

ANNUAL PUBLIC FACILITIES UPDATE REPORT



Prepared By

**PALM BEACH COUNTY
ZONING DIVISION**

APRIL, 2005

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I. INTRODUCTION

A. BACKGROUND OF THE ANNUAL PUBLIC FACILITIES UPDATE REPORT (AUR)

Article 2.F (Concurrency - Adequate Public Facility Standards) of the Unified Land Development Code requires that the Planning, Zoning and Building Department Executive Director complete and submit to the Office of Financial Management and Budget an Annual Public Facilities Update Report (AUR).

The Zoning Division serves as the coordinating center for the implementation of the Concurrency requirements. The Zoning Division is charged with the responsibility of preparing the Annual Update Report as part of the requirements of the Adequate Public Facilities ordinance. The AUR shall accomplish the following:

1. Determine the existing conditions of the following services:
 - a. Potable Water
 - b. Sanitary Sewer
 - c. Parks and Recreation
 - d. Roads/Traffic
 - e. Mass Transit
 - f. Fire Rescue
 - g. Solid Waste
 - h. Drainage
 - i. Public Schools
2. Provide an overview or summary of existing and planned Capital Improvements as identified in the Five (5) Year Capital Improvement.
3. Revise relevant population projections.

The Zoning Division relies upon the Planning Division and the following service providers to supply the necessary information for this report: Water Utilities, School District, Parks and Recreation, Traffic Engineering, Metropolitan Planning Organization, Fire Rescue, Solid Waste Authority, and Land Development, as well as each of the providers of water and sewer services.

B. OVERVIEW

Pursuant to FS Sec. 163.3161, et seq., the Adequate Public Facilities Ordinance was implemented by the Board of County Commissioners on February 1, 1990. The Ordinance was amended on December 20, 1994, April 19, 1994, October 4, 1994, July 11, 1995, December 24, 1997, September 28, 1999, April 4, 2000, and January 3, 2004. The Adequate Public Facilities Ordinance is also known as Article 2.F of the Unified Land Development Code. The purpose of the ordinance is to ensure adequate public facilities are in place and are concurrent with the impact of development. As a result, this process directly involves review by the pertinent service providers to determine if services and infrastructures are adequate to serve proposed development on a subject property.

The public facilities providers' level of service (LOS) must be met prior to a concurrency reservation being issued. A concurrency finding is a prerequisite for any development order.

A concurrency reservation may be issued if a development agreement is executed with the developer/owner/applicant and the service provider(s) affected. This agreement must be acceptable

to the providers, the County Attorney and the Zoning Director. A concurrency reservation involving a development agreement requires that the development agreement be approved by the Board of County Commissioners. If approved, the concurrency reservation becomes a concurrency reservation for that proposed development. Recent amendments to the Adequate Public Facilities Ordinance allow the service providers to impose some conditions without executing a development agreement. These conditions are specifically identified on the concurrency reservation and must be in place before development occurs.

C. OBJECTIVE

The primary objective of the AUR is to provide an overview of Concurrency for unincorporated Palm Beach County from the perspective of each of the service providers. The service providers consider the current population, projected increase in population, and projected capital improvements of their services, as outlined in the following sections.

D. POPULATION

The figures below were based on the official 2000 population from the Bureau of the Census. The 2004 estimated population of Palm Beach County, including incorporated and unincorporated areas, is 1,242,270. The population for unincorporated Palm Beach County is estimated at 557,228. The population projection for the year 2009 is 1,384,040 for the total County, with the unincorporated area totaling 613,628. This reflects an increase of 141,770 for the total County population and 56,400 for the unincorporated area over the next five years.

PALM BEACH COUNTY POPULATION

| YEAR | TOTAL | UNINCORPORATED | INCORPORATED |
|-------------|--------------|-----------------------|---------------------|
| 2000 | 1,131,184 | 521,447 | 609,737 |
| 2001 | 1,154,464 | 531,434 | 623,030 |
| 2002 | 1,183,197 | 545,492 | 637,705 |
| 2003 | 1,211,448 | 554,082 | 657,366 |
| 2004 | 1,242,270 | 557,228 | 685,042 |
| 2005 | 1,270,600 | 573,295 | 697,305 |
| 2006 | 1,298,960 | 583,545 | 715,415 |
| 2007 | 1,327,320 | 593,684 | 733,636 |
| 2008 | 1,355,680 | 603,711 | 751,969 |
| 2009 | 1,384,040 | 613,628 | 770,412 |
| 2010 | 1,412,400 | 623,433 | 788,967 |
| 2015 | 1,542,900 | 665,916 | 876,984 |
| 2020 | 1,673,000 | 705,671 | 967,329 |
| 2025 | 1,798,700 | 741,064 | 1,057,636 |

Source: County Totals are from University of Florida, Bureau of Economic and Business Research, 2005-2025 projections. The estimates for Unincorporated and Incorporated areas are from Planning Division Population Model, 2004.

II. ADMINISTRATIVE EXEMPTIONS

Due to the negligible impact on public facilities, the following permits are not subject to concurrency review:

- Accessory dwelling (with a valid special permit)
 - Addition of a room with no kitchen facilities to a residence
 - Air Conditioning
 - Appurtenances to a single family house such as utility building, garage (no residential unit)
 - ATM machine at existing retail use
 - Canopies
 - Changing facilities for a private pool
 - Coolers/Refrigerators (walk-in, <100sf)
 - Communication Tower, unmanned
 - Dock, private (serving a single family residence)
 - Electrical
 - Excavation (type I only)
 - Fence
 - Grassed parking facilities
 - Groom=s quarters (1) on 5 or more acres (with a valid special permit)
 - Guardhouse (less than 500 square feet with or without facilities)
 - Lighting
 - Modification of a use to meet State or Federal regulations; i.e. water equipment for carwash
 - Plumbing
 - Pool serving private residence or private development (not open to the general public)
 - Rain and lightning shelters/bathroom facilities on sports fields and golf courses
 - Reconfiguration of lots with no change in # of lots
 - Recycling drop-off bin
 - Renovation (interior)
 - Re-paving and drainage
 - Replacing a single family home or trailer within one (1) year of removal of the original residence
 - Roofing / re-roofing
 - Security quarters on 5 or more acres (as accessory to an agricultural use)
 - Signs and Billboards
 - Satellite dish
 - Screened enclosure
 - Shade house for private use (non-commercial)
 - Temporary Special Events
 - Temporary trailer, for less than one year (with any necessary time extensions) during the construction of a single family residence
 - Vegetation removal
 - Waiver of plat to reconfigure lot lines (not creating any additional lots), or for the reconfiguration to a lesser number of lots
- * Alteration to or expansion of an existing development that does not create additional impact on ANY public facilities as determined by the Zoning Director and based on Article 11 of the Unified Land Development Code
- * A change from one permitted use to another different permitted use in an existing structure (with the exception of restaurants).
- NOTE: The uses marked with * **shall obtain** an Administrative Exemption letter from the Zoning Division.*

