



PLANNING AND ZONING COMMISSION MEETING

TOWN OF PALM BEACH

JULY 7, 2026

9:30 AM

TOWN HALL COUNCIL CHAMBERS, 2ND FLOOR | 360 SOUTH COUNTY RD | PALM BEACH, FL 33480

Gail Coniglio, Chair
William J. Gilbane, Vice Chair
Marilyn N. Beuttenmuller, Member
Barbara Chapman, Member
Martin Klein, Member
Carol LeCates, Member
Jorge Sanchez, Member
Matthew Ailey, Alternate Member
Victoria Donaldson, Alternate Member
Anne Fairfax, Alternate Member

AGENDA

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES

1. Minutes of the June 2, 2026, Planning and Zoning Commission Meeting

APPROVAL OF AGENDA

COMMENTS

2. OFFICIALS
3. STAFF
4. PUBLIC - 3 MINUTE LIMIT

For those unable to attend in person: [Submit a written comment](#) [Register to comment virtually](#)

UNFINISHED BUSINESS

5. **12-2026** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Adopted 2024 Town Of Palm Beach Comprehensive Plan, Pursuant To Chapter 163.3191, Florida Statutes, By Amending The Future Land Use Element, The Historic Preservation Element, And The Infrastructure Element And By Amending The Adopted 2024

Comprehensive Plan Map Series To Replace The Future Land Use Map, The Zoning Map And The Archaeological Sites Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date.

6. **13-2026** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Official Zoning Map By Replacing The Existing 1974 Official Zoning Map Of The Town Of Palm Beach Last Updated September 2024 With A New 2026 Official Zoning Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date.
7. Presentation & Review of Draft Glossary of Terms Focused on Specific Terminology Related to Non-Residential Uses
8. Second Review of Proposed Conditional Use Criteria

NEW BUSINESS

9. **20-2026** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, Article Vi, District Regulations, At Division 6. - R-D(1) High Density Residential District, Section 134-1000; And At Division 7. - R-D(2) High Density Residential District, Section 134-1055, To Remove Public And Private Academic School As Special Exception Uses In The R-D(1) And R-D(2), Respectively; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

ANY OTHER BUSINESS

MEETING SCHEDULE

10. The next meeting is scheduled for Tuesday, August 4, 2026

ADJOURNMENT

Access this meeting video on the 'Public Meetings' page at www.townofpalmbeach.com.

If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Disabled persons needing accommodations to participate in this meeting should contact the Town Clerk's Office at (561) 838-5416 at least one day prior to the meeting.



TOWN OF PALM BEACH

Minutes of the Planning and Zoning Commission Meeting Held on June 2, 2026

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 9:30 AM in the Town Council Chambers.

Members Present: Gail Coniglio, William Gilbane, Marilyn Beuttenmuller, Jorge Sanchez, Barbara Chapman, Carol LeCates, Martin Klein, Matthew Ailey, Victoria Donaldson

Member Absent: Anne Fairfax

Staff Present: Wayne Bergman, Jennifer Hofmeister, Friederike Mittner, Pat Gayle-Gordon, and Attorney Peter Henn

PLEDGE OF ALLEGIANCE

Deputy Town Clerk Gayle-Gordon delivered the Invocation, and Chair Coniglio led the Pledge of Allegiance.

MINUTES

1. Minutes of the May 5, 2026, Planning and Zoning Commission Meeting

Mr. Sanchez stated that he had revisions to the Minutes regarding his comments on page 3. He was requested to provide the written revisions to the Deputy Clerk for inclusion in the Minutes.

A motion was made by Mr. Klein and seconded by Mr. Gilbane to approve the minutes of the May 5, 2026, meeting as amended. The motion was carried unanimously, 7-0.

APPROVAL OF AGENDA

A motion was made by Mr. Klein and seconded by Ms. Chapman to approve the agenda as presented. The motion was carried unanimously, 7-0.

COMMENTS

2. OFFICIALS

Ms. LeCates brought up the language in the Minutes regarding a prior discussion about the distinction between intensity of use and floor area ratio. She said the language in the Comprehensive Plan referred to “patterns of intensity of use.” She thought that the minutes may not have clearly captured the conversation. She noted that Attorney O’Connor had commented that the language referred to “changes in patterns.” Ms. Hofmeister responded that the language is included in the data analysis. Mr. Gilbane explained that the intent was to adopt stronger language in the Comprehensive Plan so that, when drafting the Land Development Code, there would be clear criteria addressing intensity of use rather than only patterns of use. He noted that, at the time, developers often argued they could build to the maximum allowable intensity but proposed a lesser intensity, creating the impression of a compromise. However, he pointed out that if a property currently has little or no intensity of use, even a reduced proposal may still represent a significant increase. Mr. Gilbane also emphasized that the Comprehensive Plan supports encouraging lower-intensity development and that this principle should guide future code provisions.

Chair Coniglio suggested that this discussion be placed on next month’s agenda.

3. STAFF

Director Bergman reported that staff had held 3 productive meetings with a South End citizens’ advocacy group regarding the code reform process for the R-D(1) and R-D(2) districts. The discussions focused on redevelopment incentives, including potential adjustments to lot coverage, setbacks, reduced density, and options for covered or enclosed parking. The group also expressed interest in a unified streetscape plan to create consistency in landscaping while preserving architectural flexibility for individual properties. Staff will continue refining these concepts over the summer, share draft proposals with the Town Council and the advocacy group, and plan to reconvene in the fall before formally presenting the proposed code changes for consideration.

Director Bergman updated the Commission on the Comprehensive Plan ordinance. Although approved on first reading and transmitted to the state, the Department of Commerce flagged the amendment as inconsistent with Senate Bill 180 due to the conversion from Palm Beach acres to standard acres and the rounding of density fractions. The amendment must be resubmitted with unrounded density values. The comments from the South Florida Water Management District have been addressed, and the ordinance will return for a new first reading.

Mr. Bergman concluded that although the delay is unfortunate, the required corrections are straightforward, and the process will move forward over the summer.

4. PUBLIC - 3 MINUTE LIMIT

There were no public comments.

GENERAL BUSINESS

5. Discussion of R-B Zoning District Review

Friederike Mittner, Historic and Preservation Manager, outlined ongoing work on the Town's core zoning elements, including the RB district in the North End. Using prior studies dating back to 1986, staff will focus on three RB sub-areas—Oceanside, Lakeside, and Inland—and evaluate one-story incentives, second-floor limits, and CCR replacement. A reorganized RB code section (no substantive changes) and variance data were distributed; 202 variances have been granted since 2010 across 1,231 parcels. Staff requested confirmation to proceed with the three-area approach and asked Commissioners to review the materials and provide feedback by August 7, 2026. Maps will be provided, and the draft code language will be returned to the commission for consideration in the fall.

James Murphy, Assistant Director, stated for the record that during his five-and-a-half-year tenure, he undertook an audit of variances, focusing specifically on applications since 2018. His analysis showed an average of approximately 200 variances annually, with denials being rare outliers. He noted that the most common variance requests involve building envelopes, setbacks, lot coverage, open space, and accessory structure setbacks. Mr. Murphy observed that recurring requests, particularly those for side setbacks, averaged around 40 per year, suggesting potential issues with the current zoning code requirements. He stated that staff intends to examine these patterns further, particularly in light of Senate Bill 180, and may explore more contextual zoning setback standards used in other communities. He added that the consistent approval of certain variances indicates the need to reevaluate the criteria and supports the concept of implementing waivers.

Ms. Mittner commented about contextual setbacks in historical districts. She explained that when an applicant requested a front or side setback variance, they were required to document the setbacks of at least two neighboring properties on either side using building plans or aerial imagery. This approach ensured the proposed setback remained consistent with the surrounding context, recognizing that setbacks could vary and contribute to the streetscape's unique rhythm. Staff noted that if a contextual setback could not be established due to anomalies or special conditions, such as corner lots, the standard minimum setback requirement could still apply. This method was described as an effective way to preserve the historic character and continuity of a streetscape.

Mr. Klein wondered if staff had reviewed the composition of the RB District as part of the code reform process. He referenced concerns raised by former Town Council President Maggie Zeidman. He asked whether the district's composition would remain unchanged, with current discussions now focused instead on variances and related regulatory adjustments. Ms. Mittner responded that the staff's goal is to clearly delineate the Oceanside, the Lakeside, and the inland areas because they have different characteristics.

Mr. Sanchez shared his concerns and noted that another column in the code was needed to address the Sea Streets. He also commented that historical setbacks should be taken into consideration.

Attorney Peter Henn of Jones Foster added that Mr. Murphy reviewed approximately 10 years of history during his time here. This issue was studied in detail approximately 25 years ago, and

the reports on the amount of variances from that time are consistent with the current data. Chair Coniglio asked if this would be done holistically as part of the code reform. Ms. Mittner said staff wanted to bring RB back to the Commission in early fall, while other core elements are being studied to be presented separately. Ms. Hofmeister added that Ms. Mittner had highlighted the core elements being reviewed as part of the code reform. She said during the summer months. Those elements will be studied, and during the fall, it is the hope of the staff to have information to bring back to the Planning and Zoning Commission, as has been done with the comprehensive plan.

Public Comments

Anne Pepper, 333 Seaspray Avenue, emphasized that while maintaining neighborhood context is an important goal, it cannot be evaluated solely by setbacks. FEMA-driven elevation requirements and the resulting increase in building height and massing—particularly along the Sea streets—are significantly altering neighborhood character. She further noted that larger, taller structures are replacing older homes built at a human scale with smaller setbacks. She urged that all factors affecting scale and appearance be considered together to preserve the historic context of these neighborhoods.

UNFINISHED BUSINESS

6. Discussion of Commercial Districts Pertaining to Uses and Introduction of Criteria for Granting Conditional Uses (FKA Special Exception Uses)

Jennifer Hofmeister, Planner III, gave a presentation continuing the discussion on commercial district regulations, including the transition from special exception criteria to conditional use criteria. A revised table of permitted, accessory, conditional, and prohibited uses was presented, incorporating prior feedback and minor edits. Definitions for town-serving office, retail, and personal service uses were reviewed for the record. Staff also outlined proposed updates to bulk regulations and introduced the working draft of conditional use approval criteria. The Commission discussed how accessory uses are defined and clarified that expansion of a use to an upper floor would constitute an expansion rather than an accessory use. Ms. Hofmeister stated the definition of town-serving used at last month's Planning and Zoning Commission meeting.

Chair Coniglio asked whether an accessory use would include a scenario in which a property owner has a retail store on the ground floor within the 3,000- or 4,000-square-foot threshold and later seeks to expand operations to a second floor without increasing the building footprint. Ms. Hofmeister said it would be an expansion if the same retail use were to go upstairs. Mr. Bergman responded that what Ms. Coniglio described would not be an accessory use. Accessory uses are customarily incidental to the primary use of the property being described. He explained accessory uses, linked to a principal use. Ms. Hofmeister explained the logic behind considering uses incidental to a primary use. Mr. Murphy further explained the difference between a primary use and an accessory use as incidental to the primary use. Ms. Hofmeister added that businesses are monitored through the Business Tax Receipt process. Chair Coniglio reiterated her point of view that there is an intensity of use. She felt that the explanation was unclear.

Mr. Klein asked whether staff was attempting to codify the 50% town-serving requirement and, if so, how that aligned with recent discussions and actions by the Town Council. He noted that

at least one Council member had publicly expressed support for increasing the requirement to 75%, referenced an item on the June Development Agenda involving a 50% Declaration of Use, and pointed out that Town Council had recently approved a 75% Declaration of Use for a project across the street. Artie questioned how these differing standards were being reconciled and whether the Town intended to move forward with a 50% or 75% threshold. Ms. Hofmeister said that was something worth discussing, but not at present, noting that she was not addressing percentages at this time.

Ms. Hofmeister stated that recent increases in the town-serving percentage have applied primarily to private clubs, while retail establishments have not been part of those discussions. She explained that the existing 50% town-serving requirement tied to special exception criteria would remain unchanged. However, she noted that staff would later discuss proposed revisions to reduce the current list of criteria from 14 to 8, with the intent of strengthening the town-serving requirement and clarifying how it would be applied moving forward.

Ms. LeCates expressed concern that increasing the town-serving percentage may not effectively reduce off-island traffic or congestion as intended. She explained that if private clubs serve more town residents, those residents may simply vacate seats at public restaurants, which would then likely be filled by visitors from off-island. As a result, she questioned whether increasing the town-serving requirement would meaningfully address parking or traffic concerns, noting that overall demand for dining and access during the season would likely remain unchanged.

Ms. Donaldson asked about stores being separated. Ms. Hofmeister explained that when an applicant proposes interior renovations that do not exceed the established thresholds of 3,000 square feet in the commercial districts or 4,000 square feet in the Worth Avenue District, the work would still require a building permit and business tax receipt. As part of that process, staff reviews compliance with parking requirements, and if the property does not meet those standards, the applicant must seek Town Council approval for a parking variance.

Chair Coniglio still felt like the town would be opening the door for corporate commercial entities. She did not understand why the town would want to be larger than 3,000–4,000 square feet. She felt that allowing a larger establishment than that was not what the town was trying to accomplish.

Attorney Henn noted that until Senate Bill 180 is amended, modified, or repealed, it would not be advisable for the Town to reduce or limit existing development rights beyond the current 3,000- or 4,000-square-foot thresholds, as doing so could be considered more restrictive or burdensome under the law. He stated the goal is to tie everything together holistically. Chair Coniglio acknowledged that SB 180 has tied the hands of local municipalities, but asked if either the retail entity or the property owner could be allowed to increase by using the next-door neighbor's bay to 6,000 square feet by right. Mr. Henn said not by right, it would be a conditional use, and staff and the commission would have to ensure the conditions mitigate whatever impacts they would be bringing. He further stated that if traffic is a concern, additional traffic standards could be developed in another section of the code to address traffic uniformly. Any other concerns should be addressed in supplemental requirements. The goal is not to say no to a larger building; it is to ensure it is compatible and mitigates its impacts on the community.

Mr. Gilbane emphasized that evaluating proposed changes in isolation misses their broader community impact. He said residents want neighborhood-serving businesses—such as local dry cleaners, markets, and establishments that know and primarily cater to residents—rather than businesses that attract outside traffic for errands or dining. He noted that the Town's Comprehensive Plan and Code already support protecting local-serving businesses, but argued the current definition of "town-serving" is too broad. He stated that narrowing and refining that definition to focus more on residents is necessary before the Town can meaningfully address the larger issue.

Mr. Henn stated that there is established case law that limits local governments' ability to stop interstate commerce. He noted this must be addressed carefully. Mr. Gilbane acknowledged that the Town's code could limit a national retailer's ability to convert an existing local business into a formula retail operation. He noted that any buyer would still have to comply with local regulations, which may require the business to operate in a more unique, non-formulaic way.

Ms. Hofmeister explained that conditional uses should be evaluated based on site-specific criteria, including compatibility with surrounding uses. She said those standards should be tied to declaration of use agreements and supplementary conditions to ensure compatibility, even if finalized later in the development process. She added that if a proposed use increases traffic by more than 10%, it should require a traffic statement or full traffic study, with mitigation required if roadways are impacted.

Mr. Bergman stated there are several ways to improve the current process, including applying conditional use and variance criteria more consistently and refining them to make decisions clearer. He suggested incorporating common declaration of use conditions, such as hours of operation, directly into the zoning code so applicants know the expectations upfront. He also recommended creating alternative development standards for specific uses, with tailored criteria reviewed by the Town Council to provide clearer approval standards.

Mr. Klein stated that, in addition to the charts being provided, it would be helpful for staff to comment on any changes they feel would be appropriate. Ms. Hofmeister explained that staff is moving forward with using tables to clearly identify permitted, conditional, and prohibited uses. She said the Town will then develop more specific supplemental criteria based on the type of use, with stricter standards for higher-impact uses like larger retail or restaurants, all subject to Town Council approval.

Chair Coniglio said the goal is to protect small, local town-serving businesses and preserve the Town's character. She expressed concern that expanding private clubs could create an unfair business model that would leave small restaurants unable to compete, potentially driving them out and opening the door for larger corporate restaurants. She also questioned whether additional private clubs should continue to be allowed in the future. Mr. Gilbane felt this warranted further discussion. He agreed with Chair Coniglio's concerns and recommended that consideration be given to the difference between for-profit and not-for-profit organizations.

There was a brief discussion noting the differences between the North End and South End, and questioning whether private clubs should be treated differently in each area. While no separate overlay district currently exists, the new code could create different standards. At present, private clubs remain permitted in both areas of the C-TS district.

Mr. Henn advised that while Senate Bill 180 limits changes now, staff can study the impacts of private clubs and, if they are found to negatively affect the community, recommend eliminating or restricting them in certain districts once the legislation is no longer a barrier. He emphasized the importance of protecting long-standing local businesses. Mr. Henn further noted that federal case law has prevented communities like Palm Beach from restricting businesses solely based on interstate commerce concerns. Therefore, any limitations must be supported by sound planning analysis rather than economic perfectionism.

A question was raised about how to regulate hotels that operate private clubs, particularly in the south end. Mr. Henn responded, and there was additional discussion about the impact of private clubs and their regulation. Ms. Hofmeister explained that under the current parking code, private clubs are regulated based on membership, while restaurants are regulated by square footage. She noted that an upcoming draft will align the two more closely, recognizing their similar operational impacts.

Mr. Murphy made another point about the Carriage House, which was mentioned. He said it was approved as a private club under unique circumstances, including its historic restaurant use, landmark status, limited ability to expand, and a strict Declaration of Use designed to protect neighbors. The speaker noted that while membership increased over time, seating remained capped, but pointed out that the zoning code creates an imbalance by imposing stricter parking requirements on neighborhood restaurants than on private clubs, even when private clubs expand seating or operations. He said it is not fundamentally fair to compare an independent restaurant to a private club, from a zoning perspective.

Mr. Henn advised that the proposed eight conditional use criteria should serve as the standard framework for all conditional uses. At the same time, specific concerns related to restaurants or private clubs should be addressed through supplemental regulations. He emphasized the importance of the Planning and Zoning Commission becoming comfortable with applying those criteria consistently across the board.

Ms. Hofmeister continued the presentation, explaining that the minimum lot area was adjusted to 2,700 square feet to align with the required lot width and depth. She noted that under the current code, those dimensions often do not match the minimum lot size, forcing applicants to seek unnecessary variances.

Ms. Hofmeister stated that conditions can also be incorporated into a development order if they are not included in a declaration of use agreement. She noted that every project has a development order, and those conditions would be listed when a building permit is obtained.

Mr. Klein asked for clarification on the burden of proof for special exceptions versus variances, noting that, unlike a variance, which requires demonstrating hardship, a special exception must be granted by the Town Council if the applicant meets all required criteria. Mr. Henn stated that if the applicant submits competent, substantial evidence that they have met conditions one through eight in the conditional use criteria, such as their consultant's report, the answer is yes.

Mr. Henn noted that it is important to consider that applicants often voluntarily enter into declaration of use agreements through their attorneys as part of the special exception process,

with draft agreements typically presented during review but finalized after Town Council approval.

Ms. LeCates questioned why the proposed criteria narrowed compliance from “all elements of the Comprehensive Plan” to only “use, density, and intensity of use,” asking why the broader requirement for full compliance with the Comprehensive Plan was not retained. Mr. Henn said the reason is that it is illegal. Ms. LeCates questioned the wording of item #7 and preferred the previous version. Mr. Henn explained why item 7 was written the way it was presented. Ms. LeCates did not care for the subjectivity of the language. Ms. Hofmeister explained that even if a new conditional use takes over an older restaurant site, it would still need to comply with the current Design Standards Manual. She said the goal is to recognize that all site plans must meet those standards while maintaining some flexibility and minimizing subjectivity in the criteria. Ms. Henn advised that what is being presented are very customary conditional use standards. Chair Coniglio agreed with Ms. LeCates.

Chair Coniglio asked if the wording could be changed to “the use is so designated, located, and operated to protect the public health, safety, welfare, and morals” without any adverse negative impacts. She felt this language encapsulated both. Mr. Henn said yes, and he felt that the staff had attempted to address such issues in items such as number five. He said everything has to be tied back to the criteria.

Ms. Hofmeister gave a high-level overview of the formula retail discussion. Mr. Henn discussed town-serving and how he felt this ordinance could meet challenges. He advised that whatever the Town Council adopts must be consistent with the law. He further noted that tying regulations to measurable traffic impacts would create a neutral and legally defensible standard. If a business, whether national or local, generates excessive traffic, the Town Council could deny it based on those impacts rather than simply objecting to a specific brand.

Clerk's Note: Mr. Gilbane left the meeting at 11:25 AM. Ms. Donaldson will be a voting member.

Public Comments

Anita Seltzer, 44 Cocoanut Row, thanked staff for their work and noted that several important issues—particularly parking requirements—still need further discussion. She expressed concern that current parking ratios allow greater use intensity than intended, citing unrealistic assumptions about car occupancy and the ongoing problem of “phantom parking.” She referenced additional materials she reviewed that were not addressed at the meeting and plans to share her concerns with staff. Ms. Seltzer also expressed broader concerns about recent Town Council decisions, stating that residents have had to challenge approvals they believe are inconsistent with zoning and the Comprehensive Plan. She cautioned that reliance on applicant-provided evidence and use agreements to justify approvals could undermine neighborhood protections and the purpose of the zoning districts.

7. Reinstate Language Adopted In Ordinance No. 006-2025 Pertaining To Public and Private Schools and Correct Sentence in R-B Low Density Residential Regarding Pedestrian Access Tunnels

Ms. Hofmeister gave an update on Ordinance No. 017-2026, regarding the need to reinstate Ordinance No. 006-2025, as Ordinance No. 017-2026, adding more consistent language. She

explained that the proposed ordinance reinstates the removal of public and private academic schools as special exceptions in the R-B and R-C residential zoning districts. She stated it reinstates public and private academic schools as special exceptions south of 2500 South Ocean Boulevard in R-D(1) and R-D(2) residential zoning districts. In addition, language will be added to Code Section 134-890 to clarify pedestrian access to the beach as an accessory use, provided that the applicant owns the land on both sides of the roadway, provides unity of title, and obtains prior written approval from all governmental agencies having jurisdiction.

A motion was made by Mr. Klein and seconded by Ms. LeCates to approve the language in Ordinance No. 017-2026 for adoption. The motion was carried unanimously, 7-0.

ANY OTHER BUSINESS

There was none.

MEETING SCHEDULE

8. The next meeting is scheduled for July 7, 2026

There was a discussion to schedule another meeting on September 2, 2026. Commissioners were requested to confirm their availability for the meeting before July's meeting.

ADJOURNMENT

A motion was made by Mr. Klein and seconded by Ms. LeCates to adjourn the meeting at 12:15 PM. The motion was carried unanimously, 7-0.

Respectfully Submitted,

Gail Coniglio, Chair

TOWN OF PALM BEACH

Information for Planning and Zoning Commission Meeting on: July 7, 2026

To: Planning and Zoning Commission

Via: Wayne Bergman, Director of Planning, Zoning, & Building

From: Planning, Zoning, & Building Staff

Re: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Adopted 2024 Town Of Palm Beach Comprehensive Plan, Pursuant To Chapter 163.3191, Florida Statutes, By Amending The Future Land Use Element, The Historic Preservation Element, And The Infrastructure Element And By Amending The Adopted 2024 Comprehensive Plan Map Series To Replace The Future Land Use Map, The Zoning Map And The Archaeological Sites Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date. 12-2026

Date: 6/23/2026

This ordinance was deferred to the July 15, 2026, Town Council meeting, pending responses from the state review agencies. After the state agencies' review, changes were required, and as a result, the title of this ordinance has been updated accordingly. Thus, being heard at first reading a second time.

ATTACHMENTS

Ordinance No. 012-2026

Exhibit A to Ordinance No. 012-2026

Business Impact Statement

Staff Report

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation, Safe and Resilient Community, Community Culture and Character, Mobility and Transportation, Environmental Stewardship

Strategic Focus Areas:

Sound Fiscal Management

Cooperative Relationships

Water Resources

Emergency Management

Quality of Life
Community Preservation
On-island Mobility
Management of Environmental Threats
Sustainable Management of Town Assets
Collaborative Town Government

FUNDING

No Fiscal Impact

ORDINANCE NO. 12-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADOPTED 2024 TOWN OF PALM BEACH COMPREHENSIVE PLAN, PURSUANT TO CHAPTER 163.3191, FLORIDA STATUTES, BY AMENDING THE FUTURE LAND USE ELEMENT, THE HISTORIC PRESERVATION ELEMENT, AND THE INFRASTRUCTURE ELEMENT AND BY AMENDING THE ADOPTED 2024 COMPREHENSIVE PLAN MAP SERIES TO REPLACE THE FUTURE LAND USE MAP, THE ZONING MAP AND THE ARCHAEOLOGICAL SITES MAP; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERE WITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, known as the Community Planning Act (the "Act");

WHEREAS, pursuant to §163.3191 of the Act, the Town of Palm Beach, Florida, is required to periodically and comprehensively evaluate its Comprehensive Plan to determine if plan amendments are necessary and to notify the state land planning agency as to its determination;

WHEREAS, on October 23, 1989, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan with the adoption of Ordinance No. 11-89 to be consistent with the Act, as amended from time to time thereafter;

WHEREAS, on February 12, 2025, in accordance with §163.3191 of the Act, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan based upon an Evaluation and Appraisal Report (EAR) with the adoption of Ordinance No. 015-2024;

WHEREAS, on April 7, 2026, the Town of Palm Beach's Planning and Zoning Commission issued a Record and Report recommending proposed amendments to the Town of Palm Beach Comprehensive Plan (the "Proposed 2026 Amendments");

WHEREAS, pursuant to §163.3174(11) of the Act, after notice required by law, the Town Council, acting as the Local Planning Agency (LPA), conducted a public hearing on April 15, 2026 wherein it considered the Planning and Zoning Commission's Record and Report and all evidence and testimony regarding the Proposed 2026 Amendments;

WHEREAS, the LPA recommended that the Town Council amend the Town of Palm Beach's Comprehensive Plan and transmit the Proposed 2026 Amendments to the Florida Department of Commerce;

WHEREAS, pursuant to §163.3184(11) of the Act and after notice required by law, the Town Council conducted a public hearing on April 15, 2026 to consider the LPA's recommendations wherein the Town Council determined that the adoption of the Proposed 2026 Amendments would be in compliance with the Act and voted to transmit the Proposed 2026 Amendments to the Florida Department of Commerce, appropriate reviewing agencies, and any other local government or governmental agency that has made a written request of the Town for the proposed amendments;

WHEREAS, on April 17, 2026, the Town transmitted the proposed Amendments to the Florida Department of Commerce, and appropriate reviewing agencies reviewed the Proposed 2026 Amendments for consistency with the Act pursuant to §163.3184(4)(c) and (d) of the Act;

WHEREAS, on May 18, 2026, the Florida Department of Commerce completed its review of the Proposed 2026 Amendments and found a conflict between the amendments to the density calculations for residential and non-residential development (rounding down to the nearest whole number) in the proposed Future Land Use Element policies and Chapter 205-190, Section 28, Laws of Florida;

WHEREAS, on May 27, 2026, the South Florida Water Management District, a state reviewing agency, sent the Town of Palm Beach comments on the proposed Town of Palm Beach 20-Year Water Supply Facilities Work Plan; and

WHEREAS, the Town of Palm Beach has now returned the residential and non-residential density calculations to those adopted in the 2024 Town of Palm Beach Comprehensive Plan, and has addressed the South Florida Water Management District's comments in the 2026 Comprehensive Plan Amendments set forth in Exhibit A.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. Incorporation of Recital

The above recitals are incorporated as fully set forth herein.

Section 2. Findings

The 2026 Comprehensive Plan Amendments, as more particularly described in Exhibit A, have been determined by the Town Council to promote the public health, safety and welfare and are consistent with the requirements in Florida Statutes, and all elements of the adopted Comprehensive Plan. Further, the Town Council has determined that the Comprehensive Plan Amendments are not more restrictive or burdensome land-use regulations.

Section 3. Amendment of the Comprehensive Plan

The Town of Palm Beach Comprehensive Plan is hereby amended to incorporate those amendments set forth in Exhibit A and incorporated herein by reference.

Section 4. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

Section 5. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 6. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 15th day of July 2026, and for second and final reading this 12th day of August 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Business Impact Estimate

TITLE OF ORDINANCE:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADOPTED 2024 TOWN OF PALM BEACH COMPREHENSIVE PLAN, PURSUANT TO CHAPTER 163.3191, FLORIDA STATUTES, BY AMENDING THE FUTURE LAND USE ELEMENT, THE HISTORIC PRESERVATION ELEMENT, AND THE INFRASTRUCTURE ELEMENT AND BY AMENDING THE ADOPTED 2024 COMPREHENSIVE PLAN MAP SERIES TO REPLACE THE FUTURE LAND USE MAP, THE ZONING MAP AND THE ARCHAEOLOGICAL SITES MAP; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERE WITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BUSINESS IMPACT ESTIMATE:

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more of the statements below apply, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

1. The proposed ordinance is required for compliance with Federal or State law or regulation.
2. The proposed ordinance relates to the issuance or refinancing of debt.
3. The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
4. The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.
5. The proposed ordinance is an emergency ordinance.
6. The ordinance relates to procurement.
7. The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local

Government Development Agreement Act under ss. 163.3220 - 163.3243.

- b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

Is this ordinance exempt from the Business Impact Estimate requirement according to one of the aforementioned reasons?

No

Provide the relevant exemption reason number if applicable:

In accordance with the provisions of controlling law, the Town hereby publishes the following information:

Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The proposed ordinances implement coordinated updates to the Town's long-range planning and regulatory framework.

Ordinance No. 012-2026 amends the adopted 2024 Comprehensive Plan pursuant to Chapter 163, Florida Statutes. The amendments include updates to the Future Land Use Element, Historic Preservation Element, and Infrastructure Element; revisions to policies, definitions, and land use categories; incorporation of updated level of service standards; and updates to the Future Land Use Map and supporting map series. These changes reflect the Town's Evaluation and Appraisal Report (EAR)-based review and ensure internal consistency, modernization of terminology, and alignment with current planning objectives.

Ordinance No. 013-2026 updates the Town's Official Zoning Map to correspond with the amended Future Land Use Map, ensuring consistency between the Comprehensive Plan and land development regulations as required by state law.

The public purpose of these ordinances is to maintain a legally compliant, internally consistent, and up-to-date Comprehensive Plan and Zoning Map that guides growth,

development, resource protection, and infrastructure planning, while promoting the public health, safety, and welfare.

An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

a) An estimate of direct compliance costs that businesses may reasonably incur;
The proposed ordinances do not impose direct or immediate compliance costs on private, for-profit businesses. The amendments are primarily policy-level updates and map adjustments that guide future development and regulatory decisions.

To the extent that future development, redevelopment, or land-use changes are proposed, property owners and businesses may incur typical costs associated with zoning, permitting, or site plan review. However, such costs are not created by these ordinances and are consistent with existing regulatory practices.

b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

The ordinances do not establish any new fees or charges. All existing application, permitting, and development review fees remain unchanged.

c) An estimate of the Town of Palm Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The adoption of these ordinances is not expected to result in a material increase in regulatory costs. The updates are administrative and policy-oriented and will be implemented through existing planning and development review processes. No new revenues are generated as a result of these ordinances.

Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The ordinances applied Town-wide as part of the Comprehensive Plan and Zoning Map; however, they do not directly regulate or require action by businesses. Any impact will occur indirectly over time as properties undergo redevelopment or land use change.

Additional information the governing body deems useful (if any):

These ordinances are required as part of the Town's ongoing statutory obligations under Chapter 163, Florida Statutes, including periodic evaluation and updating of the Comprehensive Plan and maintaining consistency between the Comprehensive Plan and land development regulations.

The amendments are largely clarifying, administrative, and policy-oriented, and are not intended to increase regulatory burdens. Instead, they enhance clarity, improve internal consistency, and ensure that the Town's planning framework reflects current conditions, best practices, and adopted policy direction.

The coordinated adoption of the Comprehensive Plan amendments and the updated Zoning Map ensures compliance with state law and supports predictable, orderly development and redevelopment within the Town.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

EXECUTIVE SUMMARY

After over 100 years of graceful evolution, Palm Beach is a fully developed community, world-renowned for architectural and natural beauty, quality of life, and small-town village-like charm. The Town's Future Land Use Element is based upon the stated desire of Town Residents to remain a high-quality residential community. The Future Land Use Element provides guiding land use objectives for the Town and policy direction to ensure their implementation. This Element is pivotal to the Town's Comprehensive Plan, as it recognizes the intrinsic value of the Town as a residential community and takes on the challenge of setting goals, objectives and policies to control the type, distribution, density, and intensity of development and redevelopment. The Future Land Use Element is focused on preserving and protecting this residential island community by maintaining the culture, serenity, and unique small-town character of the Town.

STATE REQUIREMENTS FOR THE FUTURE LAND USE ELEMENT

The Future Land Use Element focuses on policies for future growth and redevelopment and sets the framework for the other Elements of a comprehensive plan. For instance, through the identification of compatible land use designations and distribution throughout a community, the Future Land Use Element accommodates land uses for needed housing, recreation and open space areas, conservation, and transportation rights-of-way. All these components are contained in other Elements to support a community.

The Future Land Use Map establishes the "physical form" of a local jurisdiction and the physical relationship of land uses. Florida statutes require local governments to designate land use categories within the Future Land Use Element for residential and commercial uses, recreation, conservation, education, public facilities, and public and private uses of land. Additionally, and where applicable, the Future Land Use Map and/or Map Series identifies any industrial and agriculture lands, historic district boundaries and historically significant properties, and transportation concurrency areas. The following categories for natural areas are also delineated within the Future Land Use Map Series:

- Existing and planned public potable water-wells, cones of influence, and wellhead protection areas
- Beaches and shores, including estuarine systems
- Rivers, bays, lakes, floodplains, and harbors
- Wetlands
- Minerals and soils
- Coastal high hazard areas

The Future Land Use Element also provides approximate acreage and the general range of density or intensity of land uses. It states the purpose of each use and general standards

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

that will be regulated through the land development regulations supported in local zoning codes.

All policies, land development regulations, zoning ordinances, site plans, and zoning maps **MUST MAINTAIN CONSISTENCY** with the Future Land Use Element and Map once the comprehensive plan is adopted. This requirement is mandated pursuant to §163.3202, Fla. Stat., which states that within one year following the submission of a comprehensive plan or revised comprehensive plan, each local government must adopt and/or amend land development regulations to be consistent with the adopted comprehensive plan.

THE TOWN OF PALM BEACH FUTURE LAND USE ELEMENT

Future Land Use policies and zoning regulations work in tandem to create a full picture of how land will be used. The categories help guide the growth and development of a community while zoning designations define the specific standards for how land is to be developed. The Town's Future Land Use Element establishes the land use categories that define allowable land uses, residential densities, and commercial intensities. The Goals, Objectives and Policies also ensure compatibility between adjacent land uses, the availability of public facilities and services, and the protection of the Town's environmental resources.

Each Future Land Use category corresponds to zoning districts contained in Chapter 134 of the Town of Palm Beach's Zoning Code. These districts are specific and detailed. They establish regulatory requirements for criteria such as: unit types, building height, setbacks, lot size, architectural design, and landscaping. In addition, zoning establishes Town-wide regulations such as parking, utilities, signage, and lighting. The Zoning Code specifies how land is to be redeveloped consistent with the Town's overarching Future Land Use policies.

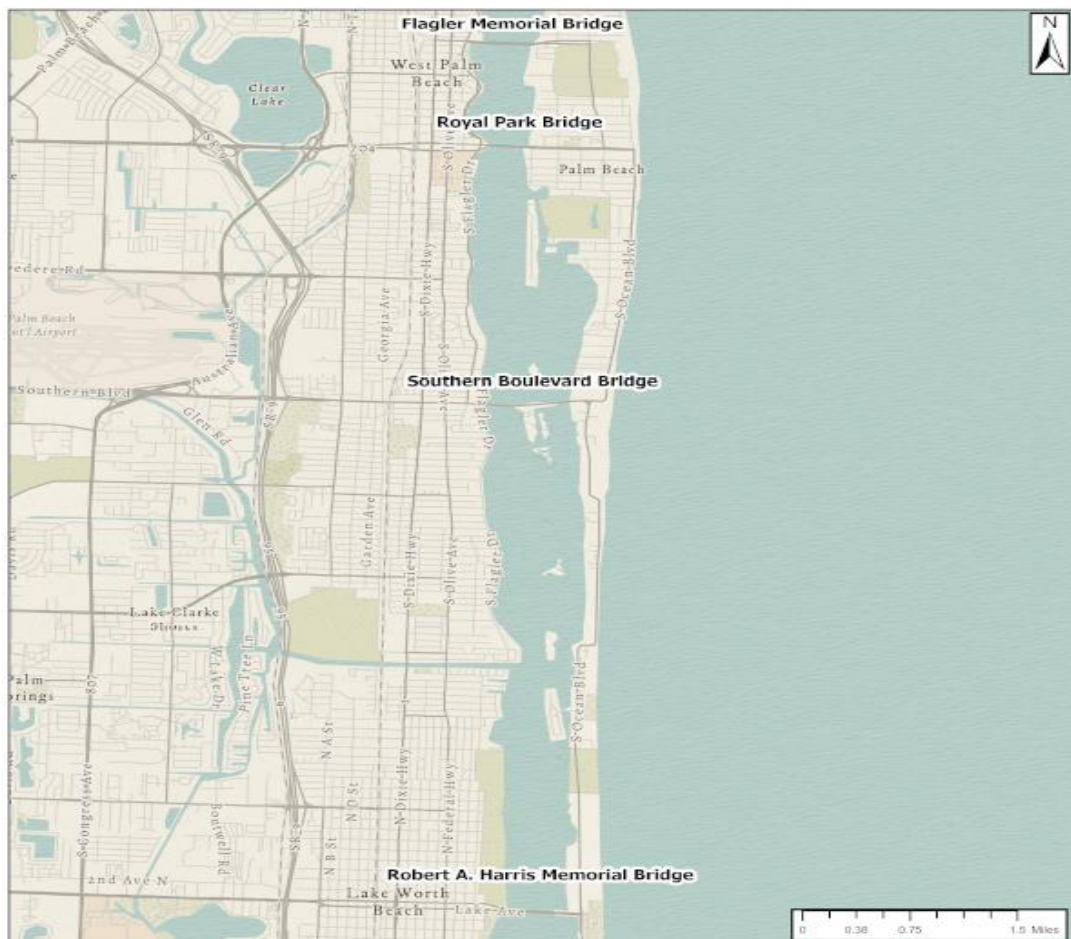
The original Town Plan was adopted in 1929 and established the vision which still exists today. The "1929 Plan" recognized the importance of planning for the future, as local and regional changes would impact the quality of life for Town Residents. It acknowledged the importance of public gardens, public buildings, open space, and trails. Traffic and parking were identified as issues due to the access to public baths for the public, and to limitations on roadway expansion and parking for visitors. These issues remain almost 100 years later. The 1929 Plan's vision was to preserve the quiet, residential character of the Town.

Town zoning also began in 1929 with the adoption of Ordinance Number One. This legislative document established the regulations for the assembly and construction of buildings and structures. The Zoning Code also divided the Town into seven districts and created a District Zone Map. Since the original approval, there have been numerous amendments to the Code. Within one year of the adoption of the 2024 Comprehensive Plan, the implementing Zoning regulations will need to be updated.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

The Town of Palm Beach is a 12.28-mile-long barrier island consisting of approximately 2,432 acres. At no point is the island wider than three-quarters of a mile, and in places, it is only 500 feet wide. As displayed on Map 1.3, the Town is situated between the Intracoastal Waterway (locally known as the Lake Worth Lagoon) on the west and the Atlantic Ocean on the east. It is surrounded by water on three sides. Those water bodies comprise the Lake Worth Lagoon/Intracoastal Waterway (ICWW) to the west, the Lake Worth Inlet to the north, and the Atlantic Ocean to the east. By land, the Town is directly accessed to West Palm Beach via three bridges: the Flagler Memorial Bridge, referred to by locals as the “north bridge”, the Royal Park Bridge, referred to as the “middle bridge”, and the Southern Boulevard Bridge. A fourth bridge, the Robert A. Harris Memorial Bridge (Lake Worth Road), connects the Town to the City of Lake Worth Beach and separates Palm Beach properties south of the bridge along A1A from the Palm Beach properties north of the bridge.

