Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from Palm Beach County was received on February 12, 2019 and contains text amendments to the Housing, Future Land Use, and Transportation elements, and three amendments to the Future Land Use Map. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendments

Workforce Housing Policy Revisions

The proposed amendment is to revise the Housing, Future Land Use, and Transportation elements of the County’s comprehensive plan to implement the Board of County Commissioners’ (BCC) policy direction to increase the amount of density bonus available in lower density residential future land use designations. The amendment also updates and corrects related provisions and references. The staff report states current limitations create a disincentive for the use of the Workforce Housing Program (WHP) density bonuses, and creates an incentive to pursue density increases through the future land use amendment process, which results in fewer WHP units. Additionally, increasing the density bonuses may also encourage the development of more single-family, for-sale WHP units.
The amendment will delete the current 30 percent cap on the amount of density bonus that can be obtained through the WHP in the low residential categories within the Urban Suburban Tier. This amendment is required in order to proceed with changes to the Unified Land Development Code implementing the Board’s direction to allow up to a 100% density bonus. In order to ensure higher densities do not create compatibility issues with existing development patterns, density bonuses that exceed 40 percent will require separate review that includes a compatibility assessment and approval by the BCC through a public hearing. Revised text in strikeout and underline format is contained in Exhibit 2.

Palm Beach Heights Natural Area Addition

The proposed amendment is to change the future land use designation on 149 parcels totaling 267.11 acres from Rural Residential 1 unit per 20 acres (RR-20) to Conservation (CON). The amendment is being requested by the Palm Beach County Environmental Resources Management Department to protect significant species that reside on the sites; protect the natural functions of the native communities and ecosystems; ensure that representative communities remain intact; and preserve greenway and wildlife corridors that link conservation areas. The parcels are located adjacent to the Pine Glades Natural Area east of Bee Line Highway along the north side of Indiantown Road. The parcels are dispersed throughout land that is designated Rural Residential 20 dwelling units per acre. Adjacent land use designations include Conservation to the southwest and south; Industrial to the immediate south; and Martin County conservation lands to the north.

Water Utilities Department Water Treatment Plant 8

The proposed amendment is to change the future land use designation on two parcels totaling 4.16-acre from High Residential 8 dwelling units per acre (HR-8) to Utilities and Transportation (UT). The subject site is located east of Jog Road and the Florida Turnpike. The County Water Utilities Department (WUD) operates Water Treatment Plant (WTP) 8 on 20.12 acres located east of Jog Road and South of Okeechobee Boulevard, contiguous to the subject parcels. The sites are currently utilized by WUD for water production wells with five active wells providing water for the WTP 8 facility. No change is being proposed for the use of the site. The staff report indicates the purpose of the amendment is to assign a uniform designation for the continuation of the site as a utility use. Adjacent future land use designations are Utility and Transportation (UT) to the north, south, and west; and High Residential 8 dwelling units per acre (HR-8) to the east.

Rainberry Planned Unit Development - Pod B

The proposed amendment is to change the future land use designation on a 34.10 acre site from Low Residential 3 dwelling units per acre (LR-3) to Medium Residential 5 dwelling units per acre (MR-5). The subject site is located within the existing Rainberry Planned Unit Development (PUD) and designated as Pod B. The site is located west of Boca Raton, approximately 0.26 miles south of Glades Road between Lyons Road and State Road 7. Adjacent future land use designations include Medium Residential 5 dwelling units per acre (MR-5) and High Residential 12 dwelling units per acre (HR-12) to the north; Low Residential 3 dwelling units per acre (LR-3) and Medium Residential 5 dwelling units per acre (MR-5) to the west; Low Residential 3
dwellings per acre (LR-3) to the east; and Low Residential 3 dwellings per acre (LR-3) and High Residential 8 dwelplings per acre (HR-8) to the south.

The purpose of the amendment is to expand an existing Congregate Living Facility (CLF) on an undeveloped portion of the PUD by permitting the CLF to utilize the additional density to increase the allowable beds from 244 to 407 for the CLF, an increase of 163 beds. The amendment includes a voluntary condition of approval that limits the increase in density to only the CLF use. Any other residential use on the site will be limited to 3 units per acre.