III. CONCURRENCY EXEMPTIONS

Projects that possessed a valid development order prior to January, 1990, qualified for a concurrency exemption under the guidelines of Ordinance 89-35. If applications for concurrency exemptions were received between January 1990 and November 1990, the projects were issued an exemption for two (2) years. If these projects were not built out within the initial two years, then Ordinance 91-12 and Resolution 92-318 allowed for another two-year extension.

In December of 1998, the Board of County Commissioners approved the recommendations of staff outlined in Administrative Inquiry 98-03 relating to the disposition of projects with a concurrency exemption that have shown good faith in moving forward with development but that are not monitored under Section 5.8 of the ULDC. These recommendations were that a) all projects greater than 80% built-out be granted a permanent exemption from Concurrency; b) those projects less than 80% built-out that have demonstrated good faith be granted another 2 year extension (to December 3, 2000); and c) those projects less than 80% built-out that have not demonstrated good faith should not have their exemptions extended and the unbuilt portion of those projects will be subject to concurrency review.

On December 3, 2000, the unbuilt portions of all remaining concurrency exemptions not subject to Section 5.8 of the ULDC expired. Any future development of the unbuilt portion of these projects is subject to the concurrency review process.

A. ACREAGE UNIFIED PLANNING AREA

Resolution 92-610, adopted by the Board of County Commissioners on April 28, 1992, created a Unified Planning Area for the area known as the Royal Palm Beach Acreage (The Acreage) in Palm Beach County. This resolution required the execution of an Interlocal Agreement between the County and Indian Trail Water Control District to ensure that proper infrastructure and services exist to serve proposed single-family residential development in this area. This is the only Unified Planning Area in unincorporated Palm Beach County.

B. ENTITLEMENT DENSITY

If properties cannot satisfy the minimum level of service required by the eight providers, then the property is allowed to build at the entitlement density. The entitlement density provision is to permit use of the land until the required infrastructure and services are in place to support development.

C. BLANKET EXEMPTION

A blanket exemption was approved on April 27, 1992 for those properties that met the following criteria:

1. Residential projects platted and recorded after the adoption of the 1973 Subdivision regulations.
2. Residential projects platted and recorded prior to the adoption of the 1973 Subdivision Regulations, located in the urban service area, and at least one-half built out.

Not all properties in unincorporated Palm Beach County that meet the above listed criteria for the blanket exemption were included on the Planning Director's original blanket exemption. At the time the blanket exemption was approved, some properties had either a valid concurrency reservation or concurrency exemption. When the concurrency reservations or exemptions expire, then these

properties will be included in the blanket exemption until the property is developed or the Blanket exemption fails to exist.

D. ORDINANCE AMENDMENTS

Ordinance 94-8 allows for:

The vesting of all vacant single-family lots of record located within unincorporated portions of the County from concurrency. The lot of record must meet the density requirements of the Comprehensive Plan or be exempt from the density requirements of the Palm Beach County Comprehensive Plan, pursuant to an administrative order entitling the lot to one residential unit.

The vesting of lots for a single-family residence from concurrency only. The lot must comply with all other code requirements, such as, but not limited to: the Health Department regulations, the water and sewer utilities provider policies, the drainage requirements, and the wetlands ordinance.

Ordinance 95-24

Recognizes that certain established residential lots did not comply with subdivision procedures, yet complied with current minimum applicable ULDC development standards and the density requirements of the Comprehensive Plan at the time the lots were created. These lots may therefore be designated as potentially buildable lots.

Ordinance 97-64

Reorganizes and consolidates information in Article 11 for clarity and consistency. The only substantive change was the addition of Section 11.3.E, Procedure for Equivalency Determination, which was not previously described in the Code.

Ordinance 2002-12

Revises Article 11 to include Public Schools as one of the concurrency service providers and incorporates regulations implementing School Concurrency.

Ordinance 2003-067

Relocated the Concurrency Code to Article 2, Chapter F.

E. POLICIES

1. PLANNED UNIT DEVELOPMENT POLICY:

This policy allows planned unit developments (PUDs) to amend their concurrency exemptions. The amendments however, can only include those uses that were approved as part of the PUD and not included on the original exemption.

2. INCLUSION OF ADDITIONAL SUBDIVISIONS / LOTS TO THE PLANNING DIRECTOR'S BLANKET EXEMPTION:

This policy was adopted prior to the April 19, 1994 Ordinance amendments. It allows for lots that meet the criteria for the blanket exemption to be added to the blanket list.

V. COUNTY SERVICE PROVIDERS

A. WATER UTILITIES

Below is a listing of the eighteen (18) water and sewer providers involved in providing service to county residents. Levels of Service in the first two columns are average daily flows taken from the Utility Element of the Comprehensive Plan.

LEVELS OF SERVICE/UTILIZATION

| Service Area | Potable Water - Gallons Per Capita/Day | Sanitary Sewer Gallons Per Capita/Day | Water Utilized ¹ | Sewer Utilized ¹ |
|---|--|---------------------------------------|-----------------------------|-----------------------------|
| Palm Beach County Water Utilities | 126 | 100 | 76% | 65% |
| Seacoast | 191 | 107 | 92% | 71% |
| Acme/Village of Wellington | 123 | 100 | 57% | 70% |
| Town of Jupiter | 170 | N/A | 74.6% | N/A |
| City of Riviera Beach | 195 | 135 | 65% | 65% |
| Village of Palm Springs / Lake Worth Area | 194 | 75 | 61% | 68% |
| City of Boynton Beach | 177 | 99 | 97%* | 82% |
| City of Delray Beach | 276 | 130 | 73% | 70% |
| City of Boca Raton | 307 | 122 | 50% | 80% |
| Village of Royal Palm Beach | 135 | 85 | 53% | 49% |
| City of Belle Glade | 91 | 101 | 53% | 49% |
| City of Pahokee | 86 | 108 | 65% | 63% |
| City of South Bay | 150 | 150 | 38% | 62% |
| Loxahatchee River District (ENCON) | N/A | 108 | N/A | 74% |
| City of Lake Worth | 170 | 100 | 50% | 70% |
| Seminole Improvement District | 540 ² | 60 ² | 35% | 33% |
| Village of Tequesta | 3.9 ³ | N/A | 36% | N/A |
| City of West Palm Beach | 47 ³ | 55 ³ | 63% | 63% |

¹ Total amount of capacity obligated during the current year for the service provider's entire system (utilized and committed), expressed as a percentage of total available capacity.

