crop land, pasture land, groves, nurseries, ornamental horticulture areas, thoroughbred and pleasure horse ranches and equestrian facilities, cattle ranches, and specialty farms;
2. Facilities associated with, and dependent upon, a principal agricultural activity including but not limited to transportation, storage or processing of agricultural products or by-products;
3. Limited residential uses as described below,
 - a) Farm labor quarters and camps;
 - b) Caretaker's quarters, such as for pump houses;
 - c) Dwelling quarters and farm residences for bona fide farm operations.
4. Parks and Recreation uses, Institutional uses and Utilities and Transportation uses designed to serve the needs of the agricultural production area including the needs of the limited residential uses described above;
5. Parks and Recreation uses, Institutional uses and Utilities and Transportation designed to serve Countywide, regional and/or state needs may be permitted subject to the siting criteria of the appropriate regulatory authority(ies) and any special review and siting criteria adopted by the Board of County Commissioners of Palm Beach County;
6. Communication Facilities;
7. Mining, subject to the limitations;
8. Uses and structures accessory to permitted use;
9. Residential and non-residential development pursuant to any approvals granted prior to the 1989 Plan adoption, or residential units required to accommodate the relocation of existing units that were approved prior to the 1989 Plan adoption.

6. Parks and Recreation

Parks and Recreation areas are designated on the Future Land Use Atlas to reflect developed or planned sites owned by a governmental entity that provide the public an opportunity to partake in a variety of recreational activities that may be active, passive, or special in nature in a safe and convenient manner that is compatible with its environs.

Parks and Recreation areas conserve open space and natural resources while providing the public with a variety of recreational and cultural opportunities. The County's park system can be classified into six types of parks, dependent primarily on size of service area, available resource base, and recreational and/or cultural facilities provided. They range from local level parks that include infill, neighborhood, and community type parks to countywide level parks that include district, beach, and regional parks. Public parks in the County Park System offer an array of recreational opportunities through the provision of passive, active and special recreational

facilities. Typically, passive or resource-based facilities, i.e. beaches, picnicking, hiking, nature centers, museums, camping, boating, etc., and special facilities such as golf courses, aquatic facilities, recreation centers are provided within regional, district, and beach parks. Uses such as beach renourishment may also be allowed on areas designated as Parks and Recreation. Active or user-based facilities, i.e, baseball, softball, football, soccer, tennis, basketball, play courts, exercise trails, etc., may be provided in all types of parks, subject to site constraints.

7. Institutional and Public Facilities

Institutional and Public Facilities shall be permitted in all Future Land Use Atlas designations provided such uses are consistent with the Comprehensive Plan and the Unified Land Development Code.

Permitted Uses. Uses permitted in the Institutional and Public Facilities future land use designation include a full range of regional and community uses such as educational; child care facilities and adult day care facilities; congregate living facilities; medical and accessory offices; hospitals, public health clinics, emergency shelters; governmental, religious, cemetery, civic, cultural, judicial and correctional facilities; caretakers' quarters; and, accessory affordable housing.

The Institutional and Public Facilities category may provide for accessory affordable housing when residential development is under the direct and constant supervision of a sponsoring, non-profit organization or community-based group. Such housing shall only be below market rentals, and not for-sale property. This housing shall also be used to fulfill specific housing needs within the community. Such a development shall only be requested by a non-profit organization or community-based group, and may receive a recommendation by the Commission on Affordable Housing. Residential uses, other than those indicated above, are not permitted in areas designated on the Future Land Use Atlas under the Institutional and Public Facilities future land use designation.

Designation of underlying uses and density/intensity. Parcels designated as Institutional prior to the adoption of the 1989 Comprehensive Plan, may have an underlying residential use assigned on the basis of land use compatibility with adjacent properties. The Planning Director may assign an underlying density based on the densities of the adjacent residential land uses without a land use amendment.

8. Transportation and Utilities Facilities (U/T)

Transportation Uses. Transportation uses include streets and other transportation corridors, expressways, interchanges, public and private airports and landing strips, ports, and railroad facilities. Airports and related facilities include, but are not limited to, airport and aircraft operations and maintenance facilities, cargo distribution terminals, car rental operations, warehouses, hotels, and offices.

Utility Uses. Utility Facilities include a full range of utility uses such as water and sewage treatment plants, solid waste transfer stations and facilities, and electrical transmission facilities, towers, sub-stations and power plants.

Communication Facilities include such facilities as television and radio station, towers and relay structures and telephone facilities.

9. Traditional Town Development

It is the purpose of the Traditional Town Development (TTD) future land use designation to encourage mixed-use, compact development which is sensitive to environmental characteristics of the land, and which facilitates efficient use of services within the County. The TTD provides an opportunity for diversification and integration of land uses including residential, retail, office, recreation, etc., within close proximity to each other, providing for the daily recreation and shopping needs of the residents. While a mixture of uses is required, the TTD shall be a residentially-based development.