The Rainberry PUD is a campus style development with diverse uses including schools, daycares, congregate living facilities, administrative offices, recreation, housing, and nursing facilities. Pod B has been approved for an adult day care (23,000 s.f.), Type 3 CLF (538 beds), nursing home (60 beds), and assembly nonprofit institutional (78,984 s.f). The staff report indicates the amendment is consistent with all applicable policies in the comprehensive plan, including all level of service standards, and will expand current living options in the immediate area allowing the local population to age in place.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

The proposed amendments were circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on May 21, 2018; November 21, 2018; and January 18, 2019. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. However, the proposed Workforce Housing Policy Provisions would be enhanced by continuing to incorporate proximity to mass transportation to the Workforce Housing development evaluation.

Recommendation

Council should approve this report and authorize its transmittal to Palm Beach County and the Florida Department of Economic Opportunity.

Council Action – March 15, 2019

Mayor Gerwig from the Village of Wellington moved approval of the staff recommendation. Councilman Hmara from the Village of Royal Palm Beach seconded the motion, which carried unanimously.

Attachments

3
# List of Exhibits

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</tr>
</tbody>
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Exhibit 2
Workforce Housing Policy Revisions – Revised Text in Strikeout and Underline Format

A. Housing Element, Workforce Housing Revisions

REVISIONS: To increase potential density bonus for LR-1 to LR-3 to 100%, and make related revisions. The added text is underlined, and the deleted text struck-out.

1. REVISE Policy 1.5-g: The County’s mandatory Workforce Housing Program is established to facilitate development of workforce housing. The Program requires new residential developments to provide a percentage of housing units for households with incomes from 60% to 140% of area median income as a means to meet affordable workforce housing needs and to disperse that needed housing in the unincorporated County. The Workforce Housing Program applies in the Urban/Suburban Tier. For land use LR1, the PUD density does not apply. The Agricultural Reserve Tier is exempt from this program.

The Workforce Housing Program development evaluation shall address specific criteria, including but not limited to:

1. Eligible developments must have a minimum number of 10 permitted units;
2. Workforce units can be both rental units and for sale units;
3. Workforce units built on site will be designed to be compatible with the overall development;
4. Workforce units built on-site can be clustered or integrated within the development;
5. Rental unit and resale unit affordability controls shall be guaranteed for a period to be set forth in the Unified Land Development Code (ULDC);
6. Workforce units may be allowed based on location, and land use compatibility, in any of the following land use categories: Commercial (mixed use); Industrial (mixed use); Economic Development Center; Institutional and Public Facilities, Traditional Town Development (TTD); and Multiple Land Use (MLU).

Incentives may shall include:

1. For all urban residential land use designations LR-1, LR-2, and LR-3, a density bonus of up to 30100%.
2. Traffic performance standards mitigation,
3. An expedited permit, zoning, and land use site plan approval process including engineering platting procedures.
4. A method to effectively offset impact fees and other development fees for the Workforce units only may be included.

Density Bonus Greater than 30%

For land uses MR-5, HR-8, HR-12, and HR-18 a density bonus greater than 30% up to 100%, shall be permitted when all program criteria are met and the increased density creates no compatibility issues with adjacent properties. For projects requesting greater than a 40% density bonus, the Workforce Housing development evaluation shall consider factors specified in the ULDC including, but not limited to: compatibility with adjacent properties, provision of workforce housing onsite, concentration of workforce housing, and proximity to employment centers.
When a density bonus of greater than 30% is sought, the Workforce Housing development evaluation shall address the specific criteria (#1-6) listed above and in addition the following criteria:

1. Eligible developments must be located inside the Urban/Suburban Tier.
2. Developments are required to be located near mass transportation and/or employment centers in order to receive a 100% density increase.
3. Existing very low and low income concentrations in order to discourage undue concentrations; and
4. Review of County Housing Study Sector.

The specific program criteria, including developer incentives, will be set forth within the Unified Land Development Code (ULDC).

2. REVISE: B. Assessment and Conclusions

Housing Affordability

...omitted for brevity...

The focus of County efforts is on affordable housing options for households in the very low to low income range (0-60%) AMI), and on low, moderate and middle income range workforce housing, which the County’s program defines as households from 60% up to 140% of AMI.

...omitted for brevity...

Workforce Housing Needs

...omitted for brevity...