Map 1.3 Bridges into Palm Beach



FUTURE LAND USE ELEMENT

DATA AND ANALYSIS

Expansion of the corporate limits of the Town is not possible. Therefore, the Town can only accommodate future residents and businesses within its existing jurisdictional boundaries through redevelopment of existing sites.

Palm Beach has grown more gracefully than most Florida communities. Decades of careful planning and the dedication of its Townspeople to preserving community values have resulted in a unique and highly desirable quality of life. However, the very aspects of the Town that appeal to most of its citizenry, such as superlative stores and restaurants, grand architecture and landscaping, and beautiful homes, also attract tourists and other visitors. As a result, during the peak season, the Town's traffic and limited availability of parking reach critical levels that threaten the community's identity, character, and quality of life.

Land Use Issues

In addition, the impact of the world beyond the Town's limits has increased. Palm Beach County, including West Palm Beach, has grown immensely in the last several decades. According to the March 2021 report by location analyst company Unacast's, Palm Beach County was the largest 2020 gainer of population in the State of Florida, recording 11,100 new migrants from outside of the State. Consequently, intensive downtown West Palm Beach development continues to be a concern on the carrying capacity on the Town's roadways and public services.

Specific to West Palm Beach downtown, relocation of headquarters from other states will have a lasting impact on the Town. Data indicates that these new headquarters are marketing downtown West Palm Beach as the "Wall Street South". The new office towers are bringing younger, wealthy workers to the surrounding area, which includes the Town.

As a consequence of increased residential density and commercial intensity in West Palm Beach and Palm Beach County as a whole, the four roadways that provide access to the Town (Royal Poinciana Way, Royal Palm Way, Southern Boulevard, and State Road A1A) are heavily traveled and experience unacceptable levels of congestion on a daily basis. The increases are impacting the carrying capacity of the Town's streets and public services.

The three significant land use protection policies that have remained the mission statements for the Town of Palm Beach are as follows:

- Discourage the amount and type of region-serving commercial development while encouraging Town-serving development.
- Control the pace, type, and intensity of redevelopment activity in the Town.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

- Encourage development and redevelopment at lower density levels than existing zoning allows, except for redevelopment where maintaining previous densities and/or intensities are allowed after unintentional damage or destruction, such as by fire or other casualties, act of terrorism, war or act of God or nature, and with approval from Florida Department of Environmental Protection (FDEP) if building east of the Coastal Construction Control Line (CCCL).

The tremendous pressure for expansion of commercial land use is a direct function of the economically valuable image of a Palm Beach address and the Town's proximity to downtown West Palm Beach. It is imperative that region-serving, high-traffic generating, commercial uses be prevented from further proliferating and also be reduced wherever possible. To this end, the Town is committed to fostering the presence of Town-serving businesses that are essential to the needs of Town Residents.

The Town Code has established 3,000 ~~square feet for the C-B, C-OPI, C-PC and C-TS Zoning Districts~~ and 4,000 square feet ~~(exclusive to C-WA Worth Avenue Commercial District)~~ as the maximum gross ~~leasable floor~~ area for ~~businesses the C-WA District. in certain commercial districts~~. To be granted relief from this provision, the applicant ~~may request a conditional use approval and must that~~ demonstrates ~~that the business competent~~ substantial evidence that the Conditional Use Approval, formally known as Special Exception Approval, that demonstrates competent substantial evidence that the use and the proposed development application meets all the Conditional Use Approval criteria. ~~is Town-serving; that adequate parking is available to support the request for increased floor area; and that a hardship exists that prevents them from conducting their Town-serving business within 3,000 or 4,000 square feet or less; and meet several other standards. During the Code review, these square footages will be studied.~~

Given the expansion of outdoor dining in response to the Covid pandemic, which began in 2020, the intense redevelopment of the Royal Poinciana Plaza, and the addition of recent and previously approved restaurants and hotel rooms, the Town ~~is studying~~ ~~studied~~ restaurant usage ~~and put in place for one 1 year a Zoning in Progress (ZIP)~~. One of the Town's consultants evaluated whether there was a link between food and beverage establishments and traffic and parking with the goal of possible limitations on new restaurants. The consultant made recommendations to limit restaurants during the day at a few of the commercial districts. However, the Planning and Zoning Commission and the Town Council did not find that there was sufficient evidence and ~~The study did not find a direct correlation between food and beverage establishments and traffic; therefore, the ZIP was removed. The Town may conduct a similar study of hotel rooms and set an appropriate limit to the supply of rooms, especially given the likelihood of extensive redevelopment of aging structures in the Town south of Sloan's Curve.~~

Residential redevelopment will continue to play a major role in future land use. There is little open land remaining to develop. Developer interest may focus on large parcels that can

FUTURE LAND USE ELEMENT

DATA AND ANALYSIS

be subdivided. Measures that can slow or prevent such changes include Historic Landmarks Regulations and strict application of the Town's Subdivision Regulations.

Policies Regarding Change

While many of the Town's concerns regarding growth control originated in a desire to maintain a high quality of life and a small-town character, other issues are related to State-wide efforts to curb growth when the public facilities needed to serve new development are not available.

The Town has determined that added development and population growth are aggravating traffic problems, causing a critical level of overuse both on and off the Island. As traffic congestion is one of the most pressing concerns of Town Residents, the Town commissioned a parking and traffic study to analyze and make recommendations for improvement. The previous Policy 2.4, now Policy 2.1, regarding the overuse of roadways and public services and facilities, has been maintained in this updated Comprehensive Plan. However, it was bifurcated to create a new Policy 2.2 that speaks directly to administrative measures to maintain a low-density residential character, prevent intensification, and control the tourism inflow, which is another cause of traffic and parking congestion.

POLICY 2.1

The Town shall continue to prevent critical and dangerous overuse of its infrastructure, parking resources, public services, and facilities, damage to its historic character, and to the overall property values of the community.

POLICY 2.2

The Town shall take all technical and administrative measures legally available to prevent the change or transition of existing low-density areas or structures to more intensive uses, thereby lowering residential density and commercial intensity.

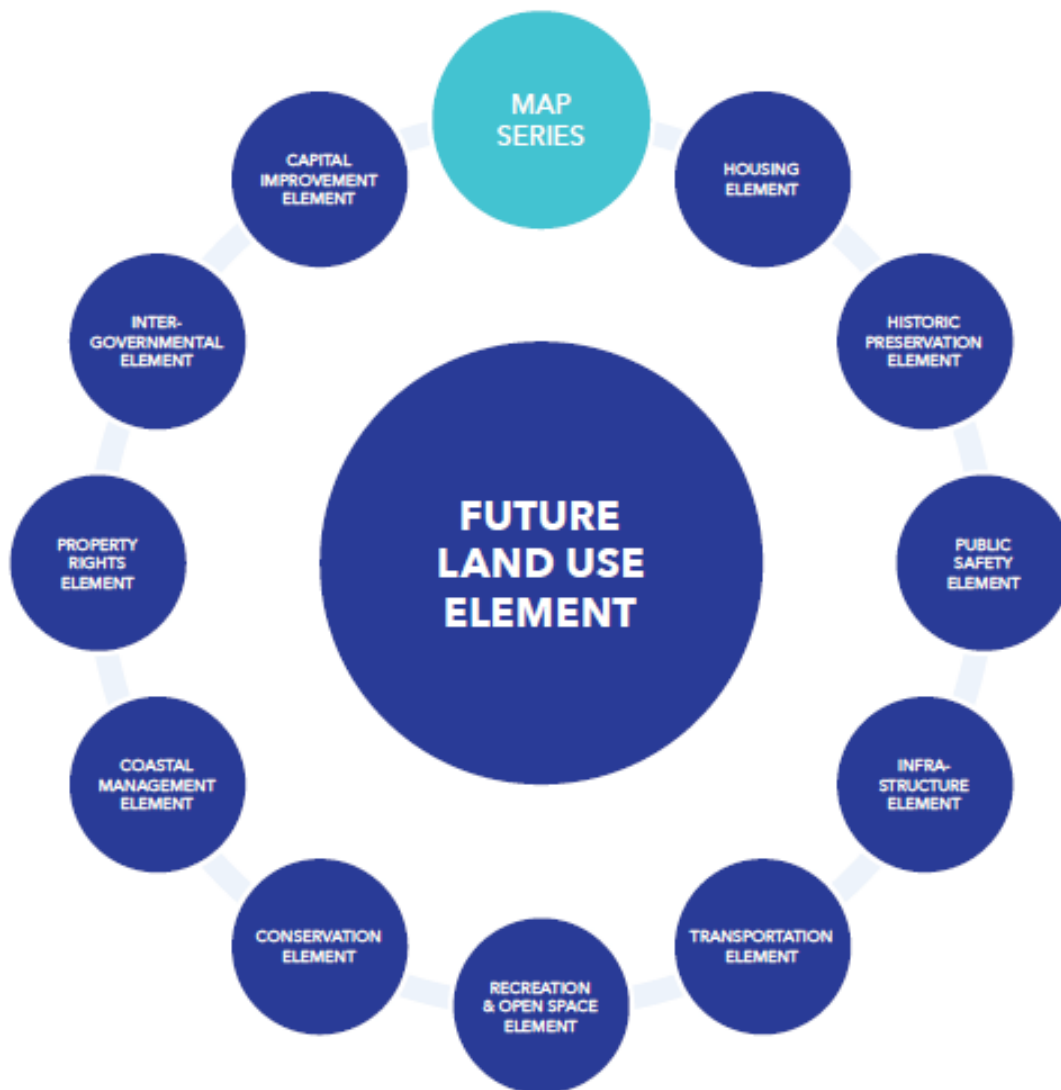
The R-B low-density zoning district, in particular, is experiencing a trend to demolish smaller existing homes and replace them with new structures built to the maximum size permitted under the Town's land development regulations. New construction is increasingly out-of-scale and out of character with the surrounding area. In order to maintain the existing character, regulations encouraging renovation and discouraging demolition and reconstruction have been proposed and included in the Historic Preservation Element and will be examined during the current Code Review process, which attempts to amend the Town's ~~forty~~-40-year-old Zoning Code.

FUTURE LAND USE ELEMENT

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Future Land Uses

The Future Land Use Element, with its focus on Goals, Objectives, and Policies regarding land uses, development, and redevelopment, sets the framework for the other Elements in the Comprehensive Plan. For example, the Future Land Use Element provides population indicators that identify the necessary public services, housing, recreational lands, and transportation facilities.



FUTURE LAND USE ELEMENT DATA AND ANALYSIS

The Future Land Use Map shows the location and distribution of land uses in Palm Beach. The following diagram provides a generalized percentage of the land uses in the Town today. As illustrated in Figure 1.1, ~~single-family~~ the Low Residential is the predominant Future Land Use category consisting of 50-over 46% of the land uses. There are no agricultural, industrial, or mobile home uses in the Town, and there are no rivers, bays, freshwater lakes, marina, water wells, cones of influence, or economically feasible mineral deposits.

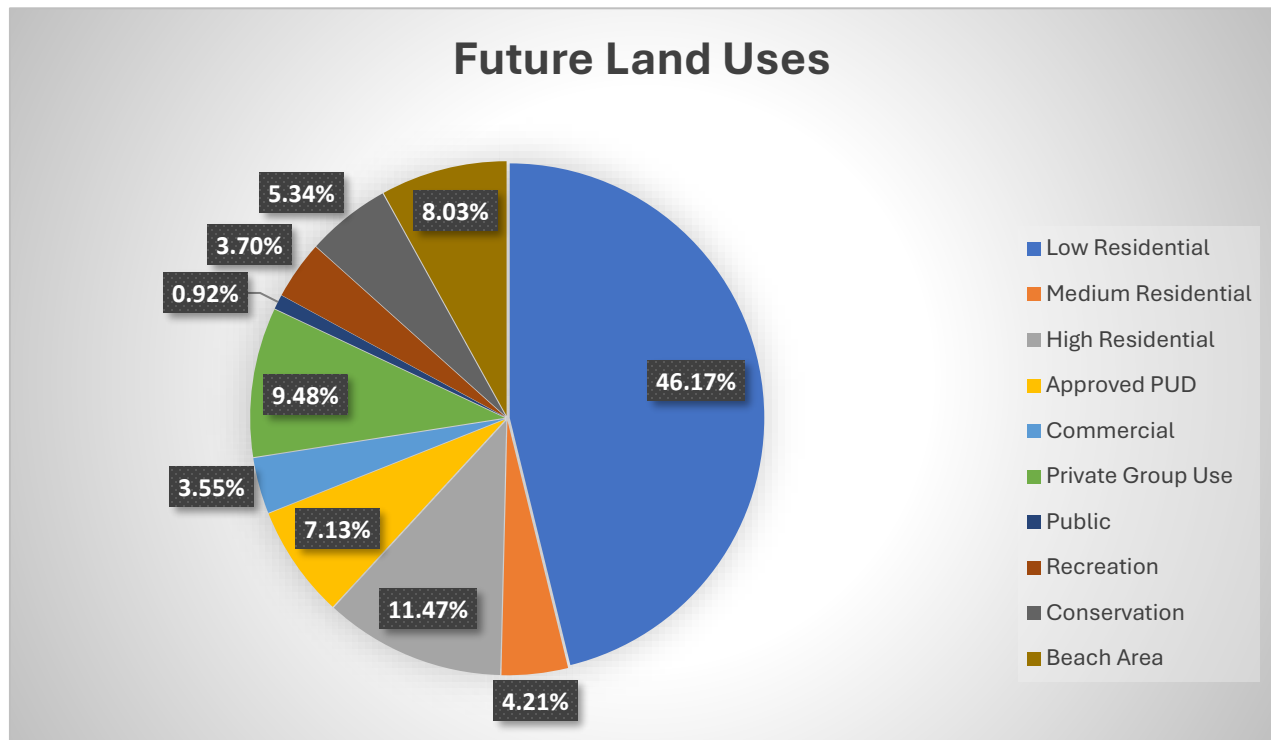


Figure 1.1 Future Land Use Percentages

The acreage by Future Land Use designation is presented in Table 1-1. These proportions are reasonably predictable, and the acreage is projected to be similar for the short-term (1-5 years) and long-term (20 years) planning periods for this updated Comprehensive Plan. Table 1-3 shows that residential designation accounts for approximately ~~74.81~~ 47%, and commercial is limited to ~~3.87-2.25~~% of the Future Land Uses. This land distribution is consistent with the predominant residential character of the Town. Each Future Land Use designation is described in the following pages.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

Table 1-1
Future Land Use Square Footage

FUTURE LAND USE	SQUARE FEET	ACREAGE	PERCENTAGE
Single-Family	48,818,998.80	1,121.00	50.20%
Multi-Family—Moderate Density	4,453,042.97	102.23	4.58%
Multi-Family—High Density	12,130,253.39	278.47	12.50%
Approved PUD	7,542,788.62	173.16	7.75%
Commercial	3,761,205.62	86.35	3.87%
Private Group Use	10,026,518.83	230.18	10.31%
Public	958,503.82	22.00	0.99%
Recreation	3,910,816.80	89.78	4.00%
Conservation	5,656,126.61	129.85	5.82%
TOTAL	97,258,154.40	2,232.74	100.00%

Source: Town of Palm Beach GIS Department, Future Land Use Map

Table 1-1
Future Land Use Square Footage

Future Land Use	Acres	Percentage
Approved PUD	163.89	3.42%
Beach Area	192.83	4.03%
Commercial	96.18	2.01%
Conservation	2,552.76	53.34%
High Residential	231.72	4.84%
Low Residential	1,327.58	27.74%
Medium Residential	132.42	2.77%
Private Group Use	8.60	0.18%
Public	3.02	0.06%
Recreation	76.56	1.60%
Totals	4,785.56	100.00%

Source: Town of Palm Beach GIS Department, Future Land Use Map

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

Table 1-2
Number of Single Family, Multi-Family and Hotel Units

MULTI-FAMILY UNITS	SINGLE-FAMILY UNITS		
Condominium	5,439	Single-Family Homes	2,393
Cooperative	951	Vacant	153
Townhouse	49		
Multi-family <5 Units	37	Estimated Total Single-Family Units	2,546
MFR 5 to 9 Units	14		
Multi-Family 10 Units	4		
Total Multi-Family Units	6,494		
HOTELS	12		
Hotel Rooms	1,550		

As illustrated, the predominant land use within the Town is Conservation as the Town's jurisdiction encompasses the submerged lands that extend into the Lake Worth Lagoon. ~~accounting for 70% of all land area.~~ Most single-family units are in the north and south-central portions of the Town. In contrast, most multi-family dwellings are in the southernmost part of Town, south of Sloan's Curve, and were developed beginning in the 1960s. Due to the high cost of land and the fact that Palm Beach is in a coastal hurricane vulnerability zone, there are no mobile homes in the Town.

Single-Family Uses Low Residential

This Future Land Use designation comprises approximately ~~1,121~~ 1,692 acres and is the predominant land use in the Town. The amount of land identified as ~~Single-Family~~ Low Residential represents approximately ~~50~~ 28% of the total land area within the Town of Palm Beach (Table 1.1). This Future Land Use Category includes historic residences and those that have been redeveloped. Appropriate uses include estates, single-family homes, previously approved residential PUDs and development up to a maximum density of 4.356 units per acre. Public uses and facilities, public and private schools, group homes and foster care facilities, essential services, and private group uses and cultural uses are also permitted within this category on a limited basis.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

Multi-Family Uses Medium Residential

~~This Future Land Use designation represents approximately 3% of the Future Land Uses in the Town. The corresponding zoning district is R-C Medium Density Residential with a maximum density of 6.534 dwelling units per acre. The R-C Medium Density Residential district is primarily located in Midtown, with a limited number of properties with the zoning in the south end. *Multi-Family Moderate Density*: Appropriate uses include single-family and two-family homes, townhouses, and multi-family units. and residential and previously approved mixed-use PUDs up to with a maximum density of 6.534 dwelling units per acre.; public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and essential services. The Future Land Use Map designates close to 102 acres of land for Multi-Family Land Use.~~

High Residential

~~The multi-family High Residential This Future Land Use designation Future Land Use categories permits corresponds to 2 zoning districts, the R-D(1) and R-D(2) high-density residential districts. varying densities and uses, are As shown on the Future Land Use Map, In total, the Future Land Use Map designates approximately 5% about 381 acres of land is designated for this use. The multi-family land use is split into two categories: Multi-Family Moderate Density and Multi-Family High Density, which have varying densities and allowable uses. *Multi-Family High Density*: The Future Land Use designation comprises approximately 278.47 acres, which is the second largest land use in the Town. This use represents approximately 12.50% of the total land area within Palm Beach (Table 1-1). Appropriate uses include single-family and two-family homes, townhouses, and multi-family units, and residential and mixed-use PUD's up to with a maximum density of 14.157 dwelling units per acre. Hotels are also permitted but only in the R-D(2) zoning district with an allowable density of up to 28.314 units per acre along with associated accessory commercial uses and time-sharing uses up to 9.801 units per acre. The Comprehensive Plan designates nearly 278 acres of land for this use.~~

Commercial Uses

The Commercial Future Land Use designation comprises approximately ~~121~~ 96 acres, ~~representing approximately 2.2572%~~ of the total ~~land~~ area within Palm Beach (Table 1-1). While only ~~one~~ 1 commercial category is specifically identified on the Future Land Use Plan Map, the Town provides for commercial uses at varying intensities under different zoning categories. Appropriate uses include a wide range of commercial retail, service, professional and business uses largely intended to serve Town Residents. The designation also includes hotels, motels and existing time-sharing uses, public uses and facilities, public and private schools, private group uses, and residential uses located above the ground floor. ~~In accordance with Code Section 134-392(b), nonconforming buildings or structures unintentionally damaged or destroyed, such as by fire or other casualty, act of terrorism, war~~

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

~~or act of God or nature, may exceed what is permitted in this land use category and the land development regulations if rebuilt at the same density and/or intensity, on the same footprint and to the same size and configuration as those nonconforming buildings or structures being replaced. Actual construction to replace, restore or reconstruct the nonconforming building or structure shall commence within the time frame outlined in Code Sections 18-237 and 18-238.~~

The character of the Town's commercial sector is generally limited to ~~three~~ 3 specific areas. These particular areas of commercial use were created to serve Town residents and are historic. While the Town of Palm Beach has always drawn visitors to its restaurants and retail areas, the rapid growth taking place in West Palm Beach is having a direct and dramatic negative impact on residents' quality of life.

The commercial uses are concentrated in the following ~~three~~ 3 areas:

1. A small commercial node is located at the south end of Town, near the Lake Worth Bridge, serving the needs of Town residents, as well as visitors staying in local hotels.
2. Worth Avenue and the surrounding area are located near Town Hall in the center of Town. Worth Avenue shops cater to the desires of seasonal and year-round residents of the Town as well as tourists. The Town-serving commercial area, including the commercial areas of South County Road and Peruvian Avenue, serves as an adjunct to the more famous Worth Avenue shopping area, providing additional shops, restaurants, and services. Royal Palm Way, also in the Town center area, is a few blocks north of Worth Avenue and is dedicated primarily to offices, banking and professional uses. The Town's objective is to retain and enhance the "Town-serving" character of this section of Palm Beach
3. The commercial concentration in the vicinity of Royal Poinciana Way, near the Flagler Memorial Bridge, is primarily oriented to the local retail and service needs of Town residents and visitors. The Royal Poinciana Plaza consists of a concentration of shops, restaurants, offices, and the soon-to-be repurposed historic Playhouse.

The dominant character of the Town's commercial sector is one of small scale. The vast majority of the commercial uses in the Town encompass 4,000 square feet or less of gross ~~leasable floor~~ leasable floor area. Despite the reputation of Worth Avenue and the presence of some large retail anchors and office uses in the Town, the overall character of the Town's commercial areas is one of small business ownership which, individually, would not normally be expected to draw the majority of its patrons from beyond the Town's limits. Most importantly, in order to maintain the Town's predominantly residential character, no additional lands for commercial uses are considered necessary or appropriate. Further, the intensification of a commercial establishment is defined as an increase in square footage, seating, off-street parking demand, or in the hours of operation.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

Public Uses

This Future Land Use designation comprises approximately ~~22.3~~ 22.3 acres, less than 1% of the total land area within Palm Beach (Table 1-1). Appropriate uses include public schools, low-intensity public facilities at a scale and intensity necessary to serve the needs of Town persons, and owned, operated, or supervised by a governmental agency. ~~The designation of a property for Public Use on the Future Land Use Plan Map recognizes the current use of the property and that such properties may also be appropriate for residential or commercial development. A zoning ordinance is the tool which indicates those uses which are specifically allowed. Nonconforming buildings or structures unintentionally damaged or destroyed may be rebuilt in accordance with Code Section 134-392(b). Actual construction to replace, restore or reconstruct the nonconforming building or structure shall commence within the time frame outlined in Code Sections 18-237 and 18-238.~~

Recreation Uses

This Future Land Use designation encompasses ~~89.78~~ 76.56 acres, and it is intended for low-intensity public recreational uses or activities at a scale and intensity necessary to serve the needs of Town residents, and to preserve the natural and scenic resources of the Town. The amount of land identified as Recreation represents ~~4.01.6~~ 4.01.6 % of the total land area within Palm Beach (Table 1-1). Only public facilities owned, operated, or supervised by a public governmental entity are given this designation. ~~Nonconforming buildings or structures unintentionally damaged or destroyed, may be rebuilt in accordance with Code Section 134-392(b). Actual construction to replace, restore or reconstruct the nonconforming building or structure shall commence within the time frame outlined in Code Sections 18-237 and 18-238.~~

Private Group Uses

This Future Land Use designation ~~comprises approximately 230 acres and~~ represents ~~10.25~~ 0.2 % of the total land area within Palm Beach (Table 1-1). Appropriate uses include low-intensity private clubs, golf and country clubs, houses of worship, cultural arts, and non-commercial recreation-type or cultural uses at a scale and intensity intended to serve the needs of Town residents. ~~The designation of a property for Private Group Use on the Future Land Use Plan Map recognizes the current use of the property and further indicates that such properties may also be appropriate for residential or commercial development. The Zoning Ordinance indicates those uses which are specifically allowed or prohibited. Nonconforming buildings or structures unintentionally damaged or destroyed, may be rebuilt in accordance with Code Section 134-392(b). Actual construction to replace, restore or reconstruct the nonconforming building or structure shall commence within the time frame outlined in Code Sections 18-237 and 18-238.~~

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

Approved Plan Unit Development (PUD)

This Future Land Use designation consists of approximately 173 acres and represents ~~7.75~~ 3.84% of the total land area within Palm Beach (Table 1-1). The Breaker's PUD contains additional development potential. If built to maximum density, the Breaker's PUD could hold another ~~251-234~~ multi-family units and some commercial development. ~~Within this Future Land Use designation, the maximum density allowed cannot exceed 14.157 units per acre. During the EAR of the Future Land Use Element, the PZC recommended that the Town Council voted to prohibit not allow for future PUDs. As a result, the Zoning Code now only recognizes amendments to the Approved PUDs. Nonconforming buildings or structures unintentionally damaged or destroyed may be rebuilt in accordance with Code Section 134-392(b). Actual construction to replace, restore, or reconstruct the nonconforming building or structure shall commence within the time frame outlined in Code Sections 18-237 and 18-238.~~

Conservation

This Land Use designation is intended primarily for the spoil islands in Lake Worth and submerged lands located within the Town's boundary and located west of the Mean High-Water Level (MHWL) in Lake Worth and comprises approximately ~~130 acres~~ 47% of the acreage in the Town. Fishermen's Island, Hunter's Island, and Bingham Isle are leased by the Audubon Society as rookeries and bird sanctuaries and have been designated for conservation on the Town's Future Land Use Plan Map. Both areas are unique and will be preserved and protected from development and the negative impacts of public use.

~~The amount of land identified as Conservation represents 5.82% of the total land area within Palm Beach (Table 1-1). Parcels that are designated as Conservation Land Uses have been depicted on the Future Land Use and Conservation Maps of the Map Series.~~ Further review and analysis are presented in the Conservation Element.

Beach Area

This Land Use designation is intended for certain lands lying along the Atlantic Ocean, as shown on the Future Land Use Map. The Beach Area designation permits public structures and essential services necessary for beach renourishment and shoreline protection. Additionally, as a Special Exception, the following are allowed:

1. One beach cabana associated with the primary residential building.
2. Beach concessions related to an abutting hotel use and only for the use of hotel guests, visitors, or those persons associated with the hotel.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

The amount of land identified as Beach Area represents approximately 4.5% of the total land area within Palm Beach (Table 1-1).

POPULATION AND ECONOMY

The Town experienced its greatest growth between 1950 and 1970 when its resident population increased from 3,886 to 9,086. Since then, population growth has fluctuated

**Table 1-3
Population**

	2020	2010	% Change
Total Population	9,245	8,348	10.75%
<18 years	606	572	5.94%
> 18 years	8,639	7,776	11.10%
>65 years	5,253	4,863	8.02%
Median Age	68.3	67.4	1.34%
Total Number of Households	5,051	4,799	5.25%
Avenue Household Size	1.78	1.74	2.30%
Total Housing Units	9,256	9,091	1.81%

<https://data.census.gov/table?q=sex%20by%20age&g=160XX00US1254025&y=2020&d=DEC%20Demographic%20Profile>

According to the most recent census data collected by Neilsberg Research, in 2024, the median age in Palm Beach is 70.7, as per the 2018-2022 American Community Survey (ACS) 5-Year Estimates. Of the total population, 4.44% were under the age of 15, 3.27% aged 15 to 29, 28.44% aged 30 to 64, 51.13% aged 65 to 84, and 12.73% were 85 years of age and older.¹

Table 1-4 below shows US Census data in 10-year increments from 1950 to 2020. It is worth noting that the adjusted 2022 population estimates provided by the Office of Economic and Demographic Research that is used for the FY 2023-24 State Review-Sharing Calculations, indicate a population of 9,218, which is a decrease in population since 2020.

However, according to the population projections provided by the Shimberg Center of Housing Studies, University of Florida, the permanent population of the Town could increase to 10,322 by the year 2050 as indicated in Table 1-5.

¹ Palm Beach, FL Population Breakdown By Race (Excluding Ethnicity) Dataset: Population Counts and Percentages for 7 Racial Categories as Identified by the US Census Bureau // 2024 Edition | Neilsberg

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

Table 1-4

Historic Population Trends			
Year	Population Estimate	Total Change	Percent Change
1950	3,886	-	-
1960	6,055	2,169	35.8%
1970	9,086	3,031	33.3%
1980	8,884	202	2.2%
1990	9,191	307	3.3%
2000	8,298	893	10.7%
2010	8,348	50	0.5%
2020	9,245	897	10.7%

Source: US Census 2020

Table 1-5

Population Projection Resident and Seasonal				
Year	2020	2030	2040	2050
Population Projection	9,245	9,809	10,139	10,322

Source: Shimberg Center of Housing Studies, University of Florida 2020

During the winter season, November through April, the population swells to its highest as a result of the influx of seasonal residents and tourists. This estimate is based on full occupancy of all residential and transient lodging units, but does not include day tourists, shoppers, or employees working in the Town.

Tables 1-5 provides projections of the Town's permanent and seasonal populations through the year 2050. The seasonal population was calculated based on US Census Data of vacant seasonal units and number of persons per household (PPH) for 2010 and 2020 (2010: 3,627 vacant seasonal units x 1.74 PPH) (2020: 3,604 vacant seasonal units x 1.83 PPH). The seasonal population projection was estimated based on the population change ratio. Table 1-6 provides the year-round, seasonal and transient population change from 2010 to 2020.

It continues to be a major objective of the Town to inhibit further commercialization, to contain commercial uses to limited geographic locations, and to promote commercial uses which are oriented to serving the needs of residents, employees, and visitors staying at accommodations in the Town. At the same time, the Town discourages those regional businesses that attract customers and clients from off the Island.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

Table 1-6

Peak Seasonal Population

YEAR	YEAR-ROUND	SEASONAL & TRANSIENT		TOTAL
	Residents	Seasonal	Transient	
2010	8,348	6,311 ⁽¹⁾	3,100	17,759
2020	9,245	6,595 ⁽²⁾	3,100	18,940

⁽¹⁾ 1.74/unit (year-round occupied; 3,627 units)

⁽²⁾ 1.83/unit (Seasonally vacant or held for occasional use; 3,604 units)

⁽³⁾ Approximately 1550 units at 2/unit

Source: 2010 and 2020 Decennial U.S. Census

Commercial uses are concentrated in three areas of the Town, as follows:

1. A small commercial node is located at the south end of Town, near the Lake Worth Bridge to the mainland, serving some of the needs of the residents in this part of Town as well as visitors staying in local hotels.
2. Worth Avenue is located near Town Hall in the center of Palm Beach. Worth Avenue shops cater to the desires of seasonal and year-round residents of the Town as well as tourists. While open year-round, the Avenue's principal business is conducted during the "season."

The Town-serving commercial area, including the commercial areas of South County Road and Peruvian Avenue, serves as an adjunct to the more famous Worth Avenue shopping area, providing additional shops and services. The Town's objective is to retain and enhance the "Town-serving" character of this section of Palm Beach.

Royal Palm Way, also in the Town center area a few blocks north of Worth Avenue, is a wide, palm-lined boulevard, dedicated primarily to offices, banking and professional uses.

3. The commercial concentration in the vicinity of Royal Poinciana Way, near the Flagler Memorial Bridge, is primarily oriented to the local retail and service needs of Town residents and visitors. However, the Royal Poinciana Plaza, a concentration of shops, restaurants, and offices, and the Royal Poinciana Playhouse just east of the Flagler Memorial Bridge, serves a broader clientele.

4. The dominant character of the Town's commercial sector is one of small scale. Most of the commercial uses in the Town encompass 4,000 square-feet or less of gross leasable floor

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

area. Despite the reputation of Worth Avenue and the presence of some large retail anchors and office uses in the Town, the overall character of the Town's commercial areas is one of small business concerns which, individually, would not normally be expected to draw the majority of its patrons from beyond the Town's limits.

Table 1-7 below includes information regarding the Town's employment based on the US Census 2017 Economic Census. Based on the information from 2017, the largest employment sector in the Town was within the accommodation and food service sector where over 2,736 people were employed.

**Table 1-7
Employment**

	North American Industry Code System (NAICS) Code	Number of Establishmen ts	Number of Employee es
1	Wholesale Trade	12	55
2	Retail Trade	184	1565
3	Transportation and Warehousing	10	26
4	Information	4	13
5	Finance and Insurance	74	1119
6	Real Estate and Rental and Leasing	104	387
7	Professional, Scientific, and Technical Services	141	819
8	Administrative and Support and Waste Management	-	100-249
9	Educational Services	3	7
10	Health Care and Social Assistance	24	95
11	Arts, Entertainment and Recreation	27	1,181
12	Accommodation and Food Services	48	2,736
13	Other Services	122	1,115

Source: 2017 U.S. Census Bureau Economic Census

Development of Coastal and Flood-Prone Areas

The Coastal High Hazard Area (CHHA) is defined as “[t]he area below the elevation of the category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.” This area is a narrow area along the coast of the Town and is delineated in the Future Land Use Map Series. Future infrastructure and public and private development within the CHHA are restricted. The Town is legally limited in its ability to restrict development of private properties located in the CHHA.

However, the Town has long recognized the wisdom of limiting development densities and discouraging inordinate growth. The Town will continue to do so through the implementation of this Comprehensive Plan, which has as one of its basic tenets the effort to lower density

FUTURE LAND USE ELEMENT

DATA AND ANALYSIS

wherever legally and administratively possible. With the exception of some in-fill areas, lands within the 100-year flood zone have already been developed. Through its land development regulations, the Town will continue to prohibit structures except docks and municipally owned and operated parks and essential services as defined in Chapter 134 of the Town Code, on or over submerged land.

THE FUTURE LAND USE MAP SERIES

Pursuant to §163.3177(6)10, Fla. Stat., as a component of the Future Land Use Element, the Future Land Use Map Series has been provided as a separate Element within the 2024 Comprehensive Plan. The purpose of this is to allow specific maps that must comply with changes in state law or local conditions to be updated to protect and serve the residents of the Town, without a comprehensive plan amendment. Table 1-8 provides the complete list of maps in the 2024 Comprehensive Plan update.

Table 1-8
2024 Comprehensive Plan Map Series

1.1	Town Location Map
1.2	Future Land Use Map
1.3	Zoning Map Town
1.4	Town Bridges Map
2.1	Functional Classification Map
2.2	Roadway Number of Lanes Map
2.3	Road Network Map
2.4	Roadway Responsibility Map
2.5	Bicycle Facilities Map
2.6	Pedestrian Network Map
2.7	Public Transit Map
2.8	OD Zones Map
4.1	Landmark Structures Map
4.2	Historic Districts & Scenic Vistas Map

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

4.3	Historically Significant Buildings Map
4.4	Historic Markers Map
4.5	Archaeological Sites Map
4.6	Historic Specimen Trees Map
6.1	Public Buildings Map
6.2	Seawall Map
7.1	Parks & Recreational Facilities Map
7.2	Beach Access Map
8.1	Flood Zone Map
8.2	Coastal High Hazard Area Map
8.3	100-Year Floodplain Map
8.4	Beaches, Shores, and Wildlife Map
8.5	Estuarine Areas, Wetlands & Vegetative Cover Map
9.1	Minerals & Soils Map
9.2	Town Spoil Islands Map

Table 1-9 provides the Future Land Use and corresponding Zoning Districts for residential and ~~commercial~~ non-residential districts in the Town of Palm Beach.

**Table 1-9
Future Land Use and Zoning District Designations**

Future Land Use Designation	Corresponding Zoning District Classification
Single Family <u>Low Residential</u>	R-AA – Large Estate Residential District
	R-A – Estate Residential District
	R-B – Low-Density Residential District

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

Multi-Family Moderate Density Medium Residential	R-C – Medium-Density Residential District
Multi-Family Moderate High Density Residential	R-D (1) – Moderate High Density Residential District
Multi-Family High Density Residential	R-D (2) – High Density Residential District
Commercial	C-B- Commercial Business District
	C-OPI – Commercial – Office, Professional and Institutional District
	C-PC- Commercial - Planned Center District
	C-TS- Commercial – Town Serving District
	C-WA – Commercial – Worth Avenue District
Conservation	Conservation District
Private Group Use	Cultural Institution District
Public	None Public Facilities District
Recreation	None Parks and Recreation District
Approved PUD	PUD-A -The Breaker's Property
	PUD-B – Tres Vidas Property
	PUD-C – Sloan's Curve Property
None Beach Area	BA – Beach Area

In preparing Table 1-8, it was discovered that three Future Land Use categories, Private Group Use, Public, and Recreation, do not have corresponding Zoning Districts. During the EAR process, the Town Council approved a privately initiated Zoning Map that corresponds to the Private Group Use Future Land Use Category. Additionally, the Beach Area (BA) does not have an associated Future Land Use Category. Further, the allowable densities in the R-D(1) Zoning District, which permit up to 10.89 dwelling units per acre, conflict with the allowable densities of the associated Multi-Family Moderate Land Use designation in the Comprehensive Plan, which limits density to 6.534 dwelling units per acre. A new Future Land Use category must be created that limits the maximum density to 10.89 dwelling units per acre to be consistent with the R-D(1) Zoning District. The Comprehensive Plan is the controlling instrument for proper planning, while the zoning code is implementing regulatory documents, and they must correlate. Where they do not, the Comprehensive Plan controls.

FUTURE LAND USE ELEMENT

DATA AND ANALYSIS

FUTURE LAND USE NEEDS

Redevelopment

There are few deteriorated structures or blighted areas in the Town nor are any expected during the planning period. The high value of real estate and the vigilance Town leadership and residents will continue to enforce a high standard of property conditions. Future redevelopment will be required to conform to the densities and intensities and levels of service established within the Future Land Use Element.

Preservation of Residential Neighborhoods

As far back as 1990, the Town Council and the PZC have been evaluating the portions of the Town's Zoning Code that regulate the size of homes in the R-B zoning district, the predominantly single-family area. Nevertheless, during the past several years, the issue of "excessively large homes" has become increasingly controversial in Palm Beach, as it has in other areas of the country.

Building sizes for homes in the North End of the Island averaged 2,500 to 3,000 square feet (or less) in the 1930's to the 1970's, well below the 6,000 square feet allowed in the Town's Zoning Code at that time. Today, these historic building sizes have become the reference point, as housing construction has evolved to reflect changing residential tastes and real estate markets. In 1980, for example, a 6,000 square foot home could be built on a 10,000 square foot lot. The home was allowed 3,000 square feet on the first floor, and 3,000 square feet on the second floor, comprising total lot coverage of 30%. However, at that time, very few homes were built to the maximum allowable size. Most were single-story homes designed as second homes intended for seasonal occupancy.

During the 1980's and 1990's, a number of factors changed, resulting in the construction of significantly larger homes. New homes were designed for use as primary residences with more living space, larger rooms, and other amenities, in response to changing market demands. During that time, the Town's Zoning Code underwent modifications to reduce the size of a house allowed on a typical lot in the R-B zoning district. The Town's zoning regulations, when combined with the required reviews and approvals by the Architectural Commission and Landmarks Preservation Commission, try to ensure that change is controlled and gradual.