Traditional Town Characteristics. The Traditional Town Development (TTD) future land use designation shall provide for community planning, which is guided by sensible and desirable attributes of a "traditional neighborhoods." Traditional Town Developments share the following characteristics: They shall:

1. have neighborhoods which are pedestrian oriented, physically recognizable, developed at a human scale, limited in size (allowing residents to walk to the neighborhood center within approximately five minutes), and efficiently organized to provide for the daily needs of the residents;
2. have residences, shopping, employment and recreational uses which are all located within the neighborhoods, and within close proximity to each other;
3. have a hierarchy of streets to serve the needs of the pedestrian and the motorist;
4. be primarily pedestrian-oriented design and secondarily for vehicles, through the development of pedestrian and bikeway circulation systems which serve to functionally and physically integrate the various land use activities;
5. have physically defined and linked squares and parks within neighborhoods which provide places for social activity and active/passive recreation. The linking of these places through the use of greenways increases accessibility to the recreational facilities;
6. have well placed civic buildings and squares provide places for social, cultural and religious activities, and become symbols of community identity;
7. have commercial uses supportive of the residential development;
8. be predominantly residential, requiring a minimum of 55% of the development area be devoted to residential uses primarily as TNDs. (Up to 10% of the area of a TTD may be PUDs.) In addition, each TND shall contain mixed-use development allowing for the horizontal and vertical integration of, as well as the clustering of, living, working, recreational, open space, shopping, and civic uses;
9. contain a centrally located TMD comprising shopping, employment and civic uses;
10. meet all adopted levels of service, as specified in the Comprehensive Plan, and all urban services shall be available concurrent with the impacts of development;
11. provide for a variety of housing types, including low and very low income housing, and neighborhoods shall contain a variety of these housing types;
12. include building setback requirements, which allow buildings to abut front sidewalks; however, streetscape requirements must be met as outlined in the ULDC;
13. allow for the provision of alleys;
14. allow for the provision of on-street parking to buffer walkways from the road and increase overall pedestrian safety;
15. include standards for parking, which acknowledge the pedestrian nature of the community, permit pervious surface parking, and provide parking behind buildings;

16. achieve a 20% internal capture rate for transportation;
17. be designed to include mass transit (including land for bus stops) and accessibility to existing mass transit, where available, and provide alternative modes of transportation, such as bikeways and pedestrian paths;
18. be designed to provide for well defined public spaces, buildings, and vistas which terminate on focal points. Usable public open space shall comprise a minimum of five (5) percent of the developable area. Linkages between open spaces, in the form of pedestrian and bike paths, shall be provided for within and outside the development;
19. incorporate detailed performance standards which allow for regulating buildings by general category of use (building type) rather than by specific use;
20. provide for and maintain extraordinary landscaping/recreation facilities/sign control/design and development standards;
21. reduce the intensity/density of that portion of the development which is contiguous to any priority acquisition sites designated by the Conservation Lands Acquisition Selection Committee or its successor, so that the development is compatible with, and does not destroy or negatively impact the environmentally sensitive area; and
22. have neighborhood centers, which contain civic and commercial uses that serve the daily needs of the residents within a quarter mile walk of 90% of the neighborhood's residential areas.

The TTD, by virtue of its function and design is unique in character; however, the development shall demonstrate: 1) sector balancing; 2) compatibility and integration with existing development; and, 3) consistency with the goals, objectives and policies of the Comprehensive Plan. Through the Regional Analysis the TTD shall identify the need and provide employment opportunities for both existing and future residents, and contribute to the alleviation of existing imbalances in the area relative to lack of affordable housing, employment, retail, infrastructure, etc.

Land Use Amendment Process. The TTD shall be permitted as a Land Use designation in the Urban/Suburban Tier, only.

When a TTD is approved as a Comprehensive Plan Map amendment, and the TTD does not commence within the time frames outlined in the ULDC (Compliance with Time Limitations and Conditions of Approval), or as specified in the Development Order, including any administrative extension, the County may initiate a Comprehensive Plan Map Amendment to remove the TTD, or to modify its conditions of approval.

Underlying Land Use. The TTD shall have associated with it an underlying urban residential land use designation that must be compatible with the surrounding area. At the time a TTD amendment is requested, the underlying residential land use designation shall be established, based on the existing residential land use designation. The underlying residential land use designation may also be amended as part of the TTD land use amendment if the existing residential land use designation is determined to be insufficient to accommodate the desired TTD residential density.

The underlying residential future land use designation shall be the future land use designation maintained in the event the TTD is revoked. (For example, if the current future land use designation is Low Residential - 1 (LR-1) and the applicant is attempting to develop a TTD, the applicant may request an underlying future land use designation such as Medium Residential - 5 (MR-5)). The underlying residential future land use designation must be compatible with the

surrounding area. If the underlying residential future land use designation is approved, and the minimum criteria for a TTD have been met, a TTD/MR-5 Land Use Amendment would be approved. This would allow the property to be developed at a higher density/intensity (up to an additional 2 du/acre). However, if the BCC initiates an amendment to remove the TTD Land Use Category, the underlying future land use designation would be MR-5.