In addition, Palm Beach County through PZB’s Workforce Housing Program (WHP) assists in serving some of the households that will experience cost burden issues. The WHP is designed to serve low, moderate, and middle income households (60-120% of AMI) and also middle income (120-140% of AMI) by requiring a component of housing units in new development in certain unincorporated areas of the county be provided for these income groups at rents and sale prices that are to remain affordable for periods of at least 15 years (for-sale) and 30 years (rental).

3. REVISE: Policy 1.1-o: The County shall preserve affordability of workforce and affordable housing units developed through the Workforce Housing Program and the Affordable Housing Program as follows:

1. The Workforce Housing Program will target households with incomes ranging from 60%-140% of area median income.

2. The Affordable Housing Program will target households at or below 60% of area median income.

The Workforce Housing Program and Affordable Housing Program units shall be made available at a rate affordable to the specified income groups, and only to income-eligible households for a period of time to be set forth in the Unified Land Development Code.
(ULDC). All Workforce Housing Program and Affordable Housing Program criteria shall be subject to the review and approval of the Board of County Commissioners.

4. REVISE: Policy 1.5-i: The County shall establish a Affordable Housing Program to allow new residential developments within the Urban/Suburban Tier only, the opportunity to provide housing units for households with incomes at 80% of area median income and below, as a means to meet affordable housing needs and to disperse that needed housing in unincorporated Palm Beach County. The Affordable Housing Program may provide incentives including density bonuses; Incentives shall be offered that will generally mirror the benefits of the Workforce Housing program criteria. Density bonus units will be allowed only when consistent with Housing Element Objective 1.5 to discourage the undue concentration of very low and low income housing in the County.

Consideration will be given to specific proposals that target households with incomes that crossover both the Workforce Housing and the Affordable Housing Programs. The Agricultural Reserve Tier is exempt from this Program.

B. Future Land Use Element, Workforce Housing Revisions

REVISIONS: To revise and update references and provisions related to the Workforce Housing Program. The added text is underlined, and the deleted text struck out.

1. REVISE: County Direction 7 - Housing Opportunity. Ensure that housing opportunities are compatible with the County’s economic opportunities by providing an adequate distribution of low, moderate, and middle, very-low and low-income housing, Countywide, through the Workforce Housing Program.

2. DELETE Policy 2.2.1-e: To facilitate development of affordable housing, the County shall not require an amendment to the Future Land Use Atlas to increase the density higher than the future land use category, provided the development is consistent with the Workforce Housing Program analysis or the Affordable Housing Program analysis required by policies in Housing Objective 1.1 and 1.5 and within the ULDC.

3. REVISE Policy 2.4-a: The Transfer of Development Rights program shall:

1. designate sending areas;
2. assign densities within the sending areas on equitable bases, based on the parcel’s location, development potential and value to the community;
3. delineate specific receiving areas, and designate appropriate density increases within each;
4. provide variable pricing for the County-owned TDR units, based on location and furthering the County Goals and Objectives contained within the Comprehensive Plan;
5. require 31% of TDR units per project be provided as Workforce Housing Program units and provide each workforce housing TDR at a reduced cost to the developer;
6. TDR units may be provided in conjunction with the Affordable Housing Program and may be provided at no cost or a reduced cost when the additional TDR units are determined to be consistent with Housing Element and ULDC provisions to discourage the undue concentration of very low and low income housing in the County;
7. define administrative and legal requirements, including notification to the Property Appraiser’s office and recordation in the public records; and a development’s
4. REVISE Policy 2.4-g: In order to encourage eastward development and a tapering off of density towards the western edge of the Urban/Suburban Tier and support development within the Urban/Suburban Tier in the Glades, or to protect rural residential areas by concentrating needed housing units where urban residential future land use designations already exist, bonus densities may be applied for as follows:

1. Inside the Urban/Suburban Tier and west of the Florida Turnpike, up to 2 du/acre additional;
2. Inside the Urban/Suburban Tier, but not in the Revitalization and Redevelopment Overlay, up to 3 du/acre additional;
3. In the Revitalization and Redevelopment Overlay, up to 4 du/acre additional;
4. In the Urban/Suburban Tier in the Glades area:
   (a) But not in a Revitalization and Redevelopment Overlay, up to 3 du/acre additional; or
   (b) In a Revitalization and Redevelopment Overlay, up to 4 du/acre additional; and
5. Final assignment of TDR bonus density may take into consideration bonus density granted thru the Workforce Housing Program or Affordable Housing Program.

