



FUTURE LAND USE ATLAS AMENDMENT APPLICATION 2010

Palm Beach County Planning Division

2300 North Jog Road, WPB, FL 33411, (561) 233-5300

INTRODUCTION

The Palm Beach County Comprehensive Plan's Future Land Use Atlas (FLUA) identifies the future land use designation for every parcel in unincorporated Palm Beach County. The future land uses on the FLUA have been established to provide sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth.

Applications for a site-specific amendment to the FLUA for specific parcels of land to change a future land use designation may only be submitted by the owner(s) of the parcel(s). Amendments to the FLUA are legislative in nature. Submittal of the amendment application and the payment of the required processing fees does not convey any entitlements to the subject parcel(s), and does not guarantee the approval of the amendment by the Board of County Commissioners (BCC). When an a proposed FLUA amendment has been denied by the BCC, the same parcel(s) may not be heard for the amendment request for a period of two years unless otherwise specified by the BCC. Additionally, pursuant to BCC direction on July 15, 2008, any proposed FLUA amendment determined to be inconsistent with a prohibitive provision of the Comprehensive Plan will be found insufficient for processing. (See Sufficiency Process, Page 4)

This application, instructions, fee schedule and amendment calendar are also available on the Planning Division's Plan Amendment webpage:
http://www.pbcgov.com/pzb/planning/plan_amend_info.htm

County Review: The County reviews each proposed FLUA amendment against the goals, objectives and policies of the comprehensive plan and to 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), 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.

State and Regional Review. During the amendment review process, applications are submitted to the State and Regional planning agencies for review against the requirements of Florida Statutes and Administrative Code, and the Treasure Coast Regional Planning Councils Strategic Policy Plan.

Additional Information: The following summarizes some of the key aspects of the amendment application.

- **Large Scale vs. Small Scale:** The timing, process, and requirements for FLUA amendments vary according to whether the amendment is considered to be large-scale or small scale. See Section 3 of the application instructions for further information.
- **Residential:** The Comprehensive Plan requires that residential density increases be achieved through the Workforce Housing and TDR programs; FLUA amendments to increase residential density are permitted only if the applicant can justify and demonstrate a need for the amendment, and can demonstrate that the current future land use designation is inappropriate.
- **Non-residential:** Non-residential amendments require an applicant to provide an adequate justification for the proposal, and demonstrate that the current future land use designation is inappropriate.
- **Tier Change:** A property owner may request a change to the assigned Managed Growth Tier through the FLUA Amendment process and application. A proposed Tier Change requires an additional fee and will require a "Tier Study" pursuant to the Comprehensive Plan (see Attachment Q for details).

INSTRUCTIONS

The following guidelines provide instructions for the completion of the FLUA amendment application. Copies of the application instructions and the application in a Word format are available from the Planning Division at (561) 233-5300 or via the Planning website (<http://www.pbcgov.com/pzb/Planning/>).

- 1. Who may submit an application:** Any property owner, or an authorized agent of the property owner, may submit a FLUA amendment application. All property owners must provide written consent.
- 2. Deadline for submittal of application:** FLUA amendment applications must be filed in person with the Planning Division, Current Planning Section, Vista Center Complex, 2300 N. Jog Road, 2nd Floor, West Palm Beach, FL 33411-2741, before 4:30 p.m. on the Window Closing date.
- 3. Types of Amendments Processed**

Large Scale Amendments: The County processes up to two 'large scale' amendment rounds per year. (See web page calendar for intake dates) A Large Scale Amendment application may be submitted for a FLUA change only, or a FLUA and Tier Change, or a Tier Change only. This application is designed for FLUA Amendments and FLUA Amendments with Tier Changes. If the proposed amendment includes a Tier Change, see Attachment Q for specific instructions. If the proposed amendment is to a Tier only, please utilize the Tier Change Application.