FUTURE LAND USE ELEMENT DATA AND ANALYSIS

SUMMARY

Palm Beach is a premier residential community of exceptional beauty and charm that has preserved a high standard of living by retaining its distinctive character. The goal of the Comprehensive Plan is to preserve and protect the residential scale and quality of life with Town-serving commercial and recreational uses. Because the Town is “built-out”, intensification of commercial uses will increase traffic congestion and strain the already limited parking availability causing negative impact on the quality of life for Town residents. Hence, the goal for reduced intensity remains as important as ever, if not more so.

As required by Florida statutes, the Zoning Code MUST MAINTAIN CONSISTENCY with the Comprehensive Plan. Together, these two documents lay the foundation of planning and zoning for the Town. ~~As noted in With this amendment to the adopted 2024 this Comprehensive Plan, there are the inconsistency inconsistencies with the Future Land Use designations land use and zoning classifications that do not presently correspond to one has have been addressed. Two new zoning districts have been created, the Public Facilities to correspond to the Public Future Land Use category and the Parks and Recreation and Open Space District to parallel correspond to the Recreation Future Land Use category. Therefore, within one year following adoption of the updated 2024 Comprehensive Plan, the Town will review and correct inconsistencies with the Future Land Use Map and Zoning Map, potentially adding new zoning districts to correspond to their respective Future Land Use designations. As noted, a new Medium Density Residential District corresponding to the R-D(1) Zoning District should be created to allow up to 10 dwelling units per acre, but not permit hotel uses as the RD(2) does. Lastly, as a coastal community, the Town of Palm Beach has established a new Beach Area Future Land Use Designation to -an envisioned a new Beach Area Future Land Use designation has been established to be considered that corresponds to the Beach Area Zoning District. The Beach Area Zoning District that provides for the permitted uses and~~ addresses necessary beach renourishment and related public purpose essential services and activities.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS AND BUSINESSES BY MAINTAINING ITS UNIQUE SMALL TOWN CHARACTER.

OBJECTIVE 1

Because the Town of Palm Beach is built-out, the Town shall continue to regulate future development and redevelopment that maintains and enhances its unique physical and historic character, which is predominantly residential. The Town shall accomplish this by allowing the type and number of businesses and other services that meet the needs of Town residents. The measurement of this objective shall be the extent to which the following policies are implemented:

POLICY 1.1

The Town shall continue to acknowledge the comprehensive plan as the blueprint for guiding land growth and development, resource protection, and the provision of public services and facilities. However, it is not intended to include the regulations found in the zoning code, but rather to require the identification of Goals, Objectives, and Policies that promote the Town's vision, which are then implemented through the Code and other regulatory documents.

POLICY 1.12

The Town shall continue to comply with §163.3202, Fla. Stat., regarding land development regulations, containing specific and detailed provisions which are required to implement the adopted Comprehensive Plan, and which, at a minimum:

- a. Regulate the subdivision of land.
- b. Regulate the use of land and water consistent with this Element, ensure the compatibility of adjacent land uses, and provide for open space.
- c. Protect lands designated for Conservation.
- d. Regulate signage.
- e. Regulate areas subject to seasonal or periodic flooding and provide for drainage and stormwater management.
- f. Ensure safe and efficient movement of traffic flow and vehicle parking needs.
- g. Provide that no development order or permit shall be issued, which results in a reduction of services for the affected public facilities below the level of service standards adopted in this Comprehensive Plan.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

- h. Provide that public facilities and services meet or exceed the standards established in the Capital Improvements Element required by §163.3177, Fla. Stat. and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development.
- i. Provide clean and safe potable water.

POLICY 1.3

The Town shall adopt the definition of Town resident (full-time) to mean someone who is domiciled at an address within the Town and lives there on a permanent basis, as evidenced by at least two of the following:

1. A Homestead Exemption on such address owned by the resident.
2. A voter registration using such address.
3. A State of Florida Driver's License or Florida Identification Card using such address.
4. A Declaration of Domicile at such address recorded in the public records of the Palm Beach County Circuit Court and Comptroller.

POLICY 1.4

The Town shall adopt the definition of Town Resident (seasonal) to mean someone who owns or rents a residence within the Town but does not qualify as a full-time resident.

POLICY 1.5

The Town shall define Town persons to mean Town Residents, as well as visitors staying at accommodations in, or employees working within the Town.

POLICY 1.26

The Town shall maintain Future Land Use designations that focus on preserving and protecting the Town's primarily residential community, with the limited Town-Serving commercial uses, by controlling the type, distribution, and density of development and redevelopment.

POLICY 1.37

The Town shall revise the Zoning definition of "Acre" to reference the U.S. customary acre size of 43,560 square feet, not the "Palm Beach Acre" of 40,000 square feet.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 1.48

The Town shall protect the stability of its residential neighborhoods by advocating and promoting year-round occupancy and neighborhood improvements and enhancements.

POLICY 1.59

The Town shall continue to conduct staff reviews of each proposed new development or redevelopment project for the purpose of determining compliance with the Town's Comprehensive Plan and Code of Ordinances.

POLICY 1.610

The Town shall maintain its character as a predominantly residential community by approving development and redevelopment projects that are necessary to meet the needs of Town residents.

POLICY 1.7

~~The Town shall prevent critical and dangerous overuse of its infrastructure, parking resources, public services and facilities, and damage to its historic character, to maintain the overall high property values of the community.~~

POLICY 1.8

~~The Town shall take all technical and administrative measures legally available to minimize the change or transition of existing low-density areas or structures to more intensive use patterns thereby lowering the pattern of residential density and commercial intensity, where possible to minimize tourism inflow.~~

POLICY 1.911

The Town shall continue to enforce the provisions of its Zoning Ordinance which are directed toward compliance with Town-serving commercial establishments and to rigorously discourage those uses which are likely to attract patronage on a regional level.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 1.~~10~~.12

The Town shall identify each of the land uses deemed appropriate for each of the individual land use categories.

- 1.~~10~~.12.1 Where essential services are indicated as an appropriate use, essential services shall include public utility facilities related to water supply, telephone (excluding wireless telecommunication facilities), cable television, gas, electrical distribution systems, shoreline protection and renourishment activities, and Town-owned services such as sanitary sewer, stormwater drainage, and solid waste collection and disposal systems, including any necessary appurtenant structures serving the Town.

POLICY 1.~~11~~.13

The Town shall ensure that development orders are issued for new residential development or redevelopment that are consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies:

- 1.~~11~~.13.1 **Single-Family Low** Residential – Intended to accommodate and preserve estates and single-family residential development at a maximum density of 4.356 dwelling units per and a maximum height of two stories.

Appropriate uses include single-family dwellings, ~~previously Approved PUDs as set forth in Policies 10.1.1 and 10.1.4, cluster development, public uses and facilities, public and private schools, private group uses,~~ and essential services.

- 1.~~11~~.13.2 **Multi-Family Moderate Medium Density Residential** – Intended to accommodate and preserve residential development at a maximum density of 6.534 dwelling units per and a maximum height of two stories.

Appropriate uses include single-family, two-family, townhouses ~~and~~ multi-family dwellings; ~~residential PUDs as set forth in Policy 8.1.2; mixed-use PUDs as set forth in Policy 8.1.3; public uses and facilities; public and private schools; private group uses; group homes and foster care facilities;~~ and essential services.

- 1.~~11~~.13.3 **Multi-Family High Density Residential** – Intended to accommodate residential development at a maximum density of 14.157 dwelling units and, under limited circumstances, a maximum height of five stories.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

Appropriate uses include single-family, two-family, townhouses multi-family dwellings and essential services.; ~~residential PUDs as set forth in Policy 8.1.2; mixed-use PUDs as set forth in Policy 8.1.3; Within the corresponding R-D(2) zoning district, hotel and motel~~ uses up to 28.314 rooms per acre and associated accessory commercial uses ~~are permitted. (hotel and motel rooms are considered to be equivalent to 0.5 dwelling units); and~~ timesharing uses up to 9.801 units per acre; ~~public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and~~ are permitted. essential services.

POLICY 1.~~12~~14

The Town shall ensure that development orders are issued by the Town for new non-residential development or redevelopment that are consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies:

1.~~12~~.14.1 The following definitions shall pertain to the application of the non-residential land use designations and associated policies:

a. "Town-serving" shall mean establishments principally oriented to serving the needs of Townpersons and not substantially relying on the patronage of non-Townpersons. ~~Commercial establishments which that are not required to meet town-serving requirements of 3,000 square feet or less of gross leasable floor area in the C-OPI, C-PC, C-TS and C-B zoning districts, and 4,000 square feet or less of gross leasable floor area in the C-WA zoning district are assumed to meet the intent of the first part of this definition.~~ Town-serving commercial establishments shall attract not less than the established percentage defined in the Zoning Code of their customers/members/clients from among Town persons.

~~b. "Town residents" shall include all property owners, both full-time and seasonal, and their guests, and renters of at least three months.~~

~~cb. "Town persons" shall mean Town residents, as well as visitors staying at accommodations in, or employees working within the Town.~~

~~b. "Town-serving (office establishments)" shall mean businesses oriented to serving the needs of townpersons and not substantially relying on the patronage of non-townpersons primarily engaged in the provision of services that include but not necessarily limited to providing professional services such~~

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

as attorneys, doctors, veterinarians, insurance agents, real estate brokers, financial advisors, trust advisors, consultants, interior designers, architects, engineers, and similar office services as determined by the Planning, Zoning and Building Director.

c. “Town-serving (personal service establishments)” shall mean businesses oriented to serving the needs of townpersons and not substantially relying on the patronage of non-townpersons primarily engaged in the provision of services to individuals dealing with their personal needs. Personal services include, are but not necessarily limited to, hairstyling or beauty services, tailor/dressmaker, travel agent, cleaning services, dance studio, gyms and workout studios or similar personal services as determined by the Planning, Zoning and Building Director.

d. “Town-serving (retail establishments)” shall mean businesses that are principally oriented to serving the needs of townpersons and not substantially relying on the patronage of non-townpersons selling commodities or goods to ultimate consumers. Retail services include, but are not necessarily limited to, clothing stores, retail specialty food stores (excluding restaurants), other general merchandise stores, or similar retail services as determined by the Planning, Zoning and Building Director.

e. “Town-serving (retail specialty foods)” shall mean establishments that focus on selling a specific category of products for pick-up or fast casual dining, such as coffee shops, pickup windows associated with a primary restaurant, and diners.

1.~~4.2~~14.2. Conservation – Intended to preserve and protect unique natural areas and submerged land from development and the negative impacts of public use. No development or redevelopment is permitted on or over land designated in this category, with the exception of docks, essential services or parks owned and operated by the Town.

1.~~4.2~~14.3. Commercial – Intended to preserve and enhance areas of attractive, small-scale, retail, personal, and professional/business services, and mixed commercial/residential uses. The mixed commercial/residential uses may be developed either as a single unit or in individual parcels, provided that these uses primarily serve the needs of Town residents.

a. Appropriate uses include a wide range of commercial retail, service, professional and business uses for residents and visitors; hotels/motels up

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

to 28.314 rooms per; time-sharing uses up to 9.801 units per acre; offices; ~~public uses and facilities~~; public and private ~~schools south of 2500 South Ocean Boulevard~~; private group uses; and residential uses located above the ground floor.

b. Except for uses located in the Worth Avenue zoning district (C-WA), one residential unit may be located above the ground floor, or up to a maximum density of 6.534 dwelling units per acre, whichever is greater. In the Worth Avenue zoning district, the maximum allowable density shall be 10.89 dwelling units per acre provided the Worth Avenue Design Guidelines are met.

c. If allowed by the Zoning Code, the maximum building height of commercial buildings may be three stories with Town Council approval.

1.~~12.14~~.4. Public – Intended to recognize existing locations of, and provide sites for, public uses, structures, and facilities.

a. Appropriate uses include ~~public schools~~, low-intensity public buildings and facilities such as fire and police stations, Town Hall, etc., of a scale and intensity necessary to primarily serve the needs of Town residents. Only public uses owned, operated, or supervised by a governmental agency are given this designation.

~~b. The designation of a property for Public Use on the Future Land Use Plan Map recognizes the current use of the property.~~

~~c~~b. In limited circumstances, the maximum building height may be three stories with Town Council approval.

1.~~12.14~~.5 Recreation – Intended to provide for low-intensity public recreational uses or activities, natural resources, ~~passive parks, public open space and rights-of-way~~, and scenic resources of a scale and intensity necessary to primarily serve the needs of Town residents. Only public facilities owned, operated, franchised, or supervised by a public governmental entity are given this designation.

1.~~12.14~~.6 Private Group Use – Intended to provide for low-intensity uses such as private clubs, golf and country clubs, public and private schools, ~~houses of worship~~, museums, and non-commercial recreation-type or cultural uses at a scale and intensity intended to primarily serve the needs of Town residents.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

- a. The designation of a property for Private Group Use on the Future Land Use Plan Map recognizes the current use of the property.
- b. In limited circumstances, the maximum building height may be three stories with Town Council approval.

1.~~12~~.14.7 Approved PUD – Intended to recognize the previously approved PUDs, as shown on the Future Land Use Map as Approved PUDs. PUD densities shall not exceed 14.157 dwelling units per acre.

1.14.8 Beach Area – Intended for certain lands lying along the Atlantic Ocean as shown on the Future Land Use Map. The Beach Area designation permits public structures and essential services necessary for beach renourishment and shoreline protection. Additionally, as a Conditional Use (f/k/a) Special Exception, the following are allowed:

- a. One beach cabana associated with the primary residential building
- b. Beach concessions related to an abutting hotel use and only for the use of hotel guests, visitors, or those persons associated with the hotel

POLICY 1.~~13~~15

The Town shall ~~has~~ implement an establish Floor Area Ratio (FAR) as the ~~non-residential~~ intensity standard that are for all commercial zoning districts.

OBJECTIVE 2

The Town shall ~~M~~ maintain the character of the Town as a predominantly residential community having only the type and amount of businesses and other support services necessary to meet the needs of Town residents.

POLICY 2.1

The Town shall prevent critical and dangerous overuse of its infrastructure, parking resources, public services and facilities, and damage to its historic character, to maintain the overall high property values of the community.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 2.2

The Town shall take all technical and administrative measures legally available to prevent the change or transition of existing low-density areas or structures to more intensive use patterns, thereby lowering residential density and commercial intensity.

POLICY 2.3

The Town shall continue to enforce the provisions of its Zoning Ordinances Code, which are directed toward Town-serving commercial uses and discouraging those uses likely to attract patronage on a regional level.

OBJECTIVE 3

The Town shall issue development orders and permits for new development and redevelopment in the floodplain or coastal high hazard area only if they meet the building elevations identified in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) unless the structure has been landmarked or is designated a historically significant building and approved for a floodplain variance.

POLICY 3.1

Prior to the issuance of a development order or permit, the Town shall make and record the determination that the proposed building elevations meet or exceed elevations identified on the Flood Insurance Rate Maps, except when sufficient justification of extenuating circumstances may be shown unless the structure has been landmarked or designated as a historically significant building and approved for a floodplain variance.

OBJECTIVE 4

The Town shall ensure that development orders and permits for new development or redevelopment or building permits for development shall be issued only if public facilities and services necessary to meet the Town's adopted level of service standards are available concurrent with the impacts of the development.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 4.1

A concurrency analysis shall be conducted prior to the approval of any application for a development order, and no final development order shall be issued unless:

- a. Existing facilities and services meet the Town's adopted level of service standards, or
- b. The final development order is conditioned on such facilities and services being available at the time the impact of the development will occur, consistent with the Town's Concurrency Management System and implementing policies of the Capital Improvements Element.

POLICY 4.2

The Town shall determine prior to the issuance of a development order or permit, that the project provides open space, on-site traffic flow and parking commensurate with the requirements of the Town's land development regulations.

POLICY 4.3

The Town shall coordinate with FDOT prior to the approval of any development that could potentially impact the operations of a State/SIS facility.

OBJECTIVE 5

The Town shall continue to ensure that the minimum property maintenance standards provided in Chapter 88, Code of Ordinances, are maintained.

POLICY 5.1

The Town shall continue to utilize the code enforcement procedures provided for in Article V, Code of Ordinances, to proactively maintain high building and property standards.

OBJECTIVE 6

The Town shall reduce the number of uses incompatible with the range and location of land uses, identified in the Town's Future Land Use Plan Map, through attrition; and not permit uses within the Future Land Use categories that are inconsistent with the community's character and the Town's Future Land Use Plan Map.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 6.1

The Town shall amend its land development regulations, when necessary to be compatible and consistent with the range and location of land uses identified on the Town's Future Land Use Map.

POLICY 6.2

The Town shall prohibit replacement or expansion of uses found to be incompatible or inconsistent with the range and location of land uses identified on the Town's Future Land Use Map and Official Zoning Map.

POLICY 6.3

The Town shall continue to allow designated landmarked structures, single-family dwellings, two-family, townhouse, multi-family, commercial, and public structures or public/private group uses which are unintentionally damaged or destroyed, such as by fire or other casualty, act of terrorism, war or act of God or nature to be rebuilt at the same density and/or intensity, on the same footprint and to the same size and configuration as those nonconforming buildings or structures being replaced provided Florida Department of Environmental Protection (FDEP) standards are met when building east of the Coastal Construction Control Line (CCCL). Actual construction to replace, restore or reconstruct the nonconforming building or structure shall commence within the time frame outlined in Code Sections 18-237 and 18-238.

~~POLICY 6.4~~

~~The Town shall create a new Future Land Use category to correspond with the Beach Area (BA) Zoning District that provides for essential service uses.~~

~~POLICY 6.5~~

~~The Town shall create a new Multi-Family Medium Density Future Land Use category that corresponds to the R-D(1) Zoning District, which limits the number of dwelling units per acre to ten and does not permit hotels.~~

~~POLICY 6.6~~

~~The Town shall consider creating Zoning Districts to correspond with Public and Recreation Future Land Use Categories.~~

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 6.~~7~~4

The Town shall within one year following the adoption of EAR-based amended Comprehensive Plan amend the Code of Ordinances and Zoning Map to be consistent with the adopted Comprehensive Plan.

OBJECTIVE 7

The Town will coordinate and comply with any resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes, as amended.

POLICY 7.1

The Town shall continue to coordinate with State, regional, county and local agencies to ensure cooperation in the development of all appropriate resource planning and management plans prepared pursuant to Chapter 380, Florida Statutes as amended. The Town will continue to monitor all other local governments' activities when notice is provided. The Town will continue to provide notice as required to other local governments and agencies on upcoming large development projects. The Town will continue to work closely with the Florida Department of Transportation, Treasure Coast Regional Planning Council, Palm Beach County, the City of West Palm Beach, TPA, Palm Beach County School District and the State of Florida on regional issues. The Town will continue to maintain mutual aid agreements with other local governments with reference to fire service, police, and disaster preparedness.

OBJECTIVE 8

The Town shall acknowledge previously Approved Planned Unit Developments, (PUDs) but will not allow new PUDs in the future.

POLICY 8.1

The following ~~types of~~ Approved Planned Unit Developments (PUDs) shall be allowed in the Town:

1. PUD-A (The Breaker's Property)
2. PUD-B (Sloan's Curve Property)
3. PUD-C (Tres Vidas Property)

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

~~8.1.1 Single-family PUDs located within the Single-Family Residential Land Use Category not exceeding four dwelling units per gross Palm Beach acre.~~

~~8.1.2 Mixed residential development located within the Multi-Family Moderate or Multi-Family High Density Land Use Categories, not exceeding the maximum density allowable within the Land Use Category.~~

~~8.1.3 Mixed-use development within the Multi-Family Moderate Density or Multi-Family High Density Land Use Categories, allowing for a mix of residential uses not exceeding the maximum allowable density within the Land Use Category and nonresidential development not exceeding 20% of the gross floor area of the PUD.~~

~~The following equivalencies shall be used in determining the intensity of the nonresidential components, required pursuant to Chapter 163, F.S.~~

Land Use Type	Unit of Measurement	Equivalence to One Dwelling Unit of Gross
Hotels, motels or similar transient facilities	Number of bedrooms	Two (2) bedrooms
Principal Commercial Uses	Total floor area	750 square feet
Accessory Commercial Uses	Total floor area	1,500 square feet
Other Nonresidential Uses	Total floor area	1,000 square feet

OBJECTIVE ~~98~~

The Town shall coordinate its coastal area population with the Regional Hurricane Evacuation Plan. The measurement of this objective will be the degree to which the Town coordinates with the appropriate Evacuation Plan, and the extent to which the following policy is implemented.

POLICY ~~98.1~~

The Town shall review, and revise, if necessary, its coastal area residential densities and commercial intensities to ensure that they do not result in hurricane evacuation or shelter capacity deficiencies.

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

OBJECTIVE ~~109~~

The Town shall maintain public access to all recreational facilities, including recreational and commercial working waterfronts as defined in §342.07, Fla. Stat. under the jurisdiction of the Town of Palm Beach.

POLICY ~~109~~.1

The Town shall establish priorities for siting appropriate water dependent and water related land uses consistent with §342.07, Fla. Stat. while at the same time protecting shoreline and conservation areas from degradation.

POLICY ~~109~~.2

The Town shall, on an annual basis, inspect public access points to public beaches that are not under the Town's jurisdiction, to identify any impediments to access. The Town will notify respective governing agencies of impediments within three months of their identification.

POLICY ~~109~~.3

The Town, in evaluating applications for marinas or marina siting, shall address all of the following: land use compatibility; availability of upland support services; existing protective status or ownership; hurricane contingency planning; protection of water quality; water depth; environmental disruptions and mitigation actions; availability for public use; and economic need and feasibility.

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EXECUTIVE SUMMARY

The Town of Palm Beach Historic Preservation Element outlines the policies for the protection and preservation of the Town's historic and archaeological resources. The Element is optional per §163.3177, Fla. Stat Florida's 1975 Local Government Comprehensive Planning Act laid the foundation for local preservation planning in the State. The Act lists required elements for inclusion in the general plan but also includes "historic preservation and scenic" as one of the options.

The 1985 Local Government Comprehensive Planning and Land Development Regulation Act, which amended a portion of the 1975 legislation, requires coastal communities to address the preservation of historic and archeological resources. Although communities can fulfill the requirement by addressing the issue of preservation in the Future Land Use, Housing and Coastal Management Elements, the Town of Palm Beach determined that separate Elements would best serve the community.

Increasingly in South Florida, historic and cultural resources are threatened by destruction due to rapid growth in population and ensuing development. These resources are links to the past, making communities unique, giving them a "sense of place," and providing a source of pride. More importantly, historic resources allow for the education of present and future generations of their place and time in the continuum of the human experience and societal development. The purpose of historic preservation is not to halt growth or change, but rather to recognize that both are needed to keep a community thriving. The purpose of historic preservation is to integrate the past with the present and the future.

HISTORIC PRESERVATION IN THE TOWN OF PALM BEACH

Historic preservation in the Town of Palm Beach is best appreciated with a look at the Town's early years. The first of the permanent pioneers arrived at the island of Palm Beach in 1872. According to settler accounts, Palm Beach received its name from a shipwreck named the "Providencia." The ship washed ashore in January 1878 with a load of coconuts bound from Havana to Barcelona.

HISTORIC PRESERVATION ELEMENT DATA AND ANALYSIS



Historic Photo of the Breakers, Palm Beach, circa 1896



Contemporary Photo of the Breakers, Palm Beach, FL

Early

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settlers lost no time salvaging and planting the coconuts, which were not native to South Florida, in an effort to launch a commercial coconut industry. In 1880, the first hotel, the Cocoanut Grove House, opened to accommodate tourists. By the early 1890s, the community was well established with several hotels, businesses, and winter residents.¹

The pioneer era ended in 1894 with the opening of Henry M. Flagler's Royal Poinciana Hotel and the arrival of the Florida East Coast Railroad in 1896. The railroad tracks crossed Lake Worth to allow trains to deliver their passengers directly to the Flagler System hotels, which included the Palm Beach Inn directly on the ocean. It was soon renamed The Breakers because so many guests wrote asking for a room "down by the breakers". Fire destroyed the hotel in 1903. Henry Flagler then ordered a larger, more luxurious hotel built at the same location, which opened for business the following year. The hotel was again destroyed by fire in March 1925 and was replaced by the stone masonry and steel structure which continues to serve as a Palm Beach landmark today.²

During the early 1900s, Palm Beach architecture would change with the influence of Addison Mizner. Mizner's bold use of Spanish, Italian, Moorish, Gothic, and Romanesque architectural elements lead to the development of the Mediterranean Revival Style that now dominates Palm Beach. Mizner was followed by a number of distinguished architects including Howard Major, Maurice Fatio, Marion Sims Wyeth, John Volk, Belford Shoumate, and Howard Chilton. These architects left Palm Beach with a strong architectural heritage that includes Art Deco, Art Moderne, Modern, Greek Revival, French Neo-Classical, Bermuda, Regency, Tudor, Norman, Scandinavian, and Spanish Colonial architecture.³

Residents saw the need for planning and architectural control during those formative years. In 1928, the "Art Jury" was established and charged with safeguarding the Town's architecture. Members of the Art Jury included such iconic architects as Addison Mizner, Maurice Fatio, and Charles Perrochet. The Art Jury members assisted in architectural critique to ensure that the beauty and visual harmony that made Palm Beach, Palm Beach was articulated in design.

We all have places that matter to us – places that define us, places that challenge us, places that bring us together and tell our story. These places help form our identity and our communities. They create opportunities for growth and help us feel at home. They explain our past and serve as the foundation of the future.

National Trust for Historic Preservation Research & Policy Lab

¹ Town of Palm Beach website, "Town of Palm Beach's History" and "Historic Preservation" webpages.

² Ibid

³ Town of Palm Beach, Florida 2010 Historic Sites Survey

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Today, the Art Jury continues as two (2) similar, but distinct, bodies, those being the Landmarks Preservation Commission (LPC) and the Architectural Commission (ARCOM), for those buildings not historically significant but merit the need for architectural review to uphold the standards of the Town. The history of these two (2) commissions started in the 1970s.

A strong advocate for the architectural, botanical, and cultural heritage of the Town is the Preservation Foundation of Palm Beach. It was founded in 1980 as an outcome of the community needing a private advocacy organization to support the expanding historic preservation movement in the Town. Within a year, a number of prominent citizens joined to create a charitable foundation, the Preservation Foundation, to preserve the architectural history of Palm Beach and educate its residents about their heritage. The first board members and officers of the Foundation had been involved with the beginnings of the preservation movement and the formation of the Landmarks Commission. LaBaron S. Willard, Jr., was one (1) of the first Landmarks Commissioners who later became the first President of the Preservation Foundation. LaBaron Willard Jr. is known for establishing the bridge between public and private preservation.

Through the generosity of hundreds of residents, the Preservation Foundation has been able to save the following historically significant structures and places in the Town.

- Town's oldest house, Sea Gull Cottage
- Town Hall
- Earl E.T. Smith Park
- The Little Red Schoolhouse
- Pan's Garden
- The Phipps Ocean Park

TOWN OF PALM BEACH COMPREHENSIVE PLAN HISTORIC PRESERVATION ELEMENT

In 1976, as the national preservation movement was progressing with the passage of the Secretary of Interior's Standards for Historic Preservation Projects, so too was Florida embarking on new approach to conservation and management through the mandated comprehensive planning act. With regard to Palm Beach, Town leadership was similarly working to combat the loss of the Town of Palm Beach's historic resources.

The local planning component of the early Florida system was established with the 1975 Local Government Comprehensive Planning Act. The Act mandated that each local government in Florida adopt a local comprehensive plan by 1979, and that all development permits and land development regulations be consistent with the plan and the elements of the plan.

HISTORIC PRESERVATION ELEMENT

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The 1985 Local Government Comprehensive Planning and Land Development Regulation Act requires coastal communities to address the preservation of historic and archeological resources. Although communities can fulfill the requirement by addressing the issue of preservation in the Land Use, Housing and Coastal Management Elements, the Town of Palm Beach thought it best to have a separate element to serve the community. The Historic Preservation Element outlines the policies for the protection and preservation of the Town's historic and archaeological resources.

Certified Local Government

The passage of the Certified Local Government (CLG) program as a part of the National Historic Preservation Act in 1980 further strengthened historic preservation by linking the three (3) levels of government, federal, state, and local into a preservation partnership. The preservation effort focuses on the identification, evaluation, and protection of historic properties and archaeological sites. Designation as a Certified Local Government, either as a municipality or a county, makes historic preservation a public policy through the passage of a historic preservation ordinance.

Florida's Certified Local Government program has assisted in the survey, designation, and preservation of thousands of historic and cultural resources and increased public awareness of the importance of historic preservation. By identifying historic resources in the Town's comprehensive plan, proposed development projects are reviewed for consistency with preservation goals and strategies.

The Town Council adopted a Historic Preservation Ordinance (Palm Beach Code, Chapter 54, Historic Preservation, Section 54-36) to study and protect Palm Beach's most significant architectural achievements and ensure that the heritage of Palm Beach would not be lost for future generations. Since that time, the ordinance has been amended several times in an effort to clarify the purpose of the ordinance and its requirements.

The Historic Preservation Ordinance provides for the appointment by the Town Council of a Landmarks Preservation Commission (LPC). The purpose of creating a Landmarks Preservation Commission was to protect resources with historic, intrinsic aesthetic, and architectural character, and to better facilitate the upkeep and maintenance of those structures so designated. The ordinance lists the following as the goals of historic preservation in the Town.

- ❖ Safeguard and enhance that which reflects the Town's history and heritage.
- ❖ Stabilize and improve property values.
- ❖ Foster civic pride in the notable accomplishments of the Town's past.
- ❖ Protect the Town's attraction to residents and visitors.

HISTORIC PRESERVATION ELEMENT

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- ❖ Strengthen the economy of the Town.
- ❖ Promote the education, pleasure and welfare of residents and visitors.

Landmarks Preservation Commission

The LPC is comprised of seven members, six of whom must be Town of Palm Beach residents. The LPC meets monthly to identify significant structures, subject them to a set of objective criteria, and designate those worthy of preservation as landmarks of the Town of Palm Beach. To be considered as a landmarked building, the structure must have an important historical association, or be an outstanding example of architectural design, or the significant work of a notable architect or master craftsman.

The LPC has a similar process for determining historic districts and scenic vistas. A historic district is intended to protect a specific geographic area that is highly concentrated with significant structures. However, not all buildings within the boundaries of the district need to fulfill the criteria for individual designation. Besides recommending the designation of worthy properties, the LPC also reviews changes and alterations to existing Landmark properties, issues Certificates of Appropriateness (COA) for work to be done and oversees the Town's Tax Abatement program.

Should the LPC determine that a building is worthy of study, the property is proposed for landmark designation, studied by staff, and later discussed at a subsequent public hearing. At that public hearing, the LPC votes on whether to recommend to the Town Council that the building under consideration be designated a Landmark of the Town of Palm Beach. The LPC's recommendation must then be ratified by the Town Council to be effectuated.

The Landmarks Preservation Commission reviews proposed changes to buildings, landscaping, garden walls, pools, fountains, driveways, signs, etc. in response to a property owner's request for a Certificate of Appropriateness. The Commission holds no jurisdiction over the interior building spaces of any property but does review changes and modifications to courtyards. The development order is in the form of a Certificate of Appropriateness. As of September 2023, 365 landmark properties, sites, and vistas are protected under the Historic Preservation Ordinance of the Town of Palm Beach as displayed on Map 3.1 of the Map Series.

The Town of Palm Beach and Palm Beach County have passed a Property Tax Abatement program that is available to local property owners for the restoration, renovation, or rehabilitation of their Landmarked properties. This benefit will abate tax increases on the improvements to the property for ten years. The Abatement is conveyed through a covenant that accompanies the deed to the property and may be transferred to future owners during the Abatement period.

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Proposed improvements must comply with the Secretary of the Interior's Standards for Rehabilitation and be approved through the COA process as established by the Town of Palm Beach LPC.

The Effects of Landmarking have been recognized and are provided as follows.

- Preserve important buildings in the community.
- Preserve property values by discouraging redevelopment and increases in density.
- Stabilize and improve property values based on appraisal information.
- Require Landmarks Commission review of exterior alterations and new construction.
- Require exterior only review.
- Substitute Landmarks Commission review for Architectural Commission review.
- Offer restoration and rehabilitation information to property owners.
- Allow normal maintenance without review by the Landmarks Commission.
- Provide a mechanism for quick administrative approval
- Encourage historic research and community pride.
- Preserve the historic and cultural integrity of Palm Beach

In 1971-1974, resident Barbara Hoffstot, with Roger Grunke, surveyed the Town. Every structure was surveyed, although not all were recorded. Priority was placed on those structures known or believed to be significant to the Town, state, and/or nation. The work long predated the Town's Landmark Preservation Ordinance and was a catalyst in creating it and the resulting book, *Landmark Architecture of Palm Beach* (1974). There were three Editions to the book. The First Edition was written in 1974, the Second Edition in 1980, and the Third and Final Edition in 1991.

The Town began to survey all structures at least 50 years old in 1979. Nine years later, in 1988, a second survey was commissioned as an update. There are several methodologies for the survey. One (1) approach is the thematic survey, which identifies all historic properties of a specific type. A more common survey is the geographic type, which results in a comprehensive recording of all significant themes and associated properties within established geographic boundaries, such as a subdivision, neighborhood, or town limit.

Approximately every decade, these surveys are updated. Each survey report holds valuable information relating to the development of Palm Beach. Additional reports referenced are also listed below. These reports are located on file within the State Division of Historical Resources, Site File Department, and include the following:

1981: Historic Buildings Survey of Palm Beach; by Eliza Smith with Landmarks Planning, In., Manuscript No. 02784

1988: Historic Buildings Survey; by John Johnson with the Historic Palm Beach County Preservation Board, Manuscript No. 03025

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1994: Cultural Resource Assessment of Proposed Maintenance on the Royal Park Bridge across Lake Worth in Palm Beach County; by Karen Webster Milano and Ken Campbell with Group Enterprises, Inc., Manuscript No. 4244

1997: Historic Sites Survey; by Jane S. Day, Susan Krassy, Sandra Norman, and Teresa Van Dyke with Research Atlantica, Inc., Manuscript No. 05258

2004: Historic Sites Survey; Jane S. Day with Research Atlantica, Inc., Manuscript No. 11231

2006: Cultural Resource Assessment Survey of State Road A1A (South County Road) from North of State Road 80 (Southern Boulevard) to State Road 704 (Royal Palm Way) Palm Beach County, Florida; by SEARCH; Manuscript No. 13980

2007: Cultural Resource Assessment Survey for Flagler Memorial Bridge, Palm Beach County, Florida, by Janus Research; Manuscript No. 14808

2008: Cultural Resource Assessment Survey of S.R. 80 Bridges PD&E, by Florida Department of Transportation District IV; Manuscript No. 15645

2010: Historic Site Survey; by Jane S. Day and Research Atlantica, Inc.

2020: Town of Palm Beach Historic Site Survey; by Meghan Powell, Meagan Scott, and Patricia Davenport-Jacobs with Environmental Services, Inc.

In addition, the Preservation Foundation of Palm Beach funded a study in 2014 that analyzed the demolitions and new construction on the north end of the island between October 2008 and July 2014. Seventy-two structures were identified within the area extending from the northern tip of the island to Sunset Avenue.⁴ In 2021, the Preservation Foundation sponsored a report on the impacts of landmarking on property values in Palm Beach.

It is worth noting that HB 423, which was in 2023, states a local government may not “prohibit or restrict” a private property owner from obtaining a demolition permit for any single-family residential structure “in a coastal high-hazard area, moderate flood zone or special flood hazard area,” if the permit otherwise complies with applicable building code requirements. Therefore, a property can be landmarked against an owner’s wishes, the owner just retains the right to apply for demolition of the structure if they objected to the landmarking after January 1, 2022.

The most recent Survey conducted in 2020 was performed as a geographical survey to identify and evaluate the significance of the extant structures within the incorporated limits of the Town of Palm Beach constructed in or before 1979. Historic and current USGS maps

⁴ Town of Palm Beach Historic Site Survey, Environmental Services, Inc. 2020

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were obtained to ascertain the nature and extent of properties throughout the project area and changes to the built environment that have occurred over the past forty-one years. The review suggested 2,134 parcels contained historic resources that met the survey criteria. Information collected in the field included parcel identification, architectural data, stylistic influence, address, and present and original use. Windshield inspections and visual assessments provided information on alterations, additions, and development over time. The condition of each building, a subjective professional evaluation, was assessed based upon visual inspection of structural integrity, roof surfacing, exterior wall fabric, porches, window treatments, foundation, and the general appearance of the building.⁵

Historically Significant Buildings

One of the reasons for many of the older homes being demolished in the Town of Palm Beach comes from the fact that once the proposed cost of a renovation exceeds 50 percent of the value of the building, that structure must be elevated to meet the base flood elevation for that location, referred to as a "substantial improvement". As such, this issue causes many owners to decide to demolish an old home and build new since raising or elevating these older buildings (many built with concrete and masonry block or tile) can be very difficult and expensive. Further, often these buildings structurally cannot be raised to a higher elevation. It can be less expensive to demolish a building and build a new building that complies with FEMA.

Prior to 2020, in the Town of Palm Beach, there were only two (2) categories of buildings: those that are Landmarked and those that were not. At that time, the Historical Preservation Code, Chapter 54, identified and detailed regulations for Landmarked buildings only. Older homes that were not Landmarked, did not qualify for the same FEMA and building code protections granted to a Landmarked building as these structures were not identified or defined.

In November of 2019, Planning, Zoning and Building staff proposed the creation of a new category of building, called "Historically Significant Buildings" that would not rise to the status and tax abatement level of a Landmarked building, but could be provided the exceptions found in the FEMA and Florida Building Codes to preserve them. On August 12, 2020, Ordinance No. 02-2020 was adopted by the Town Council that created Historic Conservation Districts and provided for the designation of historically significant buildings.

The goal was to create a new category of historic buildings and assign the FEMA and building code protections to these buildings. What has occurred is that more older homes have been preserved and the indirect result has been building lots not being raised several feet to accommodate the new construction. The raising of buildings can affect stormwater runoff

⁵ Ibid

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with neighboring properties, which often adversely changes the look and character of Palm Beach.

With this new legislation, when a building addition to these historic homes is proposed, a flood variance may be requested if the addition is in keeping with the historic character and architecture of the older building. Map 3.3 of the Map Series identifies properties that have taken advantage of this innovative historic designation. As of July 2023, there are 48 Historically Significant Buildings.

Historic Markers

The Town of Palm Beach participates in the Florida Historical Marker Program, which is part of the Division of Historical Resources. The program is designed to raise public awareness of Florida's rich cultural history and to enhance the enjoyment of our historic sites by citizens and tourists. These markers allow the story to be told of the places and people who created Florida that what is enjoyed today, by identifying the churches, schools, archaeological sites, battlefields, and homes that represent the past.

Currently the Town maintains the following 12 historic markers, which are depicted on Map 3.4 of the Map Series.

1. [**Bethesda-By-The-Sea**](#) – This Marker was erected in 1967 by Seminole Chapter, Daughters of the American Revolution. East of the marker is the Episcopal Church of Bethesda-By-The-Sea built in 1894.
2. [**Cocoanut Grove House**](#) – This Marker was erected in 2011 by the Seminole Chapter, NSDAR and the Florida Department of State. The Cocoanut Grove House was once Florida's only hotel on the east coast between Titusville and Key West. Originally built in 1876 as a private residence for the "Cap" Dimick family. Dimick was one of the co-founders of Palm Beach and served in the Florida State Legislature from 1890-1903. He was also the first mayor of the Town of Palm Beach after its incorporation in 1911. The Cocoanut Grove house opened as an inn after adding eight rooms to the building. In 1882, Dimick then sold the inn to Commodore Charles Clark, another Palm Beach pioneer. Flagler later rented the hotel for his workers while they were building the Royal Poinciana Hotel. In 1893, the Cocoanut Grove House was destroyed by fire.

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3. **Duck's Nest** – This Marker was erected in 1980 by the Town of Palm Beach. The Duck's Nest is the oldest standing house in Palm Beach built in 1891 by Henry Maddock for his home. Parts of the house were assembled in New York and brought by barge to Palm Beach, as this was the only means of transport at that time.