² Capacity in 000 gallons/day. **Serves primarily non-residential uses.**

³ Capacity in MGD.

* Wastewater treatment plant undergoing expansion

Service providers are requiring a reservation/connection fee prior to certifying that water and sewer capacity is available and is reserved for a project. The Zoning Division has reviewed the water and sewer providers' policies and has concluded that the providers require formal reservation of capacity by the applicants before committing the capacity to a project. This capacity has to be reserved prior to the issuance of a concurrency reservation. The adequate public facilities ordinance also allows for an adequate public facilities determination, which states that the Service Provider has capacity to serve a project; however, no capacity is reserved. The owner/applicant must receive a concurrency reservation prior to final site plan certification, platting or building permit.

The Palm Beach County Water Utilities Department (PBCWUD) is an operating unit of the Board of County Commissioners (BCC), providing potable water, reclaimed water, and wastewater services to approximately 400,000 people within 177 square miles of the rapidly urbanizing, primarily unincorporated area of Palm Beach County. In addition to serving unincorporated areas, PBCWUD also provides service directly to the residents of several municipalities, including Greenacres and Haverhill. Wholesale agreements are also maintained with the Village of Palm Springs, the City of Lake Worth and the City of Atlantis. A nine-member Citizens Advisory Board provides guidance to the Department and the BCC on rates and policy issues.

PBCWUD was formed in 1969 through the acquisition of the water system at what is now the Palm Beach County International Airport. Since that time, the PBCWUD service area has been expanded through the acquisition of a number of developer-built facilities, which were originally intended to serve limited areas of high-density development.

The Department's facilities include four regional water treatment plants and one regional water reclamation facility. Auxiliary facilities include an Administrative, Engineering and O&M Complex in West Palm Beach, the Southern Regional Operations Center, Central Laboratory, Green Cay and Wakodahatchee Wetlands in suburban Delray Beach and a Customer Service Center in suburban Boynton Beach. Together, all of these facilities are designed to meet the needs of the Department's growing customer base.

PBCWUD currently provides potable water, reclaimed water and wastewater services to the central and southern regions of suburban Palm Beach County. With the growth of the service area over time, and the resulting proliferation of developer-built package treatment plants, it became necessary for PBCWUD to consolidate treatment at permanent regional facilities. PBCWUD now operates four water treatment plants. The WTP No. 3 and No. 9 lime softening facilities have been decommissioned and replaced with membrane softening facilities. The 25.0 mgd membrane softening facility at WTP No. 9 became fully operational in 2003. Construction of the 30.0 mgd WTP No. 3 membrane softening plant is expected to be complete in 2005. A summary of the plant current and planned plant capacity over the next five years is provided in the following table.

**PALM BEACH COUNTY WATER UTILITIES DEPARTMENT
SUMMARY OF WATER TREATMENT PLANT CAPACITY**

| WTP | Current Avg. Daily Permitted Capacity (MGD) | Treatment Process | 2004 Average Daily Flow (MGD) | 2004 Maximum Daily Flow (MGD) | Plant Capacity After 2007 (MGD) |
|------------------------|---|---|-------------------------------|-------------------------------|---------------------------------|
| 2 | 14.5 | Lime Softening/ Filtration/Ozonation | 10.91 | 14.70 | 14.5 |
| 3 | 30.00 | Membrane Softening | 11.68 | 16.69 | 30.00 |
| 8 | 20.00 | Lime Softening/ Filtration/Ozonation | 15.19 | 20.38 | 30.00 |
| 9 | 25.00* ¹ | Membrane Softening | 18.16 | 24.83 | 25.00 |
| Total Primary Capacity | 89.5 | | 55.94 | 76.60 | 99.50 |

*¹ WTP No. 9 has a permitted capacity of 26.88 mgd; however PBCWUD elects to limits production to 25.0 for preferred blending purposes.

PBCWUD's water distribution system includes over 1,666 miles of pipe, 12 ground storage tanks and 12,013 hydrants. The mains are primarily constructed of ductile iron and PVC. Distribution system extensions generally financed by developers. The distribution system has been expanded to interconnect the four water treatment plants through several recently completed pipeline construction projects, and 15 emergency interconnects with surrounding municipalities and Broward County exist.

Wastewater is treated at two regional facilities. PBCWUD owns and operates the Southern Region Water Reclamation Facility (SRWRF), a 30 MGD state-of-the-art wastewater treatment and water reclamation facility on Hagen Ranch Road in suburban Delray Beach. PBCWUD began construction of a 5 MGD expansion to the SRWRF to increase the plant's capacity to 35 mgd. This plant is ultimately expandable to 45 MGD. PBCWUD also owns 12.5 MGD of capacity in the 55 MGD East Central Region Wastewater Treatment Facility (ECRWWTF). The ECRWWTF is currently undergoing expansion to 71 MGD, and PBCWUD's capacity ownership will increase to 24.5 MGD. A summary of PBCWUD's wastewater plant capacity is provided in the following table.

**PALM BEACH COUNTY WATER UTILITIES DEPARTMENT
SUMMARY OF WASTEWATER TREATMENT PLANT CAPACITY**

| WWTP | Current Permitted Treatment Capacity (MGD) | Treatment Process | 2004 Three MRA Flow (MGD) | 2004 Maximum Daily Flow (MGD) | Capacity After 2007 CIP (MGD) |
|---------|--|-------------------|---------------------------|-------------------------------|-------------------------------|
| SRWRF | 35.00 | Step Aeration | 21.19 | 25.20 | 35.00 |
| ECRWWTF | 12.50* | Extended Aeration | 11.23 | 13.64 | 24.50* |
| Totals | 42.50 | | 32.42 | 38.84 | 59.50 |

*Palm Beach County share of ECRWWTF capacity.

On the wastewater collection side, PBCWUD maintains 955 miles of gravity sewers, 384 miles of force mains and 724 pumping stations. Overall, the wastewater collection, transmission, and pumping systems are in above average condition and are well maintained. PBCWUD designs and constructs facility infrastructure upgrade for approximately 15 stations per year. In the fall of 2003, construction was completed for telemetry system improvements for 101 existing stations.

In 1990, PBCWUD initiated a reclaimed water program at SRWRF. In 1996, PBCWUD proactively sought to increase local use of reclaimed water. The golf courses and large residential communities near the SRWRF provided a source of potential end-users of reclaimed water. In 1997, Palm Beach County Adopted a Reclaimed Water Ordinance (Ordinance No. 97-12) and established a Mandatory Reclaimed Water Service Area surrounding the SRWRF. The Ordinance was revised in January 2002 to require new developments located between Boynton Beach Boulevard to Linton Boulevard and Florida's Turnpike to Jog Road to install and utilize reclaimed water. PBCWUD is currently providing reclaimed water to six golf course customers with a total of 117 holes, and nine residential communities with a total of 4,042 units. A summary of the reclaimed water flows for 2002 is provided in the following table.

**PALM BEACH COUNTY WATER UTILITIES DEPARTMENT
SUMMARY OF RECLAIMED WATER PRODUCTION CAPACITY**

| Reclaimed Water Facility | Current Permitted (MGD) | Treatment Process | 2004 Three MRA Flow (MGD) | 2004 Maximum Daily Flow (MGD) | Capacity After 2007 CIP (MGD) |
|---------------------------------|--------------------------------|---------------------------|----------------------------------|--------------------------------------|--------------------------------------|
| SRWRF | 22 | Filtration & Chlorination | 10.30 | 17.60 | 22 |

PBCWUD's reclaimed water distribution system includes 28 miles of piping with 59 flushing hydrants. Distribution system expansions of the reclaimed water system are scheduled for 2007 and 2012.

B. PUBLIC HEALTH

Water Supply and Wastewater Disposal

Infill development and community revitalization are facilitated by the availability of adequate public facilities. As older communities become targets for revitalization or infill development the absence of public water supply and / or sanitary sewer services not only limits the potential for development, but also increases the potential for groundwater contamination.

The small lot sizes typical of redevelopment areas will not allow for onsite sewage treatment and disposal systems large enough to match the development potential of the property that could be achieved if the property is served by public sewer. The potential for OSTDS failure increases with the increased density of development on smaller lots. In addition, failure rates of OSTDS increases with age, smaller system capacity, poor soil conditions, and poor drainage.

As single family uses change to multi-family or commercial uses, or the density of commercial uses increase, an OSTDS as a minimum level of service may not be appropriate for the development. Existing subdivisions previously developed on OSTDS continue to exhibit increasing system failure rates due to aging of the systems. Many new residents who relocate from urban to suburban or rural

areas lack awareness of the limitations of OSTDS as a wastewater disposal system. As a result, overload of the system with grease, household chemicals, and large wastewater volumes from washing machines may lead to increased incidence of system failure.

Onsite sewage treatment and disposal systems (OSTDS) are permitted under provisions of Chapter 381, Florida Statute, Chapter 120, Florida Statute, Chapter 64E-6, Florida Administrative Code, and Palm Beach County Environmental Control Rule – I. Several different legislations prohibit the use of septic tanks for disposal or treatment of industrial, hazardous or toxic wastes. Facilities located in areas zoned or used for industrial or manufacturing purposes, or have the potential to generate toxic, hazardous or industrial wastewater, and are served by OSTDS, may be required to obtain an annual system operating permit from the Palm Beach County Health Department. Generally, lot size, setbacks and wastewater flow rate requirements limit infill-type development on septic tanks.

The recent hurricanes have highlighted the need for emergency power generators for all private and public sewage lift stations. Of special concern were lift stations serving large housing development where sustained power outages resulted in sewage overflow from sewer manholes onto streets and into storm drain systems throughout the county.

Livable Communities, Obesity and Physical Activity

In light of the growing epidemic of obesity and its rather significant impacts on public health, the Palm Beach County Health Department recommends and supports the strategic incorporation of a variety of readily accessible recreational uses and design features that will maximize opportunities for people to accomplish their usual and necessary daily travel by walking, cycling and other non-motorized means.

Such land use design guidelines will contribute to the pursuit of healthy lifestyle through facilitating opportunities for people to incorporate physical activity into their ordinary daily activities.

A reduced dependence on automobiles for short trips within both commercial and residential developments will also help to reduced air pollution. The PBCHD supports the provision of sidewalks, bicycle lanes, and street and community design features that facilitate children walking and biking to and from school safely. Revitalization or redevelopment opportunities also may present opportunities to redesign residential, commercial, or industrial uses to healthier, safer, and more livable communities.

Air Quality

The PBCHD has partnered with the Florida Department of Environmental Protection (FDEP), PBC Board of County Commissioners, and federal, State and local organizations, to monitor and safeguard air quality in the County. As a result, Palm Beach County is in compliance with the National Ambient Air Quality Standards (NAAQS) and has been designated as an attainment area for the last 10 years. The PBCHD monitors the County's air quality, and publishes the Air Quality Index on the PBCHD's website daily.

Air quality is an important determinant of a livable community. The main pollutants of concern in this County are ozone and particulate matter. As the county's population increases, and automobile trips increase, the emissions of air pollutants are expected to increase. At peak periods of automobile activity ambient air quality may be reduced significantly due to automobile emissions. People with respiratory illnesses and some other chronic diseases may experiences increased respiratory symptoms during these periods when the air is laden with pollutants.

Other Issues

The equestrian industry and horse ownership have grown significantly in Palm Beach County over the last decade. As Palm Beach County becomes a top venue for equestrian activity, the management of horse manure and stable waste has become a significant problem. The PBCHD receives increasing numbers of residents' complaints about unpleasant odor, vermin, potential water pollution, and unsightliness relative to the management of horse manure. However, the Florida Right To Farm Act (Chapter 823.14, Florida Statutes) and the Agricultural Lands and Practices Act (Chapter 163.3162, Florida Statutes) preclude enforcement of sanitary nuisance laws where horse ownership is a bona fide farm operation on agricultural land.