Small Scale Amendments: The County processes up to four 'small scale' rounds per year. (See web page calendar for intake dates) In order for a proposed amendment to be considered "small scale", the site must meet the following criteria:

- Consists of lot(s) which do not exceed a total of 10 acres in size (including all land necessary to support the proposed use including land necessary for drainage);
- Is located within the Urban/Suburban Tier and is not requesting a change to a Tier Boundary;
- Is not located within an area of critical state concern;
- The proposed land use does not exceed 10 units per acre;
- Has not been subject to another amendment within the past year;
- Does not involve the same owner's property within 200 feet of property granted a land use change within the past 12 months;
- The local government can approve the amendment without exceeding its yearly maximum of 80 acres of small scale amendments;

In addition, Article 2.C.1.D.3.a, of the ULDC requires that: *“If a small scale land use amendment requires a rezoning, conditional use, development order amendment or abandonment application(s), the two applications shall be reviewed and considered by the BCC concurrently. The applicant shall submit a site plan or conceptual site plan as part of the zoning application(s). The complete zoning application must be submitted within 45 calendar days of receipt of the small scale land use amendment application. If a complete zoning application is not submitted, the small scale land use amendment shall be administratively withdrawn.”*

4. **Application Fee:** The BCC establishes the FLUA amendment filing and processing application fees. Please see the Planning webpage for the annual fee schedule, which also includes all other Planning Division fees (e.g. Base Fees, Per Round Administration & Advertising Fee & Tier Change Study Fee).
http://www.pbcgov.com/pzb/planning/2009_Planning_Fees.pdf
5. **Required documents:** The following items are required for each FLUA application at the time of submittal. The application will not be accepted unless all items are submitted on the Window Closing date.
 - a. The application fees;
 - b. One signed original application in a notebook binder with lettered tabs for the attachments;
 - c. Microsoft Word document files of the application, justification statement, and legal description via e-mail or on CD/disk; and
 - d. JPEG files of the disclosure of ownership interests form/s;
 - e. Adobe PDF files of all other attachments, including the survey.
 - f. Pre-stamped envelopes addressed to property owners and property owner associations within 500ft of the subject site (see the public notice section). *Please contact the Planning Division prior to intake as this requirement maybe modified in the transition to automatic property owner notice mailings.*
 - g. Finalized traffic review letter indicating compliance with Policy 3.5-d of the Future Land Use Element of the County Comprehensive Plan based upon review of applicant’s traffic study by the PBC Engineering Traffic Division. Call 684-4030 for fees and review requirements.
6. **Sufficiency process:** Within ten working days of receipt of the FLUA Amendment application, the Planning Division shall issue a notice of sufficiency or insufficiency to the applicant. The applicant has ten working days to correct the information, or provide additional application information, as indicated in the notice. If the deficiencies are not remedied within ten working days of a notice of insufficiency, the application shall be considered withdrawn. At any time during the review process the Planning Division may request additional information from the applicant to clarify specific issues as they arise.

Additional sufficiency requirements evaluated during this process include:

1. Any proposed small scale amendments that do not meet the small scale criteria (Page 1, Application Requirements) will be found insufficient, and will be administratively withdrawn.
2. Pursuant to BCC direction on July 15, 2008, in order to be found sufficient for processing, each proposed FLUA Amendment must also not violate a clearly prohibitive (shall/shall not) policy within the Comprehensive Plan. Within the

sufficiency period, the Planning Division shall issue a notice of sufficiency or insufficiency to the applicant, including whether the proposed amendment violates a prohibitive policy. Any application determined to violate these policies would be found 'insufficient for processing' and returned to the applicant with a refund of the application fee. As part of each intake cycle, Planning Staff will provide a memo to the BCC identifying which applications were not accepted, and identify the particular policies that were violated by the proposals.

7. **Additional Copies Upon Sufficiency:** Within one week of the issuance of notification that the application is sufficient to process, the applicant must provide two additional paper copies of the application in notebook binders with lettered tabs for the attachments. Failure to provide the additional copies within the time period will result in the proposed amendment being administratively withdrawn.

PUBLIC NOTICE

The ULDC in Article 2.C.1.D.7.b, requires specific notification and posting. Since the ULDC is amended from time to time, it is the responsibility of the applicant to verify that these requirements are still current at the time the application is submitted.