Approval of the underlying residential future land use designation during the land use amendment process shall be considered a discrete action by the BCC. The developer shall justify the requested underlying future land use. The underlying future land use must be appropriate for the site, compatible with the surrounding area, and be able to stand alone if the TTD is revoked.

The amount of commercial land use permitted shall be based upon a demonstrated need or demand for the amount of proposed commercial use in a given location. The developer must identify the proposed service area, both on and off site, and demonstrate that a balance exists between residential and commercial development. The TTD shall also permit an appropriate mix of institutional, civic and light industrial uses.

10. Multiple Land Use Development

It is the purpose of the Multiple Land Use (MLU) future land use designation to allow and facilitate the development of innovative multiple use projects. The MLU designation can be applied for through the FLUA amendment process.

11. SPOIL

General. Spoils are sites in Palm Beach County where the State of Florida and/or federal government has given approval for sand or soil disposal. These sites may be located either on the mainland or on islands located within the Intracoastal Waterway or Lake Okeechobee. Spoil sites are created and serve as an appropriate receiving area for dredged sand, or earth dredged from the bottom of navigable water channels. The Spoil future land use designation is designed to protect and retain this use.

Permitted Uses. Spoil uses include: sand or soil disposal, islands left in their natural state, conservation, and parks with passive recreation.

B. Mining and Excavation

Compatibility provisions. Compatibility as referred to in Objective 2.3 shall include, but not be limited to, any negative impacts to surrounding land uses with regards to density, intensity, function, air quality, water quality, noise, traffic, aesthetics, vibrations, smoke, odors, radiation, or any other land use conditions.

C. Other Mixed- Use Development Types

Planned Development District - General

A Planned Development District is entitled to approval at the maximum density if such approval meets all required level of service standards and is consistent with the Unified Land Development Code requirements for Planned Development Districts. Prior to a PDD being approved, the County shall initiate a review to ensure that the proposed PDD is reasonably compact and non-serpentine in form; does not create isolated pockets which are not able to be functionally tied to the PDD with respect to roadways, pedestrian pathways, bike paths, or architectural treatments; and does not result in the creation of incompatible uses being approved for these residual parcels.

Traditional Marketplace Development

The purpose of a Traditional Marketplace Development (TMD) is to provide the community with an alternative commercial development pattern that promotes concentrated, mixed-use areas for shopping, entertainment, business, cultural and housing opportunities. This shall be accomplished by allowing for a mix of uses in a manner that creates a stronger pedestrian orientation through design, placement and organization of buildings and common public space while dispersing parking. This alternative form of development provides a more efficient pattern of development, and more cost effective delivery of service while increasing the sense of community. The County shall provide for a Traditional Marketplace Planned Development in the Urban/Suburban, Exurban, Agricultural Reserve, and Rural Tiers and shall ensure that it is designed to be compatible with the Tier of development. The basic principles are described below shall be used as a guide to create standards to implement this alternative Commercial development pattern.

The Traditional Marketplace Development shall be comprised of community serving uses. These uses may include, but will not be limited to, shops and services, retail, office, restaurant, and civic uses such as schools, places of worship, and government services. The compact design, low intensity land use does not permit the siting of “freestanding”, or “big box” commercial. The floors above the shops and offices have the potential to provide either housing or residential/business as live/work spaces.

Mixed-use Planned Development

The Mixed-use Planned Development (MXPD) provides a model for compatible, balanced, integrated land uses. The MXPD will include residential, commercial, office and civic uses to create opportunities for living, working and entertainment in a pedestrian oriented community.

In an MXPD, multi-purpose buildings that permit a mixture of compatible uses are required. Land use standards shall clearly require integration of uses within buildings or among buildings, which will be accomplished as follows:

1. Use of vertical integration such as residential uses over office or retail uses, office uses over retail uses, or other compatible combinations of uses may be allowed;
2. Use of horizontal integration may be permitted if building are placed and oriented to front on well designed, useable public spaces; and/or
3. Use of shared space creating live-work space within a single unit in a building.

MXPD projects shall be reviewed to ensure that provisions for transition areas are be established. These provisions shall address how the development is treated at the periphery,

adjacent to less intense residential neighborhoods or natural areas. In place of landscape buffers, spatial transitions should include lower intensity and density uses, and building height and design comparable to the adjacent district. These transitions will integrate new development into the community and provide strong pedestrian and bicycle linkages and access. Buffers should be limited to situations where there is a substantial difference in the intensity or density of development. Buffers should not be used as the sole factor in establishing land use compatibility.

