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ORDINANCE NO. 2026 -007

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: REVISION FOR **WORKFORCE HOUSING PROGRAM – UNENCUMBERED UNITS EXCEPTION FOR 100% WORKFORCE FOR-SALE PROJECTS**, AMENDING ARTICLE 5 – SUPPLEMENTARY STANDARDS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

WHEREAS, pursuant to this statute the Palm Beach County Board of County Commissioners (BCC) adopted the Unified Land Development Code (ULDC), Ordinance 2003-067, as amended from time to time; and

WHEREAS, the BCC has determined that the proposed amendment furthers a legitimate public purpose; and

WHEREAS, the Land Development Regulation Commission has found this amendment to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and

WHEREAS, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, the BCC has conducted public hearings to consider this amendment to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

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

Section 1. Adoption

The revisions set forth in Exhibit 1, attached hereto and made a part hereof, are hereby adopted.

Section 2. Interpretation of Captions

All headings of articles, sections, paragraphs, and sub-paragraphs used in this Ordinance are intended for the convenience of usage only and have no effect on interpretation.

Section 3. Repeal of Laws in Conflict

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Severability

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

1 **Section 5. Savings Clause**

2 All development orders, permits, enforcement orders, ongoing enforcement actions, and all
3 other actions of the Board of County Commissioners, the Zoning Commission, the Development
4 Review Officer, Enforcement Boards, all other County decision-making and advisory boards, Special
5 Masters, Hearing Officers, and all other County officials, issued pursuant to the regulations and
6 procedures established prior to the effective date of this Ordinance shall remain in full force and effect.

7 **Section 6. Inclusion in the Unified Land Development Code**

8 The provisions of this Ordinance shall be codified in the Unified Land Development Code and
9 may be reorganized, renumbered, or re-lettered to effectuate the codification of this Ordinance.

10 **Section 7. Providing for an Effective Date**

11 The provisions of this Ordinance shall become effective upon filing with the Department of
12 State.

13 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach County,

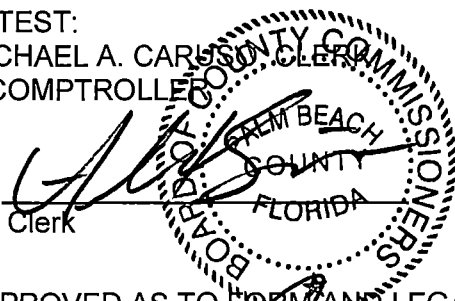
14 on the 26 day of March , 2026.

15 ATTEST:

16 MICHAEL A. CARSON, CLERK
17 & COMPTROLLER

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

18 By _____
19 Clerk



By _____

Sara Baxter, Mayor

20 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

21 By _____
22

Darren Leiser, County Attorney

23 Filed with the Department of State on the 30 day of March , 2026.

EXHIBIT 1
WORKFORCE HOUSING PROGRAM

This exhibit revises the following Article(s):

ARTICLE 5 – SUPPLEMENTARY STANDARDS

Revision Key: Proposed revisions are shown with new text as underlined, deleted text in strike-out, and relocated text italicized. *Stricken and italicized* means text to be totally or partially relocated. Relocation notes are shown in brackets as **[Relocated to:]** or **[Relocated from:]**. Unaltered text omitted for brevity is indicated by a series of four bolded ellipses....

Part 1. ULDC Art. 5.G.1.A.3.f, Supplementary Standards, Density Bonus Programs, Workforce Housing Program (WHP), General, Program Standards, Unencumbered Units, is hereby amended as follows:

1 **CHAPTER G DENSITY BONUS PROGRAMS**

2 **Section 1 Workforce Housing Program**

3 **A. General**

4

5 **3. Program Standards**

6

7 **f. Unencumbered Units**

8 WHP units shall not be subject to restrictions beyond WHP income qualifications. Units
9 used to meet a WHP obligation shall not be income restricted as a result of funding or
10 other requirements of any other program, unless: [Ord. 2019-033] [Ord. 2023-036]

11 1) The workforce housing units result from the Off-Site Construction/Exchange Builder
12 Option of the Workforce Housing Program, and the Board of County Commissioners
13 approves the income restriction to be applied due to another program; ~~or~~ [Ord. 2023-
14 036]

15 2) The restrictions result from funding sources used to provide purchase assistance to
16 qualified buyers of a for-sale workforce housing unit with terms that are consistent with
17 or equal to County terms; ~~or~~ [Ord. 2023-036]

18 3) 100 percent of all units in a for-sale project are restricted, consistent with or exceeding
19 County WHP requirements as a result of the structure of the land ownership model or
20 a construction subsidy that remains with the units.

21



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 30, 2026

Michael A. Carusso
Clerk of Circuit Court
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida 33401

Dear Michael A. Carusso,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2026-007, which was filed in this office on March 30, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp