



FUTURE LAND USE ATLAS AMENDMENT APPLICATION 2009

Palm Beach County Planning Division

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

PURPOSE

The Palm Beach County Comprehensive Plan includes a Future Land Use Atlas (FLUA) which identifies the future land use designation of every parcel in unincorporated Palm Beach County. By State and local law, the County is prohibited from issuing a development order or permit unless such is consistent with the Comprehensive Plan. Consequently, if an owner proposes a development that is inconsistent with the Comprehensive Plan, the owner must either change the proposed development or change the future land use designation of the owner's property through the amendment process.

TIMING

The County processes two 'large scale' amendment rounds per year and accepts applications for these rounds on the first Friday of each March and each October. The County processes four 'small scale' rounds per year and typically accepts applications on the second Friday of each February, May, August, and October (See web page calendar). In order for a proposed amendment to be considered "small scale", the site must meet the following criteria:

- Consists of legal 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/was not part of an approved PUD;
- 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."

APPLICATION'S STRUCTURE & INTENT

The intent of the Palm Beach County Comprehensive Plan amendment application's structure is to capture relevant data to satisfy the requirements of the Florida Statutes and Palm Beach County's Comprehensive Plan for a complete land use analysis. Amendments must be reviewed individually and for their impact on the remainder of the plan. The primary factors for making the determinations are based on the land use evaluation criteria below (9J-5.006(h)). Criteria 1-5 are addressed in the main application form, while the analysis for criteria 6-10 is located in Attachments F & G. The Introduction and Administration Element of the Comprehensive Plan provides that a FLUA amendment must be reviewed utilizing the following land use evaluation criteria:

1. Extent- the amount of development, including the area of size in acres.
2. Location of the proposed amendment
3. Distribution- the spatial array of land uses throughout the area.
4. Density- an objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre.
5. Intensity- an objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on or below ground; the measurement of the use of or demand on natural resources; and the measurement of the use of or demand on facilities and services.
6. Compatibility- a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.
7. Suitability- the degree to which the existing characteristics and limitations of land and water are compatible with a proposed use or development.
8. Functional relationship- a complementary and interactive relationship among land uses or development, including at a minimum a substantial and positive exchange of human interaction, goods, resources, institutions, services, jobs or workers between land uses or development.
9. Land use combinations - – the appropriateness of land use combinations for service provision (commercial, institutional, & industrial) and housing needs.
10. Demonstrated need over the planning period- (see attachment F)

INSTRUCTIONS

The following guidelines provide instructions for the completion of the FLUA amendment application (available separately from this document in a Word format on the Planning Division's website). To avoid delays related to the processing of FLUA amendments, a pre-application meeting with Current Planning staff is recommended. Please call (561) 233-5263 to schedule a pre-application meeting. Copies of this application 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. **Application Fee:** The Board of County Commissioners is responsible for setting the application fees charged for the filing and processing of FLUA amendments. The FLUA Amendment Application filing fee is twenty-seven hundred dollars (\$2,700) plus twenty dollars for each acre (or portion) exceeding one acre. An additional fee of one thousand dollars (\$1,000) is required for a request to change the Tier boundary.
4. **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 fee;
 - b. One signed original application in a notebook binder with lettered tabs for the attachments;
 - c. Microsoft Word document files of the application and legal description via e-mail or on CD/disk; and
 - d. Adobe PDF files of all other attachments, including the survey.
 - e. Pre-stamped envelopes addressed to property owners within 500ft of the subject site (see the public notice section).
 - f. Finalized traffic 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.

5. **Sufficiency process:** Within ten days of receipt of the FLUA Amendment application, the Planning Division shall issue a notice of sufficiency or insufficiency to the applicant. The applicant shall have ten working days to correct the information, or provide additional 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. Applications that are inconsistent with the prohibitive policies in the plan will not be processed and the application will be administratively 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. Any proposed small scale amendment that does not meet the criteria will be found insufficient, and will be administratively withdrawn.

6. **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. This information is available from the Property Appraiser's Office;
 - 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:** The ULDC Article 2.C.1D.11.c provides the framework for requesting continuance of a small scale amendment, as follows.
 - 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:** The ULDC Article 2.C.1.D.11.d provides the framework for requesting continuance of a large scale amendment, which is stated below.
 - a. **Entitlement continuances.** An applicant shall have the right to request and be granted one entitlement continuance 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 continuances.** Only one non-entitlement continuance 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 continuances 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 and complete the required Tier Change analysis (see attachment).
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.

A. 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			
B. Adjacent Land Use Additional Details			
North	For each of the adjacent properties, the applicant must provide a written discussion of the specific conditions abutting the subject site and address any mitigation factors to potential incompatibilities. The applicant may propose voluntary conditions for the subject site that are over and above standard ULDC buffer or other requirements to mitigate any incompatibility. These conditions will become binding at the time of adoption, should the amendment be approved.		
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			
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	

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.
Amendment History	Identify whether the site was previously subject to a FLUA amendment. If so, provide the date which the FLUA amendment application was filed; the size of the parcel; the requested change; the recommendations of the Planning Division, the Planning Commission, and the action by the Board of County Commissioners; and the ultimate disposition of the FLUA amendment application (whether adopted, denied, or withdrawn).
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 Comments 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.