Officials of several agencies including the Solid Waste Authority, Florida Department of Environmental Protection, Palm Beach County Sheriffs Office, and South Florida Water Management District have expressed concern about potential water pollution due to questionable practices of the stockpiling and uncontrolled spreading of large quantities of equestrian waste on properties in areas such as the Acreage and Loxahatchee.

Because of the large volume of equestrian waste generated in the County, a comprehensive equestrian waste management policy may be needed to prevent water pollution, through providing guidelines for disposal of the waste within unincorporated Palm Beach County.

C. PARKS AND RECREATION

County Park levels of service (LOS) for concurrency management purposes are established in the Comprehensive Plan, Recreation & Open Space Element (R/OS), and in the Capital Improvement Element (CIE). Park LOS are calculated by comparing Countywide population to current inventories and then expressing the results in terms of total acres and developed acres of parks available per 1000 population. For concurrency management purposes each year, actual LOS for both total and developed acres are updated for each park class and compared to concurrency LOS in the R/OS and CIE.

The attached Table shows the "2005 Actual LOS" which is the combined existing and budgeted acres total as of January, 2004, the "Concurrency LOS" as established in the Comprehensive Plan R/OS Policy 1.2-A, and the "Current Status" which indicates whether concurrency LOS has been met or if additional acreage is needed. The inventory (summary) of existing and budgeted park acres is found in Table 2 of this report.

Summary of Findings

District, Regional and Beach Parks: Concurrency has been met for total acres of District, Regional, and Beach Parks provided by the County. The County has also met concurrency for developed acres of District, Regional, and Beach Parks for 2005.

Conclusions

1. Concurrency has been met for total acres of District, Regional and Beach Parks provided by the County, and for developed acres of District, Regional and Beach Parks through a combination of existing inventory and projects currently budgeted to be completed in the next 12 months.

- To continue to meet Park LOS in the future continued development of District, Regional and Beach Parks will be required. Of these three park classifications beach park development will be the most critical need and while funding is currently available to develop the Milani property, this park's development is on hold pending the outcome of a legal challenge by the property's former owner. Once settled this parks development should move forward.

Park concurrency LOS should continue to be met over the next 5 years provided capital project funding levels increase over this period. Recently, dramatic increases in property acquisition and construction costs have strained current capital project budgets, and Park Impact Fees are not adequate to maintain LOS without substantial additional funding from other ad valorem, grant, and/or bond revenue sources.

**TABLE 1
2005 ANNUAL UPDATE REPORT
PARK LEVEL OF SERVICE MEASURES (LOS)**

| Total Acres/1000 Population | | | | |
|--|--------------------------|------------------------|-----------------------|-----------------------------------|
| Park Class | 2005 LOS Actual * | Concurrency LOS | Current Status | Acres Needed to Meet LOS # |
| District | 1.82 | 1.38 | +.44 | None |
| Regional | 4.08 | 3.39 | +.69 | None |
| Beach | .39 | .35 | +.04 | None |
| Total | 6.29 | 5.12 | 1.17 | None |
| Developed Acres/1000 Population | | | | |
| District | .86 | .77 | +.09 | None |
| Regional | 2.10 | 2.00 | +.10 | None |
| Beach | .20 | .20 | .00 | None |
| Total | 3.16 | 2.97 | .19 | None |

NOTES:

Based on PZ&B Planning Division's projected 2004 population of 1,242,426 and Park Inventory 12/22/04 "NONE" indicates that Concurrency LOS has been met or exceeded.

**TABLE 2, SUMMARY
2004 PARK ACREAGE INVENTORY**

| PARK NAME AND CLASS | 2005 AUR | |
|------------------------------------|--------------------------|------------------|
| | ACTUAL + BUDGETED | |
| DISTRICT PARKS | TOTAL | DEVELOPED |
| DISTRICT PARK SUB-TOTAL | 2262.38 | 1162.79 |
| REGIONAL PARK SUB-TOTAL | 5065.03 | 2779.85 |
| BEACH PARK SUB-TOTAL | 490.38 | 250.38 |
| COMMUNITY PARK SUB-TOTAL | 361.09 | 255.06 |
| NEIGHBORHOOD PARK SUB-TOTAL | 25.00 | 21.97 |
| TOTAL PARK ACREAGE | 8203.88 | 4470.05 |

D. TRAFFIC ENGINEERING (ROADS)

In Palm Beach County, private and commercial vehicles account for 98% of all vehicular trips. The County, in anticipation of the demand for new and improved roads, approved a countywide impact fee ordinance that mandates that developers be required to provide road improvements to accommodate the new traffic generated by their development. This, along with other measures such as an increased gas tax and ad valorem taxes, is utilized to provide necessary road improvements.

Additional funding sources such as MSTUs, user fees, public/private initiative, and public transportation are currently being investigated in an effort to provide adequate transportation simultaneously with development. The County's objective is to provide a multi-modal transportation system, incorporating private and commercial vehicles, a bus transit system, and rail.

An important objective of Concurrency is to ensure that development orders are not issued which will generate traffic that will exceed the adopted level of service on the roadways. The Traffic Division of the Engineering Department reviews concurrency applications and determines from traffic impact analyses whether a particular application for a development order will cause the Level of Service Standards to be exceeded during that application's buildout timeframe.

As of March 31, 2003, the traffic count data used for making Concurrency determinations is now based upon the peak season/peak hour of each year. Approximately 650 road sections (between two major intersections) are counted twice annually to determine peak hour traffic and daily traffic. The highest peak season/peak hour volume is used to determine the demand on a given road section. The geometry of a road section determines its capacity, and a corresponding volume-to-capacity ratio is established for each road section. The table below shows the number of road sections in Palm Beach County that fall within the volume-to-capacity ranges identified.

| Category | v/c Range | No. of Road Sections* |
|------------------|-------------|-----------------------|
| Below Capacity | 0.0-0.80 | 406 |
| Near Capacity | 0.81-0.99 | 129 |
| Over Capacity | 1.00-1.20 | 44 |
| Highly Congested | 1.21 and up | 7 |

*Note: The counts on some road sections were omitted because of construction or were deemed unreliable by the County Engineer and are not shown in the totals presented here.