D. Transfer of Development Rights

Pursuant to Policy 2.6-i, the compatibility of a proposed Transfer of Development Rights (TDR) receiving area shall be determined based upon the following factors:

1. The character of the proposed development in relation to the adjacent properties including building type and size and the gross and net densities of the proposed receiving area and the adjacent properties. The site development plan for the proposed receiving area must consider the natural topography, native vegetation, existing lakes and natural and man-made constraints found on-site and reflect the limitations imposed by these factors.
2. Proximity of the proposed receiving area to environmentally sensitive lands is evaluated as follows:

A receiving area must not degrade adjacent Environmentally Sensitive Lands. Therefore, the receiving area shall reduce the intensity/density of that portion of the development which is contiguous to any regionally significant natural resource as defined by the Treasure Coast Regional Planning Council, environmentally sensitive land as defined by the Conservation Lands Acquisition Selection Committee (CLASC) or sites designated as preserve areas according to Article 14.C, Vegetation Preservation and Protection of the Unified Land Development Code, so that the development is compatible with, and does not destroy or negatively impact the environmentally sensitive area according to the following table.

The determination of compatibility may be made by the BCC or the Development Review Officer (DRO).

**Table 4
Required Buffer Zones for Receiving Areas
Adjacent to Environmentally Sensitive Lands**

Density of Adjacent Pod/Development Area	Required Buffer Zone of Native Vegetation
Net density - less than or equal to 3 units per acre	50 foot buffer
Net density - less than or equal to 5 units per acre	100 foot buffer
Net density - greater than 5 units per acre	200 foot buffer

E. Overlays

The Overlays are depicted on the Special Planning Areas Map contained in the Comprehensive Plan Map Series.

Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO)

The Westgate/Belvedere Homes Community Redevelopment Plan (hereafter Redevelopment Plan) is intended to geographically represent the desired locations for future land uses as well as the designation of receiving areas for the commercial and residential bonus provisions of the Overlay. The Redevelopment Plan will also consist of a program to rectify the severe infrastructure problems in the area. The County staff shall use the Redevelopment Plan in making recommendations and decisions on land use matters including zoning petitions, land use amendments, bonus criteria, text changes to the Unified Land Development Code and other implementing measures. The Redevelopment Plan may be amended from time to time using the procedures for adoption as included in Chapter 163 F.S.

The provisions in Sub-objective 1.2.4 are designed to reduce the need for Future Land Use Atlas amendments to implement a community redevelopment plan for the Westgate/Belvedere Homes Area. This does not preclude the ability of property owners to initiate Future Land Use Atlas amendments in the Study Area. Special Overlay designation does not eliminate the requirement to conform to the Traffic Performance Standard, other concurrency management requirements or any other requirement adopted as part of the County's Comprehensive Plan or Unified Land Development Code.

PBIA Approach Path Conversion Area Overlay

A Committee consisting of representatives of existing developments within the Overlay area, existing developments adjacent to the Overlay area and the Town of Haverhill is established and responsible for:

1. Formulating and presenting recommendations to the Zoning Commission on zoning petitions requesting new non-residential uses adjacent to existing neighborhoods within the Overlay area;
2. Reviewing and providing input on the development of the regulations and criteria described below; and,
3. Formulating and presenting recommendations to the Local Planning Agency on non-residential land use Plan amendments.

The Board of County Commissioners must consider the effect of any non-residential development on existing neighborhoods when approving such petitions. Development Orders within this Overlay must satisfy the following criteria:

1. Existing residential development shall not be considered a non-conforming use;
2. Non-residential development shall be subject to any additional land development regulations and site design criteria contained in the Land Development Codes revised pursuant to this Overlay. Such additional regulations will include, but are not limited to:

- a) Restriction of permitted uses;
- b) Access standards that recognize the adjacent residential characteristics;
- c) Screening, landscaping, and buffering that improve the environment, reduce noise associated with the use, reduce glare, and improve the visual appearance of the area, compatible with adjacent uses;
- d) Design standards to ensure compatible, attractive development, such as facade, signage, exterior materials, and structural appearance; and,
- e) Height, setback, and lot coverage restrictions to achieve attractive and safe separation of uses.

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

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

Upon execution, by the County and the municipality, of a Joint Planning Agreement pursuant to Chapter 163, F.S., the provisions of the Overlay may be superseded by the terms of the Agreement, for the areas subject to the Agreement. The agreement must be consistent with the provisions of the Overlay as described above.

Land within the Overlay which has an existing Industrial land use designation at the time of the adoption of the Plan is entitled to seek Industrial rezoning in accordance with the normal Industrial property development regulations contained within the Unified Land Development Code notwithstanding the restrictions contained herein.

The Overlay designation does not eliminate the requirement to conform to the Traffic Performance Standards, other Concurrency Management requirements or any other requirement adopted as part of the County's Comprehensive Plan or Unified Land Development Code.

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

Sugar Cane Growers Cooperative of Florida Protection Overlay

The purpose of the Sugar Cane Growers Overlay area is to provide for the protection of a significant agricultural industry from encroachment by incompatible uses and activities; as well as to provide opportunities for the location of accessory, auxiliary, and supporting industrial uses in close proximity to the existing SCGCF mill and related facilities.