5. REVISE Policy 2.4-l: The value cost of the County's TDR units, including discounted TDRs for and the reduced values of Workforce Housing and Affordable Housing TDR units, shall be established annually by the Board of County Commissioners. The price will be updated annually as part of the TDR annual report.

C. Transportation Element, Workforce Housing Revisions

REVISIONS: To revise and update references and provisions related to the Workforce Housing Program. The added text is underlined, and the deleted text struck out.

1. REVISE: Policy 1.2-d: The Board of County Commissioners finds that under certain limited circumstances dealing with transportation facilities, countervailing planning and public policy goals may come into conflict with the requirement that adequate public facilities be available concurrent with the impacts of such development. The Board of County Commissioners further finds that under certain circumstances, lower level of service standards for specific roadway segments and intersections are appropriate. Consequently, this policy provides for lower transportation facilities level of service standard for certain purposes on roadway segments and intersections:

   ...omitted for brevity...

4. For the public purpose of allowing developments that include Workforce and Affordable Housing units (as defined in Housing Element Policies 1.5-g and 1.5-i) to be constructed, the level of service standard permitted for all housing units beyond the standard density (as defined in Future Land Use Element Table 2.2.1-o.1 III-C-4) on affected segments and intersections shall be up to 30% above the LOS D volume on those segments and intersections.

   ...omitted for brevity...
### Palm Beach Heights Natural Area Addition – Future Land Use Map

<table>
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<tr>
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<tr>
<td>FLUA Page No:</td>
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<tr>
<td>Amendment:</td>
<td>From Rural Residential, 1 unit per 20 acres (RR-20), to Conservation (CON)</td>
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<td>Location:</td>
<td>East of Bee Line Highway, along the North side of Indiantown Road</td>
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<td>Size:</td>
<td>267.11 acres approximately</td>
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<td>Property No:</td>
<td>See attached</td>
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<td>Conditions:</td>
<td>None</td>
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![Map of Palm Beach Heights Natural Area Addition](image)
Exhibit 5
Water Utilities Department Water Treatment Plant 8 – Aerial Location Map
Exhibit 6
Water Utilities Department Water Treatment Plant 8 – Future Land Use Map

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<thead>
<tr>
<th>Amendment No:</th>
<th>PBC WUD Water Treatment Plant (LGA 2019-011)</th>
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<td>FLUA Page No:</td>
<td>57</td>
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<tr>
<td>Amendment:</td>
<td>High Residential, 8 units per acres (HR-8) to Transportation and Utilities Facilities (UT)</td>
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<tr>
<td>Location:</td>
<td>East of Jog Road, east of Florida’s Turnpike</td>
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<tr>
<td>Size:</td>
<td>4.16 acres approximately</td>
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<td>Property No:</td>
<td>Easternmost 140 feet approximately of PCNs</td>
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<tr>
<td></td>
<td>00-42-43-27-05-004-0052 (approx. 2.48 acres of a 4.35 acre parcel)</td>
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<td>00-42-43-27-05-004-0053 (approx. 1.68 acres of a 17.89 acre parcel)</td>
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<td>Conditions:</td>
<td>None</td>
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[Map of Water Utilities Department Water Treatment Plant 8 – Future Land Use Map]
Exhibit 7
Rainberry Planned Unit Development Pod B - Aerial Location Map
Exhibit 8
Rainberry Planned Unit Development Pod B - Future Land Use Map

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<td>FLUA Page No:</td>
<td>114</td>
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<td>Amendment:</td>
<td>From Low Residential, 3 units per acre, (LR-3) to Medium Residential, 5 units per acre (MR-5)</td>
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<td>Location:</td>
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</tr>
<tr>
<td>Size:</td>
<td>34.10 acres</td>
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</tbody>
</table>

**Conditions:** The density associated with the Medium Residential, 5 units per acre (MR5), future land use designation shall only be utilized for the development of a Congregate Living Facility (CLF). If developed residentially other than as a CLF, the density shall be limited to the Low Residential, 3 units per acre (LR-3) future land use designation.