1. **Written Notice.** Written notice shall be provided to all property owners of record within 500 feet of the property that is the subject of a FLUA amendment application. If the area within 500 feet is owned by the applicant or partner in interest, the 500 foot notification boundary shall be extended from these parcels. In order to satisfy the written notice provisions of the ULDC, the following documents must be submitted as part of the FLUA Application:
 - a. A list of property owners within 500 feet of the periphery of the subject site. If the area within 500 feet is owned by the applicant or partner in interest, the periphery must be extended to include property owners within 500 feet of the entire property under the same ownership. Please also include in this list all property owners associations that are associated with any lot/s with 500 feet of the entire property under the same ownership. This information is available from the Property Appraiser's Office. **Please note:** the 500ft envelope requirement maybe subject to change during the transition to automatic notice mailings, please contact the Planning Division for more information prior to intake at 233-5263;
 - b. A notarized affidavit stating that the said list is complete and accurate, and is based on the latest official tax rolls;
 - c. Legal size white envelopes that are addressed and stamped with first class postage with return address on the upper left-hand corner to: Palm Beach County Planning Division, 2300 N Jog Rd, West Palm Beach, Florida 33411.
2. **Posted Notice.** Per the ULDC, the subject site must be posted with a notice of public hearing on a sign provided by the County at least fifteen calendar days in advance of any public hearing. One sign shall be posted for each one hundred feet of frontage along a street up to a maximum of ten signs. All signs shall be evenly spaced along the street or in a location acceptable to the Planning Director. All signs shall be setback no more than twenty-five feet from the street. All signs shall be erected in full view of the public. Where land does not have significant frontage on a street, signs shall be posted in a location acceptable to the Planning Director. The applicant must provide photos of the posted signs and/or an affidavit stating that the signs were posted by the applicant/agent per the requirements of the ULDC. The signs shall be removed by the applicant after the BCC transmittal hearing date or when the amendment is no longer in process.

PROCEDURES FOR REQUESTING A POSTPONEMENT

The sufficiency notice for all FLUA applications will include the proposed schedule for the amendment, including the public hearing dates. It is the applicant's responsibility to review the schedule and to notify the Planning Division of any potential conflicts.

1. **Small Scale Amendment:**

- a. **Entitlement continuances.** An applicant shall have the right to request and be granted one entitlement continuance, of no more than sixty days, of the LPA public hearing without an additional fee; provided that the request is made in writing at least twenty working days prior to the hearing. Additionally, an applicant shall have the right to request and be granted one entitlement continuance, of no more than sixty days of the BCC Adoption public hearing; provided that the request is made in writing at least twenty working days prior to the hearing and is submitted along with an additional set of the required five-hundred foot public notice envelopes (per Article 2.C.1.D.7.b) The Planning Division will honor entitlement continuances administratively.
- b. **Non-entitlement continuances.** The body conducting the public hearing may by its own motion, or at the request of the applicant or the Planning Director, continue the public hearing or meeting to a fixed date, time and place. All non-entitlement continuances shall be granted at the discretion of the body conducting the hearing only upon good cause shown. The applicant shall be subject to a fee as established by the BCC upon the second non-entitlement continuance requested by the applicant. The applicant shall be required to provide an additional set of the required five hundred foot public notice envelopes.
- c. **Concurrent rezoning petitions.** Delays in zoning applications being certified by the Development Review Officer (DRO) shall result in an administrative postponement of the BCC public hearing until such time that the item is certified.

2. **Large Scale Amendment:**

- a. **Entitlement postponement.** An applicant shall have the right to request and be granted one entitlement postponement to the subsequent amendment round and will be subject to a fee as established by the BCC; provided that the request is made in writing at least twenty working days prior to the LPA hearing. In order to provide the most current data, the applicant of an amendment postponed to the subsequent round shall be required to submit a revised application with new traffic and market analysis upon the next window closing date.

- b. Non-entitlement postponement.** Only one non-entitlement postponement into the next amendment round shall be permitted and will be subject to a fee as established by the BCC. The body conducting the public hearing may on its own motion, or at the request of any applicant or the Planning Director, postpone the amendment to the next round. All non-entitlement postponements shall be granted at the discretion of the body conducting the hearing only upon good cause shown. In order to provide the most current data, the applicant of an amendment postponed to the next round shall be required to submit a revised application with new traffic and market analysis upon the next window closing date.
- c. Administrative withdrawal.** Any application not heard by the BCC in the following amendment round will be administratively withdrawn by the Planning Director unless otherwise determined by the BCC.

APPLICATION

The following segments of this document provide instructions for completing the written portion of the FLUA Amendment application.