The Sugar Cane Growers Cooperative of Florida Protection Area Overlay is generally described as the area east of State Road 15, east and north of Belle Glade's city limits south of State Road 80, and west of the adopted Urban Service Area for the Glades. The overlay includes all of Sections 21, and 28, the eastern half of sections 20 and 29, Township 43 Range 37, excluding completely the western half of Section 29, which has been selected by the City of Belle Glade to build a Business Park and as a potential future annexation area. The specific boundaries of the Sugar Cane Growers Cooperative of Florida Protection Area Overlay are depicted on the Special Planning Areas Map in the Map Series.

Should production and processing at the Sugar Cane Growers Cooperative of Florida be discontinued, this Overlay and Sub-objective 1.6.2 of the Future Land Use Element will be revisited, and will also be reviewed as part of the Evaluation and Appraisal Report (EAR) process for the Comprehensive Plan.

Greenways and Linked Open Space Program

Three types of open space links or greenways are included in the Greenways and Linked Open Space Program. These are: "Ecological/Conservation Greenways" or "Wildlife Corridors", which connect conservation areas to allow animal migration (and primitive hiking where feasible); "Small Ecological Greenways" which allow connection of upland areas to preserve high quality native vegetation within urban areas; "Passive Recreational Greenways" which connect residential areas to parks, beaches, urban preserves and other open space features and which may use drainage canal maintenance areas and/or right-of-way, and road rights-of-way for these connections.

"Linked Open Space" is not a land use designation within the Palm Beach County Comprehensive Plan, but is a program which enables connections consisting of lands designated as "Conservation", "Agricultural Production" or other land categories between lands identified as "Conservation," "Parks and Recreation," and "Residential." The Greenways and Linked Open Space Program includes areas within both incorporated and unincorporated Palm Beach County, and is depicted on the map included within the Map Series, entitled "Greenways and Linked Open Space Program".

For additional information about the Linked Open Space Program, refer to the Introduction/Administration, Transportation, Conservation, Recreation & Open Space, Intergovernmental Coordination and Capital Improvements elements.

United Technologies Corp (Pratt-Whitney) Protection Area Overlay

The purpose of the Overlay is to provide for the protection of a critical manufacturing and research and development employer from encroachment by incompatible uses and activities; as well as to provide opportunities to locate accessory, auxiliary, and supporting industrial uses in close proximity to the existing facilities. Locations of such uses may ultimately lead to the continuation and future development of the Pratt-Whitney facilities. In order to enhance the operation of Pratt-Whitney, it is necessary to provide compatible adjacent land uses and

activities in the Overlay area, which complement the operations and/or are related to the continuation and future development of the facility.

In 1957/58, the Pratt-Whitney facilities were established in the area designated as Industrial, immediately south of the Beeline Highway and west of Seminole Pratt-Whitney Road. The siting of these facilities was purposely in an isolated and rural setting, to minimize or eliminate any inconsistencies with adjacent land uses. Pratt-Whitney is a major industrial employer within the County, and its continuation and potential expansion of its employment base supports the Comprehensive Plan's economic goal to expand the County's manufacturing/industrial base. The Unified Land Development Code shall specifically identify the uses permitted within this Overlay, and must provide for regulations and restrictions consistent with the provisions of this Overlay.

Turnpike Aquifer Protection Overlay (TAPO) District

The surficial aquifer is the primary source of freshwater for eastern Palm Beach County. The northern extension of the Biscayne Aquifer, locally known as the "Turnpike" Aquifer, encompasses one of the most extremely productive portions of the surficial aquifer. The "Turnpike" Aquifer also serves as the present and future water supply for the system 3W water treatment plants 3 and 8.

In addition, the County shall encourage new uses and developments, which are compatible with the protection of the groundwater, including but are not limited to: residential uses, parks and open spaces, golf courses, campgrounds, and agricultural uses.

Scientific Community Overlay

The purpose of the Scientific Community Overlay is to allow for research, development, manufacturing activities and support services within a sustainable community. The Overlay shall permit an integrated mix of land uses that promotes economic development and protects and enhances the natural resources of the region. The mix of uses shall include residential, commercial, institutional and recreational, as well as science and technology uses.

Glades Area Protection Overlay

The Purpose of the Overlay is to Protect the Everglades Agricultural Area (EAA) from encroachment by urban and other uses that will be detrimental to the viability and continuity of agricultural activities, existing and future conservation areas, and Everglades restoration programs and projects. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into the agricultural production areas in the Glades Tier, and complements provisions in the sector planning process for the Central Western Communities.

F. Services

Implementation of the provisions for Urban, Limited Urban, and Rural Service areas will help achieve the County's intent to direct growth back to the coastal communities and to prevent urban sprawl. Urban sprawl causes the County to provide urban services at an increasing cost to undeveloped and under-developed land areas instead of more efficiently utilizing existing infrastructure.