Duck's Nest Historic Marker - Erected 1980

4. **Episcopal Church of Bethesda-By-The-Sea** - This Marker was erected in 1984 by Florida Board of Parks and Historic Memorials. The church was constructed in 1889 on the western shore of the Lake Worth Lagoon and was the first Protestant church building in southeast Florida.
5. **Flagler Memorial Bridge** – This Marker was erected in 2017 by the Florida Department of Transportation, the Town of Palm Beach, and the City of West Palm Beach. The bridge was completed in 1938 under Franklin Delano Roosevelt's New Deal Program. Colonel Edward Bradley considered a prominent figure in the development of Palm Beach, donated gateway pylons with wrought iron lanterns to enhance the appearance of the Palm Beach side of the bridge. In 2007, Flagler Memorial Bridge was determined to be eligible for listing in the National Register of Historic Places.
6. **Henry Morrison Flagler** – The bronze statue was installed 1959 by the National Railways Historical Society. The Marker was erected in 2014 by St. Augustine Art Association. Henry Flagler was a founding partner in Standard Oil, the largest and most profitable corporation in history. Flagler's greatest impact on American society was the development of the entire East Coast of Florida, establishing tourism, government, and agriculture. Flagler built Florida's first work class hotels and resorts, connecting them with his East Coast Railway.
7. **Little Red Schoolhouse** – This Marker was erected in 2010 by the preservation Foundation of Palm Beach and the Florida Department of State. The Little Red Schoolhouse was the first one-room school built in southeast Florida. The school served families around Lake Worth until 1901. It was then turned into a gardener's shed on the John S. Phipps property. In 1960, the structure was moved to the 26-acre

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Phipps Ocean Park and renovated by the Gardeners Society of Palm Beach. A new Phipps Park Master Plan was approved in 2023 which calls for the schoolhouse to be relocated within the park to make way for a new Coastal Restoration Center and park improvements.

8. [Paramount Theatre](#) – This Marker was erected in 1973 by the Department of Interior. The Paramount Theatre was built in 1927 and has been placed on the National Register of Historic Places by the United States Department of Interior since 1973.
9. [Royal Poinciana Hotel](#) – This Marker was erected in 1961 by Florida Board of Parks and Historic Memorials. The Royal Poinciana Hotel was built by Henry Flagler and opened in 1894. It was one of the largest wooden structures in the world at the time, accommodating 2,000 guests and a dining room able to seat 1,600 people. The hotel was in use until 1929-1930 season and was demolished in 1936.
10. [Sea Gull Cottage](#) – This Marker was erected in 1992 by the National Society of Colonial Dames of America in cooperation with the Florida Department of State. The Sea Gull Cottage was constructed in 1886 by pioneer R.R. McCormick and then purchased by Henry Flagler in 1893 to become the first winter residence in Palm Beach. In 1984, the Sea Gull was moved and restored by the Preservation Foundation of Palm Beach and is now the Parish House of the Royal Poinciana Chapel.
11. [Site of the Palm Beach Pier](#) – This Marker was erected in 1991 by the Palm Beach Board of Realtors. The pier opened to the public in 1925 and extended out 1,095 feet into the Atlantic Ocean. For over 40 years, the pier was a favorite town attraction, featuring a coffee shop, cocktail lounge, restaurant, tackle shop and fisherman's lockers. A series of destructive storms and hurricanes gradually eroded the structure, causing it to be removed in 1969.
12. [The Royal Poinciana Chapel](#) - This Marker was erected in 1975 by Seminole Chapter, Daughters of the American Revolution. This Interdenominational Chapel was the earliest church organization in Dade County, of which Palm Beach County was once a part. The chapel was founded in 1884 under the auspices of the Home Missionary Society of the Congregational Church by Reverend A.B. Dilley.

Archaeological Sites and Zones

~~As of 2023, The the~~ Town of Palm Beach ~~has maintained had~~ a register of 29 known archeological sites ~~as of 2023 as depicted on Map 4.5 of the Map Series~~, that were mapped and evaluated during a survey supported by the Florida Department of State, Division of Historical Resources ([FDHR](#)). Thirteen sites are found on the Atlantic side of the island. Twelve sites are on the Intracoastal side of the island, and four are in the central or north central part of the island. Of the ~~se~~ 29 known archaeological sites, at least six have historic

HISTORIC PRESERVATION ELEMENT

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archaeological components including four with 17th century artifacts and at least four with nineteenth and early twentieth century artifacts associated with the founding of Palm Beach. ~~Human remains can occur at any prehistoric site, for example, however, there are at least nine with associated human remains of which~~ three are remnant burial mounds and six other sites have human remains. All human remains are subject to the provisions of §872.05, Fla. Stat.

~~The Town's archaeological sites may be found within archaeologically sensitive zones which are geographical areas that have or may be reasonably expected to yield information on local history or prehistory based upon broad settlement patterns and existing archaeological knowledge. These zones may be amended using recent archaeological data. For example, in February 2026, the Town received a "Notice of Significant Discovery" from the Archaeological and Historical Conservancy, Inc. (AHC). As a result, an existing archaeologically sensitive zone has been expanded. All human remains are subject to the provisions of §872.05, Fla. Stat.~~

Pursuant to Code Section 18-2020, the Town's Comprehensive Plan requires compliance with the requirements of §872.05, Fla. Stat. as amended. State law requires an archaeological assessment for known archaeological sites and/or potential archaeological sites. That assessment is a Phase 1 or reconnaissance level that results in a report presented to the Planning, Zoning and Building Department prior to the issuance of any permits for demolition, including those below ground, excavations, tree removal, or other ground disturbing activities.

Based on the assessment report, a determination will be made by the Planning, Zoning and Building Director, or the Director's designee, as to whether monitoring and/or additional testing (Phase II) needs to be done. In some cases, a Phase II assessment may be required based on a site's potential or known significance.

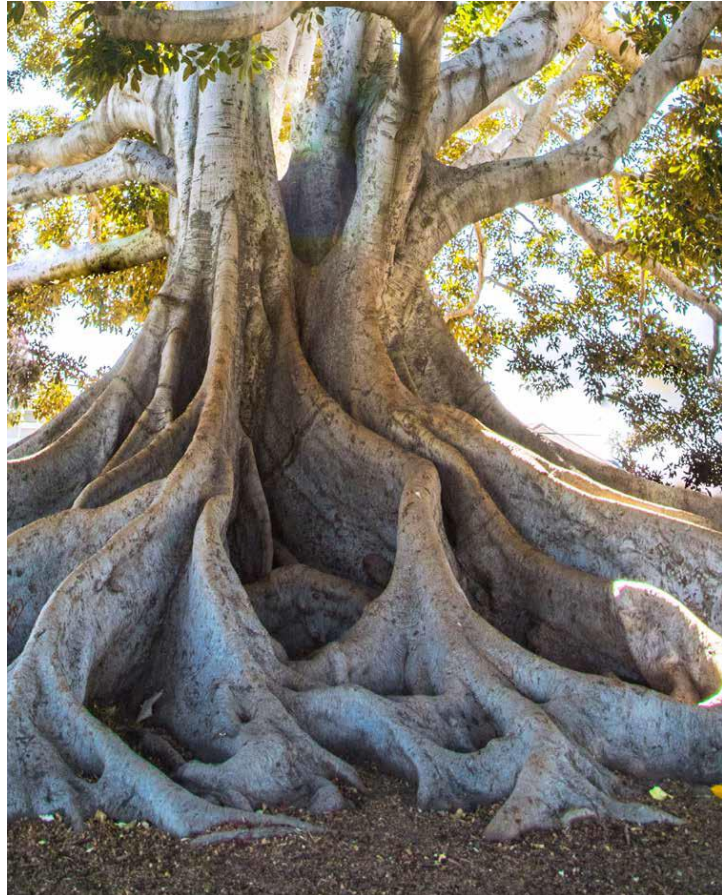
A Phase III assessment is required only if found to be highly significant, such as human remains. If human remains are uncovered, those remains are subject to Florida's Unmarked Human Graves Act, and should be avoided, if possible. If not feasible, those remains should be reinterred in a secure part of the property under the coordination of the consultant archaeologist and tribal representative.

HISTORIC PRESERVATION ELEMENT

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Historic and Specimen Trees

Since the 1980s, the Town of Palm Beach has recognized the value and needed protection of certain trees as historic or specimen. A historic tree means one that has been determined in the judgement of the Town Manager and a representative of the Garden Club of Palm Beach to be of notable public interest because of its historic association and has been so designated by action of the Town Council. A specimen tree means one that has been determined in the judgment of the Town Manager and a representative of the Garden Club of Palm Beach to be of high value because of its type, size, age, or other professional criteria, and has been so designated by action of the Town Council. Pursuant to Code Section 126-58, the Town does not permit, directly or indirectly, any historic or specimen tree to be cut down, removed, or moved, even if effectively destroyed through damage, without prior written permission duly obtained by application to and after a hearing before the Town Council.



Kapok Tree - 186 years old

SUMMARY

By preserving the architectural heritage of Palm Beach, the value of the surrounding community is enhanced and sustained. In doing so, the Town should continue to ensure the protection of historically significant and landmarked structures through the review and approval by LPC. Additionally, the Town should continue protecting the historic architecture and charm of residential structures, through promoting future landmark designations and the periodic Historic Site Surveys to identify structures of significance to the Town of Palm Beach, the state of Florida, and of the United States. With regard to archeological resources, as redevelopment will continue in the Town, it is imperative to ensure enforcement of Code Section 18-1020. Equally significant is enforcing the protection of the Town's historic and specimen trees, which is now recognized in the Goals, Objectives and Policies.

HISTORIC PRESERVATION ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH-QUALITY OF LIFE FOR TOWN RESIDENTS THROUGH THE PRESERVATION AND PROTECTION OF THE VISUAL APPEARANCE OF PALM BEACH, HISTORIC AND ARCHAEOLOGICAL RESOURCES AND VISTAS AND THE PERPETUATION OF CURRENT AND FUTURE PROPERTIES OF NOTABLE AESTHETIC, ARCHITECTURAL AND HISTORIC SIGNIFICANCE.

OBJECTIVE 1

The Town shall protect and preserve its historic, and archaeological resources. The measurement of this objective shall be the extent to which such resources are protected, and the degree to which the following policies are implemented.

POLICY 1.1

The Town shall continue to update the list of existing landmarked properties and those under consideration.

POLICY 1.2

The Town shall continue to designate structures, sites, and districts considered worthy of Landmarking in accordance with Chapter 54, Article IV, Historical Preservation Designation Procedure, of the Town's Code of Ordinances, with consideration of the following preservation policies:

1.2a Preserving Distinct Examples of the Town's Housing Inventory/Types.

1.2b Creating Nodes of Landmarked Properties that Preserve Historic Streetscapes.

1.2c Prioritizing Structures that Showcase Currently Underrepresented Architectural Styles.

1.2d Increasing the Collection of Resources Designed by Notable Architects/Builders.

1.2e Ensuring a Balanced Geographical Distribution of Landmarks Across Town.

HISTORIC PRESERVATION ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 1.3

The Town shall prevent the destruction of Historic Landmark Structures through provisions in Chapter 54 Historic Preservation, of the Town's Code of Ordinances.

POLICY 1.4

The Town shall continuously ~~update and revise to follow and enforce~~ the Archaeological Ordinance within the Town's Code of Ordinances ~~to~~ preserve ~~ing~~ and protect ~~ing~~ archaeologically sensitive sites ~~and zones~~ and coordinate ~~efforts~~ with the appropriate state and county agencies.

POLICY 1.5

The Town shall continue to coordinate the Historic Marker Program and encourage educational programs.

POLICY 1.6

The Town shall continue to produce historic plaques for Landmarked properties and shall create historic plaques for Historically Significant Buildings.

POLICY 1.7

The Town shall insure the protection of historic and specimen trees through accurate identification on development review applications.

POLICY 1.8

The Town shall encourage the designation of the historically significant buildings in accordance with the provisions in Chapter 18, Article VI of the Town's Code of Ordinances.

POLICY 1.9

The Town shall maintain the status as a Certified Local Government (CLG) through the requirements for participation in the CLG programs as specified in Florida Certified Local Government Guidelines under the National Historic Preservation Act, as amended (16§ U.S.C. 470 et. seq.).

HISTORIC PRESERVATION ELEMENT

GOALS, OBJECTIVES AND POLICIES

OBJECTIVE 2

The Town shall protect structures and streetscapes having historic or architectural merit. The measurement of this objective is the extent to which historic or architectural structures or streetscapes are preserved, and the degree to which the following policies are implemented.

POLICY 2.1

The Town shall continue to protect landmarks, historically significant properties and aesthetic character through the active participation of the Landmarks Preservation Commission and architectural review in the development review and approval process, as authorized by the Town's Code of Ordinances.

POLICY 2.2

The Town shall use the cultural resource inventory, previous survey recommendations or other historical data, and Code criteria to support new nominations of significant archaeological sites, landmarked structures, or possible listing on the National Register of Historic Places. These designations provide formal documentation of the Town's cultural resources, enhance their appreciation, and provide demolition review for properties protected under local ordinance. The properties identified as eligible for designation will be shared with the community.

POLICY 2.3

The Town shall incorporate historic preservation as a priority into the Town's disaster planning and resiliency strategies while accumulating data and analysis that can be used to develop a historic preservation hazard mitigation plan.

POLICY 2.4

The Town shall expand the cultural resource inventory to identify cultural resources threatened by natural hazards including tropical cyclone events, flooding, erosion, and sea level rise based on previous studies, maps, and any new information that is developed.

POLICY 2.5

The Town shall prioritize inventory documentation of the most severely threatened resources, including identifying the key historical and physical attributes of a property or site and/or identification of the area's sensitivity to potential hazards.

HISTORIC PRESERVATION ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 2.6

The Town shall continue to collaborate with the Preservation Foundation of Palm Beach to educate the public, realtors, developers, and properties owners on the benefits of landmarking historic structures.

POLICY 2.7

The Town shall recognize National Preservation Month and encourage activities that promote public awareness about the significance of historic resources and archaeological sites.

POLICY 2.8

The Town shall continue to offer ad valorem tax exemptions to qualifying projects on landmarked properties.

POLICY 2.9

The Town shall continue to preserve the scenic vistas.

INFRASTRUCTURE ELEMENT

DATA AND ANALYSIS

EXECUTIVE SUMMARY

The Infrastructure Element of the Town of Palm Beach Comprehensive Plan has been developed based upon the identification and analysis of the appropriate public facilities and their service areas, design capacities, and the ability to maintain standards required by Federal, State, and Town regulations, all provided within each Sub-Element.

This Element provides the framework necessary to ensure adequate public facilities and services are available for the current and future residents of the Town of Palm Beach. The Infrastructure Element is comprised of the Sub-Elements for Drainage (Stormwater Management), Potable Water, Sanitary Sewer, and Solid Waste. The Town of Palm Beach contains no significant Natural Groundwater Aquifer Recharge Area. Irrespective, specific standards and governmental actions geared to stabilizing water table levels in surficial deposits are addressed in the Potable Water Sub-Element. Additionally, the Town commissioned a bond, approved by Town referendum, for the undergrounding of power and communication utilities. A summary of the status and impacts is provided within this Element.

The Town of Palm Beach Public Works Department is responsible for ensuring the adequacy of the components of the Town's infrastructure system to support the residents, businesses, visitors, and employees. The Public Works Department applies both proven and innovative techniques and systems to provide for excellence in the operation, construction, maintenance, and repair to achieve this purpose. The continuous stewardship of the Town's infrastructure is achieved through the dedicated efforts of a diverse group of operational, administrative, engineering, and construction professionals.

THE INFRASTRUCTURE ELEMENT OF THE TOWN OF PALM BEACH

DRAINAGE SUB-ELEMENT (STORMWATER MANAGEMENT)

STATE OF FLORIDA STORMWATER MANAGEMENT

Unmanaged urban stormwater creates a wide variety of effects on Florida's surface and groundwaters. The Florida Department of Environmental Protection (FDEP) is the state's lead agency for environmental management and focuses on protecting the air, water, and land of the state. According to FDEP, development of land can lead to the following effects:

- Compaction of soil
- Addition of impervious surfaces, such as roads and parking lots
- Alteration of natural landscape features, such as natural depressional areas that hold water, floodplains, and wetlands

INFRASTRUCTURE ELEMENT DATA AND ANALYSIS

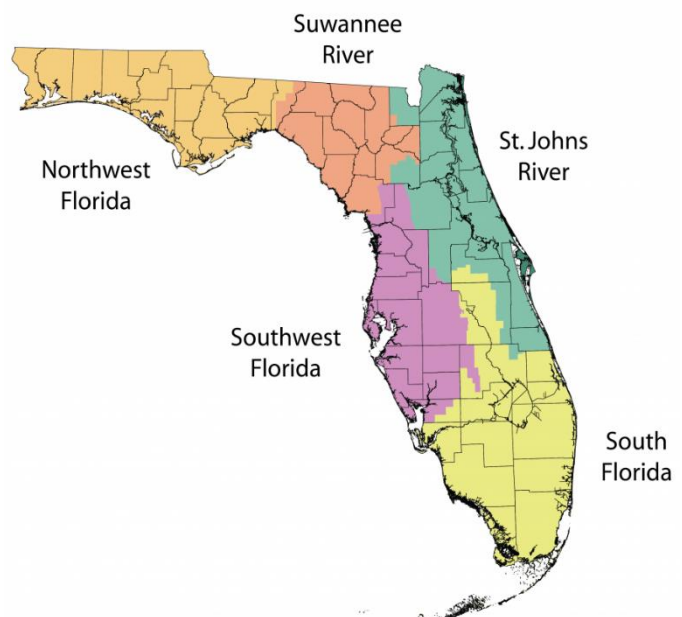
- Addition of pollutants from everyday human activities
- Construction of highly efficient drainage systems

These alterations within a watershed decrease the amount of rainwater that can seep into the soil to recharge both the Biscayne and Floridan aquifers, among other things. Consequently, the volume, speed and pollutant loading in stormwater that runs off developed areas increases, leading to flooding, water quality problems and loss of habitat. According to FDEP, Florida was the first state in the country to adopt a rule requiring the treatment of stormwater to a specified level of pollutant load reduction for all new development. Florida's original stormwater rule was adopted in 1981 and went into effect in February 1982.

Pursuant to §373.403(10), Fla. Stats., a *stormwater management system* means a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse water to prevent or reduce flooding, over-drainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system.

In 1990, in response to legislation, the FDEP developed and implemented the State Water Resource Implementation Rule (originally known as the State Water Policy rule). This rule sets forth the broad guidelines for the implementation of Florida's stormwater program and describes the roles of FDEP, the five water management districts (Exhibit 6-1) and local governments. The rule provides that one of the primary goals of the program is to maintain, to the degree possible, during and after construction and development, the predevelopment stormwater characteristics of a site.¹

Exhibit 6-1 Water Management Districts in Florida



The FDEP regulations outlined in the Florida Administrative Code (FAC) require notification of work to be completed and potentially the issuance of a National Pollutant Discharge Elimination System (NPDES) permit for any stormwater discharges that result from large or small construction activities. The FDEP also regulates subsurface drainage systems and water quality.

TOWN OF PALM BEACH DRAINAGE SYSTEM

¹ <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/erp-stormwater>

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The Town of Palm Beach is a member of the Palm Beach County NPDES Municipal Separate Storm Sewer System (MS4 Permit). The Palm Beach County NPDES MS4 Permit is held jointly by most MS4 owners within the geographic area of Palm Beach County. The permittees have taken a cooperative approach to permit compliance, jointly conducting several permit activities, and collectively developing a number of tools used to carry out the permit programs.

Prior to Palm Beach settlement, the Town was characterized as a coastal barrier island with a high coastal ridge along the Atlantic, and a low, swampy shoreline along Lake Worth, that would later become the Lake Worth Lagoon, due to the dredging of the Palm Beach Inlet. A marshy slough separated the beach ridge and lake hammocks. Surface accumulation either percolated to the surficial aquifer known as the Biscayne Aquifer, through permeable soils on the ridges, collected in the slough, or ran through poorly drained tidal swamps into Lake Worth Lagoon.



Historical Photo of Lake Worth Lagoon

INFRASTRUCTURE ELEMENT

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Extensive shoreline and surface water changes have occurred since 1883. The slough and low lake shorelines have been filled for development, and the Atlantic shoreline has receded due to beach erosion. The development of the Town has reduced the amount of water infiltrating to the Biscayne Aquifer and has increased runoff from impermeable surfaces. The coastal ridge still dominates the island's topography, acting as a seaward barrier to surface water drainage. Remnants of slough areas are prone to flooding. To facilitate the removal of stormwater, a system of storm sewers and pumping stations was created during the early development of the Town. That same system, with major modifications, remains intact today.

Lake Worth Lagoon estuary started out as a freshwater lake sealed off from the Ocean by barrier islands. Water would flow into the Lake from the western interior wetland forests, prairies, and marshes. The Lake was an important source of freshwater along the East Coast provided wildlife and indigenous people with drinking water, food, and transportation. The Seminoles called it “Hypoluxo” meaning “water all around, no get out.” As settlers began to move into the area in the mid-1800s, the freshwater lake was changed into a brackish estuary when pioneers dug the first stable inlet just north of Lake Worth Inlet. The estuary was further altered when the Atlantic Intracoastal Waterway dredging was completed in the early 1900s.

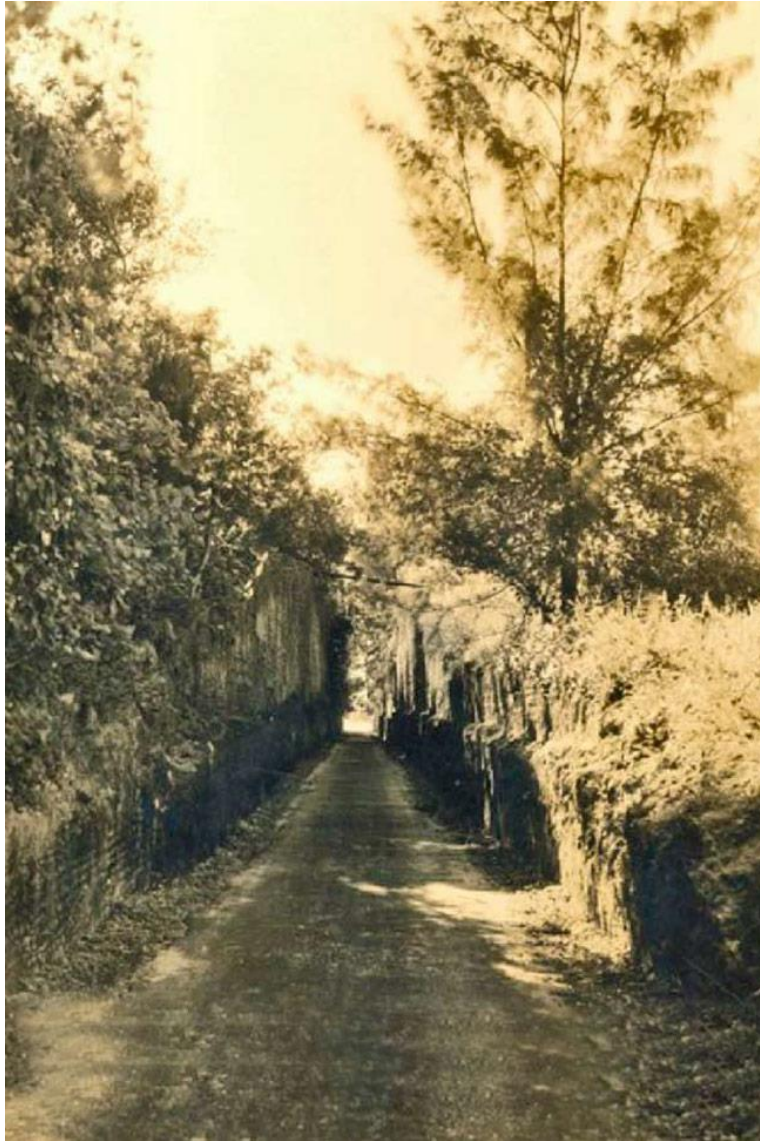
An example of the Town’s pioneering efforts at stormwater management is the “Coral Cut”, which combined drainage with site planning that led to one of the most significant and breathtaking geological features. The Town’s early pioneers recognized the need to ensure proper drainage of the land that was, in its original form, comprised of high and low elevations that provided the drainage of water necessary to protect the people and property of the Town of Palm Beach.

The Coral Cut was the engineering feat that led from the Lake Trail, located on the west side of the Island, east along the south side of the Palm Beach Country Club Golf Course on what became Country Club Road. Captain W. S. Holloway, a Town of Palm Beach pioneer, headed the excavation, dredging, and dynamiting, arriving with “an army of men” who set up a tent camp at the site. While the ten-ton Sullivan channeling machine was apparently successful in cutting the initial coral cut that would drain the swamp to the south, allowing wheelchair traffic to transport guests from the Lake Trail to the clubhouse, plans for the yacht basin were apparently tabled.²

² New York Social Diary Palm Beach Greening of Palm Beach Country Club, September 22, 2020.

INFRASTRUCTURE ELEMENT

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The Coral Cut, c, 1915-1920 Image courtesy Historical Society of Palm Beach County

The trail dredging started out a century ago as a narrow alley just wide enough for bicycle traffic. Today, it is part of the Town's drainage system that is actually the site of a water pumping station. According to "The Cut" article, courtesy of the *Chronicling America, Library of Congress*, the purpose of the Cut was two-fold. It provided a wheelchair path connecting County Road with Lake Trail, in addition to providing a run-off for water from the hydraulic dredge used in-filling the land which is now the golf course of the Palm Beach County Club. With the passing of the years, the Cut has grown more beautiful from year-to-year due to the vines and tropical foliage which has grown. It is also used by bicycle riders who have greatly increased in the last years.³

³ Ibid

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The Coral Cut on Country Club Road Today

During the mid-1970s, the Town commissioned an engineering report to recommend infrastructure needed to provide better protection against flooding in major rainstorms. The “Smith & Gillespie Long Range Public Works Plan” provided the blueprint for major improvements subsequently constructed during the 1980s and 1990s. As a result, flooding throughout the Town has been greatly reduced by those improvements.

In February 1991, EPA Region IV notified all MS4 owners within Palm Beach County that they had been designated as a part of the County's MS4 for the purpose of obtaining NPDES permit coverage. EPA Region IV further recommended that all MS4 owners within the County participate as co-applicants under a lead permittee, selected by the group. Presumably based on meeting(s) of the future co-applicants, Northern Palm Beach County Water Control District (Northern) emerged as the lead applicant. Between the months of June 1991 and January 1992, Northern entered into inter-local agreements with all other co-applicants. A Steering Committee was also formed during this time period, for the purposes of providing for representation of the group members and for coordinating the application (and future joint program). The Steering

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Committee is currently comprised of one representative from the lead permittee, two representatives of larger municipalities, two representatives of smaller municipalities, one representative of a special district, and one representative from Palm Beach County. The permit application was a two-part process; Part 1 was due on May 18, 1992, and Part 2 was due May 17, 1993.

Permits are issued for a 5-year period; however, each permit remains in effect until a subsequent permit is issued. For the Palm Beach County group, the following permits have been issued.

- Cycle 1 - February 1, 1997
- Cycle 2 - November 18, 2002
- Cycle 3 - March 2, 2011
- Cycle 4 - September 8, 2016

The Cycle 5 Phase I permit template is currently being drafted by FDEP and negotiated with the U.S. EPA. Once the template is approved, FDEP will begin drafting the individual Cycle 5 permits for each of the Phase I permittees in Florida.

In 2000 and 2001, a number of the residential neighborhoods of the north end of the Town experienced severe flooding during heavy rainfalls. In response, the Town staff improved the operating procedures related to preparing for and responding to storms that pose a threat of flooding. The Town considered a new study of the drainage system throughout the affected area from Wells Road north to the Lake Worth Lagoon and that would develop an ambitious multi-year plan to increase the capacity of the storm drainage system. Due to the cost of the study, the Town did not pursue the findings. In its place, the Town implemented a requirement for private properties to retain the first two inches of runoff onsite prior to discharge.

Today, the Town's drainage system consists of a combination of pumping stations and gravity outfalls. Pumping stations are necessary discharge structures within the Town that are below Lake Worth Lagoon's high tide level, causing backflow through stormwater outfalls when above normal tides are experienced. King Tide flooding occurs throughout South Florida. The images below demonstrate some of the impacts the King Tide have caused in the Town.

INFRASTRUCTURE ELEMENT DATA AND ANALYSIS



King Tide Flooding on the Lake Trail in 2018 and 2019
Woods Hole Group, Coastal Resilience Implementation Plan 2021

The Town's stormwater system is unique for the east coast of Palm Beach County as it is a mostly "pumped" system. A majority of each drainage basin's runoff is collected and pumped into the Intracoastal Waterway (Lake Worth Lagoon) rather than being gravity discharged. The Town owns, operates, and maintains 13 stormwater pump stations, in addition to a very extensive drainage collection system to convey runoff to the pumping stations. The stormwater pump stations are designated by Town staff as "D-stations" to help differentiate them from the Town's sanitary sewage pump stations and pneumatic ejector stations.

The Town's stormwater collection and pumping system is divided into the following sections and approximate areas of coverage:

North Collection System: D-2, D-9, and D-10 Stormwater Pump Station

Shown on Exhibit 6-2 and detailed below are the Stormwater Pump Station located at various locations in the Town.

- D-9 Stormwater Pump Station: Area of coverage from East Inlet Drive south to Ocean Terrace
 - D-2 Stormwater Pump Station: Area of coverage from Osceola Way south to La Puerta Way
 - D-10 Stormwater Pump Station n: Area of coverage from La Puerta Way south to Bahama Lane
- North Central System: D-3, D-4, D-8 and D-12 Stormwater Pump Station
- D-8 Stormwater Pump Station: Area of coverage from south of Bahama Lane to Southland Road

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- D-3 and D-4 Stormwater Pump Station: Area of coverage from Plantation Road to Wells Road
- D-12 Stormwater Pump Station: Area of coverage from Wells Road to Royal Poinciana Way

Central Collection System: D-6, D-7, and D-14 Stormwater Pump Station

- D-14 Stormwater Pump Station: Area of coverage from Pine Walk to Royal Palm Way

• D-6 Stormwater Pump Station: Area of coverage from south of Royal Palm Way to Australian Avenue

• D-7 Stormwater Pump Station: Area of coverage from Chilian Avenue to Gulf Stream Road South Collection System: D-16, D-17, and D-18 Stormwater Pump Station

• D-18 Stormwater Pump Station: Area of coverage from El Bravo Way to El Brillo Way

• D-16 Stormwater Pump Station: Area of coverage from El Vedado Road to Jungle Road

• D-17 Stormwater Pump Station: Area of coverage from Via Vizcaya to Clarendon Avenue

In December 2019, the Town of Palm Beach completed a National Flood Insurance Program Community Rating System (CRS) audit which is managed by the Federal Emergency Management Agency (FEMA). The CRS program is a voluntary incentive program which recognizes community floodplain management efforts. As part of the audit, the Town's drainage requirements were evaluated to determine how prepared the Town, its residents and business owners are for a major storm event. Although



Exhibit 6-2 Pump Station Locations

INFRASTRUCTURE ELEMENT

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evaluation of the Town's regulations resulted in an improved score over previous years, the Town noted some areas of deficiency.⁴

In May 2021, the Town authorized Kimley-Horn and Associates, Inc. (KHA) to provide general engineering services for completion of a stormwater regulation review and analysis of private property drainage requirements by other regional regulatory agencies. The goal of the study was to determine how requirements applicable to Town properties could be modified to positively impact future CRS audit scores.⁵

After identifying agencies with jurisdictional authority over stormwater and drainage within the Town, regulatory documents were reviewed and compared. The CRS encourages the adoption of a "design storm", which refers to a calculated, hypothetical storm event of a particular duration, rainfall intensity, return frequency, and total depth of rainfall. Selection of a meaningful design storm for stormwater management will result in the design of optimal infrastructure intended for appropriate flood protection.⁶

At this time, the Town regulatory documents do not reference a design storm for private, on-site stormwater management systems. According to Activity 450 in the CRS Coordinator's Manual, the minimum points available for municipalities that have a regulated design storm would be achieved if a storm with a minimum return frequency of 10 years were cited. Increased points could be obtained by citing a larger storm event (i.e., 25, 50, or 100-year storm). While maximum points would be ideal, any recommendations for the adoption of a design storm would only be feasible if the implementation is reasonable for the various property sizes and types within the Town while also being congruent with existing Town infrastructure.

TABLE 6-1

Level of Service (LOS) Standards for Public Stormwater Infrastructure

Infrastructure Type	Storm Event	Required Runoff Removal Time
Systems Served by Pumping Stations	1-Year	No Flooding Should Occur
Systems Served by Gravity Outfalls	3-Year	No Flooding Should Occur
General Town Ponding	5-Year	60 minutes
	50-Year	90 minutes

The LOS standards provided in Table 6.1 will remain through the 10 and 20-year planning horizon for public drainage infrastructure. A new Policy 2.5 has been added to direct the Town to undertake a study to determine if on-site (private property) retention should be increased to a 10-year design storm event standard.

⁴ Technical Memorandum from Samantha C. Graybill, P.E., Kimley-Horn to Patricia Strayer, P.E, Town Engineer, October 8, 2021

⁵ Ibid

⁶ Ibid

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In addition to design storms, the referenced regulations were also reviewed for base flood elevations. A “base flood elevation” refers to the elevation of flood waters with a 1% chance of equaling or exceeding that level within a year. In other words, this 1% exceedance is associated with flooding anticipated from a 100-year design storm. Currently, the Town regulatory documents that reference the base flood elevation are compliant with information published by the Florida Building Code (FBC). The FBC notes the base flood elevation as the FEMA base flood elevation with 1.0-ft of freeboard.⁷

The Town complies with the South Florida Water Management District (SFWMD) stormwater retention requirements for new development and redevelopment. All new development and redevelopment must provide minimum retention of the first two inches of rainwater before discharging into the Town drainage system. Residential development of less than one-half acre is required to route discharge and sheet flow through grassy areas prior to discharge into the Town system. As a result of the Kimley-Horn technical review of the Town’s stormwater management system, the Town is reviewing additional retention levels for development.

SUMMARY

The Town of Palm Beach has employed Lucity to monitor public facilities and services. Lucity, Inc. supports an enterprise asset and maintenance management needs for hundreds of municipal agencies and thousands of users nationwide. LucityAM is a comprehensive, flexible, and scalable GIS and Web enabled “office-to-mobile” software solution for Local Governments, Public Works, and Utility Departments. LucityAM enables agencies to extend the useful life of capital assets while managing customer requests, Capital Improvement Project work orders, and preventive maintenance. Lucity is able to integrate fully with GIS to harness the advantages of thinking and working geographically.⁸

⁷ Ibid

⁸ <https://www.linkedin.com/company/lucity-inc->

INFRASTRUCTURE ELEMENT

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The Town of Palm Beach's drainage system operates an ongoing maintenance program with the assistance of Lucity. The Town has completed drainage pump station improvement and modifications identified in a 2017 Condition Assessment Report. In 2023, the Town initiated an updated drainage pump station condition assessment that provided the Town with a prioritized 10-year capital plan associated with drainage pump stations. The Lucity program is also implementing the next steps with drainage which will include tracking capital improvements and life cycle costs.

The drainage system is generally considered to be in good condition. According to the Public Works Department, the expected service life of the drainage system components exceeds 50 years. The Town needs to continue evaluating the drainage system and replace deteriorated components. Currently, the Town of Palm Beach Public Works Department and consultants are investigating options for additional pollution control tools for implementation at pump stations. Over the next 20 years Public Works will perform capital improvement work on all the drainage pump stations. As displayed in Tables 6-2, a five (5)-year Capital budget for drainage demonstrates continued upgrades that will maintain the level of service standard over the 20-year planning horizon.

POTABLE WATER SUB-ELEMENT

STATE OF FLORIDA POTABLE WATER SUPPLY PLAN

From 2002 to 2016, the Florida Legislature enacted legislation to address the state's water supply needs. In particular, Senate Bills 360 and 444, adopted during the 2005 legislative session, significantly amended Chapters 163 and 373, F.S. The legislation resulted in strengthening the statutory links between the regional water supply plans prepared by the Water Management Districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between local land use planning and water supply planning.⁹

The statute mandates that each local government comply with the following requirements, which have been summarized:

1. Coordinate appropriate aspects of its comprehensive plan with the appropriate Water Management District's regional water supply plan.
2. Ensure that its future land use plan is based upon the availability of adequate water supplies and public facilities and services.

⁹ Town of Palm Beach 10-year Water Supply Facility Work Plan 2020

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3. Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy.
4. For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the “Infrastructure Element”), within 18 months after the Water Management District approves an updated regional water supply plan.
5. Revise the Five-Year Schedule of Capital Improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the five-year period.
6. Where applicable, revise the Conservation Element to assess projected water needs and sources for at least a 10-year planning period, considering the appropriate regional water supply plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s).
7. To maintain internal consistency, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authorities’ plans.
8. Address in the Evaluation and Appraisal Review (EAR) of the Comprehensive Plan (if necessary), the extent to which the local government has implemented the 10-year water supply facilities work plan.

TOWN OF PALM BEACH WATER SUPPLY PLANNING

The Town of Palm Beach receives its drinking water (potable) from the City of West Palm Beach through a water system that was once owned and operated by Henry Flagler. A portion of the water comes from rainfall captured and stored in a part of the Everglades Ecosystem known as the Grassy Waters Preserve.

INFRASTRUCTURE ELEMENT

DATA AND ANALYSIS



Grassy Waters Preserve

Grassy Waters Preserve is a 23-square-mile wetlands ecosystem that serves as a portion of the freshwater supply for the City of West Palm Beach, the Town of Palm Beach, and South Palm Beach. Historically, Grassy Waters was both a key component of the Greater Everglades watershed and the headwaters of the Northwest Fork of the Loxahatchee River. Although human needs have led to severe alterations to the flow of water through South Florida, Grassy Waters Preserve remains a pristine remnant of the once great Everglades system.¹⁰

Henry Flagler's foresight in the early 1890s led him to purchase Grassy Waters preserve property when the land was under private ownership and utilized the water that flowed from Grassy Waters to contribute further to the supply of water in Clear Lake, also under Flagler's ownership.

In 1901, the City of West Palm Beach approved a 30-year franchise for water service when Henry Flagler's East Coast Hotel Company built and began operating a water plant at the northeast corner of Australian Avenue and Banyan Boulevard, adjacent to Clear Lake. When the population of West Palm Beach grew so did the demand for more and higher purity water. As a result, a new filtration plant was constructed in 1927 and nearly tripled the capacity of the plant.¹¹



Image of Clear Lake, West Palm Beach

¹⁰ <https://www.wpb.org/government/public-utilities/grassy-waters-preserve/about-grassy-waters>

¹¹ 2022 City of West Palm Beach Water Quality Report

INFRASTRUCTURE ELEMENT DATA AND ANALYSIS

The City of West Palm Beach purchased the Grassy Waters property, along with the Water Treatment Plant in 1955 and later in 1964, Grassy Waters was given special protection by the state legislation to limit the use of Grassy Waters to water consumption. The water system feeds and sustains Lake Mangonia, in addition to Clear Lake via the M-Canal, displayed below, which was constructed in 1930 and runs through the heart of Grassy Waters. These two (2) lakes cover a 1,000-acre area.¹²



Grassy Waters Watershed – M-Canal

A 30-year renewable contract between the Town and the City of West Palm Beach was signed in 1965 and expired in January 1995. The Town subsequently renegotiated the contract with the City, and a new franchise agreement was signed in 1999 and is effective until 2029.