I. General Data

Round	Provide the number of the amendment round.
Request	Provide the requested future land use change.
Acres	Identify the total acres of the subject site in hundredths of an acre, (e.g. 4.35 acres). This figure must be consistent throughout the entire application and the survey.
Location	Indicate the location of the property in relationship to the nearest north-south and east-west roadways (e.g., South side of West Atlantic Avenue approximately one-half (1/2) mile west of Carter Road) indicating the distance in miles or, if less than .25 of a mile, in feet.
PCN	Property Control Numbers for all affected parcels

II. Site Data

Current FLU	Provide the current FLU designation. If the amendment includes multiple land use designations, acreages for each change must be provided.
Existing Land Use	Provide the existing land use of the site.
Current Zoning	Provide the current Zoning District and any petition number if applicable. Identify any previously approved petition and resolution numbers for the site, if applicable. Attach a copy of the previous resolution(s). This information is available from the Zoning Division at (561) 233-5200.
Proposed FLU	Provide the proposed FLU designation. If the amendment includes multiple land use designations, acreages for each change must be provided.
Proposed Use	Provide the proposed use for the site.
Proposed Zoning	Provide the proposed Zoning District.
Tier and Tier Change	Provide the name of the Tier. If a Tier change is requested, provide the proposed Tier name. Please note that an additional fee is required to process this request. See Attachment Q for details regarding a Tier Change Application.
Future Annex Area	Provide the names of the municipalities for which the site is within their future planning area (see Future Annexation Area Map)
Street Address	Indicate the street address of the site, if applicable.
Frontage	Provide the roadway(s) and/or waterway which the site fronts and indicate the number of linear feet. Also provide the depth of the property (e.g., Approx. 1,340 feet of frontage along West Atlantic Ave. and 5,280 feet of depth.)
Plat, Subdivision, Lot	Indicate whether the site has been platted, subject to a master plan, or subdivided and indicate the record book and page number, if applicable. This information is available from the County's Zoning Division, the County's Land Development Division, or the County Clerk. Please include an 8½" x 11" copy.

Adjacent Land Use Summary			
Adjacent Uses	Existing Use	FLU	Zoning
North	Indicate the existing land use, subdivision name, and existing density (residential) or square footage (non-residential).	Indicate the FLUA designations.	Indicate the Zoning and petition number(s).
South			
East			
West			

III. Applicant Information

	Applicant A	Applicant B	Applicant C
Name	Identify the name, address, and phone information for each person having an ownership interest in the property.		
Address			
City, State, Zip			
Phone Number			
Fax Number			
Email			
Type (Owner, Lessee, Contract Purchaser, Other)	For each applicant, indicate the nature of the applicant's interest in the property.		

IV. Agent Information

Name	Identify the name, address, and phone information for the agent assigned to processing the application. The agent will be the primary contact for Planning Division staff throughout the amendment process.
Organization/Company	
Address	
City, State, Zip	
Phone Number	
Fax Number	
Email	

V. Additional Site Details

Contiguous Property under same ownership	Indicate whether there is adjacent property under the same ownership and provide the acreage and pcns for the site(s).
Acquisition details	Indicate the month, day and year the site was acquired, and from whom the site was acquired. Include the manner in which the site was acquired (e.g. purchase, exchange, gift, inheritance, etc.), the cost of acquisition and provide evidence of both (e.g. purchase and sale agreement) and ownership (deed) in the attachments.
Size purchased	Identify whether the site was part of a larger property acquired from the previous owner. If so, identify the extent of any property contiguous to the subject property, which was of the same ownership as the subject property.
Development History	Indicate whether a development order was ever requested for the site and whether it was approved or denied. If approved, provide a copy of the resolution in the attachment. If the property received development approval from another local, state, or federal agency, please identify agency, type of development order granted, and indicate if the approval is still valid.

VI. Public Facilities Information

A. Traffic Information – Provide Comment Letter as Attachment H

The application must include a Traffic Review letter from the PBC Traffic Division (ph. 561-684-4030). The letter must state if the application is consistent with FLUE 3.5-d at the maximum proposed future land use designation trip generation. If a project is not consistent with FLUE 3.5-d at the maximum intensity/density, the letter must also state that reduced intensity/density that is consistent with the policy.

Applications will not be found sufficient by the Planning Division for processing without a traffic study and final traffic review letter indicating compliance with Policy 3.5-d.