Urban Services within the Rural Tier. The following areas of the County have been determined by the Planning Division to have satisfied the criteria established in Policy 3.4-b allowing properties within the Rural Service Area to utilize an urban level of service because water and/or sewer lines existed prior to the date of adoption of the Plan:

1. Properties along the north side of Southern Boulevard, from the Urban Service Area boundary west to "C" Road; and,
2. Properties along Hillsboro Road from the Urban Service Area west to the Water Conservation Areas.

G. Community Planning

Community Plans/ Neighborhood Plans and Studies

The Western Communities Task Force Working Paper, Community Plans, Neighborhood Plans and Special Studies, including those adopted, accepted, or received by the Board of County Commissioners, are incorporated into the Future Land Use Support Document as reference guides to identify community needs and unique neighborhood characteristics of the Tier(s) containing the neighborhood plan.

The following is a list of the County's neighborhood plans and studies:

1. Haverhill Area Neighborhood Plan
2. High Ridge Road Corridor Study
3. Jog Road Corridor Study
4. Jupiter Farms Neighborhood Plan
5. Lake Worth Road Corridor Study
6. Loxahatchee Groves Neighborhood Plan
7. Skees Road Study
8. The Acreage Neighborhood Plan
9. West Boynton Area Community Plan
10. Western Northlake Corridor Land Use Study

The County shall review and amend as needed the guidelines and rules for preparation and submittal of neighborhood plans and procedures for amending the Palm Beach County Unified Land Development Code to reflect neighborhood plans as approved by the Board of County Commissioners. The requirements and procedures shall include the following:

1. Neighborhood plans shall not be submitted by a single land owner. These plans are for the benefit of current and future residents of the neighborhood. Plans shall be prepared by or on behalf of the residents and must be submitted to the Department of Planning, Zoning and Building;
2. Priority shall be given to the Redevelopment and Revitalization Overlay;
3. Neighborhood plans must show the effect of implementation of the plans on neighbors not included in the plan;
4. The Department will review a neighborhood plan against the Goals, Objectives and Policies of the Palm Beach County Comprehensive Plan and shall make recommendations to the Board of County Commissioners for action;
5. Provisions shall insure that the neighborhood plan reflects the desires of a sufficient proportion and number of neighborhood residents; and,
6. Neighborhood plans shall include a description of the program used to generate public input during preparation of the plan.

H. Map Interpretation

The Future Land Use Atlas delineates the future land use designations and other special designations.

Non-residential boundary determinations. In some cases, rear portions of lots intended to be designated Commercial or Industrial may appear to lie outside the mapped area due to the lack of detail of the Future Land Use Atlas and the actual configuration of a lot or lots. Therefore, the information in Table 2.2.2-1 will be used in determining the specific depth of commercial or industrial designations where individual lot lines are not coterminous with a mapped future land use. All disputes regarding land use boundaries, including residential density, will be decided using the Future Land Use Atlas and Table 2.2.2-1, where applicable.

I. Zoning Consistency

The County may initiate a district change to the appropriate Zoning Quad Map to eliminate inconsistent land uses and further the Goals, Objectives and Policies of the Comprehensive Plan. All map rezoning changes initiated either by the property owner or by the County must be to a zoning district that is consistent with the land use provisions described in this Element.

The Unified Land Development Codes adopted by the Board of County Commissioners may limit or restrict any of the land uses permitted by the Land Use Element. The County shall develop and adopt amendments to the ULDC to protect the diverse lifestyles as specified in the Tiers.

Status of Existing Development Approvals/ Non-Conforming Uses, Structures

The Future Land Use Element encourages the elimination or reduction of those existing uses and activities and already approved uses and activities that are inconsistent with the Comprehensive Plan. The land development regulations and review processes implemented pursuant to this Future Land Use Element will recognize existing development approvals which have been issued a final development order and development has commenced and is continuing in good faith for both density (if applicable) and concurrency.

Non-conforming uses will not be allowed to enlarge or expand except under limited circumstances, specified in the Palm Beach County Unified Development Code, which are designated to curtail any substantial investment in non-conformities to preserve the integrity of the Comprehensive Plan.