E. PUBLIC TRANSIT

Fixed-Route Service

Palm Beach County is the public agency providing fixed-route bus service through Palm Tran. The bus system is composed of 32 routes with most routes in operation seven (7) days per week. During weekday peak hours, up to 106 buses are utilized to provide service. Coordination with Tri-Rail is provided by linking fixed-route bus service to Tri-Rail stations (Mangonia Park, West Palm Beach, Lake Worth, Boynton Beach, Delray Beach and Boca Raton) in the County. Palm Tran also has shuttle service between the West Palm Beach Tri-Rail station and downtown West Palm Beach.

A bus shelter program is ongoing to encourage cities to construct bus shelters along bus routes.

The County's transit system presently has two (2) bus facilities, one in Delray Beach and one located in West Palm Beach. There are no immediate plans for the transit system to expand but there has been an increased level of service on Route 1 (20 minute headways during peak hours).

Tri-Rail The South Florida Regional Transportation Authority (RTA), established last year, operates Tri-Rail. Tri-Rail serves Palm Beach, Broward and Dade counties along a 72-mile route. There are six (6) rail stations in Palm Beach County (Mangonia Park, West Palm Beach, Lake Worth, Boynton Beach, Delray Beach and Boca Raton). Service begins at 4:20a.m. weekdays at Mangonia Park station and the last stop is at 9:55 p.m. at Miami Airport. On weekends, service begins at 6:40 a.m. at Mangonia Park station and the last stop is at 9:55 p.m., also at Miami Airport.

Abacoa Abacoa has free trolley service within the community for shopping, dining and entertainment. The service is provided on Fridays from 5:00 p.m. to 10:00 p.m., Saturdays from Noon to 10:00 p.m., and on Sundays from Noon to 8:00 p.m.

City of West Palm Beach The City of West Palm Beach has two (2) trolleys that connect City Place to Clematis Street with 5 to 7 minute headways, seven (7) days a week. Hours of service are Sunday through Wednesday from 11:00 a.m. through 9:00 p.m. and Thursday through Saturday from 11:00 a.m. through 11:00 p.m. The service is provided free of charge to the public.

City of Lake Worth The City of Lake Worth operates a local area trolley system composed of three (3) routes, the Red, Yellow and Blue Lines. Service is provided seven (7) days a week between the hours of 9:00 a.m. and 5:00 p.m. There are no scheduled stops along each of the routes. Trolleys will pick-up passengers at any corner along the routes. Trolleys leave the depot hourly to complete their designated route. Fare for a one-way trip is \$1.00 and \$.50 for individuals under 18, 60 and older and persons disabled. Available is a one (1) year pass for \$1.00 for trolley riders age 60 and over and for the disabled.

Boynton Beach The Boynton Beach Transit Authority has operated fixed-route bus service in the City of Boynton Beach since January, 1995. Transportation services are provided six (6) days a week, Monday through Saturday. There is a different schedule for each day of service. Fare for a one-way trip is \$ 1.00.

Paratransit Service

The County provides door-to-door transportation service under Palm Tran CONNECTION, a division of Palm Tran. Palm Tran CONNECTION provides the services for six (6) programs: the Federal Americans With Disabilities Act (ADA); the State's Transportation Disadvantaged (TD) Program; the Area Agency on Aging Program also referred to Division of Senior Services Program (DOSS); the Agency for Health Care Administration (Medicaid); the County's Senior Transportation Services (CSTS); and the Board of County Commissioner Program (BCC). The County contracts out the provision of services. Eligibility for trips and reservations are completed by Palm Tran CONNECTION except for Medicaid trips. Medicaid eligibility is completed through the Department of Children and Families. Data taken from the Service Plan for 2003/2004, TD Trips Needs Assessment projects 1,724,815 paratransit trips for 2005.

The County also has a Head Start Program that provides transportation services for children and parents who attend the Head Start programs.

ADA

The ADA program mandates that transportation services be provided for disabled individuals who: 1) are unable to board, ride or disembark from a fixed bus route for their mobility needs; 2) are unable to use a fixed bus route because the vehicles are not yet accessible; and 3) are unable to travel to a boarding location or from a disembarking location. The requested trips must begin and end within $\frac{3}{4}$ of a Palm Tran bus route or within a core service area defined by the following boundaries:

- North - PGA Blvd.
- East - Intracoastal Waterway
- South - Palmetto Park Rd.
- West - Military Trail

Trips are provided only during the hours that the Palm Tran system provides services. The fare for a one-way trip is \$ 2.50.

TD

The TD program is sponsored by the State of Florida and is based upon Federal poverty guidelines. Under this program, the County has budget constraints and is allowed by law to limit the number of trips provided. Also under this program, the County is designated as the Community Transportation Coordinator (CTC).

As the CTC, the County is responsible for the coordination of all TD trips provided within the County either by: 1) Providing services directly; or 2) Contracting with an operator or operators for some or all of the services (referred to as purchase of service contracts); and 3) Having coordinated contracts with other agencies that continue to provide transportation services directly to their clients.

TD service is provided throughout the County, 24 hours a day, every day, excluding major holidays. The fare for a one-way trip is \$ 2.50.

DOSS

DOSS service is a State of Florida program. Service is provided to seniors 60 years of age or older as defined by the eligibility guidelines of the Older Americans Act (OAA). Service is provided only north of Hypoluxo Road to those seniors needing trips to nutrition/meal sites Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding major holidays. There is no fare.

Medicaid

Medicaid trips are only for medical appointments. Eligibility is determined by the State of Florida's Department of Children and Families. Transportation is available 24 hours a day every day of the year. The fare for a one-way trip is \$ 1.00.

CSTS

CSTS provides Palm Tran accessible fixed route buses. Advance reservation, door-to-door, general purpose transportation is given to individuals, 70 years of age or older, who because of physical or mental disability, income status, age or for other reasons, are unable to transport themselves or purchase transportation.

The fare for a one-way trip is \$ 2.50. CSTS program also offers a fare subsidy to individuals who become eligible due to their income level based upon Federal Poverty Guidelines.

BCC

BCC service was established by the Palm Beach County Board of County Commissioners to provide continued transportation service to ADA recipients whose services would be eliminated due to Palm Tran service cuts or modifications. The fare for a one-way trip is \$ 2.50.

F. FIRE RESCUE

Palm Beach County Fire-Rescue's level of service standard for concurrency is an average response time of 7 minutes 30 seconds. During Fiscal Year 2003-04, the department's performance was 6 minutes 27 seconds (over one minute below the Concurrency Standard).