The purpose of the Town of Palm Beach Water Supply Facility Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the Town's jurisdiction. Chapter 163, Part II, F.S., requires the Town to prepare and adopt a Work Plan into its comprehensive plan within 18 months after the water management district approves a regional water supply plan or its update. ~~The 2018 Lower East Coast Water Supply Plan Update was approved by the SFWMD in November of 2018. Completion of the Town's plan was dependent upon the City of West Palm Beach's Work Plan as the Town's water supplier. The 2023-2024 Lower East Coast Water Supply Plan was approved by the SFWMD in September of 2024. The City of West Palm Beach adopted their 20 year Work Plan in March of 2026.~~

¹² Ibid

INFRASTRUCTURE ELEMENT

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The Town's previous 10-Year Work Plan was approved in August 2020. Capacity projections demonstrate that should the Town continue to get water supply from the City of West Palm Beach, there is capacity for the 10- and 20-year planning horizon. The City of West Palm Beach's current Potable Water LOS 240 gallons per capita per day (gpcd) based upon the City's Consumptive Use Permit (Permit 50-12547-W).

TABLE 6-3					
Projected Annual Finished Water Demand in Millions of Gallons per Day (MGD)					
Level of Service Analysis					
LOS/Year	2025	2030	2035	2040	2045
Population	9464	9569	9627	9642	9818
Potable Water 243.3 MGD	840	849	855	856	872

According to state guidelines, the Work Plan and the comprehensive plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements, conservation, and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. Due to the Town's relationship with the City of West Palm Beach, the Town's Work Plan has the same planning time schedule as the City of West Palm Beach's 10-year Work Plan.

The Town of Palm Beach Work Plan references the initiatives already identified in City of West Palm Beach's ~~10~~20-year Work Plan since the Town is a retail buyer. The Town's population figures have been included in the City of West Palm Beach's ~~10~~20-Year Water Supply Facility Work Plan, which also includes the population figures for the Town of South Palm Beach in addition to the City of West Palm Beach. The combined population statistics have been used to project future water demand in the Utility Service Area for the City of West Palm Beach and are included in the City's ~~10~~20-Year Water Supply Facility Work Plan in the City's Comprehensive Plan.

INFRASTRUCTURE ELEMENT DATA AND ANALYSIS

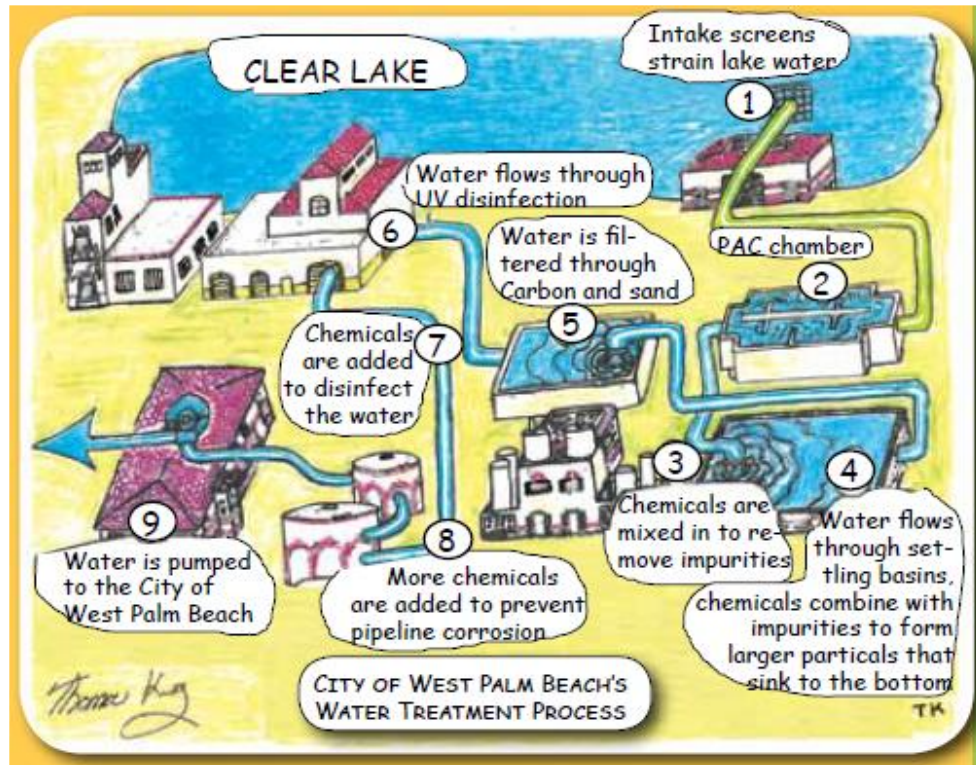


Exhibit 6-3 Clear Lake Plant Treatment Process

According to the 2022 Water Quality Report, the City of West Palm Beach routinely monitors for contaminants according to Federal and State laws, rules, and regulations (see Exhibit 6-3). More specifically, the Environmental Protection Agency requires monitoring of over 80 contaminants with annual reporting. The annual water quality report, referred to as the Consumer Confidence Report (CCR), includes information on source water, treatment processes, detected contaminants, and their meaning. As stated in the 2022 Water Quality Report, the City of West Palm Beach has maintained compliance with all Federal and State requirements and has had no violations.

In 2019, the Water Treatment Plant started up the new Ultra-Violet (UV) treatment system that established an additional barrier to ensure the production of safe drinking water. The UV System is designed to control bacteriological contaminants typically found in surface and groundwater supplies. Housed within massive pipes inside the water treatment plant, the UV system is the largest in Florida. In 2021, the City of West Palm Beach then completed the installation of a Powdered Activated Carbon (PAC) Treatment Unit and began using it to further remove harmful contaminants, such as algal toxins.¹³

¹³ Ibid

INFRASTRUCTURE ELEMENT DATA AND ANALYSIS

Aquifer Recharge

As demonstrated in Exhibit 6-4, the Town of Palm Beach is underlain by two aquifer systems; the Biscayne Aquifer, which is a surficial aquifer and the more deeply located Floridan Aquifer. As displayed in the image below, these two aquifers are separated from each other by the Hawthorn Formation which prevents any recharge from reaching the Floridan aquifer. Neither aquifer is used as a source of potable water by the Town. Development in the Town, including the placement of poorly drained urban fill, has affected the quantity of recharge to the Biscayne

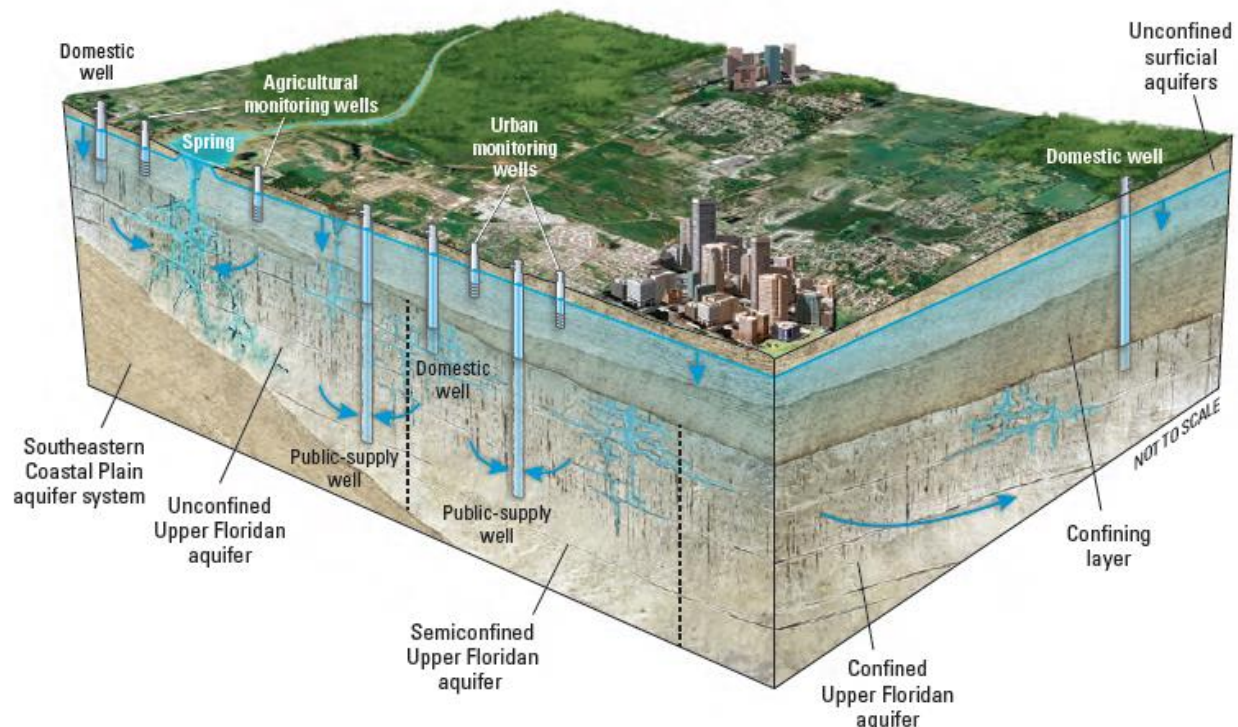


Exhibit 6-4 Groundwater Modeling

Aquifer. Pomello fine sand and, to a lesser extent, Palm Beach Urban Complex, are probably the most active recharge soils. According to the Palm Beach County Soil Survey, most native sandy soils are located along the beach ridge, and in the north end of Town, directly behind the beach ridge. The surficial aquifer is not considered a suitable source of potable water, nor as a major source for irrigation because of its high chloride (salt) content.

The Town protects recharge through its stormwater retention requirements and its minimum landscaped area requirements, which ensure pervious areas for water percolation to the aquifer. In addition, all septic tanks in the Town have been abandoned. Additionally, there are no existing or potential identified problems with hazardous waste contamination and no known sources of aquifer contamination or depletion. In the event that the Town chooses to utilize the surficial aquifer as a non-potable water source for irrigation, measures should be taken, in accordance with rules of the South Florida Water Management District, to protect the aquifer and overlying soils and vegetation from negative consequences of drawdown.

INFRASTRUCTURE ELEMENT

DATA AND ANALYSIS

SUMMARY

As previously noted, the Town's present contract for potable water supply with the City of West Palm Beach expires in 2029. The Town is presently investigating potential potable water supply sources as a commitment to the Town residents to perform due diligence to ensure the Town receives high quality water in a cost-effective manner. The Town began this process in 2021 to ensure enough time is available to implement whichever alternative is selected by 2029, the time of the existing contract expiration.

SANITARY SEWER SUB-ELEMENT (WASTEWATER)

A sanitary sewer is an underground pipe system for transporting sewage from residential and commercial buildings to a sewage treatment plant for disposal. Sanitary sewer systems include gravity sewer pipes, force mains and lift (pump) stations. In the Town, many pumping and relay stations are required due the flat terrain and the 12-mile length of the Town.

The Town's wastewater system includes pump stations (including drywell/wetwell, wetwell, and air ejector types), forcemains, gravity mains and manholes. The Town can pump its wastewater to either West Palm Beach or Lake Worth Beach for ultimate treatment and disposal at, the East Central Regional Wastewater Treatment Plant, located at Jog Road/Haverhill Road.

The Town's wastewater system includes:

- Ejector (air) Pump Stations:
 - "S" Pump Station - Primary inline booster pump station
 - "A" Pump Stations - Drywell/wetwell pump stations
 - "E" Pump Stations - Electric submersible wetwell type pump stations
 - "G" Pump Stations - Very small electric submersible wetwell type pump stations.
- Estimated 70 miles of collection system
- * A-7 Wastewater Pump Station - Combination of an Inline booster and drywell/wetwell

Sewage contains all the components of wastewater. It is actually a subset of wastewater. The only difference is that wastewater can come from anywhere, while source of sewage is specific. In the Town of Palm Beach, wastewater leaves the Town by means of three (3) force mains, one (1) within each of the three (3) sections of Town, north, central, and south. Sewage then flows to the East Central Regional Wastewater Reclamation Facility (ECRWF) located on the mainland and managed by the City of West Palm Beach. The ECRWF provides the overall wastewater treatment, which includes sewerage for the following jurisdictions.

- The City of West Palm Beach
- The City of Lake Worth Beach
- The City of Riviera Beach

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- The Town of Palm Beach
- Portions of Palm Beach County

The ECRWRF is funded and governed by a board comprised of a representative member from each of the entities it serves. The ECRWRF is licensed to function under specific guidelines by the State of Florida and the U.S. Environmental Protection Agency. The plant is operated by Florida licensed Wastewater Plant Operators.¹⁴

The ECRWRF, which is permitted to process 70 million gallons of wastewater per day, removes contaminants from the wastewater using a series of aerobic digestion basins. The wastewater treatment process produces two (2) by-products. Those by-products include effluent, a chemically and micro-biologically treated water, and bio-solids, which are nutrient rich organic materials left over from the treatment process. A portion of the plant's effluent is further treated to provide reclaim water services. The remainder of the effluent is disposed of through deep well injection.¹⁵

The Town's Public Works Department is presently lining gravity sewer lines throughout the Town in order to reduce the inflow and infiltration of ground water or rainfall into the sewer system. In 2023, a lift station condition assessment was initiated that ~~will~~ provided the Town with a prioritized 10-year capital plan associated with lift stations. In conjunction, a Lucity program has also been implemented for sanitary sewer to include tracking capital improvements and life cycle costs.

SUMMARY

Discussions with the Town Public Works Department and representatives of the ECRWRF indicate that at the projected peak seasonal population, the Town will remain within the levels of service for these force mains. Further, the ECRWRF has the capacity to provide service at the Town's adopted LOS throughout the planning period.

In September of each year the Town obtains a letter from the City of West Palm Beach certifying that the ECRWRF has the capacity to treat the volume of wastewater projected to be generated in the Town during the peak season at the Town's adopted level of service.

¹⁴ <https://www.wpb.org/government/public-utilities/our-divisions>

¹⁵ Ibid

INFRASTRUCTURE ELEMENT DATA AND ANALYSIS

Below is the adopted level-of-service standard of wastewater collection in the Town of Palm Beach.

Wastewater Collection Development Type

Avg. Daily Water Flow

Single Family	350 gpd/DU
Multifamily	250 gpd/DU
Commercial	0.20 gpd/SF
Industrial	0.15 gpd/Sf
Hotel	100 gpd/room

DU=dwelling unit

gpd=gallons per day

SF=Square feet

Pumping Station

Peaking Factor

Avg. Daily Flow (MGD)

3.5	0.01 to 0.05
3.0	0.05 to 0.25
2.5	0.25 to 2.0
2.0	>2.0

Over the next 20 years Public Works will perform capital improvement work on all Town lift stations. As displayed below, a five (5)-year Capital budget for sewer system demonstrates continued upgrades that will maintain the level of service standard over the 20-year planning horizon as displayed in Table 6-4 below.

Table 6-4 Annual Projections on Sanitary Sewer Capacity in Million Gallons Per Day (MGD)					
Level of Service Analysis					
LOS/Year	2025	2030	2035	2040	2045
Population	9,464	9,569	9,627	9,642	9,818
Sanitary Sewer, 242 MGD	2.29	2.31	2.33	2.33	2.37

INFRASTRUCTURE ELEMENT

DATA AND ANALYSIS

SOLID WASTE SUB-ELEMENT

In the Town of Palm Beach, solid waste collection and disposal service includes garbage, trash and vegetative yard trash, recycling, and special solid waste that the Town provides to both residential and commercial establishments. The main objective is to maintain the highest level of service to meet the expectations of the residents and commercial businesses, doing so in the most efficient methods possible. The Town provides garbage pick-up Monday through Friday. For residential pickup, six-cubic yard packers are used for garbage collection. In contrast, commercial garbage is collected in twenty-cubic yard packers.

With regard to commercial pickup, weekend service is provided to such users, as hotels and restaurants, upon arrangement with the Town. These wastes are then transferred to 65-cubic yard tractor trailer packers at the Pinewalk Transfer Station. This transfer station is leased to the Town on a year-to-year basis to the year 2050 by Flagler Systems, the developer of the Breaker's Planned Unit Development (PUD). Should the Pinewalk area be developed and no longer available, the Town will be faced with the decision of whether to purchase or lease a transfer station on the Island or mainland or eliminate the need for a transfer station by increasing the packer fleet. However, it is probable that the Pinewalk Station will remain as is, well past the 20-year planning period.

Waste material is taken from the station in tractor trailers to Palm Beach County's North County Regional Resource Recovery Facility (NCRRRF), through an agreement with the Palm Beach Solid Waste Authority (SWA) which is located on Jog Road. The NCRRRF replaced the Dyer Boulevard Landfill in 1989 and handles both sludge from ECRWRF, and garbage for separation, recycling, and incineration. Aluminum and ferrous materials are separated at the plant. The remaining organic materials are used as fuel for an electricity-producing turbine generator. The plant serves the entire County at a capacity of 3,000 tons per day, six days per week, for an annual capacity of 936,000 tons per year. As the NCRRRF serves the entire County, predominant land uses served include residential, commercial, industrial, recreational, agricultural, and public uses. The current inter-local agreement between the Town and SWA for solid waste and recycling has been in effect since 2009. The expected life of the landfill is the year 2043.

The Palm Beach SWA, which operates NCRRRF, does not allocate any particular share of its capacity to individual users or municipalities. However, since 2006, the Town's contribution of garbage to the Jog Road landfill comprised, on average, less than 1% of the total garbage generated countywide, and will certainly not exceed this proportion during the planning period.

NCRRRF indicates that at the projected peak seasonal population, the NCRRRF will have adequate capacity to provide service at the Town's adopted level of service throughout the planning period. Additionally, every September of each year the Town obtains a letter from the Palm Beach County SWA certifying that the NCRRRF can treat the amount of garbage projected to be generated in the Town during the peak season at the Town's adopted level of service.

INFRASTRUCTURE ELEMENT

DATA AND ANALYSIS

Special Solid Waste

The Town additionally provides a scheduled pick-up for appliances, discarded furniture, large packing boxes, and similar household goods for a minimum charge. The level of service standard is to maintain resources to provide the desired level of service and capacity for the duration of the planning period.

SUMMARY

Below is a summary of the operation for solid waste collection and the Public Works mission to ensure compliance with providing this service in the Town of Palm Beach.

Garbage

- Maintain daily scheduled collection and disposal operations of residential and commercial garbage.
- Maintain compliant operations of the transfer station as outlined in the Operating Permit.
- Increase collection fleet units to balance route workloads and maintain per industry standards.
- Maintain inter-local agreement with Solid Waste Authority as part of the Solid Waste Master Plan.
- Look for ways to reduce solid waste tonnage and tip fees through waste diversion methods.
- Evaluate commercial establishments generation rates to determine if collection and disposal methods could utilize the compactor method.

Recycling

- Increase recycling tonnage through public education, increased manpower and collection equipment.
- Maintain inter-local agreement with the Solid Waste Authority for the processing of collected materials and profit sharing of commodities sold.

Vegetative Yard Trash

- Maintain daily scheduled collection and disposal operations of residential and commercial yard waste.
- Maintain compliant landfill operations as outlined in the Operating Permit.
- Continue with the annual Capacity Analysis to monitor available capacity.
- Implement volume reduction process of new and existing vegetative debris cells at Skees Road Landfill off of the Florida Turnpike in the City of West Peach to segregate and dispose of off-site (topsoil, mulch, etc.) to increase the long-term capacity and life span of the landfill.

Over the next 20 years Public Works will continue to contract with the Solid Waste Authority to

INFRASTRUCTURE ELEMENT

DATA AND ANALYSIS

provide solid waste disposal. As displayed below, a five (5)-year Capital budget for solid waste disposal and a capacity projected for the 20-year planning horizon demonstrate continued upgrades that will maintain the level of service standard over the 20-year planning horizon.

Table 6-6					
10- And 20-Year Projected Solid Waste Tonnage Conveyed to the NCRRRF					
Level of Service Analysis					
LOS/Year	2025	2030	2035	2040	2045
Population	9464	9569	9627	9642	9818
Solid Waste Tonnage	9360	9454	9549	9644	9740

UNDERGROUND UTILITIES (POWERED COMMUNICATIONS)

In 2006, the Town of Palm Beach commissioned a study titled “Conversion of Aerial to Underground Utilities Analysis” by “R.W. Beck, Inc.” to perform a high-level review to analyze the cost of the conversion. At that time, the estimated cost for the undergrounding effort was roughly \$60.3 million.

The study did not trigger a Town-wide conversion process. In the following few years, the decision was made to perform undergrounding projects on an “as requested” basis by each neighborhood. While the pace of this effort varied from year to year, it had yielded a handful of completed projects. From that point, if two thirds of the residents within that boundary voted to go forward, the Town would proceed with the planning/design and construction process. The cost of the design and construction would then be assessed to all the residents of that particular street. While these projects were successful, they were on such a small scale that little effect was made on the overall appearance and utility reliability of the Town as a whole.



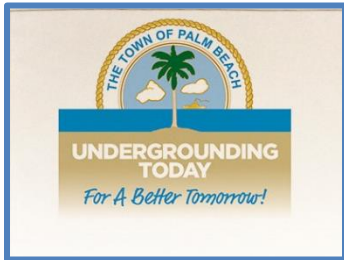
Workers Installing Underground Utilities

Increasing motivation by the residents of the Town expanded the undergrounding program to cover larger areas. At the October 14, 2014, Town Council meeting FPL presented the need to improve or “harden” large portions of the Town’s existing overhead utilities. That hardening effort, triggered by FPL’s recognition of their facilities’ conditions, would include replacement of many of the existing wood power poles with larger and taller concrete power poles.

INFRASTRUCTURE ELEMENT

DATA AND ANALYSIS

Within the context of previous and ongoing conversations between the residents, Council members, staff, and consultant(s) regarding a more “regionalized rather than local” approach to undergrounding of FPL power lines, the hardening proposal by Florida Power and Light (FPL) became an added impetus to view the large-scale undergrounding of utilities located on these poles an alternative whose time had perhaps come.



After in depth deliberations, Town Council unanimously decided to pursue Town-wide undergrounding of all FPL, ATT, and Comcast utilities. A ballot question regarding the financing of the Town-wide project was approved in March 2016. Construction for undergrounding of overhead utilities was initiated in 2017.

The impacts of the Town-wide underground utilities conversion project include installing underground utilities for all areas of the Town that have overhead utilities. The conversion includes locating most of the utilities in the Town’s street rights-of-way, wherever possible.

The Undergrounding Project Team assembled to complete the project work is led by the consulting firm Kimley-Horn and Associates, under the direction of the Town Engineer, Public Works Department, and the Town Manager’s Office, with representatives of FPL, Comcast and AT&T. As displayed in Exhibit 6-4, there are 15 phases which include north and south phases for Phases 1 through 7, with Phase 8 being the last. At present, the undergrounding project is nearing completion. As displayed in the illustration below, the status of the phases are provided below.

- ✓ Phase 1 north was completed in 2019.
- ✓ Phase 1 south was completed in 2020.
- ✓ Phase 2 north was completed in 2020.
- ✓ Phase 2 south was completed in 2023.
- ✓ Phase 3 north was completed in 2021.
- ✓ Phase 3 south is under construction to be completed in 2024.
- ✓ Phase 4 north was completed in 2021.
- ✓ Phase 4 south is under construction to be completed in 2024.
- ✓ Phases 5 north and south are under construction to be completed in 2023.
- ✓ Phases 6 north and south are under construction to be completed in 2025.
- ✓ Phases 7 north and south will begin construction in 2023 and be completed in 2025.
- ✓ Phase 8 will begin construction in 2024 and be completed in 2027.



INFRASTRUCTURE ELEMENT

DATA AND ANALYSIS

SUMMARY

The conversion of the overhead utilities to underground locations is one of the most ambitious infrastructure projects ever undertaken by the Town of Palm Beach. The current estimate for this undertaking is estimated at over \$100 million. The undergrounding will preserve the historic character of the Town and enhance the aesthetics of the landscape and scenic vistas. The conversion will significantly improve the level of service and reliability of the power, telephone, and internet communications to the Town. Once complete, the utility companies will be responsible for the maintenance and response to customers.

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS THROUGH THE MAINTENANCE AND UTILIZATION OF PUBLIC SERVICES AND FACILITIES FOR THE EXISTING AND FUTURE RESIDENTS.

DRAINAGE SUB-ELEMENT

OBJECTIVE 1

The Town shall maintain its existing drainage facilities in the Town and explore methods of improving the quality of stormwater discharge. The measurement of this objective is the extent to which stormwater pump stations remain in operation.

POLICY 1.1

The Town shall implement a Capital Improvement Program that includes the proactive maintenance of drainage pump stations while maintaining the collection system to the pump stations. A drainage pump station facilities assessment was completed in 2016. A new assessment was completed in 2024. This assessment will be integrated into the Capital Improvement Program and the Lucity program to track life cycle maintenance.

POLICY 1.2

The Town shall continue to comply with the following items and actions:

1.2a The current FEMA Flood Mapping Data

1.2b Update existing stormwater system information, as needed

1.2c Determine “hot spots” where pollutant loadings and water quality problems are severe, if they exist

1.2d Implement NPDES Permit requirement

POLICY 1.3

The Town shall coordinate with the Florida Department of Transportation to maintain drainage collection on State Roads, especially S.R. A.1.A. and South County Road.

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

OBJECTIVE 2

The Town shall only issue development orders and permits for new development or redevelopment if the proposed project meets the Town's adopted level of service standards or if needed expansion of facilities is coordinated with future development.

POLICY 2.1

The Town shall establish the following level of service standards:

2.1a Flooding will not occur during a one-year storm for systems served by pumping stations, or during a three-year storm for systems with gravity outfalls; and the minor flooding associated with a five-year storm shall be carried off within sixty minutes.

2.1b Negative impacts of stormwater discharge upon water quality in Lake Worth (Lagoon) are ameliorated by the retention of the first two-inches of rainfall on private property prior to discharge into the Town rights of way and then runoff into drainage system, or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater.

Level of Service (LOS) Standards for Public Stormwater Infrastructure

<i>Infrastructure Type</i>	<i>Storm Event</i>	<i>Required Runoff Removal Time</i>
<i>Systems Served by Pumping Stations</i>	1-Year	No Flooding Should Occur
<i>Systems Served by Gravity Outfalls</i>	3-Year	No Flooding Should Occur
<i>General Town Ponding</i>	5-Year	60 minutes
	50-Year	90 minutes

POLICY 2.2

The Town, prior to the issuance of a development order or permit, shall review drainage plans and calculations for all projects and shall make and record a determination that the project meets the Town's adopted level of service standard.

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

This section includes proposed work that falls into one of the following categories:

- 2.2a The proposed work exceeds 25% of the market value of the property;
- 2.2b The proposed work includes the construction of a new swimming pool;
- 2.2c The proposed work includes the redevelopment of more than 20% of landscaped open space, 20% of the impervious area of the site including buildings, patios, etc. or a combination thereof which exceeds 20%;
- 2.2d The proposed work includes new driveways or parking areas as the Town supports fewer curb cuts for vehicular and pedestrian cross-access between parcels as this will potentially allow for and will improve efficiency, reduce roadway trips, and enhance resident convenience.
- 2.2e The proposed work includes replacement or reconstruction of parking areas other than parking areas designed for less than three residential units; or
- 2.2f Other development as may be deemed appropriate by the Town Engineer.

POLICY 2.3

The Town shall encourage the installation of upgraded storm drainage systems to meet current or new stormwater standards on properties that are proposed for redevelopment.

POLICY 2.4

The Town shall review stormwater management criteria for different property uses and sizes with a desire to increase retention on private properties.

POLICY 2.5

The Town shall undertake a study to determine if on-site (private property) retention should be increased to a 10-year design storm event standard.

INFRASTRUCTURE ELEMENT GOALS, OBJECTIVES AND POLICIES

POTABLE WATER SUB-ELEMENT

OBJECTIVE 3

The Town shall only issue development orders and permits for new development or redevelopment if potable water capacity is available concurrent with the impacts of the development.

POLICY 3.1

The Town shall adopt a potable water Level of Service standard in accordance with the City of West Palm Beach or the future provider of potable water. The City of West Palm Beach's current Potable Water LOS is ~~243.3 million Gallons Per Day (MGD)~~ 240 gallons per capita per day (gpcd) based upon the City's Consumptive Use Permit (Permit 50-12547-W) 2020 CAR submitted in January 2020.

Projected Annual Finished Water Demand in Millions of Gallons per Day (MGD)					
Level of Service Analysis					
LOS/Year	2025	2030	2035	2040	2045
Population	9464	9569	9627	9642	9818
Potable Water 243.3 MGD	840	849	855	856	872

POLICY 3.2

The Town shall require developers to consult with the Town's Potable Water Supplier prior to the issuance of a building permit to ensure that an adequate water supply is available to serve new development by the date of issuance of its certificate of occupancy.

POLICY 3.3

The Town shall establish in a timely manner a contract for potable water services to replace the existing agreement with the City of West Palm Beach, which expires in 2029.

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

OBJECTIVE 4

The Town shall, either on its own initiative or through support of, and participation in, a regional effort, undertake a water conservation program. The Town will also address the following water quality issues:

1. Clean water (smell and taste).
2. Water supply (as related to drought, in addition to conservation measures).

POLICY 4.1

The Town shall continue to implement a public education program to promote water conservation in conjunction with the City of West Palm Beach and the South Florida Water Management District.

POLICY 4.2

The Town shall continue to implement the water conserving landscape design (Florida Friendly) outlined in Code Section 66-286 applicable to new development and redevelopment.

POLICY 4.3

The Town shall continue to enforce through the Florida Building Code water saving devices in new construction, such as low volume shower heads and toilets, soil tensiometers, or similar control mechanisms, in all irrigation systems and water saving sink faucets.

POLICY 4.4

The Town shall continue to implement any lawn watering restrictions enacted by the City of West Palm Beach or the South Florida Water Management District.

POLICY 4.5

The Town shall continue to implement and enforce watering restrictions and require new water sensing devices on new automatic irrigation systems.

OBJECTIVE 5

The Town shall coordinate with the City of West Palm Beach, as the Town's current potable water supplier, in the City's efforts to extend, or increase, the capacity of its potable water

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

facilities to meet future needs and meet all federal, state, and county standards. The measurement of this objective is whether the Town coordinates with the City in its efforts and the extent to which the following policies are implemented.

POLICY 5.1

Should the City of West Palm Beach remain the Town's potable water service provider past 2029, the Town shall work with representatives of the City on an annual basis to coordinate and assist the City in its efforts to establish priorities for replacement of, or corrections of, deficiencies to potable water quality, facilities, as well as provision for future potable water needs.

POLICY 5.2

The Town shall continue to support the City of West Palm Beach, as the Town's current potable water provider, with the implementation of the City's ~~10-20-Year~~ Water Supply Facility Work Plan, ~~created as amended in 2010~~ 2026, ~~amended in 2020~~ (incorporated and adopted herein by reference as Appendix "A"); that takes into account the ~~2018~~ 2023/2024 Lower East Coast (LEC) Regional Water Supply Plan. The City of West Palm Beach ~~shall send adopted~~ their updated Water Supply Facility Work Plan ~~a letter in March 2026~~ to SFWMD with identified projects for future water supply needs of the service area. Projects must be selected from the LEC Regional Water Supply Plan or must have prior approval by SFWMD. The Town will coordinate with the City of West Palm Beach, in this regard. The Town ~~shall~~ has addressed the SFWMD's ~~adoption of a new~~ 2023/2024 LEC Regional Water Supply Plan, and subsequent update to the City of West Palm Beach ~~10-20-Year~~ Water Supply Facility Work Plan by updating the Town's ~~10-20-Year~~ Water Supply Facility Work Plan in 2026 (incorporated and adopted herein by reference as Attachment 1).

OBJECTIVE 6

The Town shall protect and maintain the potential for high recharge, prime recharge and surficial recharge areas within its municipal limits, thereby protecting the remaining natural functions of natural groundwater recharge areas. The measurement of this objective is the degree to which the following policies are implemented.

POLICY 6.1

The Town shall continue to enforce the land development regulations through Chapter 86 of its Code of Ordinances that requires any new development, on lands identified in its Comprehensive Plan as overlying a groundwater recharge area, shall run its stormwater over grassy areas prior to discharge into the Town's system.

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 6.2

The Town shall continue to prohibit industry and the storage of hazardous materials.

POLICY 6.3

In the event that the Town utilizes the surficial aquifer as a water source in the future, the Town shall develop, prior to such uses, additional policies which will protect the aquifer from degradation.

POLICY 6.4

The Town shall continue to identify land uses in the aquifer recharge area as presently indicated on the Future Land Use Map.

POLICY 6.5

The Town shall protect high recharge and prime recharge areas commensurate with their significance to natural systems or status as current or future sources of potable water.

SANITARY SEWER SUB-ELEMENT

OBJECTIVE 7

The Town shall ensure that all existing and future residents, and businesses in the Town, will have access to sanitary sewer facilities and optimize the use of existing collection and treatment facilities. The measurement of this objective is whether or not sanitary sewer facilities are available to all users, and the extent to which the following policies are implemented.

POLICY 7.1

The Town shall rehabilitate or replace its sanitary sewer collection lines, as necessary, to reduce infiltration. The Town's goal is to reduce flows by one-half percent per year through the planning period.

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

POLICY 7.2

The Town shall implement a Capital Improvement Program that includes the proactive maintenance of sewer lift stations while maintaining the collection system to the lift stations. A lift station facilities assessment was completed in 2016. A new assessment is being completed in 2024. This assessment shall be integrated into the Capital Improvement Program and the Lucity program to track life cycle maintenance.

POLICY 7.3

The Town shall, through its concurrency management system on an annual basis, continue to discuss the Town's LOS with the East Coast Regional Facility managers and request confirmation of available capacity.

OBJECTIVE 8

The Town shall continue to issue development orders and permits for new development or redevelopment only if sanitary sewer facilities, necessary to meet the Town's adopted level of service standards, are available concurrent with the impact of the development.

POLICY 8.1

The Town's level of service for sanitary sewer collection and treatment shall be the same as that established in the City of West Palm Beach's Comprehensive Plan:

Wastewater Collection Development Type

Avg. Daily Water Flow

Single Family	350 gpd/DU
Multifamily	250 gpd/DU
Commercial	0.20 gpd/SF
Industrial	0.15 gpd/Sf
Hotel	100 gpd/room

DU=dwelling unit
SF=Square feet

gpd=gallons per day

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

Pumping Station

Peaking Factor	Avg. Daily Flow (MGD)
3.5	0.01 to 0.05
3.0	0.05 to 0.25
2.5	0.25 to 2.0
2.0	>2.0

Peaking factors for other facilities shall be determined using historical flow records.

POLICY 8.2

The Town shall, prior to the issuance of a development order or permit, make and record a determination that the East Central Regional Sewage Treatment Plant retains capacity to treat, and the Town's facilities are adequate to collect and transport, or, that the development order or permit is specifically conditioned on the availability of the necessary facilities and services, and that said facilities are authorized at the time the project is authorized.

OBJECTIVE 9

The Town shall coordinate with the East Coast Regional (ECR) Board in the City of West Palm Beach's efforts to extend, or increase, the capacity of its sanitary sewer treatment facilities to meet future needs. The measurement of this objective is whether or not the Town coordinates with the City in its efforts, and the extent to which the following policy is implemented.

POLICY 9.1

A representative of the Town shall meet with representatives of the ECR, upon request, to coordinate and assist the City in its efforts to establish priorities for the replacement of, or corrections of deficiencies to, sanitary sewer treatment facilities, as well as provision for future sanitary sewer treatment needs.

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

SOLID WASTE SUB-ELEMENT

OBJECTIVE 10

The Town shall maximize the utilization of its capital facilities, and work with the Palm Beach County Solid Waste Authority (SWA) to maximize utilization of its new resource recovery facility. The measurement of this objective is the extent to which the following policy is implemented.

POLICY 10.1

The Town shall, prior to any development of the Pinewalk area and loss of use of the Pinewalk Transfer Station, locate a mainland or on-island site for a replacement transfer station, increase the size of its packer fleet, or explore possible purchase or other alternatives for continued use of the transfer station with officials at Flagler Systems, Inc.

OBJECTIVE 11

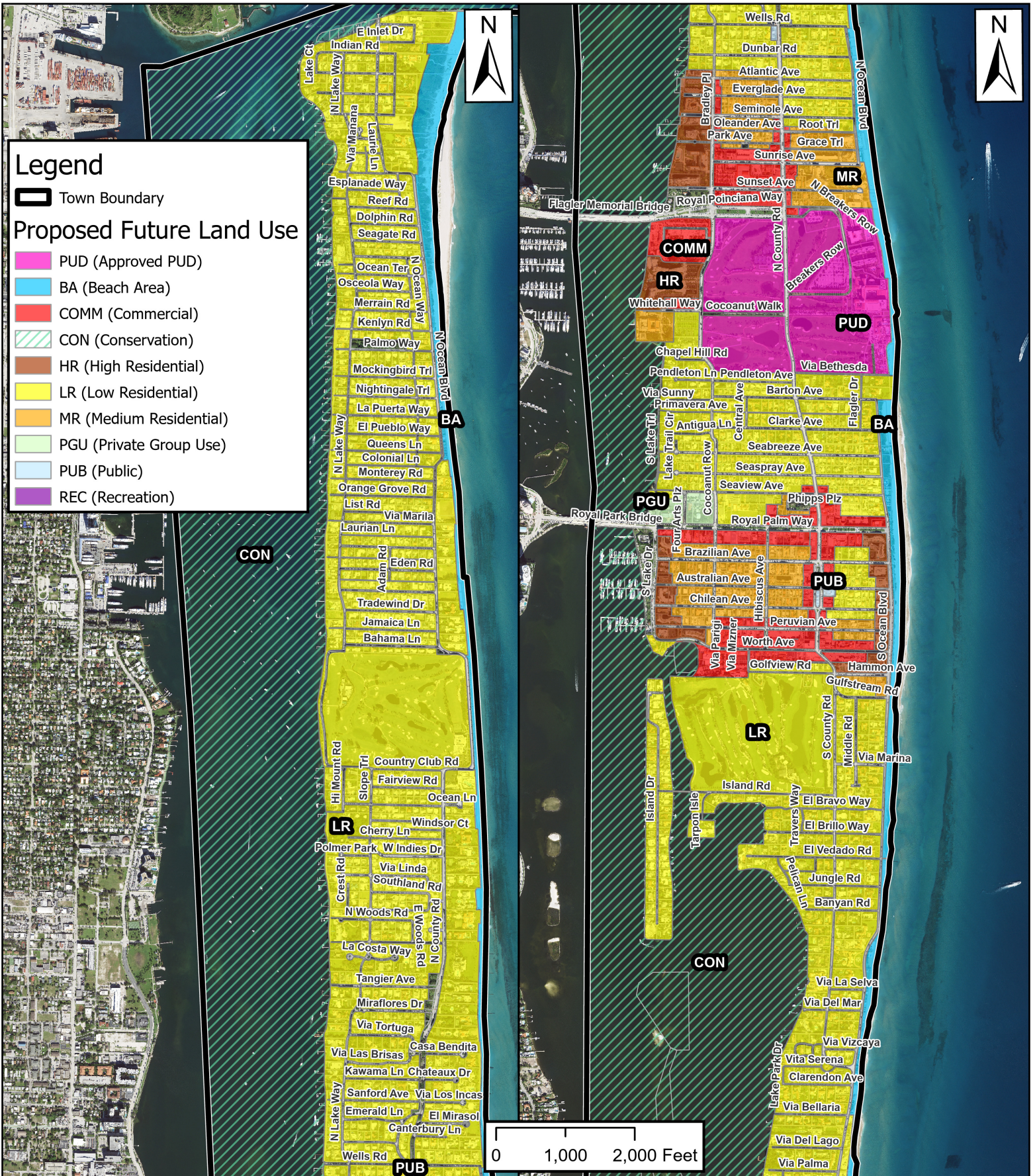
The Town shall issue development orders and permits for new development or redevelopment only if the Solid Waste Authority's disposal facilities, necessary to meet the Town's adopted Level of Service standards, are available concurrent with the impact of the development.

