



**Department of Planning,  
Zoning & Building**

100 Australian Avenue

West Palm Beach, FL 33406

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Zoning Division 233-5200

Building Division 233-5100

Code Enforcement 233-5500

Contractors Certification 233-5525

Administration Office 233-5005

Executive Office 233-5003

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**Palm Beach County  
Board of County  
Commissioners**

Karen T. Marcus, Chair

Tony Masilotti, Vice Chairman

Jeff Koons

Warren H. Newell

Mary McCarty

Burt Aaronson

Addie L. Greene

**County Administrator**

Robert Weisman

*"An Equal Opportunity  
Affirmative Action Employer"*

October 22, 2004

D. Ray Eubanks  
Florida Department of Community Affairs  
Division of Community Planning  
Plan Processing Team  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

**RE: 2004 Evaluation and Appraisal Report (EAR) for the Palm Beach  
County Comprehensive Plan**

Dear Mr. Eubanks:

At the October 19, 2004 Public Hearing, the Palm Beach County Board of County Commissioners adopted the 2004 EAR for the Palm Beach County Comprehensive Plan. Attached is the Board's resolution adopting the County's EAR with the correspondent proof of publication.

In accordance with the provisions of 163.3191(6) three copies of the adopted 2004 EAR are provided for your review. These copies include one hard copy of the EAR and two copies on CD-ROM.

Development of Palm Beach County's EAR was initiated in the spring of 2003 and has included an extensive public participation process. Numerous workshops and public hearings were held, including advertised public hearings before the Land Use Advisory Board and the Board of County Commissioners.

The major issues were defined through a "scoping" process in meetings with review agency staff, informal and formal scoping meetings and two public workshops of the Land Use Advisory Board and the Board of County Commissioners. Participants included a broad range of public and private organizations, other local governments, civic and non-profit groups, and advocacy and special interest groups. Letters and public comments received during the entire process are contained in Chapter 5 of the EAR document.

The following interrelated major issues are analyzed in the 2004 EAR:

- 1) Ability of the Managed Growth Tier System and Future Land Uses to Accommodate Future Population and Development Activities;
- 2) Effectiveness of the County's Infill Development and Redevelopment Initiatives and Comprehensive Plan Policies;



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- 3) Impacts of Development Trends and Policies in the Plan and on the Availability of Housing Options for Moderate, Low and Very Low Income Families and the County's Workforce;
- 4) Impacts of Development on Natural Resources, Agricultural Land and Rural Areas;
- 5) Assessment of Transportation Planning Programs and Comprehensive Plan Policies to Address the Impacts of Urban Growth; and
- 6) Improvement of Intergovernmental Coordination Between the County and Other Local Governments and Governmental Entities.

The EAR document suggests changes or amendments and actions that are needed to update the comprehensive plan and to respond to changed conditions or trends in the County. The EAR's most salient recommendations include:

- To continue implementing the Tier system with adjustments to address the impacts of Scripps and changes in circumstances in other parts of the County;
- To implement the proposed Urban Redevelopment Area, with increased densities and intensities, incentives and code adjustments to entice infill and redevelopment projects;
- To provide creative incentives to make it easier for private investors to build affordable and workforce housing developments;
- To plan for a concerted public/private effort at the regional level to address affordable housing issues;
- To perform a regional assessment of the Everglades Agricultural Area (EAA);
- To encourage land use patterns that shorten or eliminate automobile trips; and
- To support Transit Oriented Developments, where feasible.

In addition to the analysis of major issues, the EAR addresses the County's progress in achieving the Plan objectives as they relate to the issues; provides an assessment of the successes and shortcomings of the Plan; identifies improvements to the Plan to address these issues; reviews compliance with changes in state, regional and local policies on planning and growth management, changing conditions and trends; and addresses the four additional



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special topics required by the state including: school concurrency and planning, impacts on coastal high hazard areas, 20-Year water supply work plan, and the short-term and long-term financial feasibility of the Plan.

If you have any questions, please contact Isaac Hoyos, Principal Planner at 561-233-5347.

The Palm Beach County Board of County Commissioners looks forward to the issuance of the Notice finding the County's 2004 EAR sufficient.