The development of the 6-Year Capital Improvement Plan addresses areas with concentrated response time problems as well as the replacement of aging public facilities and apparatus. The CIP developed for 2006 - 2011 includes the replacement of five existing facilities, the construction of four new growth facilities, as well as the completion of a new Training Facility/Fire-Rescue Headquarters and a new Incident Reporting System. The total funding estimated to meet these capital facility requests is \$33,853.755 (see chart below).

Fire-Rescue Improvement Program (FY 2006 through FY 2011)
Fiscal Year

| Project | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 6 year total |
|-------------------------------|------------------------|-------------|-------------|------------------------|------------------------|-------------|---------------------|
| W. Lantana Stn. | 200,000 | | | | | | 200,000 |
| Stn. 56 | 450,000 | | | | | | 450,000 |
| Trng/HQ Facility | 7,000,000 | | | | | | 7,000,000 |
| Stn. 14 Rplcmnt. | 200,000 | | | | | | 200,000 |
| Sem Pratt/Bee-Line Stn. | ¹ 632,250 | | | | | | 632,249 |
| Stn. 14 Rlctn | 215,083 | 2,310,000 | | | | | 2,525,083 |
| Stn. 44 (S. Boynton) | ² 3,019,250 | | | | | | 3,019,248 |
| Stn. 24 Rplcmnt | 500,000 | 2,310,000 | | | | | 2,810,000 |
| Incident Reporting Sys. | 1,500,000 | | | | | | 1,500,000 |
| Future Stn. Rplcmnt | | 550,000 | 2,541,000 | | 732,050 | 3,382,071 | 7,025,121 |
| Stn. A New | | | 605,000 | ² 3,353,122 | | | 3,958,120 |
| Stn. B New | | | | 665,500 | ² 3,688,434 | | 4,353,934 |
| | | | | | | | |
| Total Budgeted Appropriations | 13,716,583 | 5,170,000 | 3,146,000 | 4,018,622 | 4,420,484 | 3,382,071 | 33,853,755 |

Notes:

¹ Includes a new ALS Engine, Brush Truck, and related equipment

² Includes a new ALS Engine and related equipment

G. SOLID WASTE

**Statement from Marc C. Bruner, Ph.D.
Director of Planning and Environmental Programs
Solid Waste Authority (dated January 19, 2005)**

The Solid Waste Authority of Palm Beach County hereby provides certification that the Authority has disposal capacity available to accommodate the solid waste generation for the municipalities and unincorporated county for the coming year of 2005. This letter also constitutes notification of sufficient capacity for concurrency management and comprehensive planning purposes. Capacity is available for both the coming year, and the five and ten year planning periods specified in 9J-5.005(4).

As of September 30, 2004, the Authority's North County Landfills had an estimated 37,869,813 cubic yards of landfill capacity remaining. Based upon the existing Palm Beach County population, the most recently available population growth rates published by the University of Florida Bureau of Economic and Business Research (BEER), medium projection, and projected rates of solid waste generation, waste reduction and recycling, the Solid Waste Authority forecasts that capacity will be available through approximately the year 2021, assuming the depletion of the Class I and Class III landfills is approximately balanced.

The Authority continues to pursue options to increase the life of its existing facilities and to provide for all of the County's current and future disposal and recycling needs. As part of its responsibility, the Authority will provide an annual statement of disposal capacity, using the most current BEER projections available.

H. DRAINAGE

The level of service for drainage as indicated in the Adequate Public Facilities Ordinance is as follows: the drainage component shall be approved if the proposed development has access to a point of legal positive outfall or meets the exemption provisions of Art. 5.E.2.

The Land Development Division of the Engineering and Public Works Department reviews all non-residential and multi family applications for concurrency reservation. The drainage for these applications is not reviewed quantitatively, but rather only for confirmation of available access to legal positive storm water outfall or for conformance to the exemption provisions of Art. 5.E.2.

In addition, if property is located in a water control district, that district reviews the Concurrency application for location in an area that is open for development (i.e. served by a district drainage facility). Palm Beach County is covered by twenty Water Control Districts:

Acme Improvement District
East Beach Water Control District
East Shore Water Control District
Gladeview Drainage District
Highland Glades Drainage District
Indian Trail Improvement District
Lake Worth Drainage District
Loxahatchee Groves Water Control District
Northern Palm Beach County Improvement District

North Palm Beach Heights Water Control District
Pahokee Water Control District
Pal Mar Water Management District
Pelican Lake Water Control District
Pine Tree Water Control District
Ritta Drainage District
Seminole Water Control District
Shawano Drainage District
South Florida Conservancy District
South Indian River Water Control District
South Shore Drainage District

The Lake Worth Drainage District has informed the Zoning Division that all concurrency reservation applications, which are located within their district boundaries, are in areas that are open for development, and therefore the Zoning Division may “sign off” for the District on those applications.

The Indian Trail Improvement District, South Indian River Water Control District, and South Indian River Water Control District have provided the Zoning Division with information on the units, which are open for development, and therefore the Zoning Division verifies drainage for Indian Trail Improvement District on concurrency applications.

* There are no sections located in the Jupiter Farms area of the South Indian River Water Control District that are not assessed for water control services.

If a property for a Concurrency reservation is located in any other Water Control District, a provider form is sent to that district for confirmation that the property is located in an area for which the district provides drainage service.

I. PUBLIC SCHOOLS

The 5-year plan projects student population through the 2009/2010 school year and includes sufficient capacity to accommodate the projected population and the adopted level of service prior to the implementation of the Class Size Reduction (CSR) legislation. It is the School District’s intent to build the schools necessary to accommodate both the increase in student growth and the reduction in classroom size required by the new CSR legislation, while maintaining the best learning environment for the students. However, pursuant to constitutional amendment #9, the State is responsible for adequately funding CSR. The construction of the projects contained in the Capital Plan was contingent on a half-cent referendum on the November 2, 2004 ballot, and is estimated to provide the School District with \$560,000,000 for capital projects. The referendum has been approved, providing for a financially feasible capital plan.

The local governments are providing certificates of occupancy/building permit information to the School District. Coordination with the local governments can improve. At the start of the New Year, through the utilization of IPARC the Intergovernmental Plan Amendment Review Committee, ways to improve coordination with the local government to better plan for student growth will be addressed. The Interlocal Agreement requires the local governments to provide the School District with certificates of occupancy issued for new residential development on April 1 and October 1 of each year. On or before January 1 of each year, the local governments are required to provide to the School District a report setting forth the County’s and municipalities respective projections for

development and redevelopment in the forthcoming year and copies of any amendments to their five year road plans, five year utility plans and five year plan for parks, fire and public safety and any other plans affecting infrastructure.