POLICY 11.1

The Town's level of service for garbage collection and disposal shall be 2.55 tons per year.

POLICY 11.2

The Town shall coordinate with the SWA, upon request, to assist in its efforts to establish priorities for the replacement of, or corrections of deficiencies to, solid waste disposal facilities, as well as provision for future solid waste disposal needs.



Planning, Zoning & Building Department

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This map contains approximate locations and information based on current available public records.



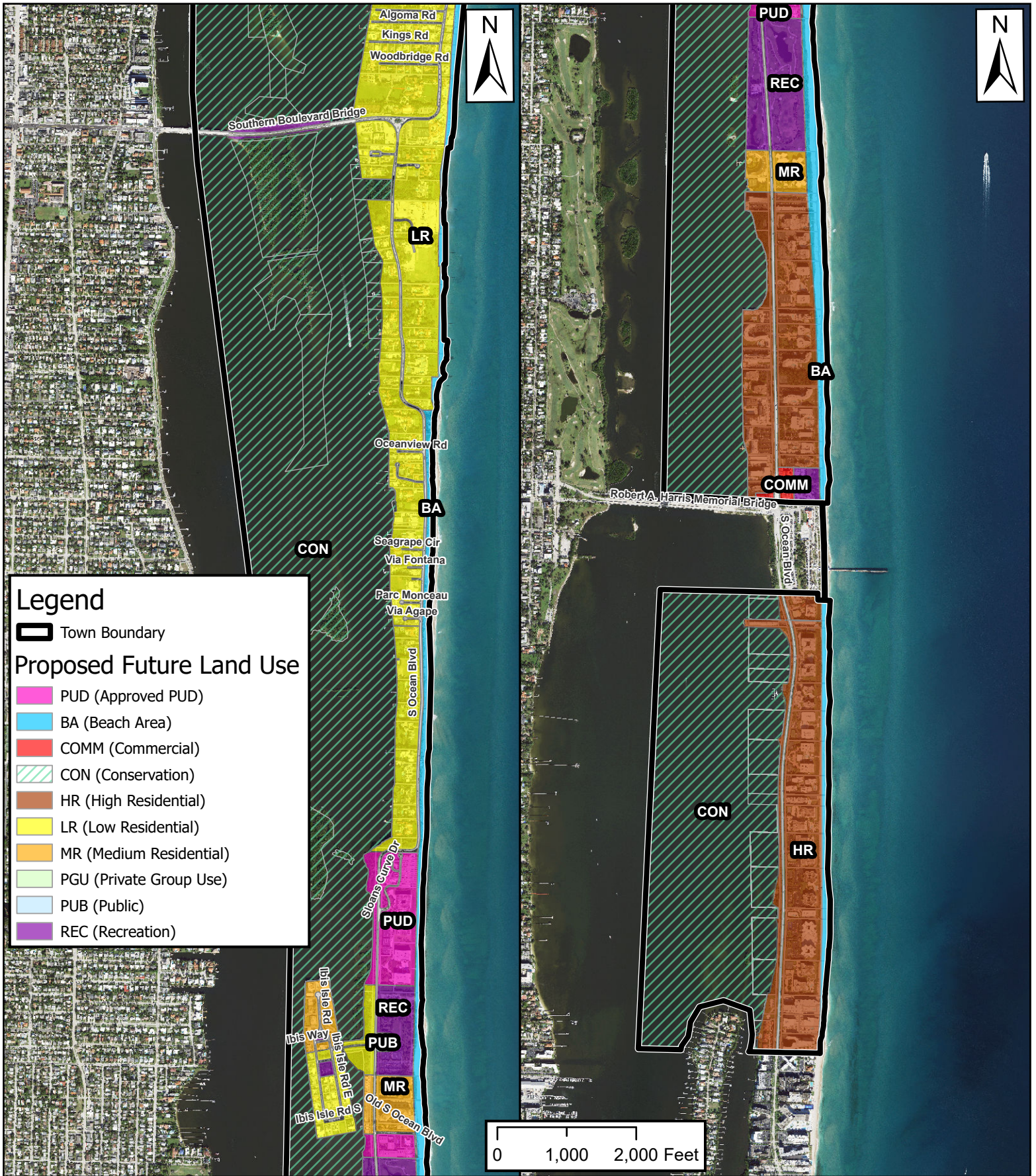
Proposed Future Land Use Map

GIS Department

Sheet
1 of 2

Date

4/16/2026



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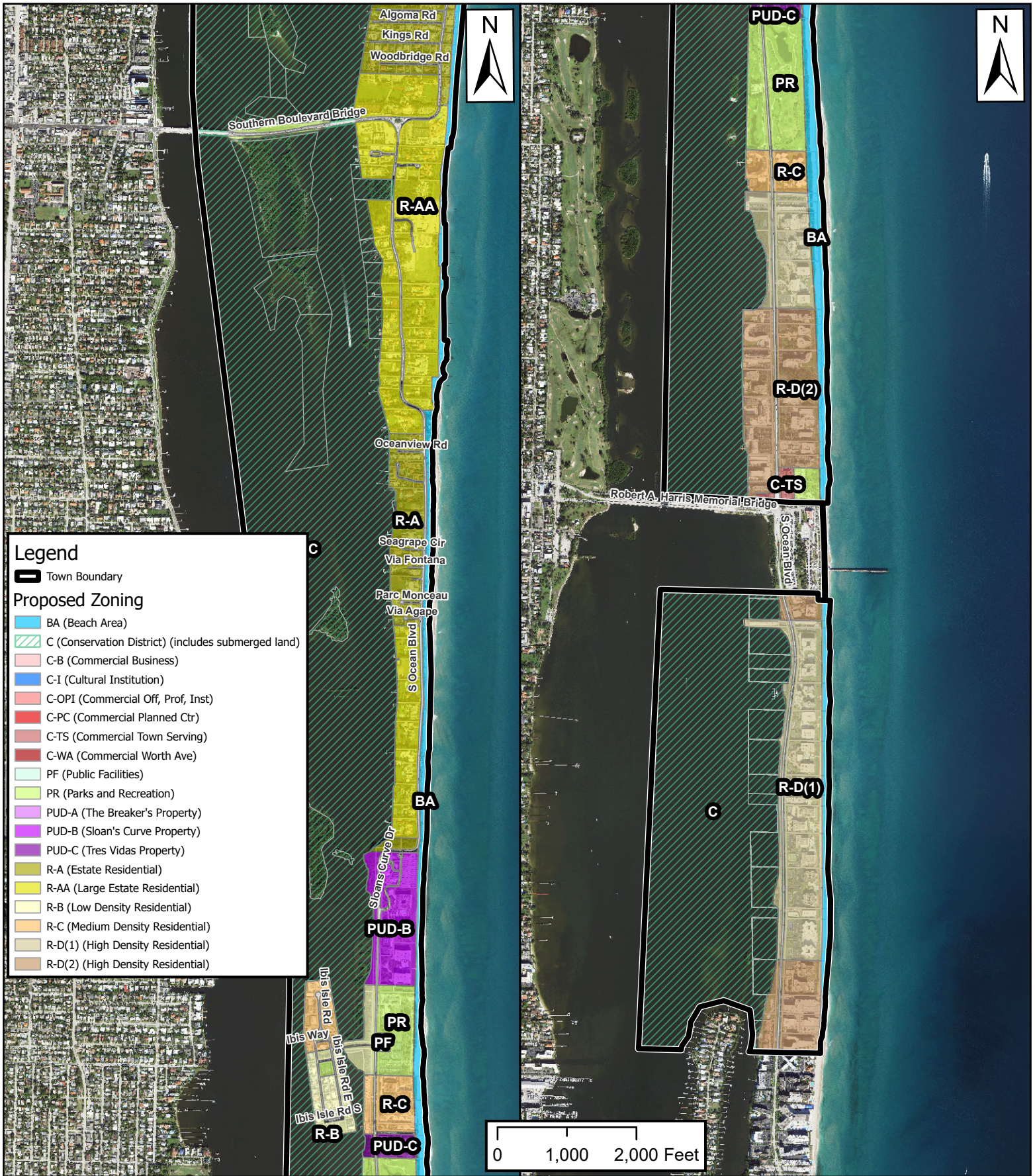
Proposed Future Land Use Map

GIS Department

Sheet
2 of 2

Date

3/6/2026



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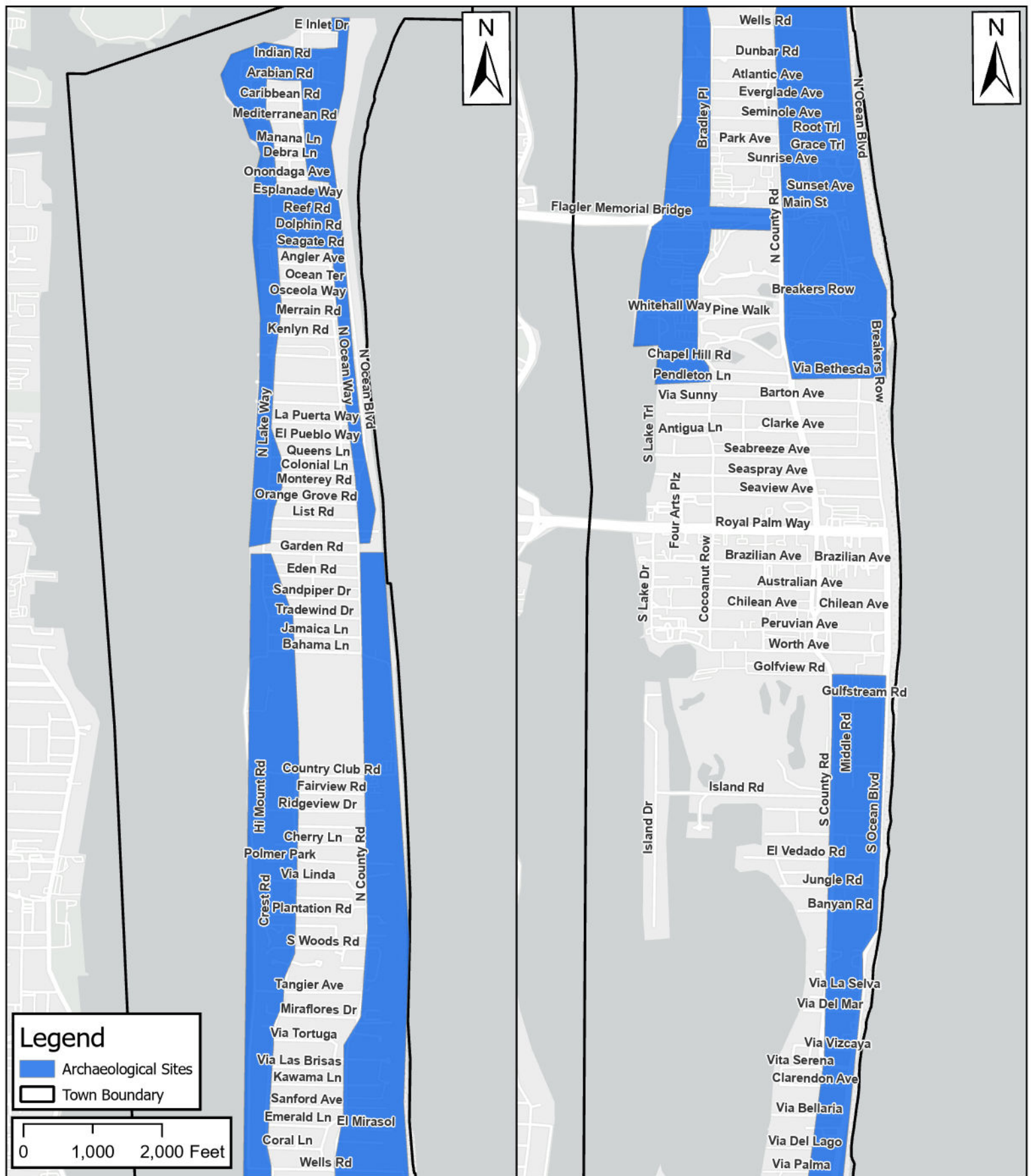
Proposed Zoning Map

GIS Department

Sheet
2 of 2

Date

3/5/2026



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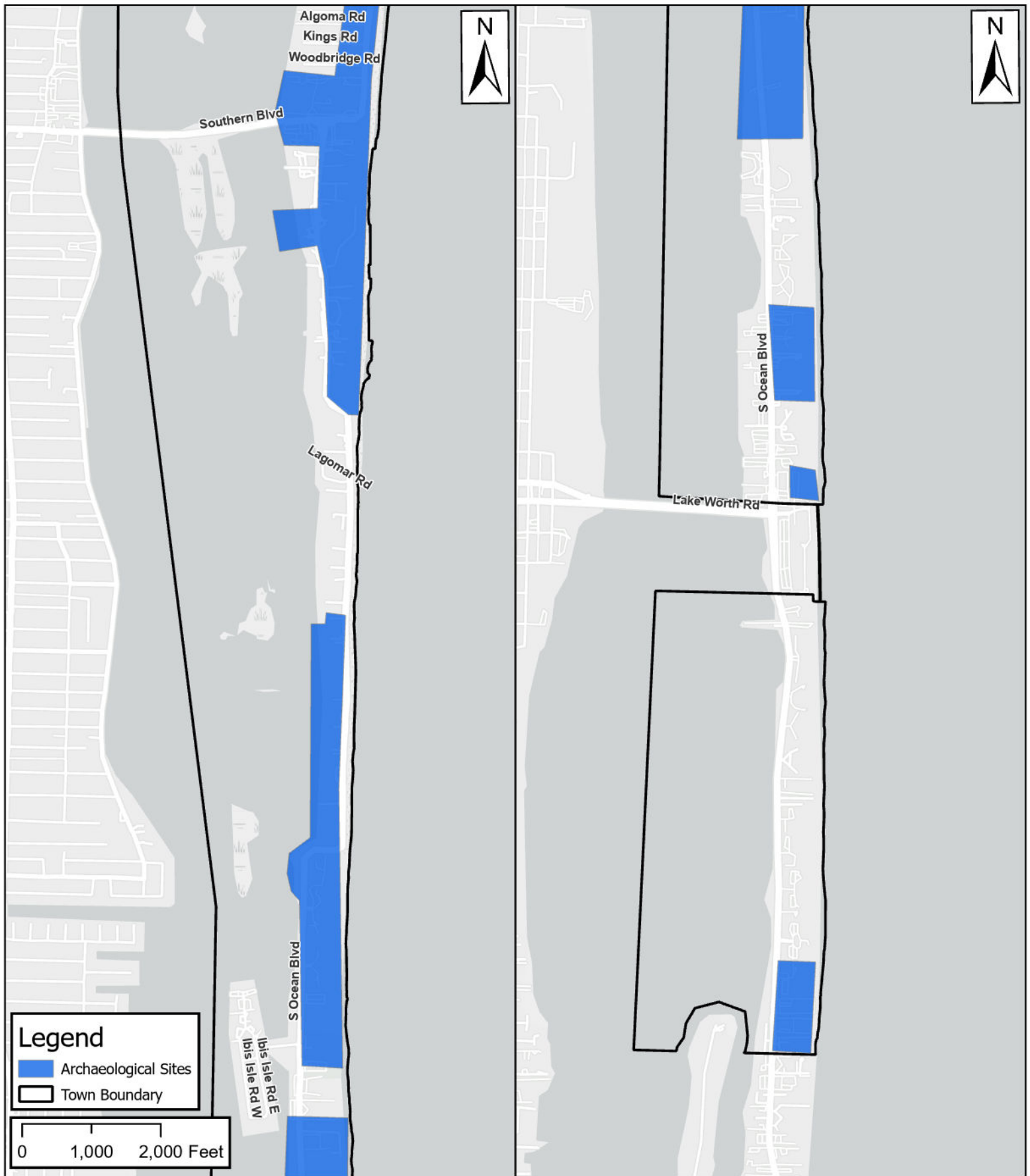


Proposed Revisions to Archaeological Sites Map - 2026

GIS Department

Map No.
4.5

Date 3/5/2026



Planning, Zoning & Building Department

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Proposed Revisions to Archaeological Sites Map - 2026

GIS Department

Map No.
4.5

Date 3/5/2026



TOWN OF PALM BEACH **~~10-20~~-YEAR WATER SUPPLY FACILITY WORK PLAN**

Prepared For:

Florida Department of ~~Economic Opportunity~~ Commerce

Prepared By:

**Town of Palm Beach Planning, Zoning & Building Department
and
Chen Moore & Associates**

~~April, 2020~~ July 2026

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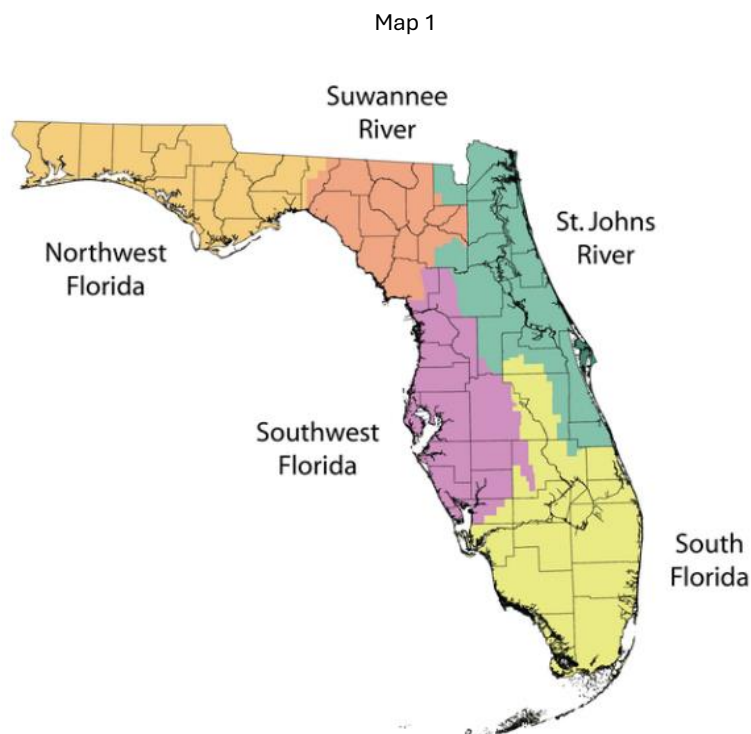
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Appendix A - The City of West Palm Beach ~~10~~ 20-Year Water Supply Facility Work Plan

1.0 EXECUTIVE SUMMARY

It is a policy of the Florida Legislature that the state's water resources be managed at a state and regional level. The Florida Department of Environmental Protection (FDEP) is responsible for the administration of the water resources at the state level. Additionally, FDEP exercises general supervisory authority over the state's 5 water management districts, who are responsible for the administration of the water resources at the regional level. The state's 5 water management districts, shown on Map 1, include the following:

- 1) Northwest Florida Water Management District
- 2) Suwannee River Water Management District
- 3) St. Johns River Water Management District
- 4) Southwest Florida Water Management District
- 5) South Florida Water Management District¹



The Town of Palm Beach is located within the jurisdiction of the South Florida Water Management District (SFWMD), which encompasses nearly 18,000 square miles. The SFWMD manages the water resources in the southern half of the state, covering 16 counties from Orlando to the Florida Keys and serving a population of 9 million residents. It is the oldest and largest of the state's 5 water management districts. The agency is

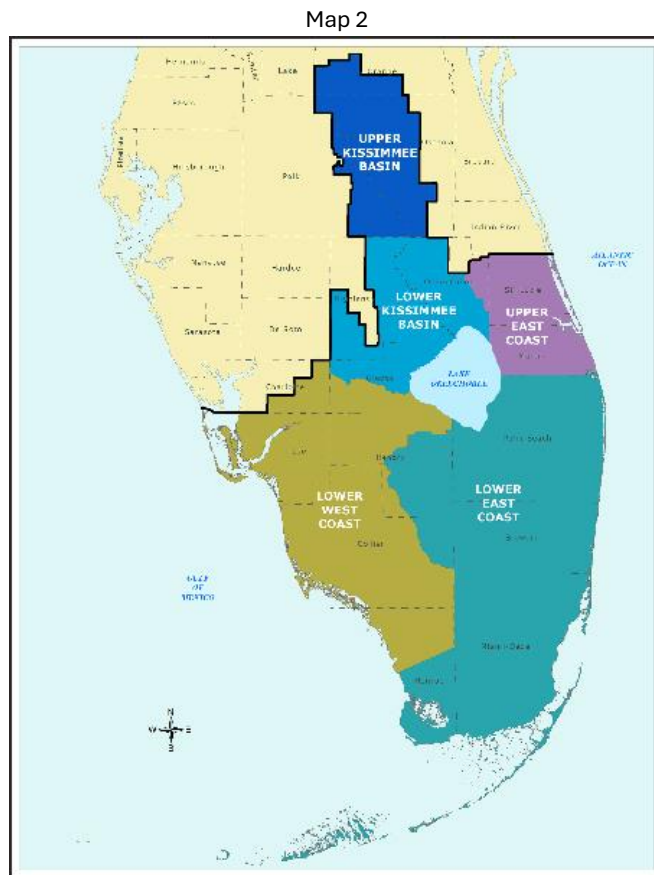
¹ Water Management Districts | Florida Department of Environmental Protection

responsible for managing and protecting the water resources of South Florida by balancing and improving flood control, water supply, water quality and natural systems. A key initiative is the restoration of the Everglades, which is the largest environmental restoration project in the nation's history.²

The SFWMD is divided into the following 5 planning areas:

- 1) Upper East Coast (UEC)
- 2) Lower West Coast (LWC)
- 3) Lower East Coast (LEC)
- 4) Lower Kissimmee Basin (LKB)
- 5) Upper Kissimmee Basin (UKB)

As displayed in Map 2 below, Palm Beach County lies within the LEC planning area.



² <https://flshmp-floridadisaster.hub.arcgis.com/pages/fwmd>

The strategic goal for SFWMD is to identify sufficient water supply sources and projects to meet existing and future reasonable and beneficial uses during 1-in-10-year drought conditions while sustaining water resources and related natural systems. The SFWMD prepares water supply plans for these planning areas that are specific to each region to identify and analyze current and future water needs. These regional water supply plans are based on at least a 20-year future planning horizon that require updates every 5 years. The Water Supply Plan Updates are used by local governments, water users and utilities to update and modify local comprehensive plans, facility work plans and ordinances³

There are several reasons why the Florida Statutes require local governments to update the Work Plan as provided below:

- Ensure adequate water supply for current and future residents
- Strengthen position to compete for funding assistance
- Plan for alternative sources that take time to develop and finance
- Ensure local needs are considered by regional water suppliers and the SFWMD⁴

The LEC planning area, which Palm Beach County is within, has a growing population and limited freshwater resources. As such, the most recently updated LEC Water Supply Plan, adopted in September 2024, focuses on other water supply sources, such as reverse osmosis to treat brackish groundwater, reclaimed water, storage options, seasonal surface water and water conservation to address future demands. The most recently adopted update to the LEC Water Supply Plan was in September 2024. The LEC Water Supply Plan has a planning horizon of 2045.⁵

The purpose of the Town of Palm Beach Water Supply Facility Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development and redevelopment within the Town's jurisdiction. Pursuant to §163.3177(6)(c), Fla. Stat., requires the Town is required to prepare, adopt and incorporate the South Florida Water Management Plan (SFWMD) updated 20-year Water Supply Facility Work Plan into the Town's Infrastructure Element of the Comprehensive Plan within 18 months following its adoption.

Completion of the Town's Work Plan is dependent upon the adoption of the City of West Palm Beach's Work Plan as the Town's water supplier. A 30-year renewable contract between the Town and the City of West Palm Beach (City) was signed in 1965 and expired in January 1995. The Town subsequently renegotiated the contract with the City, and a new franchise agreement was signed in 1999 and is effective until 2029.⁶

³ 2024-2024 Lower East Coast Water Supply Plan Update Planning Document. SFWMD

⁴ City of West Palm Beach Water Supply Facility Amendments Round 25-1

⁵ 2024-2024 Lower East Coast Water Supply Plan Update Planning Document. SFWMD

⁶ Town of Palm Beach 2024 Comprehensive Plan, Infrastructure Element, Potable Water Sub-Element

~~The 2018 Lower East Coast Water Supply Plan Update was approved by the South Florida Water Management District (SFWMD) in November of 2018. Completion of the Town's plan was dependent upon the completion of the Town's water supplier's (City of West Palm Beach) Work Plan and the transmittal of the City's Work Plan to the Florida Department of Economic Opportunity (DEO).~~

The Town's Work Plan is divided into ~~four~~ six sections:

Section 1- Executive Summary

Section ~~12~~ – Introduction

Section ~~23~~ – Background Information

Section ~~34~~ – Data and Analysis

Section ~~45~~– Work Plan Projects/Capital Improvement Element/Schedule

Section 6 – Comprehensive Plan

2.0 INTRODUCTION

~~The purpose of water supply planning is to develop strategies to meet future water demands of urban and agricultural uses, while meeting the needs of the environment. This process identifies areas where historically used sources of water will not be adequate to meet future demands and evaluates several water source options to meet those demands.~~ Residents of the Town of Palm Beach obtain their water directly from the City ~~of West Palm Beach~~, which is responsible for ensuring that enough capacity is available for existing and future customers. ~~Pursuant to § 163.3177(6)(c) Fla. Stat., DPEP requires the City to revise the 20-year Water Supply Facility Work Plan within its comprehensive plan no later than 18 months after SFWMD approves a regional water supply plan or updates.~~ ⁷ ~~The City adopted their most recent updated Work Plan in March 2026.~~

The Town of Palm Beach Water Supply Facility Work Plan (Work Plan) references the initiatives already identified in City ~~of West Palm Beach~~'s 10-year Work Plan since the Town is a retail buyer. According to state guidelines, the Work Plan and the comprehensive plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements, conservation, and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. Because of the Town's relationship with the City ~~of West Palm Beach~~, the Town's Work Plan has the same planning time schedule as the City ~~of West Palm Beach~~'s 10-year Work Plan.

The Town of Palm Beach's goals, objectives and policies that address potable water are found in the Potable Water Sub-Element of the Infrastructure Element of the Town's

⁷ Ibid

Comprehensive Plan. Specifically, the policies ~~in Objectives 9, 10, and 11~~ in the Infrastructure Element Potable Water Sub-Element Objectives 3 through 6 details how the Town coordinates with its water provider to guarantee a sufficient water supply for its residents in the most efficient and environmentally friendly way possible. Policy 11.2 5.2 in the Infrastructure Element references this Water Supply Facility Work Plan.

1.1 Statutory History

The Florida Legislature enacted legislation in the 2002, 2004, 2005, 2011 and 2012 sessions to address the state's water supply needs. This legislation, particularly Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapter 163 and 373 Florida Statutes (~~F.S.~~) by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between the local land use planning and water supply planning.

1.2 Statutory Requirements

Each local government must comply with the following requirements:

1. Coordinate appropriate aspects of its comprehensive plan with the appropriate water management district's regional water supply plan, [~~§~~163.3177(4)(a), F.S. Fla. Stat.]
2. Ensure that its future land use plan is based upon availability of adequate water supplies and public facilities and services [~~§~~163.3177(6)(a), F.S. Fla. Stat.]. Data and analysis demonstrating that adequate water supplies and associated public facilities will be available to meet projected growth demands must accompany all proposed Future Land Use Map amendments submitted to the Department for review. The submitted package must also include an amendment to the Capital Improvements Element, if necessary, to demonstrate that adequate public facilities will be available to serve the proposed Future Land Use Map modification.
3. Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy and consult with the applicable water supplier prior to approving building permits, to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy [~~s. §~~163.3180 (2), F.S. Fla. Stat.]. This "water supply concurrency" is now in effect, and local governments should be complying with the requirement for all new development proposals. In addition, local governments should update their comprehensive plans and land development regulations as soon as possible to address these statutory

requirements. The latest point at which the comprehensive plan must be revised to reflect the concurrency requirements is at the time the local government adopts plan amendments to implement the recommendations of the Evaluation and Appraisal Report (EAR).

4. For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the “Infrastructure Element”), within 18 months after the water management district approves an updated regional water supply plan, to:
 - a. Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the updated regional water supply plan, or the alternative project proposed by the local government under ~~s. §~~373.709(8)(b), F.S. Fla. Stat. ~~.[s. §~~163.3177(6)(c), F.S. Fla. Stat.];
 - b. Identify the traditional and alternative water supply projects, bulk sales agreements, and the conservation and reuse programs necessary to meet current and future water use demands within the local government’s jurisdiction ~~[s. §~~163.3177(6)(c)3, F.S. Fla. Stat.]; and
 - c. Include a water supply facilities work plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities identified in the element as necessary to serve existing and new development. ~~[s. —§~~163.3177(6)(c), F.S. Fla. Stat.] Amendments to incorporate the water supply facilities work plan into the comprehensive plan are exempt from the twice-a-year amendment limitation. ~~[s. §~~163.3177(6)(c)3, F.S. Fla. Stat.]
5. Revise the Five-Year Schedule of Capital Improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the five-year period ~~[s. §~~163.3177(3)(a)4, F.S. Fla. Stat.].
6. To the extent necessary to maintain internal consistency after making changes described in Paragraph 1 through 5 above, revise the Conservation Element to assess projected water needs and sources for at least a 10-year planning period, considering the appropriate regional water supply plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s). ~~[s. §~~163.3177 (6)(d), F.S. Fla. Stat.]

If the established planning period of a comprehensive plan is greater than ten years, the plan must address the water supply sources necessary to meet and achieve the existing and projected water use demand for established planning period, considering the appropriate regional water supply plan. ~~[s. §~~163.3167 (9), F.S. Fla. Stat.]

-
7. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authorities' plans. [~~s.~~ §163.3177(6)(h)1., F.S Fla. Stat.]
 8. Address in the EAR (if necessary), the extent to which the local government has implemented the 10-year water supply facilities work plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, bulk sales agreements, and conservation and reuse programs are meeting local water use demands. [~~s.~~ §163.3191 (3), F.S Fla. Stat.]

2.0 BACKGROUND INFORMATION

2.1 Overview

The Town of Palm Beach was incorporated in 1911, making it the second municipality established in Palm Beach County. The Town is a 16-mile-long barrier island with the Atlantic Ocean to the east and the Intracoastal Waterway to the west, which separates the Town from the Cities of West Palm Beach and Lake Worth Beach.

The Town of Palm Beach is substantially built-out. The Town experienced its greatest growth between 1950 and 1970, when its resident population increased from 3,886 to 9,086. The population increased to 9,676 in 2000; however, since then, population growth has actually declined. According to the 2010 US Census, the Town had a population of 8,161, which was a 15.7% decrease from the 2000 US Census figure. The University of Florida, Bureau of Economic and Business Research (BEBR) estimates the 2019-2030 population at ~~8,321~~ 9,569, which is a somewhat minor population increase. Any potential population growth is unlikely, and if it were to occur, it would likely be relatively minor given the fact that the Town is substantially built-out, and there is a scarcity of vacant and developable land. Furthermore, the potential expansion of the Town's current boundaries through annexations is not possible because the Town is not physically connected to any unincorporated areas.

~~In 2009, an evaluation of existing gross acreage by land uses revealed that 1,614 acres or 78% of the total gross acreage in the Town is dedicated to residential use. The remaining gross acreages are allocated to non-residential uses such as private group use (11%), recreation (5%), commercial (5%), conservation (2%), and public use (0.002%). The private group use includes private clubs, golf and country clubs, houses of worship, museums and non-commercial recreation-type or cultural uses. The Town does not anticipate increases in land area in the near future; however, population projections indicate a continued growth for the Town of nearly 3.74% between 2025 and~~

2045 based on the Palm Beach County Allocation Model (Allocation Model), see Table 1 below.

Table 1
2025 Palm Beach County Population Allocation Model

<u>Year</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>	<u>2045</u>	<u>2050</u>
<u>Population Projection</u>	<u>9,464</u>	<u>9,569</u>	<u>9,627</u>	<u>9,642</u>	<u>9,818</u>	<u>9,902</u>

Many of the new residential construction permits were in conjunction with a demolition permit, thereby allowing an existing home to be demolished and replaced with a new home. This information furthers the premise that the Town is essentially built-out.

2.2 Relevant Regional Issues

As the state agency responsible for water supply in the Lower East Coast planning area, the SFWMD plays a pivotal role in resource protection, through criteria used for Consumptive Use Permitting. As pressure increased on the Everglades ecosystem resource, the Governing Board initiated rule-making to limit increased allocations dependent on the Everglades system. As a result, the Regional Water Availability Rule was adopted by the Governing Board on February 15, 2007 as part of the SFWMD's water use permit program. This reduced reliance on the regional system for future water supply needs mandates the development of alternative water supplies and increases conservation and reuse.

1. The existing alternative water supplies developed by the City of West Palm Beach include:

a. Construction of an Aquifer Storage and Recovery (ASR) well system at the water treatment plant to capture and store excess water from Clear Lake during the wet season and recover the stored water during the dry season.

b. Construction of the C-17 Pump Station to capture excess stormwater within the C- 17 Canal prior to discharge to tide.

c. Construction of the Renaissance Project to capture and treat stormwater drainage from the Stub Canal to reduce discharges to tide.

d. Construction of the Boyd Street gate system that allows the capture of excess water from the C-51 Canal prior to discharge to tide.

2. Future water supplies and treatment strategies to be evaluated include:

a. Alternative Water Supply: The City will develop strategies for use of alternative water supplies including:

i. Brackish Water Supply: The City received an allocation of brackish water (Floridan Aquifer) from the SFWMD under Permit 50-12547-W to meet future demands through Year 2074.

ii. Brackish Water Production Wells: The City will develop the necessary upper Floridan Aquifer production wells (31 Wells) and associated infrastructure to transport brackish water for treatment to meet future demands.

b. Treatment Strategies: The City will investigate and implement strategies to improve, maintain and expand the water treatment plant capacity, capabilities, and efficiencies including:

i. Surface Water Treatment: The City will investigate and develop treatment strategies that improve the efficiencies for raw water treatment, chemical use, and waste production.

ii. Brackish Water Treatment: The City will investigate and develop treatment strategies to process brackish water to meet future demands.

3. The East Central Regional Water Reclamation Facility (ECR) will continue to maintain, operate and investigate opportunities to reduce potable water demands, increase reuse rates, and develop strategies to reclaim treated water.

a. FPL Reclaim Facility: The ECR and Palm Beach County have an interlocal agreement for the operation and maintenance of the reclaimed water facility located on the ECR property. Through interlocal agreement Palm Beach County provides reclaimed water to the FPL West County Energy Center and Fit Team Ball Park of the Palm Beaches.

b. Process Water Treatment System: Operation and maintenance of the Process Water Treatment System used to filter and pressurize process water for the biosolids facility. The system reduces the ECR's potable water usage demand by approximately 14 million gallons per month (mgm).

The intent of the Work Plan is to meet the statutory requirements mentioned in subsection 1.2 and to coordinate the City's water supply initiatives with the SFWMD's 2023/2024 Water Supply Plan.

This Work Plan details the facilities and proposed alternative water supply (AWS) projects that are being evaluated, planned or completed and included in the 2023/2024 Water Supply Plan to assist the City in meeting the service area water demands through 2045. These projects are expected to be completed in increments consistent with the

projected growth set forth in the Work Plan. The AWS projects will be included within the City's Capital Improvement Element, as needed.

3. DATA AND ANALYSIS

The Town of Palm Beach does not own or operate its own potable water supply system. Rather, potable water facilities and services are provided by the City ~~of West Palm Beach~~. In addition to providing potable water to the Town of Palm Beach and its own residents, the City ~~of West Palm Beach~~ also provides potable water to the Town of South Palm Beach.

The City ~~of West Palm Beach~~'s water system includes a raw water supply, water treatment plant, storage reservoirs, and a distribution system. A 30-year renewable contract between the Town and the City was signed in 1965 (Resolution 3-65) and expired in 1995; however, the City continued to provide water to the Town as was required by the previous agreement. The Town subsequently renegotiated the contract with the City, and a new franchise agreement was signed on June 16, 1999 (Resolution 22-99) and is effective until 2029.

The City reviewed the 2023/2024 WSP population projections and elected to use the more conservative projections and updated values from the Allocation Model for the Work Plan. In reviewing the 2023/2024 WSP, it was noted that the population projections were nearly three years old and were used in September 2023 to support the CUP 50-12547-W application and in December 2024 for the 2025 CAR.

Between 2020 (126,650) and 2024 (136,078) the City experienced a population growth rate of nearly seven percent in the Service Area. The City does not anticipate substantial increases in land area in the near future; however, population projections indicate a continued population growth for the City's Service Area of nearly 16 percent for the next 20 years to 164,873 in the year 2045.

The City has two bulk service agreements that account for a reserve demand of 0.55 mgd and include the Solid Waste Authority and Bayhill Estates. The City anticipates that the agreement with the Solid Waste Authority will remain in place during the planning horizon, while the agreement with Bayhill Estates, currently being served by Palm Beach County, expiring in 2030.

3.1 Population Information

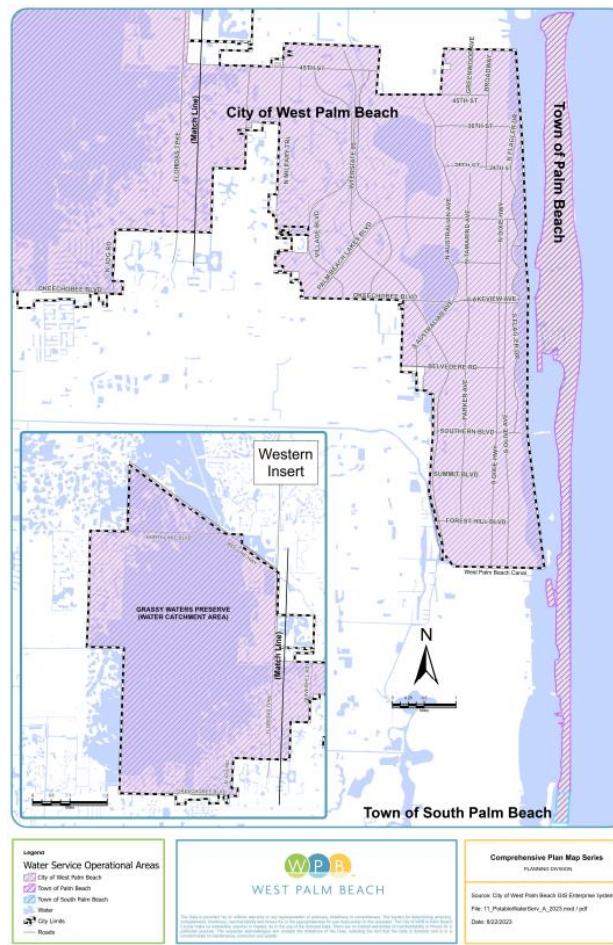
The Town's existing and future population figures are derived from the US Census, the Bureau of Economic and Business Research (BEBR), and the Town's Planning, Zoning and Building Department. Between 1950 and 1970, the Town of Palm Beach population grew from 3,886 to 9,086, an increase of 134 percent. After this period, the Town's population growth was far less dramatic with a 2000 US Census figure of 9,676. The 2010

US Census found that the Town’s population actually decreased by 15.7% to a figure of 8,161. ~~The Town’s population has been estimated to increase slightly in 2019 to 8,312, and by 2025 the Town’s population should reach 8,425; however, this is a somewhat minor increase, and the population is anticipated to remain somewhat flat.~~ Any potential growth is limited because of the fact that the Town is substantially built-out and there is a scarcity of vacant and developable land. Based on the Palm Beach County Population Allocation Model, the Town’s population is expected to grow to a maximum of 9,902 in 2050.

3.2 Maps of Current and Future Areas Served

The Town’s water demand is met by the City of West Palm Beach, therefore the Town falls within the City of West Palm Beach’s Utility Service Area, and is shown in the City’s Potable Water Supply Service Area map found in the City’s Comprehensive Plan Map Series and displayed on Figure 1.