Sincerely,

*Lorenzo Aghero*  
Lorenzo Aghero  
Planning Director

Attachments: Resolution Adopting the EAR  
Proof of Publication

**cc:**  
The Honorable Commissioner Marcus, Chair  
Bob Weisman, County Administrator  
Verdenia Baker, Deputy County Administrator  
Bob Banks, Assistant County Attorney

**Internal Distribution:**  
Barbara Alterman, Esq., PZ&B Executive Director  
Jon Macgillis, Interim Zoning Director  
Patrick Rutter, Chief Planner  
Isaac Hoyos, Principal Planner

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Letter to DCA.doc



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Year	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Capital Expenditures	—	—	—	—	—
Operating Costs	—	—	—	—	—
External Revenues	—	—	—	—	—
Program Income (County)	—	—	—	—	—
In-Kind Match (County)	—	—	—	—	—
<b>NET FISCAL IMPACT</b>	<b>==</b>	<b>==</b>	<b>==</b>	<b>==</b>	<b>==</b>
# ADDITIONAL FTE POSITIONS (Cumulative)	—	—	—	—	—

Is Item Included In Current Budget? Yes  No   
 Budget Account No.: Fund  Department  Unit  Object

Reporting Category

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

There is no fiscal impact associated with this item

**C. Departmental Fiscal Review:**

T. J. Clane

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

Elizabeth Brown  
 OFMB  
 10/11/04  
 10/15/04

An J. Jacobson 10/13/04  
 Contract Dev. and Control 10/14/04

At the time of CDC's review, the Report was not attached to the Resolution.

**B. Legal Sufficiency:**

Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

**Continued from page one**

The purpose of the EAR is to conduct an audit of the comprehensive planning process and to evaluate and assess the effectiveness, successes and failures of the County's adopted comprehensive plan and its suitability for the next planning period. Consequently, the EAR document recommended for adoption by the BCC today suggests changes or amendments that are needed to update the comprehensive plan and to respond to changed conditions or trends in the County. The corrective actions identified in the EAR will be carried out through subsequent plan amendments and other means, in the 12 months following EAR adoption. Numerous public and private meetings were held and provided ample opportunity for public input on the EAR. Participants included a broad range of individuals representing government agencies, the private sector and a variety of interest groups. In addition, staff conducted two LUAB workshops and two BCC workshops on the EAR during the last year, where board members provided comments and input to the EAR report.

RESOLUTION NO. R-2004-2227

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA ADOPTING THE COUNTY'S COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted its Comprehensive Plan pursuant to the requirements of Chapter 163, Part II, Florida Statutes, which is otherwise known as the "Local Government Comprehensive Planning and Land Development Regulation Act" ("the Act"); and

WHEREAS, the County has prepared the Evaluation and Appraisal Report ("EAR") on its comprehensive plan pursuant to the requirements of the Act; and

WHEREAS, the County wishes to adopt the proposed EAR in accordance with the provisions of Section 163.3191, F.S., and request that the EAR be reviewed for sufficiency by the Department of Community Affairs pursuant to Section 163.3191(8) F.S.;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA:

Section 1. The Board of County Commissioners of Palm Beach County, Florida, hereby adopts the attached Evaluation and Appraisal Report in accordance with the provisions of Section 163.3191, F.S.

Section 2. The Board of County Commissioners hereby directs staff to submit the required copies of the adopted EAR to the appropriate agencies pursuant to Section 163.3191(6), F.S.

Section 3. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

1 Commissioner Newell moved for the approval of the Resolution.

2 The motion was seconded by Commissioner Koons and, upon being

3 put to a vote, the vote was as follows:

4	Karen T. Marcus, Chair	-	Nay
5	Tony Masilotti, Vice Chairman	-	Absent
6	Jeff Koons	-	Aye
7	Warren H. Newell	-	Aye
8	Mary McCarty	-	Aye
9	Burt Aaronson	-	Aye
10	Addie L. Greene	-	Aye

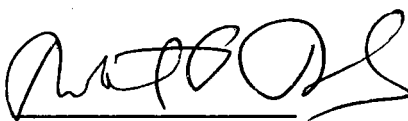
11 The Chair thereupon declared that the resolution was duly passed  
12 and adopted on October 19, 2004.

13 Filed with the Clerk of the Board of County Commissioners on 19 day  
14 of Oct., 2004.

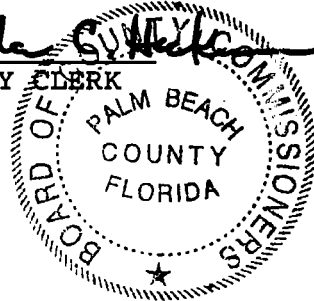
17 APPROVED AS TO FORM  
18 AND LEGAL SUFFICIENCY


PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

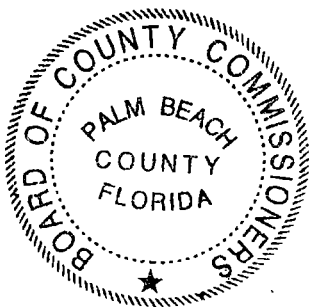
DOROTHY H. WILKEN, CLERK

21  
22  
23 BY:   
24 COUNTY ATTORNEY

BY:   
DEPUTY CLERK



25  
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33 STATE OF FLORIDA, COUNTY OF PALM BEACH  
34 I, DOROTHY H. WILKEN, ex-officio Clerk of the  
35 Board of County Commissioners certify this to be a  
36 true and correct copy of the original filed in my office  
37 on October 19, 2004  
38 DATED at West Palm Beach, FL on 10-25-04  
39 DOROTHY H. WILKEN, Clerk  
40 By:  D.C.