Call 684-4030 or visit <http://www.pbcgov.com/pzb/planning/FLU.htm> for more information

B. Mass Transit Information

Nearest Palm Tran Route(s)	Identify the number(s) of the nearest Palm Tran Route(s) that service the property, if any.
Nearest Palm Tran Stop	Identify the location of the nearest bus stop, in tenths of a mile from the site.
Nearest Tri Rail Connection	Identify the nearest connection to the Tri-County Commuter Rail Feeder Bus Route.

C. Potable Water & Wastewater Information – Provide Comment Letter as Attachment P

The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as an attachment. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.

[LOS information is available in Table 1 of the Utility Element.](#)

Potable Water & Wastewater Providers	Identify the service provider(s) for the site.
Nearest Water & Wastewater Facility, type/size	Identify how far, in feet, the site is located from a potable water and wastewater line operated by the identified service provider. This information is available from the water provider. Please indicate the street where the nearest line is located.

D. Drainage Information – Provide Drainage Statement as Attachment I

The application must include a drainage statement as Attachment I that provides all of the following information:

1. Identify the drainage provider for the site and attach a drainage statement with an engineer's seal prepared within 90 days of submittal. Drainage providers include drainage districts, improvement districts, water control districts, the South Florida Water Management District, and the Florida Department of Transportation (for properties fronting on I-95 or the Florida Turnpike).
2. Indicate in which drainage basin the subject property is located (e.g. C-18 basin; C-51 basin; and the Hillsboro Canal basin).
3. Identify the drainage facility that would service the subject property and the point of legal positive outfall to that facility. Facilities include swales, ditches, canals, and storm sewers.
4. Describe the level of protection standard established for the site as identified in the Stormwater Management Sub-Element in the Comprehensive Plan. Identify what measures will be taken to assure that the volume, rate, timing, and pollutant load of runoff based on the proposed FLUA designation of the property do not exceed those which occurred based on the property's current FLUA designation.

[LOS information is available in Stormwater Management Sub-Element in the Comprehensive Plan.](#)

E. Fire Rescue	
Nearest Fire Rescue Station	Identify the fire rescue station (number and address) that provides service to the site. This information is available from the County's Fire-Rescue Department at (561) 616-7000.
Distance to Site	Identify the distance, in tenths of a mile, from the above referenced fire-rescue station to the site.
Response Time	Identify the average response time of the above referenced fire-rescue station.
Effect on Response Time	Identify the impacts on response time at the maximum development potential of the application and attach a letter from the Fire-Rescue Department identifying the impact on the extended response time, if any.

F. Environmental	
Significant habitats or species	Inventory and map any listed animal and/or plant species and habitats of significant value that utilize the property. Significant habitats may include coastal habitats or surface waters and resources including vegetation or vegetated community, quality, and location of the resource. Listed species include endangered, threatened, and species of concern. If listed species are present, provide a brief discussion of measures that will be taken to avoid or minimize adverse impacts to their habitat. If there are no known occurrences, indicate whether listed species could reasonably be expected to be present based on the site-specific habitat characteristics and provide a brief discussion.
Flood Zone*	Indicate whether the site is located within a flood zone and provide the name if applicable. This information is available from PZ&B at (561) 233-5374.
Wellfield Zone*	Please indicate whether the site is located in a wellfield protection zone. Wellfield protection information is available from the County Water Utilities Department or Department of Environmental Resources Management.

* If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.

G. Historic Resources – Provide Comment Letter as Attachment M
<p>The application must include a Historic Resources Evaluation letter as an attachment. This letter should provide the information needed below and is available from the County Archaeologist at (561) 233-5300.</p> <ol style="list-style-type: none"> 1. Identify any historic or architecturally significant resources located on or within 500 feet of the site, including buildings, structures and other objects. 2. Identify any archaeological resources located on or within 500 feet of the site, including aboriginal mounds, forts, earthworks, village locations, campsites, middens, burial mounds, missions, or other artifacts at least seventy-five years old.