FIGURE 1
City Of West Palm Beach Potable Water Supply Service Area



3.3 Population and Potable Water Supply Demand Projections

The Town's population figures have been included in the City of West Palm Beach's ~~1020~~-Year Water Supply Facility Work Plan, which also includes the population figures for the Town of South Palm Beach and the City of West Palm Beach. All of these population figures have been used to project future water demand in the Utility Service Area for the City of West Palm Beach. ~~and are included in the City's 10-Year Water Supply Facility Work Plan in the City's Comprehensive Plan. In summary, the City's permitted allocation of potable water is 15,038 million gallons per year, while the demand from the Utility Service Area was 11,862 million gallons in 2017, and the projected demand for the Area is 13,095.5 million gallons in 2023. Therefore, the City of West Palm Beach can more than easily meet the water demands of the Town of Palm Beach for the next ten years.~~

Table 2
Service Area Historical Population Estimates

<u>Municipality</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>	<u>2045</u>
<u>City of West Palm Beach</u>	<u>127,076</u>	<u>135,179</u>	<u>143,669</u>	<u>149,589</u>	<u>153,493</u>
<u>Town of Palm Beach</u>	<u>9,464</u>	<u>9,569</u>	<u>9,627</u>	<u>9,642</u>	<u>9,818</u>
<u>Town of South Palm Beach</u>	<u>1,549</u>	<u>1,552</u>	<u>1,557</u>	<u>1,557</u>	<u>1,562</u>
<u>Total Service Area</u>	<u>138,089</u>	<u>146,300</u>	<u>154,853</u>	<u>160,788</u>	<u>164,873</u>

~~The historic water production figures, average daily rates, Service Area populations, and per Capita rate are shown in the Table 4 for years 2020 through 2024.~~

Table 3
Service Area Historic Water Production and Demand

<u>Production/Demand</u>	<u>Year</u>				
	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
<u>Annual Production (mgd)</u>	<u>10,364</u>	<u>10,662</u>	<u>10,894</u>	<u>11,025</u>	<u>11,060</u>
<u>Average Daily Rates (mgd)</u>	<u>28.39</u>	<u>29.21</u>	<u>29.85</u>	<u>30.21</u>	<u>30.30</u>

<u>Service Area Populations</u>	<u>126,650</u>	<u>129,980</u>	<u>130,661</u>	<u>132,833</u>	<u>136,078</u>
<u>Per Capita Demand (gpcd)</u>	<u>224.20</u>	<u>224.74</u>	<u>228.43</u>	<u>227.40</u>	<u>222.68</u>

This section provides the historical population data from ~~2018 to 2022~~ 2020 to 2024 and ~~projected~~ population projections ~~from~~ for 2025 to through 2045 for the ~~City Utility~~ Service Area. The total population estimates for the City, Town of Palm Beach and Town of South Palm Beach were based on the information obtained from the sources noted in Section 3.43 of the Work Plan. ~~The Work Plan assumes the Town of Palm Beach will remain a customer through the planning period.~~

~~Future water demands are estimated using the Service Area population projections multiplied by the per capita rate of 225.49 gpcd. The selected per capita rate was based on the average of the rates in Table 4 for the past five years. Table 5 below provides the projected finished water demand for the years 2025 through 2045.~~

Table 4
Service Area Future Water Demand

<u>Demand Projections</u>		<u>Year</u>			
	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>	<u>2045</u>
<u>Service Area Populations</u>	<u>138,089</u>	<u>146,300</u>	<u>154,853</u>	<u>160,788</u>	<u>164,873</u>
<u>Per Capita Factor (gpcd)</u>	<u>225.45</u>	<u>225.45</u>	<u>225.45</u>	<u>225.45</u>	<u>225.45</u>
<u>Average Daily Production (mgd)</u>	<u>31.14</u>	<u>32.99</u>	<u>34.92</u>	<u>36.26</u>	<u>37.18</u>
<u>Maximum Daily Production (mgd)</u>	<u>42.93</u>	<u>45.48</u>	<u>48.14</u>	<u>49.99</u>	<u>51.26</u>
<u>Annual Production (gpy)</u>	<u>11,365</u>	<u>12,041</u>	<u>12,745</u>	<u>13,233</u>	<u>13,570</u>

3.4 Water Supply Provided by the City of West Palm Beach

The City of West Palm Beach's ~~10-20-Year~~ Water Supply Facilities Work Plan is attached as Appendix A. The intent of the City's Work Plan is to meet the statutory requirements mentioned in subsection 1.2 of this plan and to coordinate the City of West Palm Beach's water supply initiatives with the SFWMD's ~~2018~~ 2024 *Lower East Coast Water Supply Plan Update*.

As stated earlier, the City of West Palm Beach’s Utility Service Area includes all the land within the City’s municipal boundaries, and also those areas within the municipal boundaries of the Town of South Palm Beach and the Town of Palm Beach. The City of West Palm Beach’s supply system is detailed in the following subsections.

3.4.1 SFWMD ~~Water~~ Consumptive Use Permit

The City has obtained ~~a~~ two consumptive use permits ~~from 20-year water use permit (WUP) from the South Florida Water Management District (SFWMD) on February 14, 2013. The details of the permit are as follows:~~

- Consumptive Use Permit 50-00615-W issued on February 14, 2013, authorizing allocations for the surface water from Clear Lake and the SFWMD Canal (L-8) Tieback, the surficial aquifer system, and the Floridan Aquifer System. This is a 20-year permit that will expire on February 14, 2033.
- Consumptive Use Permit 50-12547-W issued on July 9, 2024, authorizing allocations for the upper Floridan Aquifer systems. This is a 50-year permit expiring on July 9, 2074.

Permit 50-12547-W secured a future AWS supply for the City which, when permitted, was sufficient to meet the future needs through calendar year 2074.

- WUP Numbers: 50-00615-W and 50-12547-W
 - Raw Water Source:
 1. Ground Water Source: ASR Well System (Storage/Recovery - Floridan Aquifer System) & Surficial Aquifer System, and upper Florida Aquifer
 2. Surface Water Source: Clear Lake (via M-Canal and Lake Mangonia from Grassy Waters Preserve and SFWMD Canal (L-8) Lake Okeechobee via the L-8 Tieback through control 2 (67 MGD)
 - Raw Water Allocation Information:
 - Annual Allocations: 15,038 Million Gallons (MG)
 - SFWMD Canal (L-8) Tieback: 24,446 MG
 - Clear Lake: 15,038.00 (MG)
 - Surficial Aquifer System (Western Wellfield): 1,470 MG
 - Surficial Aquifer System (Eastern Wellfield): 864 MG
 - Floridan Aquifer (Phase 1): 4,866.70 MG
 - Florida Aquifer System (Phase 2 – 5): 20,545.85 MG
- ~~Max.~~ Monthly Allocations:
SFWMD Canal (L-8) Tieback: 2,765.00 MG
Clear Lake: 1,392.32 MG

Surficial Aquifer System (Western Wellfield): 759.50 MG
Surficial Aquifer System (Eastern Wellfield): 446.40 MG
Floridan Aquifer (Phase 1): 437.80 MG
Florida Aquifer System (Phase 2 – 5): 1,848.11 MG
1,392.32 Million Gallons (MG)

- Annual allocation includes 15,038 million gallons (MG) from Clear Lake and 24,446 million gallons (MG) from SWFWMD Canal (L-8) Tieback as existing surface water withdrawal and from Surficial Aquifer System 1,470 MG from West Wellfield (WWF) and 864 MG from East Wellfield (EWF)
- ~~Specific Source Limitation:~~
~~Clear Lake Annual = 15,038 MG; Monthly = 1,392.32 MG~~
- ~~Permit Expiration: February 14, 2033.~~

3.4.2 Existing Withdrawal Facility

Source: Floridan Aquifer System - Recovery of surface water from Clear Lake stored in the ASR well

1-24" – X 1200' X 4861 GPM Well Cased to 985 feet

Source: Ground Water: Surficial Aquifer System – West Wellfield

1 – X 18" X 152.5' X 2,780 GPM Well Cased to 82.5 feet
1 – X 18" X 153.5' X 2,780 GPM Well Cased to 83.5 feet
1 – X 18" X 154' X 2,780 GPM Well Cased to 84 feet
1 – X 18" X 163' X 2,780 GPM Well Cased to 93.5 feet
1 – X 18" X 166' X 2,780 GPM Well Cased to 96 feet
1 – X 18" X 170' X 2,780 GPM Well Cased to 100 feet
4 – X 18" X 150' X 2,780 GPM Well Cased to 80 feet

Source: Ground Water: Surficial Aquifer System – East Wellfield

1-24" x 98' x 1000 GPM Well Cased to 95 feet
1-24" x 186' x 1000 GPM Well Cased to 137 feet
1-24" x 181' x 1000 GPM Well Cased to 131 feet
1-24" x 95' x 1000 GPM Well Cased to 91 feet
1-24" x 101' x 1000 GPM Well Cased to 86 feet
1-24" x 170' x 1000 GPM Well Cased to 132 feet
1-24" x 97' x 1000 GPM Well Cased to 93 feet
1-24" x 125' x 1000 GPM Well Cased to 119 feet
1-24" x 195' x 1000 GPM Well Cased to 145 feet
1-24" x 142' x 1000 GPM Well Cased to 105 feet

Source: Clear Lake (East Lobe) - Surface Water

~~1-30" x 250 HP x 13,900 GPM turbine pump (RW #26)~~
~~1-30" x 200 hp x 13,900 GPM turbine pump (RW #27)~~
~~4 – X 14" X 100 HP X 8,400 GPM Turbine Pumps (RW #21, RW #22, RW #24, & RW#25)~~
~~1–X 16" X 100 HP X 5,250 GPM Centrifugal Pumps~~
~~2–X 18" X 125 HP X 10,500 GPM Centrifugal Pumps~~
~~1–X 30" X 150 HP X 17,500 GPM Turbine Pumps~~
~~3–36" X 130 HP X 15,000 GPM Submersible Pumps~~
~~4–42" X 200 HP X 33,700 GPM Axial Flow Pumps~~

3.4.3 Alternative Water Supplies

The City's SFWMD water use permit (WUP) requires that the City "use alternative water supplies to account for all increased demands from Clear Lake above the City's historic use." The City has identified these alternatives in their ~~10-20~~-Year Water Supply Facility Work Plan (Section 3.3.4), which will allow the City to meet the water supply demand of its Service Area for the next ten years, including the water demands of the Town of Palm Beach. The City has approved alternatives, urban stormwater treatment via the Renaissance Project (637 MGY), tidal capture from C-51 canal (up to 54 MGD) via Renaissance treatment process, tidal capture from C-17 canal (up to 72 MGD), ASR well (stored surface water-up to 8 MGD), Eastern Wellfield (14.4 MGD), Western Wellfield (24.5 MGD) and Clear Lake Pump station and Divide structure (up to 60 MGD).

3.4.4 Interconnects

The City also maintains interconnections with other public water suppliers including:

1. One interconnection with the Solid Waste Authority for delivery of up to 0.35 MGD of finished water;
2. One interconnection with Palm Beach County at Bay Hill Estates for delivery of up to 0.5 MGD of finished water;
3. One emergency interconnection with Lake Worth Beach Utilities (1.0 MGD);
4. Five emergency interconnections with Palm Beach County at SR7 at Okeechobee (3.0 MGD), M-Canal W to Coconut Blvd (0.15 MGD), Haverhill Road (1.5 MGD), Jog Road (3.0 MGD), and Florida Mango Road (1.0 MGD); and
5. Two emergency interconnections with the City of Riviera Beach with one at Military Trail (1.0 MGD) and one at Broadway Avenue (1.0 MGD).

3.5 Conservation

Currently, one of the Town's objectives listed in the Comprehensive Plan is to implement a water conservation program that includes education, requiring water saving devices in construction, requiring new automatic irrigation systems to include water sensors, the use of xeriscaping, and enforcement of SFWMD's irrigation restrictions. [The Town](#)

residents receive quarterly newsletters within their water bill statements from the City of West Palm Beach that include up to date information on the water conservation efforts. Additionally, through the Town Manager's Office, staff has spearheaded additional outreach on sustainability, including water conservation education on the Town's Green Initiative and Sustainability webpage. The webpage links to environmental partners will helpful information, such as the following tips from the Garden Club of Palm Beach:

- Water deeply but less often to encourage strong root growth
- Irrigate early in the morning to reduce evaporation
- Use rain sensors and irrigation timers to prevent unnecessary watering
- Adjust sprinkler heads to avoid runoff onto sidewalks and streets
- Mulch planting beds to retain soil moisture
- Group plants with similar watering needs together
- Choose drought-tolerant and native species whenever possible

By practicing responsible fertilizing, planting native species, and using efficient watering methods, Palm Beach residents and landscape professionals can help preserve the Town's natural beauty while protecting the valuable water resources that sustain the community.

The following objective and policies from the Infrastructure Element of the Town of Palm Beach Comprehensive Plan reinforce the Town's commitment to conservation:

OBJECTIVE 4: The Town shall, either on its own initiative or through support of, and participation in, a regional effort, undertake a water conservation program. The Town will also address the following water quality issues:

1. Clean water (smell and taste).
2. Water supply (as related to drought, in addition to conservation measures).

POLICY 4.1: The Town shall continue to implement a program of public education to promote water conservation in conjunction with the City of West Palm Beach and the South Florida Water Management District

POLICY 4.2: The Town shall continue to implement the water conserving landscape design (Florida Friendly) outlined in Code Section 66-286 applicable to new development and redevelopment. These standards are applicable to all new construction and substantial improvements in accordance with water conserving landscape design elements. Required vegetation must comply with the 9 principles of Florida friendly landscaping, including the following:

1. **Right Plant, Right Place:** Assess your yard's sunlight, soil type, and moisture to select plants that thrive naturally without excess care.

-
2. **Water Efficiently:** Irrigate only when needed to encourage deep root growth. Opt for drought-tolerant plants to minimize your water bills.
 3. **Fertilize Appropriately:** Apply the correct nutrients at the right time. Never over-fertilize or apply products near water bodies or hard surfaces where runoff occurs.
 4. **Mulch:** Use 2 to 3 inches of organic mulch in your beds to retain soil moisture, prevent erosion, and naturally suppress weeds.
 5. **Attract Wildlife:** Choose plants that provide food, shelter, and water to support Florida's diverse native birds, butterflies, and beneficial insects.
 6. **Manage Yard Pests Responsibly:** Monitor your plants regularly and use the least-toxic pest control methods—such as insecticidal soaps—only when absolutely necessary.
 7. **Recycle:** Compost grass clippings, leaves, and yard trimmings on-site to return vital nutrients directly to your soil.
 8. **Reduce Stormwater Runoff:** Utilize pervious surfaces, like pavers, and rain gardens to allow water to percolate into the ground instead of washing pollutants into storm drains.
 9. **Protect the Waterfront:** If you live near a canal, lake, or bay, maintain a low-maintenance, unfertilized "buffer zone" to filter runoff and protect the aquatic ecosystem.

Additionally, Chapter 66, Code of Ordinances, provides the following regulations pertaining to water conservation:

Lawns.

1. If very drought tolerant grass is used, not more than 70 percent of the required landscaped open space shall be planted in lawn grass.
2. If moderate drought tolerant grass is used, not more than 60 percent of the required landscaped open space shall be planted in lawn grass.
3. (Information on Florida friendly drought tolerant grass can be found at: <http://fyn.ifas.ufl.edu/ifaspubs.htm>.)

Nonturfed areas.

Nonturf areas shall be planted in mixes of trees, shrubs and ground covers.

1. Plants shall be grouped according to their water needs, and irrigated accordingly. At least 33 percent of the groupings shall be characterized by highly or moderately drought tolerant vegetation.
2. (Information for Florida friendly landscaping drought tolerant plants can be found at: <http://www.floridayards.org/index.php>)

Irrigation standards.

-
1. Irrigation systems, either manual or automatic, may be used for the cultivated landscape areas.
 2. Irrigation shall be designed in zones that reflect necessary water regimes for specific groupings of vegetation.
 3. Sprinkler heads irrigating lawns or other high water requirement landscape areas shall be circuited so that they are on a separate zone from those irrigating trees, shrubbery or other reduced water requirement areas.
 4. Zones containing existing native plant communities and ecosystems maintained in a natural state do not require, and shall not have any additional irrigation water added in any form.
 - 5.

In order to prevent overthrow, low trajectory heads or low volume water distributing devices shall be used when irrigating confined areas.

1. No more than ten percent of spray radius shall be allowed onto impervious areas.
2. Newly installed native plant areas may require irrigation during the establishment period. Water during this period shall be applied from a temporary irrigation system, a water truck, or by hand watering from a standard bib source.
3. A temporary irrigation system shall be removed no later than 60 days after completion of the planting.

Use of organic mulches. When appropriate, a minimum of two inches of arsenic-free organic mulch shall be installed around each tree planting for a minimum of 18 inches beyond its trunk in all directions, including palms, and throughout all hedge, shrub, and groundcover plantings. Mulch shall be pulled a minimum of two inches away from trees and palms. Appropriate mulching material consists of by-product or alternative mulches such as eucalyptus, pine needles, pine finds, oak leaf, Atlas grow soil, utility or other mulch as recommended by Florida Friendly Landscaping principles. The use of Cypress mulch, pine mulch, and dyed mulches is prohibited.

Antitranspirants. In order to reduce water loss through leaves during installation, antitranspirants shall be used and applied on all permitted landscape installation projects for a minimum period of 90-days from the date of installation.

POLICY 4.3: The Town shall continue to enforce through the Florida Building Code water saving devices in new construction, such as low volume shower heads and toilets, soil tensiometers, or similar control mechanisms, in all irrigation systems and water saving sink faucets.

POLICY 4.4: The Town shall continue to implement any lawn watering restrictions enacted by the City of West Palm Beach or the South Florida Water Management District.

POLICY 4.5: The Town shall continue to implement and enforce watering restrictions and require new water sensing devices on new automatic irrigation systems.

In addition, some water conservation programs have been implemented and added to Town code.

To further the conservation of water, the Town will coordinate future conservation efforts with the City of West Palm Beach and the SFWMD to ensure that proper techniques are applied. In addition, the Town will continue to support and expand existing goals, objectives and policies in the comprehensive plan that promotes water conservation in a cost-effective and environmentally sensitive manner. The Town will continue to actively support the SFWMD and the City of West Palm Beach in the implementation of new regulations or programs that are designed to conserve water during the dry season.

3.6 Alternative Water Supply Projects & Reuse

State law supports and promotes reuse efforts. For the past several years, Florida's utilities, local governments, and water management districts have led the nation in implementing water reuse programs that increase the quantity of reclaimed water used and public acceptance of reuse programs. ~~Section §373.250(1) F.S. Fla. Stat~~ provides that "the encouragement and promotion of water conservation and reuse of reclaimed water, as defined by the department, are state objectives and considered to be in the public interest." In addition, ~~Section §403.064(1), F.S. Fla. Stat~~, provides that "reuse is a critical component of meeting the state's existing and future water supply needs while sustaining natural systems."

The Town of Palm Beach supports all water reuse and alternative water supply initiatives by its water provider, including those completed and operational, and those that are being developed. These water reuse and alternative water supply initiatives include the following:

- Renaissance Project: Constructed in 2002, the project is an innovative stormwater collection and reuse system that collects and treats stormwater normally discharged to tide. With an initial construction cost of \$17,600,000 the project was completed with financial support from the Environmental Protection Agency, South Florida Water Management District, and Palm Beach County. The system captures, treat and stores approximately 637 million gallons per year, (MGY) or one (1.75) million gallons per day (MGD).
- Aquifer Storage and Recovery (ASR) Well: Upon completion of construction, the ASR well was rated at 8 mgd. Located at the Water Treatment Plant it ~~is~~ was designed to store excess surface water during periods of heavy rainfall ~~in. The excess water is pumped into~~ the upper Floridan Aquifer System and is recovered when the water is withdrawn to meet increased demands during dry weather. Cycle testing continues and in 2019 the well

acid cleaned, the injection pump rebuilt, and the effluent valve replaced. The City continues to invest in this alternative water source with plans to restart cycle testing in early 2020.

- Western Wellfield: The existing 10 wells in the Western wellfield can provide 24.5 MGD (operational conditions based on Clear Lake levels and regional water non-availability).
- The City completed construction of Divide Structure Pump station on Clear Lake to withdraw water from deeper areas of Clear Lake allowing additional source water of up to 60 MGD (operational conditions based on Clear Lake levels and regional water supply non-availability).
- Eastern Well Field: The existing 10 surficial wells located around M-Canal to capture seepage losses, bringing a potential 14.4 MGD (operational conditions are based on Clear Lake levels and regional water supply non-availability).
- C17 Canal Pump Structure: The City constructed a new pump station for capturing water sent to tide from C17 Canal, this pump structure has the potential to capture up to 72 MGD (operational conditions based on water being released to tide and canal levels).

4.0 CAPITAL IMPROVEMENTS

The following are details of the City of West Palm Beach's treatment process for potable water, and ~~what the~~ capital improvements ~~that~~ will be necessary over the next ten years to provide potable water to those it serves, including the Town of Palm Beach.

4.1 City of West Palm Beach's Existing Water Treatment Plant Process

The West Palm Beach Water Treatment Plant (WTP) is owned and operated by the City of West Palm Beach (City). The WTP and associated distribution system provides potable water to the residents, visitors and business of West Palm Beach and the towns of Palm Beach and South Palm Beach. The WTP is located in Palm Beach County, Florida at 1009 Banyan Boulevard, West Palm Beach, Florida.

The City was founded in 1894 and has been the seat of Palm Beach County government since 1909. The initial urbanized portion of the City was approximately eight miles long and 3 miles wide. A coastal ridge lies several blocks to the west and runs parallel to the Intercoastal Waterway for the entire length of the City. The original City site now constitutes the central business district. The development and maintenance of the utility infrastructure system continues to provide an acceptable level of service and an essential component ~~in the City's growth. within the Service Area.~~

From the first water supply system developed in the late 1800s, the City's utility system has grown from a service population of approximately 500 people in 1900 to its current estimated service population of approximately ~~125,000~~ 136,100 residents in 2024 covering 61 square miles. The utility system provides water for both indoor and outdoor use for about ~~34,334~~ 33,549 residential and commercial customers accounts.

~~The City's potable water system includes a raw water supply system, WTP, repump stations, storage tanks, the distribution system and various interconnections with neighboring utilities.~~

~~The City's facilities including the source water supply, water treatment system, re-pump stations, available interconnection and the existing distribution system. Since 2015 2020 there have been several capital projects initiated and changes completed that include the following:~~

- Modification of Raw Water Pump #27;
- Construction of the 50.0 mgd Powered Activated Carbon (PAC) Basin;
- Filter Media Replacement;
- Abandonment of the 1 MG Clearwell/Storage Tank at the WTP;
- Construction and Operation of the 50 mgd Ultra-Violet Light (UV) Disinfection System;
- Construction of a direct suction header to the West Pump House;
- Installation of 4 new high service pumps in the West Pump House;
- Remote re-pump station switches from gaseous chlorine to sodium hypochlorite;
- Pre and post disinfectant injection at the Ibis Re-Pump Station; and
- Six Sigma project to address distribution system flushing volumes.

These projects total more than 25.12 million dollars (\$25.12,000,000) invested in the PWS since 2015. The City continues to be committed to the proper operation and maintenance of its PWS to ensure public health and safety.

~~The WTP is a surface water treatment facility operating on a source water supply that is collected, stored and transported by various catchment areas including urban rain cropping, wetlands, lakes and canals to meet the water supply needs.~~

~~The source water supply includes facilities owned and operated by the City along with facilities within the Regional Systems operated by the South Florida Water Management District and the United States Army Corps of Engineers.~~

The existing source water supply system dates to 1894 with the construction of a single steam driven pump and an 8-inch pipe to move water from Clear Lake to Henry Flager's Royal Poinciana Hotel. Over the years the source water supply has been expanded. The history of the supply includes the following milestones:

1894 Clear Lake tapped as Water Supply.

1920's Clear Lake is connected to Lake Mangonia.
1930's M-Canal excavated to wetlands (Grassy Waters Preserve) west of the lakes.
1950's Grassy Waters Preserve (19.3 Square Miles) purchased.
1960's M-Canal Extension westward to the L-8 Canal and Lake Okeechobee.
1980's Western Wellfield constructed.
1990's Aquifer Storage and Recovery Well constructed.
2000's Renaissance Project construction and the Okeechobee Divide Structure constructed.
2010's Eastern Wellfield constructed, Australian Avenue Gates and Pumps constructed, and the C-17 Pump House constructed.

The Clear Lake WTP, originally completed in 1921, underwent an expansion in 1989 and as of 2020 is in the final steps of a major renovation including the addition of the PAC basins, the UV Treatment System and upgrades to the West Pump House's high service pumps and Raw Water Pump 27.

The WTP has a maximum permitted capacity of 47.3 mgd. The treatment process includes the following:

- Hypochlorite Pretreatment - Turbidity Control (Optional);
- Powered Activated Carbon - Taste and Odor Control (Optional);
- Cationic Polymer - Turbidity Control;
- Ferric Sulfate - Turbidity Control;
- Lime – Softening, Turbidity and TOC Removal;
- Recarbonation - pH Adjustment;
- Filter Aid - Turbidity Control (Optional);
- Conventional/Biologically Active Filters – Turbidity Control, Taste and Odor Control;
- UV Disinfection - Bacteriological Control;
- Chlorine/Chloramines - Bacteriological Control;
- pH Adjustment (Sodium Hydroxide) - Lead and Copper Control;
- Orthophosphate (Corrosion Inhibitor) - Lead and Copper Control; and
- Fluoride - Dental Health.

The WTP uses conventional lime softening, filtration and chemical disinfection to comply with the federal and state safe drinking water regulations. The UV System, commissioned in February 2019, provides an additional barrier for public health purposes. The PAC Basin, expected to be fully operational in early 2020, will be used on an as needed basis to improve the taste and odor characteristic of the finished water.

The primary source of the City's water supply is surface water. Surface water travels through the City's M-Canal to the City's water supply lakes, Lake Mangonia and Clear Lake, from the City's Grassy Waters Preserve, a 19.3 square mile aquatic preserve located in western West Palm Beach and from Lake Okeechobee through the L-8 Tieback through the City's control 2 structure.

Alternative sources of water that feed into this above-ground water supply system include the City's Renaissance Project, tidal water capture from C51 and C17 Canals, augmentation from surface water stored and recovered from the ASR well, Eastern and Western wellfield surficial wells. During extreme drought conditions the Clear Lake Divide structure will help draw water from lower depths in Clear Lake to augment the water supply to the treatment plant.

4.2 Capital Improvements Element/Schedule

The City of West Palm Beach's Five-Year Capital Improvements Schedule, which is adopted annually, details the capital improvements necessary to provide the various adopted levels of service (LOS) established by the City and those that they serve, including the Town of Palm Beach. The City's Utilities Department is currently assessing the condition of the water treatment plant, as well as distribution system assets. Following the assessment, the City will prioritize infrastructure projects, including above ground and underground utilities. Based on the assessment and prioritization, the Utilities Department plans on borrowing money through a bond to address water treatment and distribution needs.

After the City ~~of West Palm Beach~~ reviewed current and projected water demands, permitted allocation, and its water supply options, along with instituting drought proofing measures, the City determined a need for additional treatment capacity and technologies within the 20-year planning horizon. – The City has recognized that existing water quality conditions have not been improving coupled with the emerging contaminants of concern. The City will need the use of advanced treatment strategies to continue providing safe drinking water. As a result, the City has initiated planning for the development of the upper Floridan Aquifer water supply as allowed under the SFWMD permit for Phase 1 (10 MGD). In addition, the City will continue to explore current technology and options to optimize the existing water supplies while enhanced treatment processes are assessed to meet anticipated future demands. Details of the 20 year Capital Project Schedule can be found in section 4.2 of the 20 -Year Water Supply Facility Work Plan Sub-Element of the City's Comprehensive Plan Amendment Utilities Element.

5.0 COORDINATION WITH WATER PROVIDER

A representative from the Town of Palm Beach meets on a regular basis with a representative from the City ~~of West Palm Beach~~ to “assist the City in its efforts to establish priorities for replacement of, or corrections of, deficiencies to potable water quality, facilities, as well as provision for future potable water needs.” ~~(Infrastructure Element Policy 11.1). The Town has also created the Town of Palm Beach Water Committee that regularly meets to discuss water supply problems and issues, and possible solutions. Representatives from the City of West Palm often address this~~

~~Committee, and this Committee is in constant coordination with the City to ensure that the Town's potable water needs are met.~~

The Town will amend this work plan to address any changes to the water provider, or if the Town assumes the responsibility of water provider.

6.0 COMPREHENSIVE PLAN

Comprehensive Plan Goals, Objectives, and Policies (GOPs) are included in the Infrastructure Element to ensure implementation and future updates of the 20 Year Water Supply Facilities Work Plan as required by §163.3177 (6) (c), Fla. Stats.

As GOPs are often amended outside of the cycle for Water Supply Plan amendments (i.e. Evaluation and Appraisal Report amendments every seven (7) years, or as needed), the GOPs are contained in the Comprehensive Plan and are not part of the officially adopted Water Supply Plan. Associated Comprehensive Plan amendments to relevant GOPs will be adopted concurrently with the Work Plan update.

Appendix A

The City of West Palm Beach ~~10-20~~-Year Water Supply Facility Work Plan

COMPREHENSIVE PLAN UTILITIES ELEMENT

POTABLE WATER SUBELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL 1: PROVIDE CITY RESIDENTS AND OTHER LOCAL GOVERNMENTS THAT RECEIVE POTABLE WATER WITH RELIABLE SERVICE.

Objective 1.1: New development within the City's Potable Water Service Area shall be approved only when adequate water supply, treatment and distribution capacity is available to provide, or provisions are included (as identified in Capital Improvement Element Policies), for the needed potable water or when the developer obligates funds to provide that development's share of capital improvements to any of these systems, as well as the distribution systems within the development.

Policy 1.1.1: The City shall coordinate closely with local governments that receive potable water from the City to ensure they provide the City with an annual report including 5-year, 10-year and 20-year projections of population, land use and water usage information.

Policy 1.1.2: Applicants seeking development approvals shall obtain a written water availability statement from the City indicating an adequate water supply consistent with the established level of service (LOS) standard based on the City's Consumptive Use Permit (50-12547-W). At a minimum, the water availability statement shall indicate an adequate water supply will be available and all required delivery infrastructure shall be fully constructed and operable prior to the issuance of the Certificate of Occupancy.

Policy 1.1.3: The LOS standard for determining the demand and future capacity needs to be generated by a development shall be based on 240 gallons per capita per day (gpcd) factor as identified in the Capital Improvement Element of the City's Comprehensive Plan.

Objective 1.2: The City shall continue to annually evaluate programs and construction projects to identify necessary repairs and add to the potable water delivery system to correct existing facilities and distribution deficiencies.

Policy 1.2.1: The City shall continue to implement an on-going program of inspection and replacement of water lines which are determined to be in a deteriorated condition. Priorities for this work shall be established within the planned capital projects. Additionally, the Utilities Department shall continue to identify and implement appropriate measures to safeguard the quality of the City's potable water.

Policy 1.2.2: The City shall continue with programs such as water quality monitoring nodes, automatic flushing units, free chlorination, reviewing the system to provide looped service among other programs to continuously monitor and improve water quality in the distribution system.

Objective 1.3: Pursuant to the South Florida Water Management District's 50-Year Consumptive Use Permit (50-12547-W), per capita use of potable water within the West Palm Beach Service Area shall not exceed 240 gpcd.

Policy 1.3.1: The City shall continue to educate water users of the importance of water conservation and coordinate with the South Florida Water Management District (SFWMD) in the implementation of water conservation programs such as but not limited to:

- a) Encourage the use of water saving plumbing devices in new and existing structures.
- b) Reduce water line loss through leak detection, valve exercises and regular repair and replacement.
- c) Pursue the use of wastewater reuse for landscaping within rights-of-way, golf courses and parks as an alternative water supply that reduces potable water demands and enhances water conservation efforts.
- d) Promote native and Florida friendly plants and efficient irrigation when considering all proposals for development and/or redevelopment.
- e) Enhance water conservation through public education, irrigation practices, and other user behaviors as detailed in the approved Water Conservation Plan dated January 10, 2024.

Policy 1.3.2: The City shall continue to implement a water conservation program aimed at the consumer and monitor water usage to study the results of the program.

Policy 1.3.3: The City shall continue to employ structured water rates as an incentive that supports this objective of potable water conservation.

Objective 1.4: In order to discourage urban sprawl, the City shall concentrate new development around existing or planned infrastructure, including potable water facilities.

Policy 1.4.1: The City shall discourage urban sprawl by adhering to the concurrency requirements and level of service standards outlined within this comprehensive plan, including those for potable water facilities.

Policy 1.4.2: The City shall investigate, and, when technically and economically feasible, construct additional infrastructure and/or facilities for potable water delivery as it deems necessary to accommodate projected needs.

Objective 1.5: The City has planned for future water supplies to assure future water demands are met through the implementation and updates of the 20-Year Water Supply Facility Work Plan (Work Plan) SubElement and incorporated alternative water supply projects identified in the SFWMD's regional water supply plan pursuant to s. 373.036(2)(a).

Policy 1.5.1: The City shall continue to coordinate with the SFWMD regarding water supply efforts and shall incorporate into the 20 Year Work Plan, as appropriate, any updates to the South Florida Water Management District Lower East Coast Regional Water Supply Plan (WSP).

Policy 1.5.2: The City shall continue to coordinate population projections and future annexation areas with local governments within the City's potable water service area through the following actions:

- An ongoing review, through the Intergovernmental Plan Amendment Review Committee (IPARC) notification system, of all future land use amendments to properties located within the City's potable water service area.
- Use of the Palm Beach County Planning, Zoning and Building Division's Population Allocation Model and 2023/2024 Lower East Coast Regional Water Supply Plan (2023/2024 WSP) for future population projections by jurisdiction; and
- Once-a-year notification, requiring local governments within the City's potable water service area to provide the City with (i) major development plans affecting the service/future annexation area; and (ii) population projections, if different from those provided by Palm Beach County; and.

Policy 1.5.3: The City shall coordinate its level of service (LOS) standards for potable water with local governments within the City's service area, through the following actions:

- The City shall contact local governments within the City's potable water service area to provide them with information on any changes regarding current LOS standards or any changes of future LOS standards to be included in the Comprehensive Plan and the renewal of local service agreements; and
- The City shall provide local governments within the City's potable water service area with its potable water conservation measures, including reuse.

Policy 1.5.4: The City shall provide local governments within the City's potable water service area with a copy of its annual update of the Capital Improvements Schedule (CIS) for all capacity-related water supply facility projects to be included in the respective updates of their CIS.

SANITARY SEWER SUBELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL 1: THE CITY SHALL CONTINUE TO MEET ITS SANITARY SEWER NEEDS AND, AS EAST CENTRAL REGIONAL WATER RECLAMATION FACILITY OPERATOR, SHALL COORDINATE WITH LOCAL GOVERNMENTS THAT IT SERVES IN ORDER TO MEET THEIR FUTURE PLANNING NEEDS.

Objective 1.1: The City shall continually ensure that future demands for sanitary sewer can be met for at least a 20-year planning horizon.

Policy 1.1.1: The City shall coordinate closely with local governments that receive treatment service to ensure they provide the City with 5-year, 10-year and 20-year projections of future wastewater needs and flows based on population projections, development activity, and wastewater generation estimates.

Policy 1.1.2: The City shall treat wastewater from the service area to meet current and future State and Federal standards.

Policy 1.1.3: The City shall coordinate with the communities holding large user agreements to ensure their comprehensive plans and development permit procedures are compatible with the City of West Palm Beach policies with regard to waste water generation, collection, transport, treatment and disposal.

Objective 1.2: In order to discourage urban sprawl, the City shall maximize the use of existing facilities by concentrating new development activity around existing or planned infrastructure, including sanitary sewer facilities.

Policy 1.2.1: The City shall discourage urban sprawl by adhering to the concurrency requirements and level of service standards for sanitary sewer.

Policy 1.2.2: The City shall construct additional infrastructure and/or facilities for sanitary sewer delivery as it deems necessary to accommodate projected needs.

Objective 1.3: The City shall ensure that development permits are issued only if adequate capacity is available concurrent with the impacts of development.

Policy 1.3.1: The City shall continue to prepare annual summaries of built and approved development within its service area.

Policy 1.3.2: The following level of service standards shall serve as the basis for determining current or future capacity requirements:

WASTE WATER COLLECTION

DEVELOPMENT TYPE	AVG. DAILY WASTE WATER FLOW
------------------	-----------------------------

Single Family	350 gpd/DU
Multifamily	250 gpd/DU
Commercial	0.20 gpd/SF
Industrial	0.15 gpd/SF
Hotel	100 gpd/room

DU = dwelling unit
SF = square feet

gpd = gallons per day

PUMP STATION PEAKING FACTORS

PEAKING FACTOR	AVG DAILY FLOW (MGD)
----------------	----------------------

3.5	0.01 to 0.05
3.0	0.05 to 0.25
2.5	0.25 to 2.0
2.0	> 2.0

Peaking factors for other facilities shall be determined using historical flow records.

Policy 1.3.3: All improvements shall be consistent with federal, state and local standards, where applicable.

Policy 1.3.4: Permits for future development shall not be issued if flow from the development will cause overloaded conditions within the sewage treatment facilities until improvements can be completed to bring treatment/transmission systems up to capacity and up to adopted standards.

Policy 1.3.5: Sanitary sewer lines shall be installed, either by the City, or through City-approved agreements to meet sanitary sewer level of service requirements.

Policy 1.3.6: The City shall prepare a capacity analysis for the wastewater treatment plant in accordance with State and Federal regulations. The analysis shall be updated annually when a capacity increase is necessary within the next 10 years. Design for additional capacity in the City service area shall begin before a facility is 3 years away from the need for on-line capacity expansion determined by the capacity analysis.

Objective 2.1: The City shall develop a list of capital improvement projects, to be updated annually, identifying needs in 5-year planning increments.

Policy 2.1.1: The capital improvement projects list shall be comprehensive and include projects from all departments of the City government.

Policy 2.1.2: The City shall evaluate and rank the list of capital improvement projects in order to logically distribute funding for the various projects.

Policy 2.1.3: Projects which correct existing deficiencies to an adopted level of service, shall be ranked ahead of those required for projected shortfalls.

Objective 2.2: The City shall ensure the maximum use of existing facilities and discourage urban sprawl while expanding the City tax base sufficiently to provide adequate services to all within its service area.

Policy 2.2.1: New capital projects shall be constructed preferably in a compact loop design around the existing collections and treatment facilities in order to maximize the use of new facilities and minimize the cost to the City.

SOLID WASTE SUBELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL 1: THE CITY SHALL CONTINUE TO PROVIDE COLLECTION AND TRANSPORT OF GARBAGE, VEGETATIVE WASTE, BULK TRASH AND RECYCLABLES TO MEET THE CITY'S EXISTING AND 10-YEAR PROJECTED DEMANDS.

Objective 1.1: The City shall continue to implement procedures to discourage urban sprawl and ensure that at the time a development permit is issued, adequate solid waste disposal capacity is available or will be available when needed to serve the development.

Policy 1.1.1: The following collection and disposal level-of-service standards are hereby adopted for determining the availability of facility capacity and the demand generated by development:

Collection – The City shall adhere to the Franchise Agreement of the Solid Waste Authority by providing a minimum level of service for residential garbage collection of twice per week, bulk trash collection of once per week, vegetation collection of once per week, and recyclable collection of once per week.

Disposal – The City shall ensure delivery of solid waste material collected to the Solid Waste Authority (SWA) North County Landfill and shall continue to seek annual certification from the SWA that it has sufficient disposal capacity to accommodate the solid waste generated for both the five (5) year and ten (10) year planning periods. The

SWA certification letter shall constitute compliance with the City's Solid Waste LOS standard.