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	
<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.</p> <p>LOS information is available in Table 1 of the Utility Element.</p>	
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	
<p>The application must include a drainage statement as Attachment I that provides all of the following information:</p> <ol style="list-style-type: none"> 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. <p>LOS information is available in Stormwater Management Sub-Element in the Comprehensive Plan.</p>	

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	
Coastal Inventory	For coastal parcels, provide an inventory and quality assessment of coastal natural resources located on the property. Coastal natural resources include, but are not limited to, vegetative cover including wetland areas subject to coastal flooding, wildlife and wildlife habitats, and living marine resources.
Surface Water	Inventory and map all surface waters (i.e., canals, lakes) and wetlands on the site and adjacent properties. The inventory should identify the type, quality, location of each resource, and whether it is on or off site.
Vegetation Inventory	Inventory, map, and provide a quality assessment for vegetation located on the site. The inventory should identify the type of vegetation or vegetated community, quality, and location of the resource.
Significant habitats or species	Inventory and map any listed animal and/or plant species and habitats of significant value that utilize the property. 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

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.

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			

K. Fiscal Impact Analysis – Large Scale Amendments Only

This information is available by referring to a business plan for the site or to a property appraiser.

- Provide the potential sales value per units or sq. ft. (at the maximum FAR) for each type of land development activity, under the current future land use designation through an appraisal of comparable properties.
- Provide the potential sales value per units or sq. ft. (at the maximum FAR) for each type of land development activity, under the proposed future land use designation through an appraisal of comparable properties.
- State whether there could be any lot premiums, such as upgrade fees, and what the fees would likely be.
- State potential build out years.

	Total Residential Units	Estimated Sales Value per unit	Total Non-Res Square Ft.	Estimated Sales Value per sq. ft.
Current FLU				
Proposed FLU				
Difference				

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. Justification Statement**
- G. Inventory of Uses for Non-Residential Applications**
- H. Traffic Approval Letter & Traffic Study**
- I. Drainage Statement**
- J. Well field Zone**
- K. Natural Feature Inventory & Map**
- L. Built Feature Inventory & Map**
- M. Historic Resource Evaluation Letter**
- N. Survey**
- O. Fire Rescue Letter**
- P. Water & Wastewater Provider LOS Letters**
- Q. Palm Beach County School District LOS Letter**

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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. Applicant's Justification Statement

The applicant's land use justification statement must address the following evaluation criteria:

1. Demonstrate why the current future land use designation is no longer appropriate or is incorrect;
2. Demonstrate a need for the proposed future land use.
 - A. All applications must demonstrate need on a situational basis, which must include the following evaluation criteria:
 - **Compatibility-** a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.
 - **Suitability-** the degree to which the existing characteristics and limitations of land and water are compatible with a proposed use or development.
 - **Functional relationship-** a complementary and interactive relationship among land uses or development, including at a minimum a substantial and positive exchange of human interaction, goods, resources, institutions, services, jobs or workers between land uses or development.
 - **Land use combinations –** the appropriate balance of land uses necessary for service provision, employment (commercial, institutional, & industrial) and housing needs in the area.
 - B. In addition to demonstrating need, applications must also provide the following data & analysis that is relative to the requested future land use:
 - **Residential Application Analysis:** The applicant must demonstrate how Palm Beach County's programs (Transfer of Development Rights Program- TDR's; Workforce Housing Program- WHP and the Infill Policy- Policy 1.2.2-a) to increase density are not adequate;
 - **Commercial, Office, Industrial/Economic Development Center or Mixed Use Application Analysis;** The applicant must also provide an inventory of uses in Attachment G:
- 3) Demonstrate that the site is the best location for the proposed land use designation (residential, commercial, industrial). However, other Plan requirements still apply to new land use requests, i.e. no mid-block commercial, no strip commercial, etc.

Attachment G.
Applicant's Inventory of Uses for Non –Residential Applications

Commercial, Office, Industrial/Economic Development Center or Mixed Use Application Analysis: For non-residential future land use requests, the applicant must also provide an inventory of uses this attachment:

- 1) An inventory of land uses similar to that being applied for in a three-mile radius. The inventory should consist of total square footage and acres distributed by built and unbuilt non-residential uses.
- 4) The standard vacancy rate of similar land uses within a three-mile radius.

Attachment H.
Final Traffic Approval Letter & Traffic Study

The applicant is now required to submit their traffic study for review and obtain a final traffic approval letter indicating compliance with Policy 3.5-d prior to submitting their FLUA to the Planning Division.

An application cannot be found sufficient without a final traffic letter and finalized traffic study approved by the PBC Traffic Division. (phone 684-4030) or visit <http://www.pbcgov.com/pzb/planning/FLU.htm> for more information