THE PALM BEACH POST  
Published Daily and Sunday  
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

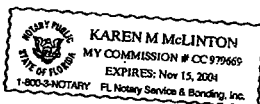
Before the undersigned authority personally appeared Wendy Elliott, who on oath says that she is Telephone Sales Supervisor of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a Notice in the matter of Public Hearing was published in said newspaper in the issues of October 4, 2004. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Wendy Elliott*

Sworn to and subscribed before 4<sup>th</sup> day of October, A.D. 2004

*Karen M. McLinton*

Personally known XX or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



NOTICE OF PUBLIC HEARING TO ADOPT  
THE 2004 EVALUATION AND APPRAISAL  
REPORT OF THE PALM BEACH  
COUNTY COMPREHENSIVE PLAN

In accordance with the requirements of Chapter 163, Part II, Florida Statutes, Chapter 9J-5 and 9J-11, Florida Administrative Code, and other authority, the Palm Beach County Board of County Commissioners (BCC), will hold a Public Hearing for the adoption of the 2004 Evaluation and Appraisal Report (EAR) of the Palm Beach County Comprehensive Plan (Plan)

- Place:** The Jane M. Thompson Memorial Chambers, 6<sup>th</sup> Floor, County Governmental Center, 301 North Olive Avenue, West Palm Beach, Florida.
- Date:** The hearing will begin at 9:30 a.m. on October 19, 2004, and may continue from such time-to-time and place-to-place as is necessary.
- Title:** Evaluation and Appraisal Report (EAR) Adoption

PURSUANT TO CHAPTER 163.3191, F.S., LOCAL GOVERNMENTS ARE REQUIRED TO PERIODICALLY PREPARE AN EVALUATION AND APPRAISAL REPORT (EAR), ADDRESSING THE IMPLEMENTATION OF THE COMPREHENSIVE PLAN. THE EAR IS INTENDED TO SERVE AS A SUMMARY AUDIT OF GROWTH MANAGEMENT DECISIONS THAT A LOCAL GOVERNMENT HAS UNDERTAKEN, AND IDENTIFY CHANGES THAT MAY BE NEEDED TO ADDRESS THE LOCAL GOVERNMENT'S NEEDS FOR THE NEXT PLANNING HORIZON. THE REPORT IS BASED ON THE COUNTY'S ANALYSIS OF MAJOR ISSUES TO FURTHER COMMUNITY GOALS CONSISTENT WITH STATEWIDE MINIMUM STANDARDS. ADDITIONALLY, THE EAR EVALUATES AND ASSESSES THE EFFECTIVENESS OF THE COMPREHENSIVE PLAN IN ACCOMPLISHING ITS ADOPTED OBJECTIVES AS THEY RELATE TO THE ISSUES, AND INCLUDES SUGGESTED MODIFICATIONS OR AMENDMENTS THAT MAY BE NEEDED TO UPDATE THE PLAN AND ITS ELEMENTS INCLUDING REFORMULATED OBJECTIVES, POLICIES AND STANDARDS. LOCAL GOVERNMENTS ARE ALSO REQUIRED TO ADDRESS, AS PART OF THE EAR, SCHOOL PLANNING, IMPACTS TO COASTAL HIGH HAZARD AREAS (CHHA), LAND USE AND WATER SUPPLY PLANNING, AND THE FINANCIAL FEASIBILITY OF THE PLAN.

THE PUBLIC IS ENCOURAGED TO ATTEND AND MAKE COMMENTS AT THE PUBLIC HEARING. CHANGES WILL BE MADE, AS APPROPRIATE, CONCURRENT WITH THE ADOPTION OF THE REPORT. IF YOU ARE UNABLE TO ATTEND THE PUBLIC HEARING, YOU MAY SUBMIT YOUR WRITTEN COMMENTS TO:

Palm Beach County Planning Division  
100 Australian Avenue - 5<sup>th</sup> Floor  
West Palm Beach, FL 33406  
(561) 233-5300; FAX (561) 233-5365

COPIES OF THE EAR are available at the address shown above, where the EAR may be REVIEWED by the public weekdays between 9:00 a.m. and 4:00 p.m. For additional information on the public hearing or the EAR, please contact the Planning Division at (561) 233-5300.

In accordance with the provisions of the Americans with Disabilities Act (ADA) auxiliary aids or services will be provided upon request with at least three working days' notice. Please contact the Planning Division at (561) 233-5300 for information.

PUBLISH: October 4, 2004