ABBREVIATED AMENDMENT HISTORY			
Action	Date	Ord. No.	Effective Date
<i>Adopted</i>	<i>08/31/89</i>	<i>89-17</i>	<i>09/11/89</i>
<i>Revised</i>	<i>09/18/90</i>	<i>90-32</i>	<i>10/04/90</i>
<i>Revised</i>	<i>08/22/91</i>	<i>91-31</i>	<i>09/15/91</i>
<i>Revised</i>	<i>12/16/91</i>	<i>91-48</i>	<i>12/27/91</i>
<i>Revised</i>	<i>04/20/92</i>	<i>92-06</i>	<i>05/01/92</i>
<i>Revised</i>	<i>10/20/92</i>	<i>92-28</i>	<i>11/03/92</i>
<i>Revised</i>	<i>10/26/92</i>	<i>92-31</i>	<i>11/09/92</i>
<i>Revised</i>	<i>12/20/93</i>	<i>93-32</i>	<i>02/21/94</i>
<i>Revised</i>	<i>07/21/94</i>	<i>94-16</i>	<i>09/28/94</i>
<i>Revised</i>	<i>07/21/94</i>	<i>94-18</i>	<i>09/28/94</i>
<i>Revised</i>	<i>12/20/94</i>	<i>94-32</i>	<i>02/24/95</i>
<i>Revised</i>	<i>09/19/95</i>	<i>95-39</i>	<i>01/11/96</i>
<i>Revised</i>	<i>11/07/95</i>	<i>95-44</i>	<i>01/11/96</i>
<i>Revised</i>	<i>11/07/95</i>	<i>95-45</i>	<i>01/11/96</i>
<i>Revised</i>	<i>12/06/95</i>	<i>95-58</i>	<i>02/06/96</i>
<i>Revised</i>	<i>09/12/96</i>	<i>96-25</i>	<i>10/31/96</i>
<i>Revised</i>	<i>10/04/96</i>	<i>96-32</i>	<i>11/22/96</i>
<i>Revised</i>	<i>10/04/96</i>	<i>96-35</i>	<i>11/22/96</i>
<i>Revised</i>	<i>10/04/96</i>	<i>96-39</i>	<i>11/22/96</i>
<i>97-1 EAR Revisions:</i>	<i>09/22/97</i>	<i>97-34</i>	<i>12/03/97</i>
<i>97-1 Revisions - Sugar Cane Protection Area Overlay:</i>	<i>09/22/97</i>	<i>97-30</i>	<i>12/03/97</i>
<i>97-2 Revisions - Lake Harbor:</i>	<i>11/17/97</i>	<i>97-48</i>	<i>01/14/98</i>
<i>97-2 Revisions - Large Scale Multiple Use (LS/MU) Overlay:</i>	<i>11/17/97</i>	<i>97-48</i>	<i>01/14/98</i>
<i>97-2 Revisions - Minimum Density Clarification:</i>	<i>11/17/97</i>	<i>97-48</i>	<i>01/14/98</i>
<i>97-2 Revisions - Commercial Track/Study Language Sub-Policies 3-b.1 and 3-b.2,</i>	<i>11/17/97</i>	<i>97-48</i>	<i>01/14/98</i>
<i>97-2 Revisions - Existing Commercial in the Ag Reserve:</i>	<i>11/17/97</i>	<i>97-48</i>	<i>01/14/98</i>
<i>97-2 Revisions - Residual Parcels Added Policy 1.3-j</i>	<i>11/17/97</i>	<i>97-48</i>	<i>01/14/98</i>
<i>97-2 Revisions - Housing EAR Reflections:</i>	<i>11/17/97</i>	<i>97-51</i>	<i>01/14/98</i>
<i>97-2 Revisions - Minimum Density Exemption:</i>	<i>11/17/97</i>	<i>97-53</i>	<i>01/14/98</i>
<i>97-2 Revisions - Southern USAB Text:</i>	<i>11/17/97</i>	<i>97-54</i>	<i>01/14/98</i>
<i>98-1 Revisions - TDR Program</i>	<i>09/16/98</i>	<i>98-44</i>	<i>11/12/98</i>