H. Parks and Recreation – Residential Only

Park Type	Name and Location	Level of Service*	Population Change**	Change in Demand
Regional	Indicate the name and location of each of the applicable parks. Information is available from Parks and Recreation at (561) 966-6600.	0.00339	Indicate the population change from Development Potential Data and Analysis	Multiply the population change by the LOS
Beach		0.00035		
District		0.00138		

* Acres per person

I. Libraries – Residential Only

Library Name	Indicate the name and location of the closest County Library. Information is available from the Library Department at (561) 233-2600.		
Address			
City, State, Zip			
Distance	Indicate the distance from the site to the nearest library.		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	Indicate the population change from Development Potential Data and Analysis	Multiply the population change by the LOS
Periodicals	5 subscriptions per 1,000 persons		
Info Technology	\$1.00 per person		
Professional staff	1 FTE per 7,500 persons		
All other staff	3.35 FTE per professional librarian		
Library facilities	0.34 sf per person		

J. Public Schools – Residential Only Provide Comment Letter as Attachment Q

Please contact Joyce Cai or Angela Usher at the Palm Beach County School Board at (561) 434-8000 to obtain a comment letter.

	Elementary	Middle	High
Name	Identify the name of the public schools that would educate potential school age children based on the current boundaries and the distance from each to the site. This information is available from the Palm Beach County School Board at (561) 434-8000.		
Address			
City, State, Zip			
Distance			

VII. Attachments

- A. PCN's, Legal Description and Warranty Deed**
- B. Applicant's Ownership Affidavit**
- C. Agent Consent Form**
- D. Applicant's Notice Affidavit and Property Appraiser Information List**
- E. Disclosure of Ownership Interests**
- F. Consistency with the Comprehensive Plan and Florida Statutes**
- G. Traffic Approval Letter & Traffic Study**
- H. Drainage Statement**
- I. Well field Zone**
- J. Natural Feature Inventory & Map**
- K. Built Feature Inventory & Map**
- L. Historic Resource Evaluation Letter**
- M. Survey**
- N. Fire Rescue Letter**
- O. Water & Wastewater Provider LOS Letters**
- P. Palm Beach County School District LOS Letter**
- Q. Tier Change Requirements**

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Attachment A.
PCN's, Legal Description and Warranty Deed

The applicant is required to provide a legal description and **all affected parcel control numbers.**

**Attachment B.
Applicant's Ownership Affidavit**

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

_____ /

BEFORE ME THIS DAY PERSONALLY APPEARED _____, WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner, or the owner's authorized agent, of the real property legally described in Attachment A;
2. He/she understands the Future Land Use Atlas amendment application fee is non-refundable and in no way guarantees approval of the proposed amendment;
3. The statements within the Future Land Use Atlas amendment application are true, complete and accurate;
4. He/she understands that all information within the Future Land Use Atlas amendment application is subject to verification by County staff;
5. He/she understands that false statements may result in denial of the application; and
6. He/she understands that he/she may be required to provide additional information within a prescribed time period and that failure to provide the information within the prescribed time period may result in the denial of the application.

FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ (Name of Person Acknowledging) who is personally known to me or who has produced _____ (type of identification) as identification and who did (did not) take an oath.

(Signature of Person Taking Acknowledgement)

Applicant's Signature

(Name of Acknowledger Typed, Printed or Stamped)

Applicant's Name (Print)

(Title or Rank)

Street Address

(Serial Number, if any)

City, State, Zip Code

(Notary's Seal)

(_____) _____
Telephone

**Attachment C.
Agent Consent Form**

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

_____ /

BEFORE ME THIS DAY PERSONALLY APPEARED _____, WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner of the real property legally described in Attachment A;
2. He/she authorizes and designates _____ to act in his/her behalf for the purposes of seeking a change to the Future Land Use Atlas designation of the real property legally described in Attachment A;
3. He/she has examined the foregoing Future Land Use Atlas amendment application and he/she understands how the proposed change may affect the real property legally described in Attachment A.

FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____(Name of Person Acknowledging) who is personally known to me or who has produced _____(type of identification) as identification and who did (did not) take an oath.

(Signature of Person Taking Acknowledgement)

Owner's Signature

(Name of Acknowledger Typed, Printed or Stamped)

Owner's Name (Print)

(Title or Rank)

Street Address

(Serial Number, if any)

City, State, Zip Code

(Notary's Seal)

(_____)_____
Telephone

**Attachment D.
Applicant's Notice Affidavit**

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

BEFORE ME THIS DAY PERSONALLY APPEARED _____, WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner, or the owner's authorized agent, of the real property legally described in Attachment A;
2. The accompanying Property Owners List is, to the best of his/her knowledge, a complete and accurate list of all property owners, mailing addresses and property control numbers as recorded in the latest official tax rolls for all property within five hundred (500) feet of the real property described in Attachment A, or all property within 500 feet of all contiguous property owned whole or in part by the owner of the real property described in Attachment A, if applicable; and
3. He/she will cause the real property described in Attachment A to be posted with a notice of public hearing on a sign provided by the County in accordance with the requirements of Article 2.C.1.D.7.c of the County's Unified Land Development Code.

FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____(Name of Person Acknowledging) who is personally known to me or who has produced _____(type of identification) as identification and who did (did not) take an oath.

(Signature of Person Taking Acknowledgement)

Applicant's Signature

(Name of Acknowledger Typed, Printed or Stamped)

Applicant's Name (Print)

(Title or Rank)

Street Address

(Serial Number, if any)

City, State, Zip Code

(Notary's Seal)

(_____)_____
Telephone

Attachment E.
Disclosure of Ownership Interests

Disclosure of Ownership Interests Form are located on the web at <http://www.pbcgov.com/pzb/planning/FLU.htm>

Attachment F.

Consistency with the Comprehensive Plan & Florida Statutes

Each proposed FLUA amendment must be found to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan. Key policies that are addressed in the FLUA Amendment Staff report are provided below. Other GOPs are applicable throughout the Plan, but vary based on the individual proposed amendment.

A. Comprehensive Plan

1. **Future Land Use Element Policy 2.1-f** requires that the applicant:
 - shall provide an adequate justification for the proposed future land use; and
 - shall demonstrate that the current land use is inappropriate.
2. **For Residential Density Increases only: Future Land Use Element Policy 2.4-b** states that the Workforce Housing Program, the Affordable Housing Program and the Transfer of Development Rights Program are the required methods for increasing density within the County, unless an applicant can both:
 - justify and demonstrate a need for a Future Land Use Atlas amendment; and
 - demonstrate that the current FLUA designation is inappropriate.

B. Florida Statutes and Florida Administrative Code

Key sections of the Florida Statutes and Administrative Code include, but are not limited to, the following:

- Chapter 163.3177, F.S.
- Rule 9J-5.005 (for proposed amendments outside the Urban Service Area)
- Rule 9J-5.006(2)
- 9J-11.007

Attachment G.
Final Traffic Review Letter & Traffic Study

The applicant is now required to submit their traffic study to the PBC Traffic Division for review prior to the FLUA application intake.

An **application cannot be found sufficient** for processing without a final traffic review letter and finalized traffic study approved by the PBC Traffic Division.

Please Call 684-4030 or visit <http://www.pbcgov.com/pzb/planning/FLU.htm> for more information

Attachment Q.

Proposed Tier Amendments

Palm Beach County Managed Growth Tier System

Palm Beach County adopted the Managed Growth Tier System in 1999 (Future Land Use Element Objective 1.1) to develop and implement strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within five geographically specific regions of the County. The purpose of the MGTS is 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.

Privately Initiated Tier Boundary Changes

The Future Land Use Element allows privately initiated site specific Future Land Use Atlas and Tier Map amendments, but establishes specific criteria that must be met in order for the County to process and adopt such amendments. Tier re-designations are governed by FLUE Policy 1.1-b that contains the re-designation criteria and Policy 1.1-d requires a determination that the request does not constitute urban sprawl. These policies are 'shall not' or prohibitive policies. Therefore, if the request does not meet these policies, the application may be rejected and/or the project may not be approved.

Associated Future Land Use Designation Amendment

Proposed Tier amendments may require a concurrent Future Land Use designation amendment since not all Future Land Use designations are allowed in all Tiers. Applications proposing to revise a Tier Boundary without a necessary FLU amendment will be found insufficient for processing and subject to the Shall Not Policy paragraph.

Tier Amendment Application

If the proposed Tier Amendment requires and/or includes a concurrent FLU amendment, each portion of the FLUA Amendment application must be completed by the applicant. If the Tier Amendment does not require and/or include a concurrent FLU amendment, **please use the Tier Change Application.**

Tier Study and Additional Data and Analysis

The County shall conduct a study to address the proposed Tier change. Depending on the specific Tier Change proposed, the County may require additional data and analysis from the applicant during the amendment process.