The local governments through the Public School Facilities Element of their Comprehensive Plans are also required to provide expedited review of development proposals for the School District. Some local governments have adhered to this requirement while others subject the School District to their established review process similar to private developers. The Comprehensive Plan also requires the local governments to provide the School District with copies of their Comprehensive Plans. The School District has not received updated Comprehensive Plans from all municipalities that are parties to the Interlocal Agreement. The School District would like to have copies of all the local governments' Comprehensive Plan by March 2005, in order to locate schools in appropriate land use categories in time for the next Five Year Capital Plan.

The Concurrency Program has allowed the School District to be informed of new residential development prior to their impact on the public school system. It has assisted greatly in improving population projections. The program has been successful in reducing overcrowding in schools and improving relationships between the School District and the local governments. The Technical Advisory Group foresees this trend continuing.

The October FTE enrollment count was taken Friday, October 15, 2004. Total K-12 enrollment was 172,759 students, an increase over last year's October FTE of 5,127 students. Pre-kindergarten enrollment was 3,088 students. The Tables below show the increase in student enrollment for three years and summarizes the October 2004 FTE enrollment data.

| ENROLLMENT COMPARISON | | | |
|------------------------------|-----------------------|-----------------|-------------------|
| | FTE Enrollment | Increase | % Increase |
| October 2002 | 162,348 | 5,126 | 3.3% |
| October 2003 | 167,632 | 5,282 | 3.2% |
| October 2004 | 172,759 | 5,127 | 3.1% |

| ENROLLMENT SUMMARY | | | | |
|-------------------------------|----------------|------------------|-------------------|---------------------|
| October 15, 2004 FTE | | | | |
| | Actual | Projected | Difference | % Difference |
| District Schools | | | | |
| Elementary | 75,799 | 76,131 | (332) | 00.44% |
| Middle | 38,881 | 38,967 | (86) | 00.22% |
| High | <u>47,456</u> | <u>47,448</u> | <u>8</u> | <u>00.02%</u> |
| Total District Schools | 162,136 | 162,546 | (410) | 00.25% |
| Alternate Schools | 3,274 | 3,613 | (339) | 10.40% |
| Charter Schools | <u>7,349</u> | <u>7,031</u> | <u>318</u> | <u>04.30%</u> |
| TOTAL K-12 SCHOOLS | 172,759 | 173,190 | (431) | 00.25% |

Elementary Schools

Actual elementary school enrollment exceeded projected enrollment by 332 students or .44 %. This was also an improvement over last year's projection, which exceeded actual enrollment at the elementary school level by 514 students or 0.69%. Only 3 of 100 district elementary schools had

more than 100 students over projections, Equestrian Trails, Cholee Lake and Gove elementary schools.

DD Eisenhower and Beacon Cove Elementary schools' actual enrollment was lower than projected by over 100 students. There were no schools where the actual enrollment was more than 100 students over the projected enrollment. C. O Taylor/Kirklane, Grove Park, Pierce Hammock, Washington and Wynnebrook Elementary Schools had over 60 more students than projected.

Middle Schools

Actual middle school enrollment varied from projected enrollment by 86 students or .22%. This was less than last year's, which, was 0.3% or 115 students. Two middle schools', Congress and Odyssey, actual enrollment was less than 100 students than projected. Carver, Eagles Landing, and Woodlands Middle schools' actual enrollment was over 100 students than projected.

High Schools

Projected overall high school enrollment was very close. The projection was off by only 8 students or .02%. Only two high schools showed enrollments, which exceeded projections by over 100 students. Enrollment in eight high schools fell short of projections by over 100 students. Staff will analyze the reasons for the shortfall at these eight high schools. One factor that has been identified is a shift from district schools to a new Charter high school.

New high school NNN in the Acreage, in conjunction with other changes between existing high schools, is scheduled to provide enrollment relief to Palm Beach Central High school when it opens in 2005.

Comparison of projected to actual enrollment shows an improvement in the student population projections, over last year. The School District is planning for the student needs by adding sufficient capacity to meet the student population growth and changing population trends.

In accordance with the Interlocal Agreement and the revised Interlocal Agreement, assured capacity contained within the first three years of the Five Year Capital Plan can be counted towards calculating the level of service for schools that will be relieved by schools that are currently under contract or construction can exceed the level of service for a maximum of two years while the school providing relief is being built.

Schools which exceeded 110% level of service have planned solution in the 5 Year Capital Plan, except for 6 elementary schools, 1 middle school and 1 high school. The Interlocal Agreement requires that if a school exceeds the level of service based on the October FTE that a solution be in place to address the problem by the following school year. The Technical Advisory Group, the oversight committee for school concurrency, approved solutions to these 6 elementary school, 1 middle school and 1 high schools. These solutions will be included in this year's Five Year Capital Plan.

The utilization for FY 2009 shows capacity being in place to meet the level of service if the projects contained in this year's Five Year Capital are funded and built out on schedule. The School District's challenge is to provide the necessary capacity to meet class size reduction, offer the various programs and comply with the changing State and Federal regulations.

The School District has adhered to the requirements of the Interlocal Agreement and the Comprehensive Plan for the implementation of school concurrency. The local governments have also

cooperated in the implementation of the School Concurrency. The Technical Advisory Group would like for coordination to improve between the school district and the local governments to provide for improved joint planning to accommodate the County's growth and change.

The School Concurrency Program has provided for improved joint planning and coordination between the local governments and the school district. This has resulted in improved educational facilities for the children of Palm Beach County and a stronger public school system.

VI. DEVELOPMENT REVIEW APPEALS BOARD

The Development Review Appeals Board (DRAB) is made up of the Executive Director of Planning, Zoning and Building, the County Attorney and the County Engineer.

An applicant may appeal a decision of the Zoning Director denying a Concurrency application by filing a petition with the Zoning Director to appeal the decision to the Board within ten (10) days of the rendition of the decision by the Zoning Director.

The DRAB shall consider the appeal petition within sixty (60) calendar days of its filing. The Board may reverse the decision of the Zoning Director only if there is substantial competent evidence that the application does meet the requirements and the level of service established in the Adequate Public Facilities Ordinance.

The Development Review Appeals Board did not convene in 2004.