ABBREVIATED AMENDMENT HISTORY			
Action	Date	Ord. No.	Effective Date
<i>99-1 Revisions - Revisions to establish the Managed Growth Tier System and to revise for consistency</i>	<i>08/17/99</i>	<i>99-26</i>	<i>10/14/99</i>
<i>99-1 Revisions - Relocate the Linked Open Space Map from the body of the Element to the Map Series</i>	<i>08/17/99</i>	<i>99-30</i>	<i>10/14/99</i>
<i>99-1 Revisions - Revisions to Mining and Excavation</i>	<i>08/17/99</i>	<i>99-32</i>	<i>10/14/99</i>
<i>99-1 Revisions - Addition of Policies 1.2-f and 2.2.8-c related to the location of Public Schools</i>	<i>08/17/99</i>	<i>99-33</i>	<i>10/14/99</i>
<i>99-1 Revisions - Re-organization and Re-format based on the Model Element Format and the Managed Growth Tier System</i>	<i>08/17/99</i>	<i>99-34</i>	<i>10/14/99</i>
<i>99-1 Revisions - Corrective Ordinance for scrivener's error at time of 99-1 Adoption</i>	<i>09/23/99</i>	<i>99-36</i>	<i>01/19/00</i>
<i>99-2 Revisions - Corrective Ordinance (minor errors from 99-1)</i>	<i>12/13/99</i>	<i>99-50</i>	<i>01/19/00</i>
<i>99-2 Revisions - If/Then Table & Cross-hatching</i>	<i>12/13/99</i>	<i>99-64</i>	<i>01/19/00</i>
<i>99-2 Revisions - Commercial Category Criteria</i>	<i>12/13/99</i>	<i>99-64</i>	<i>01/19/00</i>
<i>99-2 Revisions - LSMU/MLU Revisions</i>	<i>12/13/99</i>	<i>99-64</i>	<i>01/19/00</i>
<i>99-2 Addition - Indiantown Road Overlay Zone language</i>	<i>12/13/99</i>	<i>99-65</i>	<i>01/19/00</i>
<i>00-1 Northlake TIM - Rural Design and Parkway Revisions</i>	<i>09/18/00</i>	<i>2000-26</i>	<i>11/14/00</i>
<i>00-1 FLUE Revisions - throughout the element regarding alternative/underlying land uses, and to correct errors</i>	<i>09/18/00</i>	<i>2000-30</i>	<i>11/14/00</i>
<i>00-1 Minimum Density Revisions - to remove minimum density for LR-2 & LR-3 and allow an exemption for MR-5</i>	<i>09/18/00</i>	<i>2000-31</i>	<i>11/14/00</i>
<i>00-1 Transfer of Development Rights - minor revisions</i>	<i>09/18/00</i>	<i>2000-31</i>	<i>11/14/00</i>
<i>00-2 Lake Okeechobee Scenic Trail Overlay - addition of language to establish the LOST</i>	<i>12/06/00</i>	<i>2000-50</i>	<i>01/31/01</i>
<i>00-2 Usable Open Space - revisions to delete the word 'green' with regards to TTD usable open space</i>	<i>12/06/00</i>	<i>2000-51</i>	<i>01/31/01</i>
<i>00-2 Inter-connectivity - revisions to Policy 4.3-g to include pedestrian connectivity</i>	<i>12/06/00</i>	<i>2000-52</i>	<i>01/31/01</i>
<i>00-2 FLUE Revisions - minor revisions to density and intensity provisions and to correct errors</i>	<i>12/06/00</i>	<i>2000-53</i>	<i>01/31/01</i>
<i>01-1 Revisions – General, Mining and Water Mgmt, and United Technologies Overlay</i>	<i>08/27/01</i>	<i>2001-44</i>	<i>10/22/01</i>
<i>01-1 Revisions – Agricultural Reserve Master Plan rewrite</i>	<i>08/27/01</i>	<i>2001-61</i>	<i>10/22/01</i>
<i>01-2 Revisions – Establish the SPOIL designation</i>	<i>12/05/01</i>	<i>2001-72</i>	<i>01/28/02</i>
<i>01-2 Revisions – To the PBIA Overlay</i>	<i>12/05/01</i>	<i>2001-73</i>	<i>01/28/02</i>
<i>01-2 Revisions – To the MLU designation</i>	<i>12/05/01</i>	<i>2001-74</i>	<i>01/28/02</i>
<i>01-2 Revisions – General Revisions</i>	<i>12/05/01</i>	<i>2001-75</i>	<i>01/28/02</i>
<i>01-2 Revisions – School Concurrency Related</i>	<i>12/05/01</i>	<i>2001-77</i>	<i>01/28/02</i>
<i>02-1 Revisions – General Revisions, establish LWPC Redevelopment designation</i>	<i>08/28/02</i>	<i>2002-52</i>	<i>10/25/02</i>

ABBREVIATED AMENDMENT HISTORY			
Action	Date	Ord. No.	Effective Date
<i>02-2 Revisions – General Revisions</i>	<i>12/18/02</i>	<i>2002-79-84</i>	<i>2/19/03</i>
<i>03-1 Revisions – Strip commercial, Commercial Interconnectivity</i>	<i>08/21/03</i>	<i>2003-36, 41</i>	<i>10/27/03</i>
<i>03-2 Revisions – General Revisions</i>	<i>11/24/03</i>	<i>2003-61</i>	<i>1/26/04</i>
<i>03-2 Revisions – Reestablish Table 2.2.10-1</i>	<i>06/28/04</i>	<i>2004-017</i>	<i>08/05/04</i>
<i>04-1 Revisions – Digital FLUA, & Workforce Housing Program</i>	<i>08/24/04</i>	<i>2004-25-27</i>	<i>10/29/04</i>
<i>04-2 Revisions – FLU Traffic Req. Mod., & General Revisions</i>	<i>12/13/04</i>	<i>2004-58, 59</i>	<i>02/02/05</i>
<i>04-1 Revisions – Scientific Community Overlay Revisions</i>	<i>08/24/04</i>	<i>2004-34, 35</i>	<i>05/10/05</i>
<i>04-2 Revisions - GAPO</i>	<i>12/13/04</i>	<i>2004-66</i>	<i>07/05/05</i>
<i>05-1 Revisions – General Revisions</i>	<i>08/25/05</i>	<i>2005-25-27,29 & 33</i>	<i>11/01/05</i>
<i>05-2 Revisions – RRIO language, TDR calculations in Glades, Map Series References and Tier Redesignation Standards</i>	<i>11/28/05</i>	<i>2005-53,54</i>	<i>01/24/06</i>

Note: For a complete history of the specific changes to this element, please contact the Planning Division at (561) 233-5300.

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