Objective 1.2: The City shall continue to coordinate with the Palm Beach County Solid Waste Authority regarding the management of existing landfill sites, the selection of future landfill sites, and in developing alternative methods of disposing of solid and hazardous wastes.

Policy 1.2.1: The City shall continue operating its recycling program on a Citywide basis in order to increase the amount of recyclable material, to reduce solid waste going to landfills by 30 percent between 2008-2018, and to conserve valuable natural resources through reuse of materials.

Policy 1.2.2: The City of West Palm Beach shall coordinate with Palm Beach County to ensure that the City is assisting the County with a countywide solid waste collection system to discourage littering and the illegal dumping of solid waste.

Policy 1.2.3: The City shall ensure proper notification to its residents and businesses of its collection schedule before and after a major storm event in order to provide appropriate and safe disposal practices.

Policy 1.2.4: The City shall control urban sprawl by adhering to the concurrency requirements and level of service standards outlined within this comprehensive plan, including those for solid waste facilities.

Policy 1.2.5: The City shall provide additional infrastructure and/or facilities for solid waste collection and transport as it deems necessary to accommodate projected needs.

Objective 1.3: The City shall continue to coordinate with local businesses contracted to haul Fats, Oils, and Grease (FOG) from restaurants and food service establishments and septage according to State Regulations for disposal at the East Central Regional Water Reclamation Facility (ECRWRF).

Policy 1.3.1: FOG and Septage transporters, when required, shall obtain an annual written permit from the Florida Department of Health.

Policy 1.3.2: All septage transporters shall comply at all times with Florida Administrative Code (F.A.C) 64E-6, City of West Palm Beach City Ordinance 4414-12, City of West Palm Beach Sewer Use Ordinance 90-126 and 90-128, and ECRWRF Septage Receiving Policy accordingly.

Policy 1.3.3: All FOG transporters shall comply at all times with Florida Administrative Code (F.A.C) 64E-6, City of West Palm Beach City Ordinance 4414-12, and ECRWRF Septage Receiving Policy accordingly.

Policy 1.3.4: The City shall continue to maintain an Industrial Pretreatment Program (IPP) according to EPA local limits, F.A.C. 62-625, City of WPB Resolution No. 52-12, and City of West Palm Beach Industrial Pretreatment Program Enforcement Response Plan to ensure compliance by local businesses that produce waste.

STORMWATER MANAGEMENT SUBELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL 1: THE CITY SHALL PROVIDE ADEQUATE STORMWATER MANAGEMENT FOR PROTECTION AGAINST FLOODING AND TO PREVENT DEGRADATION OF THE QUALITY OF RECEIVING WATERS.

Objective 1.1: The City shall continue to implement adopted stormwater management regulations which will help to discourage urban sprawl and provide guidelines to prevent the degradation of the water quality of receiving waters. The City shall ensure that future development meets level of service standards and utilizes stormwater management systems compatible with the City's current Stormwater Management Plan.

Policy 1.1.1: The City shall continue to fully implement the stormwater requirements set forth in the Zoning and Land Development Regulations and as specified by the South Florida Water Management District. The City shall continue to implement these regulations in order to meet the following:

- a. Maintain and expand the storm management system as needed to maintain level of service design standards of a 3-year, 1-hour storm for the storm-sewer system and a 25-year, 24-hour storm for the canal system.
- b. Require erosion and sedimentation controls during construction to avoid contamination of receiving waters.
- c. Utilize retention/detention facilities where practical to provide water-quality treatment of stormwater runoff.
- d. Install sedimentation basins and/or baffle systems to prevent pollutants from entering receiving water bodies.
- e. Maintain the land around Clear Lake and Lake Mangonia in order to prevent stormwater runoff from entering this potable water source.
- f. Require future development to limit post-development runoff rates to pre-development discharge rates.
- g. Provide routine maintenance to the stormwater management facilities to ensure they are functioning properly and to prolong their service life.

- h. Continue the City's vigorous street sweeping program that includes the daily sweeping of downtown streets and twice weekly sweeping of all streets outside of the downtown.

GOAL 2: THE CITY SHALL ENCOURAGE COMPACT GROWTH IN THE WESTERN AREAS OF THE CITY AND PROVIDE ADEQUATE STORMWATER MANAGEMENT SYSTEMS WITHOUT DEPLETING THE SOURCE OF IRRIGATION AND RECHARGE WATER.

Objective 2.1: The City shall continue to coordinate with the South Florida Water Management District and the local improvement districts to design and implement future stormwater management systems, to conserve wetlands acreage, to foster protection of natural wildlife habitats, to protect natural resources, and to protect water quality.

Policy 2.1.1: The City shall maintain the water levels in the City's discharge canals at beneficial elevations during dry periods to conserve valuable water resources.

Objective 3.1: The City shall implement recommendations from the 2016 Stormwater Master Plan, which addresses correcting existing deficiencies and the increasing of capacity to meet future needs.

Policy 3.1.1: The City shall address deficiencies and future demand through the Implementation of the 2016 Stormwater Master Plan recommendations and by the implementation of the 1993 Stormwater Utility Ordinance and the Utility Fee to fund designated projects on an ongoing basis.

NATURAL GROUNDWATER AQUIFER RECHARGE SUBELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL 1: PRESERVATION AND ENHANCEMENT OF THE AQUIFER IN THE CITY'S WATER CATCHMENT AREA.

Objective 1.1: The City shall maintain Comprehensive Plan policies and land development regulations that restrict the encroachment of incompatible land uses upon the water catchment area.

Policy 1.1.1: Written objections will be submitted to the City regarding restrictions upon encroachment of potentially-detrimental land uses near the water catchment area. The Water Advisory Committee will analyze and report concerns directly to the City Commission.

Policy 1.1.2: Continue monitoring water quality in an effort to identify possible deterioration in water supply quality. Cooperate and participate with other agencies to develop water quality models to more accurately assess the impacts of proposed land use activities.

Objective 1.2: The City shall actively pursue acquisition of lands adjacent to the Water Catchment Area and the voluntary dedication of preserves areas in adjacent developed land to maximize natural buffer areas around the perimeter of the Water Catchment Area.

Policy 1.2.1: The City shall protect this vital groundwater recharge area and closely regulate development surrounding the Water Catchment Area by allowing only those land uses, site designs, and on-site stormwater drainage systems that are of a benign or beneficial influence to the recharge area.

Objective 1.3: The City shall continue to implement a program of public education and information to promote understanding of the Water Catchment Area and the importance of environmental preservation to the quality of the City's water supply.

Policy 1.3.1: The City shall continue to develop and utilize the Nature Center facilities and relationships with environmental groups and educational centers to provide an educational program that allows acceptable, passive recreational use of the Water Catchment Area to promote an appreciation of the fragile and unique environment that is the source of the City's water.

Objective 1.4: The City shall continue to implement existing and identify additional programs to augment and enhance groundwater recharge.

Policy 1.4.1: The City shall continue to divert excess rainwater from the catchment area to Clear Lake and Lake Mangonia to enhance groundwater recharge.

Policy 1.4.2: The City shall continue to operate the Renaissance Stormwater Treatment System to capture and store water in South Clear Lake to enhance groundwater recharge.

Policy 1.4.3: The City shall continue to operate the C-17 Tidal Capture System to capture and store water in Clear Lake to enhance groundwater recharge.

20 YEAR WATER SUPPLY FACILITY WORK PLAN SUBELEMENT

1.0 INTRODUCTION

1.1 Purpose and Objectives

The purpose of the City of West Palm Beach Water Supply Facility Work Plan (hereinafter the Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction.

The work plan reflects the assessments completed as part of the City's 2025 Capacity Analysis Report (2025 CAR), the 2023/2024 Lower East Coast Regional Water Supply Plan (2023/2024 WSP) development, Consumptive Use Permit 50-12547-W, and the Capital Improvement Program (CIP). The development and submittal requirements for the Work Plan are based on the following:

- Chapter 403, Part VI, F.S., requires public water systems to provide for the timely planning, design, permitting, and construction of necessary public water system sources, treatment, or storage facilities. Under Chapter 62-555.348, F.A.C., the City is required to prepare and submit an updated Capacity Analysis Report (CAR) every five years. The 2025 CAR update was submitted to the Florida Department of Health in January 2025.
- Chapter 163, Part II, F.S., requires local governments to prepare and adopt Work Plans into their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update. The 2023/2024 WSP update was approved by the South Florida Water Management District (SFWMD) on September 24, 2024.

Residents of the City, Town of Palm Beach and Town of South Palm Beach, buy their water directly from the City of West Palm Beach Public Utilities Department (PUD). Under this arrangement, the City's PUD ensures that sufficient capacity is available for existing and future customers and that supporting infrastructure, such as the water lines, are adequately maintained.

According to state guidelines, the Work Plan and the comprehensive plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements and conservation and reuse programs that are necessary to serve existing and new development for at least a 20-year planning period.

The City's Work Plan is divided into the following four sections:

Section 1 – Introduction

Section 2 – Background Information

Section 3 – Data and Analysis

Section 4 – Work Plan Projects/Capital Improvement Element/Schedule

1.2 Statutory History

The Florida Legislature has enacted bills in the 2002, 2004, 2005, 2011, 2012, 2015 and 2016 sessions to address the state's water supply needs. These bills, especially Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapter 163 and 373 Florida Statutes (F.S.) by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between the local land use planning and water supply planning.

1.3 Statutory Requirements

The following highlights the statutory requirements:

1. Coordinate appropriate aspects of its comprehensive plan with the appropriate water management district's regional water supply plan.
2. Ensure that its future land use plan is based upon availability of adequate water supplies and public facilities and services. Data and analysis demonstrating that adequate water supplies and associated public facilities will be available to meet projected growth demands must accompany all proposed Future Land Use Map amendments submitted to the Planning Division for review. The submitted package must also include an amendment to the Capital Improvements Element, if necessary, to demonstrate that adequate public facilities will be available to serve the proposed Future Land Use Map modification.
3. Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy and consult with the applicable water supplier prior to approving building permit, to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy. This "water supply concurrency" is now in effect, and local governments should be complying with the requirement for all new development proposals. In addition, local governments should update their comprehensive plans and land development regulations as soon as possible to address these statutory requirements. The latest point at which the comprehensive plan must be revised to reflect the concurrency requirements is at the time the local government adopts plan amendments to implement the recommendations of the Evaluation and Appraisal Report (EAR).
4. For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the "Infrastructure Element"), within 18 months after the water management district approves an updated regional water supply plan, to:
 - a. Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the updated regional water supply plan, or the

alternative project proposed by the local government under s. 373.709(8)(b) and 373.709(2) (a) F.S.;

- b. Identify the traditional and alternative water supply projects, bulk sales agreements, and the conservation and reuse programs necessary to meet current and future water use demands within the local government's jurisdiction; and
 - c. Include a water supply facility work plan for at least a 20-year planning period for constructing the public, private, and regional water supply facility identified in the Element as necessary to serve existing and new development. Amendments to incorporate the water supply facility work plan into the comprehensive plan are exempt from the twice-a-year amendment limitation.
- 5. Revise the Schedule of Capital Improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the planning period.
 - 6. To the extent necessary to maintain internal consistency after making changes described in Paragraph 1 through 5 above, revise the Conservation Element to assess projected water needs and sources for at least a 20-year planning period, considering the appropriate regional water supply plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s).

If the established planning period of a comprehensive plan is greater than ten years, the plan must address the water supply sources necessary to meet and achieve the existing and projected water use demand for established planning period, considering the appropriate regional water supply plan.

- 7. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authorities' plans.
- 8. Address in the EAR, the extent to which the local government has implemented the 10-year water supply facility work plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, bulk sales agreements, and conservation and reuse programs are meeting local water use demands.

2.0 BACKGROUND INFORMATION

2.1 Overview of the City of West Palm Beach

The City, established in 1894, is the largest municipality within Palm Beach County and serves as the County seat. The City boundaries encompass approximately fifty-eight (58) square miles and are bounded by the Intracoastal Waterway to the east, the SFWMD C-51 canal to the south, the City's 19.3 square mile Water Catchment Area to the west, and the Beeline Highway and 59th Street to the north. Located adjacent to the City are several municipalities including, the Town of Palm Beach, City of Lake Worth, Town of Mangonia Park, and City of Riviera Beach.

Although the City is substantially built out, approximately 98%, the City's service area population continues to grow from 126,650 in 2020 to 136,078 in 2024, an increase of nearly seven percent. Most of the population growth is reflective of the fact that the City continues to experience infill and redevelopment within its limits. For future planning purposes, 2025 has been set as the base year with 5-year planning increments through 2045, consistent with the 2023/2024 WSP

The City does not anticipate any substantial increases in land area in the near future within the Service Area; however, population projections indicate continued growth of 16% between 2025 and 2045 based on the Palm Beach County Allocation Model (Allocation Model).

2.2 Relevant Regional Issues

As the state agency responsible for water supply in the Lower East Coast planning area, the SFWMD plays a pivotal role in resource protection, through criteria used for Consumptive Use Permitting. As pressure increased on the Everglades ecosystem resource, the Governing Board initiated rulemaking to limit increased allocations dependent on the Everglades system. As a result, the Regional Water Availability Rule was adopted by the Governing Board on February 15, 2007, as part of the SFWMD's Consumptive Use Permit Program. This reduced reliance on the regional system for future water supply needs, mandates the development of alternative water supplies, and increasing conservation and reuse.

1. The existing alternative water supplies developed by the City include:
 - a. Construction of an Aquifer Storage and Recovery (ASR) well system at the water treatment plant to capture and store excess water from Clear Lake during the wet season and recover the stored water during the dry season.
 - b. Construction of the C-17 Pump Station to capture excess stormwater within the C-17 Canal prior to discharge to tide.
 - c. Construction of the Renaissance Project to capture and treat stormwater drainage from the Stub Canal to reduce discharges to tide.

- d. Construction of the Boyd Street gate system that allows the capture of excess water from the C-51 Canal prior to discharge to tide.
- 2. Future water supplies and treatment strategies to be evaluated include:
 - a. Alternative Water Supply: The City will develop strategies for use of alternative water supplies including:
 - i. Brackish Water Supply: The City received an allocation of brackish water (Floridan Aquifer) from the SFWMD under Permit 50-12547-W to meet future demands through Year 2074.
 - ii. Brackish Water Production Wells: The City will develop the necessary upper Floridan Aquifer production wells (31 Wells) and associated infrastructure to transport brackish water for treatment to meet future demands.
 - b. Treatment Strategies: The City will investigate and implement strategies to improve, maintain and expand the water treatment plant capacity, capabilities, and efficiencies including:
 - i. Surface Water Treatment: The City will investigate and develop treatment strategies that improve the efficiencies for raw water treatment, chemical use, and waste production.
 - ii. Brackish Water Treatment: The City will investigate and develop treatment strategies to process brackish water to meet future demands.
- 3. The East Central Regional Water Reclamation Facility (ECR) will continue to maintain, operate and investigate opportunities to reduce potable water demands, increase reuse rates, and develop strategies to reclaim treated water.
 - a. FPL Reclaim Facility: The ECR and Palm Beach County have an interlocal agreement for the operation and maintenance of the reclaimed water facility located on the ECR property. Through interlocal agreement Palm Beach County provides reclaimed water to the FPL West County Energy Center and Fit Team Ball Park of the Palm Beaches.
 - b. Process Water Treatment System: Operation and maintenance of the Process Water Treatment System used to filter and pressurize process water for the biosolids facility. The system reduces the ECR's potable water usage demand by approximately 14 million gallons per month (mgm).

The intent of the Work Plan is to meet the statutory requirements mentioned in subsection 1.2 and to coordinate the City's water supply initiatives with the SFWMD's 2023/2024 WSP.

This Work Plan details the facilities and proposed alternative water supply (AWS) projects that are being evaluated, planned or completed and included in the 2023/2024 WSP to assist the City in meeting the service area water demands through 2045. These projects are expected to be completed in increments consistent with the projected growth set forth in the Work Plan. The AWS projects will be included within the City's Capital Improvement Element, as needed.

3.0 DATA AND ANALYSIS

3.1 Service Area - Population Information

The City of West Palm Beach Potable Water Supply Service Area (Service Area) includes the City of West Palm Beach, Town of Palm Beach and Town of South Palm Beach. The existing and future population figures for the Service Area were developed based on the information obtained from the following sources:

- Historic Population Estimates: University of Florida's Bureau of Economic and Business Research web site (www.bebr.ufl.edu); and
- Population Projections: Palm Beach County PZB Divisions Population Allocation Model (<https://discover.pbcgov.org/pzb/planning/Projects-Programs/Population-Demographics.aspx>).

The City reviewed the 2023/2024 WSP population projections and elected to use the more conservative projections and updated values from the Allocation Model for the Work Plan. In reviewing the 2023/2024 WSP, it was noted that the population projections were nearly three years old and were used in September 2023 to support the CUP 50-12547-W application and in December 2024 for the 2025 CAR.

Between 2020 (126,650) and 2024 (136,078) the City experienced a population growth rate of nearly seven percent in the Service Area. The City does not anticipate substantial increases in land area in the near future; however, population projections indicate a continued population growth for the Service Area of nearly 16 percent for the next 20 years to 164,873 in the year 2045.

The City has two bulk service agreements that account for a reserve demand of 0.55 mgd and include the Solid Waste Authority and Bayhill Estates. The City anticipates that the agreement with the Solid Waste Authority will remain in place during the planning horizon, with the agreement with Bayhill Estates, currently being served by Palm Beach County, expiring in 2030.

3.2 Service Area Map

The Service Area includes the City of West Palm Beach, Town of Palm Beach and Town of South Palm Beach. A copy of the Service Area map is provided in the Comprehensive Plan Map Series and is also found at the end of this document.

The following items associated with the City's municipal boundaries and the service area are noted:

- A trailer park, located in unincorporated Palm Beach County, on Community Drive is within the Service Area but not connected to the City's water system. Currently the City has no plans to incorporate the area or provide water service.
- The following residential developments are located within the City's boundaries but outside the Service Area:
 - Caribbean Apartments (398 Units);
 - Tara Cove (58 Units);
 - Okeechobee Commons (245 Units); and
 - Azola (179 Units).

Populations associated with these areas were not deducted from the BEBR or Allocation Model due to the uncertainty related to the actual number of permanent residents.

3.3 Population and Potable Water Supply Demand Projections

This section provides the historical population data from 2020 to 2024 and population projections for 2025 through 2045 for the Service Area.

The total population estimates for the City, Town of Palm Beach and Town of South Palm Beach were based on the information obtained from the sources noted in Section 3.1 of the Work Plan. The Work Plan assumes the Town of Palm Beach will remain a customer through the planning period.

3.3.1 Historical Population Projections for the Service Area

Historical populations for the Service Area are shown in Table 1. These figures are based on the BEBR data.

Table 1 – Service Area Historical Population Estimates

Municipality	Year				
	2020	2021	2022	2023	2024
<i>City of West Palm Beach</i>	116,781	119,255	119,971	122,157	125,401
<i>Town of Palm Beach</i>	8,409	9,253	9,218	9,207	9,212
<i>Town of South Palm Beach</i>	1,460	1,472	1,472	1,469	1,465
Total Service Area	126,650	129,980	130,661	132,833	136,078

3.3.2 Service Area Population Projections

Population projections for the Service Area are shown in Table 2 and were obtained from the Allocation Model.

Table 2 – Service Area Future Population Projections

Municipality	Year				
	2025	2030	2035	2040	2045
<i>City of West Palm Beach</i>	127,076	135,179	143,669	149,589	153,493
<i>Town of Palm Beach</i>	9,464	9,569	9,627	9,642	9,818
<i>Town of South Palm Beach</i>	1,549	1,552	1,557	1,557	1,562
Total Service Area	138,089	146,300	154,853	160,788	164,873

3.3.3 Historical Water Use

The historic water production figures, average daily rates, Service Area populations, and per Capita rate are shown in Table 3 for years 2020 through 2024.

Table 3 – Service Area Historic Water Production and Demand

Production/Demand	Year				
	2020	2021	2022	2023	2024
Annual Production (mgd)	10,364	10,662	10,894	11,025	11,060
Average Daily Rates (mgd)	28.39	29.21	29.85	30.21	30.30
Service Area Populations	126,650	129,980	130,661	132,833	136,078
Per Capita Demand (gpcd)	224.20	224.74	228.43	227.40	222.68

3.3.4 Future Water Demand

Future water demands are estimated using the Service Area population projections multiplied by the per capita rate of 225.49 gpcd.

The selected per capita rate was based on the average of the rates in Table 3 for the past five years. Table 4 below provides the projected finished water demand for the years 2025 through 2045.

Table 4 –Service Area Future Water Demand

Demand Projections	Year				
	2025	2030	2035	2040	2045
Service Area Populations	138,089	146,300	154,853	160,788	164,873
Per Capita Factor (gpcd)	225.45	225.45	225.45	225.45	225.45
Average Daily Production (mgd)	31.14	32.99	34.92	36.26	37.18
Maximum Daily Production (mgd)	42.93	45.48	48.14	49.99	51.26
Annual Production (gpy)	11,365	12,041	12,745	13,233	13,570

Table 5 summarizes the reserve capacities for the Bulk Service Agreements with the Palm Beach County Solid Waste Authority (expires September 2029) and Palm Beach County Water Utilities Department for Bayhill Estates (expires October 2030). The City anticipates the agreement for Bayhill Estates will not be renewed.

Table 5 – Bulk Service Agreements Capacity Reservation

Utility/Agency Served	Quantity of Water (mgd)				
	2025	2030	2035	2040	2045
Solid Waste Authority	0.40	0.40	0.40	0.40	0.40
Palm Beach County-Bayhill Estates	0.15	0.15	-	-	-
Total	0.55	0.55	0.40	0.40	0.40

The City has additional interconnect agreements with Palm Beach County and the adjacent municipalities, which are not included as a capacity reservation as these are, by definition, for emergency use, and subject to system capacity capability at the time of request.

Table 6 summarizes the estimated finished water needs based on the demand projections and bulk service agreements compared to the permit allocations.

As shown in Table 6, Phase I of the Upper Floridan Aquifer project (10 mgd, Reverse Osmosis Treatment) is planned to be available between 2030 and 2035 with an additional 15 mgd, based on need, available between 2035 and 2040 for a total of 25 mgd by the end of calendar year 2045.

Table 6 –Service Area Demand Projections

Demand Projections/Allocations (mgy)	Year				
	2025	2030	2035	2040	2045
Finished Water Demands	11,365	12,041	12,745	13,233	13,570
Bulk Service Agreements	201	201	146	146	146
Total Finished Water (mgy)	11,566	12,242	12,891	13,379	13,716
Raw Water Demand - Surface Water*	11,924	12,620	13,290	13,793	14,140
Raw Water Allocation - Surface Water**	15,038	15,038	14,443	14,443	14,443
Raw Water Demand - Brackish Water*	0	0	4,867	12,167	12,167
Raw Water Allocation - Brackish Water***	4,867	4,867	20,546	20,546	20,546

*Raw water demands are based on treatment losses of three percent (3%) and twenty-five percent (25%) for the surface water and reverse osmosis plants, respectively. ** Annual allocation for Clear Lake withdraws under WUP 50-00615-W expire in 2033. It has been assumed that the per Capita factor will be decreased from 272 gpcd to 240 gpcd consistent with the WUP 50-12547-W. *** Annual allocation for the upper Floridan Aquifer withdraws under WUP 50-12547-W. Under WUP 50-12547-W withdraws from the upper Floridan Aquifer require an equivalent reduction from Clear Lake (50-00615-W). Based on the population projections and the per Capita rate, there is sufficient allocations to meet future demands.

3.4 Potable Water Supply Systems

3.4.1 SFWMD Consumptive Use Permits

The City has obtained two consumptive use permits from the SFWMD including:

- Consumptive Use Permit 50-00615-W issued on February 14, 2013, authorizing allocations for the Surface Water, Surficial Aquifer, and Floridan Aquifer systems. This is a 20-year permit that will expire on February 14, 2033.
- Consumptive Use Permit 50-12547-W issued on July 9, 2024, authorizing allocations for the upper Floridan Aquifer systems. This is a 50-year permit expiring on July 9, 2074.

Permit 50-12547-W secured a future AWS supply for the City which, when permitted, was sufficient to meet the future needs through calendar year 2074.

- WUP Numbers: 50-00615-W and 50-12547-W

- Raw Water Sources:

Ground Water from: ASR Well System (Storage/Recovery – Floridan Aquifer System), Surficial Aquifer System, and upper Floridan Aquifer.

Surface Water from: Clear Lake; and SFWMD Canal (L-8) Tieback.

- Raw Water Allocation Information:

Annual Allocations:

SFWMD Canal (1-8) Tieback:	24,446 MG
Clear Lake:	15,038.00 MG
Surficial Aquifer System (Western Wellfield):	1,470 MG
Surficial Aquifer System (Eastern Wellfield):	864 MG
Floridan Aquifer (Phase 1):	4,866.70 MG
Florida Aquifer System (Phase 2 – 5):	20,545.85 MG

Monthly Allocations:

SFWMD Canal (1-8) Tieback:	2,765.00 MG
Clear Lake:	1,392.32 MG
Surficial Aquifer System (Western Wellfield):	759.50 MG
Surficial Aquifer System (Eastern Wellfield):	446.40 MG
Floridan Aquifer (Phase 1):	437.80 MG
Florida Aquifer System (Phase 2 – 5):	1,848.11 MG

Allocations include the Public Water Supply, Diversion and Impoundment into Non-District Facilities, and the ASR Well.

3.4.2 Existing Withdrawal Facilities

Source: Floridan Aquifer System (ASR well for surface water storage/recovery)

1-24" x 1200' x 4861 GPM Well Cased to 985 feet

Source: Surficial Aquifer System - Western Wellfield

1-18" x 152.5' x 2,780 GPM Well Cased to 82.5 feet

1-18" x 153.5' x 2,780 GPM Well Cased to 83.5 feet

1-18" x 154' x 2,780 GPM Well Cased to 84 feet

1-18" x 163' x 2,780 GPM Well Cased to 93.5 feet

1-18" x 166' x 2,780 GPM Well Cased to 96 feet

1-18" x 170' x 2,780 GPM Well Cased to 100 feet

4-18" x 150' x 2,780 GPM Well Cased to 80 feet

Ground Water: Surficial Aquifer System - Eastern Wellfield

1-24" x 98' x 1000 GPM Well Cased to 95 feet

1-24" x 186' x 1000 GPM Well Cased to 137 feet

1-24" x 181' x 1000 GPM Well Cased to 131 feet

1-24" x 95' x 1000 GPM Well Cased to 91 feet

1-24" x 101' x 1000 GPM Well Cased to 86 feet

1-24" x 170' x 1000 GPM Well Cased to 132 feet

1-24" x 97' x 1000 GPM Well Cased to 93 feet

1-24" x 125' x 1000 GPM Well Cased to 119 feet

1-24" x 195' x 1000 GPM Well Cased to 145 feet

1-24" x 142' x 1000 GPM Well Cased to 105 feet

Source: Clear Lake (East Lobe) - Surface Water

1-30" x 250 HP x 13,900 GPM turbine pump (RW #26)

1-30" x 200 hp x 13,900 GPM turbine pump (RW #27)

4-14" x 100 HP x 8,400 GPM turbine pumps (RW #21, RW #22, RW #24, & RW#25)

3.4.3 Alternative Water Supplies

Table 6 presented the annual demand projections versus source water allocations. Based on the projections, the individual allocations for Clear Lake and upper Floridan Aquifer withdrawals will be sufficient to meet supply needs through 2045. Table 7 identifies the Alternative Water Supply (AWS) sources addressed within the CUPs that are available in accordance with the operating plans of WUP 50-00615-W and the Upper Floridan Aquifer CUP 50-12547-W.

Table 7–Service Area Alternative Water Supply Sources

Alternative Water Sources (mgd)	Year				
	2025	2030	2035	2040	2045
C-51 Tidal Capture	1,080	1,080	1,080	1,080	1,080
Renaissance Project	637	637	637	637	637
C-17 Tidal Capture	1,440	1,440	1,440	1,440	1,440
ASR Well System*	180	180	0	0	0
Upper Floridan Aquifer	0	0	4,867	12,167	12,167
Total AWS	3,337	3,337	8,024	15,324	15,324

*The renewed construction permit for the ASR well system limits recharge water to potable water requiring significant modifications. As a result, the City is considering the conversion of the ASR well to an upper Floridan Aquifer production well during Phase I of the WTP capacity increase.

A discussion of the City’s alternative water supply projects can be found in Section 3.6 of this report.

3.4.4 Interconnects

The City maintains interconnections with other public water suppliers as follows:

1. One interconnection with the Solid Waste Authority for delivery of up to 0.35 MGD of finished water;
2. One interconnection with the Palm Beach County at Bay Hill Estates for delivery of up to 0.15 MGD of finished water;
3. One emergency interconnection with Lake Worth Utilities (1.0 MGD);
4. Five emergency interconnections with Palm Beach County at SR7 at Okeechobee (3.0 MGD), -M-Canal W to Coconut Blvd (0.15 MGD), Haverhill Road (1.5MGD), and Jog Road (3.0 MGD), Florida Mango Rd (1.0 MGD); and
5. Two emergency interconnections with the City of Riviera Beach with one at Military Trail (1.0 MGD) and one at Broadway Avenue (1.0 MGD).

3.5 Conservation

The City developed and adopted a Water Conservation Plan in July 2005. The Water Conservation Plan elements include an aggressive approach to the development and implementation of several alternative water supply projects, water conservation-based water rate structures, leak detection

programs, an irrigation limitation ordinance, native vegetation landscaping requirements, ultra-low volume plumbing fixture construction code, rain sensor override requirement ordinance, and extensive public education programs. The City will coordinate future water conservation efforts with SFWMD to ensure that proper techniques are applied. In addition, the City will continue to support and expand existing goals, objectives and policies in the comprehensive plan that promote water conservation in a cost-effective and environmentally sensitive manner. The City will continue to actively support the SFWMD in the implementation of new regulations or programs that are design to conserve water during the dry season.

The City's Water Conservation Program Plan was reviewed, updated, and approved by the SFWMD as part of the permit application process for the upper Floridan Aquifer System allocation (Permit 50-12547-W) in July 2024.

The City's Water Conservation Programs strive to reduce the demand for water in a phased manner that will not only reduce water consumption but also reduce utility bills and help to orient people's behavior in a way to conserve resources. The programs address Water and Resource Conservation goals within the City's Sustainability Action Plan through increasing education and awareness within the community. Conservation programs within the Service Area include:

- High Efficiency Toilet Vouchers and Credits: for both residential and commercial customers, with 5,214 distributed within the 2012 to 2024 period. Since 2019 vouchers and credits allow a purchase of up to \$125 per voucher/credit.
- Rain Barrel Workshops: average 120 free rain barrels with installation/use trainings per year as of 2024.
- Urban Irrigation Efficiency Improvement Program: In partnership with the South Florida Water Management District and Palm Beach Soil & Water Conservation District, the City is offering residential customers free irrigation audit evaluations to help conserve water.
- Home Improvement Program: designed predominantly for low-income households located within the city limits of West Palm Beach. The primary purpose is to help residents begin a journey to save energy, conserve water, and discover additional resources. The program has provided free water conservation resources to 245 participants since its inception in 2020.
- New Water Customer Welcome Kits: The Office of Sustainability provides an average of 4,000 New Water Customer Welcome Kits per year to residents who open new water accounts within the City of West Palm Beach water service area. The kits include a custom home water audit booklet, water conservation tip slide chart, shower/faucet flow measuring bag, and leak-detecting dye tablets.
- Sustainability outreach: The Office of Sustainability participates and implements multiple educational conservation programs annually, including E4 Life: Green, Health, & Wellness Expo, Imagine a Day without Water, Drinking Water Week, LagoonFest, ManateeFest, Natural

Areas Festival, City of West Palm Beach GreenMarket, Climate Smart Floridians; Sustainability distributes water conservation kits per year at events throughout the year which include shower timers, high efficiency shower heads, faucet aerators, and other products.

- The City plans to track monthly water use in City buildings for the U.S. Department of Energy Better Buildings Challenge.
- The City's PACE (Property Assessed Clean Energy) programs include, whenever possible, water and energy savings.
- The City plans to continue following implementation of the district's mandatory year round landscape irrigation conservation measures as detailed in chapter 40E-24 FAC by informing customers through press releases and social media and, if needed, by enforcement through violation fines.

3.6 Alternative Water Supply Projects/Reuse

- The City is committed to developing and implementing alternative water supply projects, including reuse, to the extent possible. The City's AWS activities include the following: Renaissance Project: Constructed in 2002, the project is an innovative stormwater collection and reuse system that collects and treats stormwater normally discharged to tide. With an initial construction cost of \$17,600,000 the project was completed with financial support from the Environmental Protection Agency, South Florida Water Management District, and Palm Beach County. The system captures, treats and stores approximately 637 million gallons per year, (MGY) or one (1.75) million gallons per day (MGD).
- C-51 Capture: Originally authorized in May 2009, the project allows the City to capture water from the C-51 Drainage Basis that would have been lost to tide. All water captured is processed through the Renaissance Project. The project has the potential to capture an additional 54 mgd subject to the WUP 50-00615-W operating plans.
- Aquifer Storage and Recovery (ASR) Well: Upon completion of construction, the ASR well was rated at 8 mgd. Located at the Water Treatment Plant it was designed to store excess surface water during periods of heavy rainfall in the upper Floridan Aquifer System for recovery to meet increased demands during dry weather. Cycle testing continued until June 18, 2025, when the Florida Department of Environmental Protection issued permit number 079933-011-UC/5SR that specified that all source water had to meet the Primary and Secondary Drinking Water Standards of Chapter 62-550 F.A.C. before it is injected (recharged) into ASR well. The City is considering converting the ASR Well to an Upper Floridan Production well during Phase I.
- C17 Canal Pump Structure: The pump station was constructed to capture water prior to being sent to tide from C17 Canal, this pump structure has the potential to capture up to 72 MGD (operational conditions based on water being released to tide and canal levels).

- **Floridan Aquifer System:** The City secured an allocation of brackish water from the upper Floridan Aquifer System, an AWS, in July 2024. The allocation provides the City with a water supply meeting projected demand needs through the calendar year 2074. Development of the this water supply will be completed in phases and will depend on City needs and availability. A phased approach will be used to develop the production wells, infrastructure, and treatment process over the next fifty (50) years.

4.0 WORK PLAN PROJECTS/CAPITAL IMPROVEMENT ELEMENT/SCHEDULE

4.1 Existing Water Supply and Treatment Plant Process

The West Palm Beach Water Treatment Plant (WTP) is owned and operated by the City of West Palm Beach (City). The WTP and associated distribution system provides potable water to the residents, visitors and business of West Palm Beach and the towns of Palm Beach and South Palm Beach. The WTP is located in Palm Beach County, Florida at 1009 Banyan Boulevard, West Palm Beach, Florida.

The City was founded in 1894 and has been the seat of Palm Beach County government since 1909. The initial urbanized portion of the City was approximately eight miles long and 3 miles wide. A coastal ridge lies several blocks to the west and runs parallel to the Intercoastal Waterway for the entire length of the City. The original City site now constitutes the central business district. The development and maintenance of the utility infrastructure system provides an acceptable level of service and an essential component within the Service Area.

From the first water supply system developed in the late 1800s, the City's utility system has grown from a service population of approximately 500 people in 1900 to its current estimated service population of approximately 136,100 residents in 2024 covering 61 square miles. The utility system provides water for both indoor and outdoor use for about 33,549 residential and commercial customers accounts.

Since 2020 there have been several capital projects initiated and completed that include the following:

- Western Wellfield Replacements (Pumps, Instruments, and Transformers) (~319 thousand)
- Control Structure Rehabilitation and Upgrades (\$2.34 million);
- Valve, Pump and Motor Replacements (~\$800 thousand);
- Roof Replacements (~\$184 Thousand);
- High Service Pumps 1 & 2 - Motor and VFD Upgrades (~\$452 thousand);
- Cyber Security Upgrades - SCADA and PLCs Upgrades (~1.9 million);
- Water Treatment Plant Security Upgrades (Fencing, CCTV, and Gates) (~250 thousand);
- Administration Building and East Pump House Hardening (~\$1.16 million);
- HVAC Upgrades at the Chlorine Building, Administration Building Conference Room, and Generator Building (~\$218 thousand);
- Lime Silo Transfer System Replacement (~\$198 thousand)
- PAC Silo Transfer System Replacement (~\$77 thousand)
- Flocculation Basin Grating Upgrades (~\$574 thousand);

- Clear Lake East Lobe Aeration System (\$35 thousand)
- Powered Activated Carbon (PAC) Basin Construction (~\$2.38 million);
- Pre-Chlorination Systems for the PAC Basin and Flume (~\$100 thousand);
- Granular Activated Carbon (GAC) Replacement in 18 of 24 Filters (~\$1.3 million);
- Mobile Emergency Generator (Generator/Trailer) for Cumberland Repump Station (~\$395 thousand)

These projects total more than 12 million dollars (\$12,000,000) invested in the PWS's water supply and treatment plant since 2020. The City continues to be committed to the proper operation and maintenance of its PWS to ensure public health and safety.

The existing source water supply system dates to 1894 with the construction of a single steam driven pump and an 8-inch pipe to move water from Clear Lake to Henry Flager's Royal Poinciana Hotel. Over the years the source water supply has been expanded. The history of the supply includes the following milestones:

1894	Clear Lake tapped as Water Supply.
1920's	Clear Lake is connected to Lake Mangonia.
1930's	M-Canal excavated to wetlands (Grassy Waters Preserve) west of the lakes.
1950's	Grassy Waters Preserve (19.3 Square Miles) purchased.
1960's	M-Canal Extension westward to the L-8 Canal and Lake Okeechobee.
1980's	Western Wellfield constructed.
1990's	Aquifer Storage and Recovery Well constructed.
2000's	Renaissance Project construction and the Okeechobee Divide Structure constructed.
2010's	Eastern Wellfield constructed, Australian Avenue Gates and Pumps constructed, and the C-17 Pump House constructed.
2020's	UV Treatment System constructed, Powdered Activated Carbon Basins constructed, upgraded high service pumps 4, 5, 6, and 7 installed, and high service pumps 1 and 2 equipped with variable frequency drives.

The WTP has a maximum permitted capacity of 47.3 mgd that includes the following treatment processes:

- Hypochlorite Pretreatment - Turbidity Control and Cyanotoxin Reduction (Optional);
- Powered Activated Carbon - Cyanotoxin Reduction, Taste and Odor Control (Optional);
- Cationic Polymer - Turbidity Control;
- Ferric Sulfate - Turbidity Control;
- Lime – Softening, Turbidity and TOC Removal;
- Recarbonation - pH Adjustment;
- Filter Aid - Turbidity Control (Optional);
- Conventional/Biologically Active Filters – Turbidity Control, Cyanotoxin Reduction, Taste and Odor Control;
- UV Disinfection - Bacteriological Control;
- Chlorine/Chloramines - Bacteriological Control;

- pH Adjustment (Sodium Hydroxide) - Lead and Copper Control; and
- Orthophosphate (Corrosion Inhibitor) - Lead and Copper Control.

The primary source of the City's water supply is surface water that travels through the City's M-Canal to the downtown water supply lakes, Lake Mangonia and Clear Lake. The primary sources water include the Grassy Waters Preserve, a 19.3 square mile aquatic preserve located in western West Palm Beach and Lake Okeechobee through the L-8 Tieback and pumped into the M-Canal via control structure 2.

Alternative sources of water that feed into this above-ground water supply system include the City's Renaissance Project, tidal water capture from C51 and C17 Canals, and augmentation from surface water stored and recovered from the ASR well.

The Eastern and Western wellfield surficial wells and the Clear Lake Divide structure are available to the City during periods of drought conditions or elevated cyanotoxin levels.

4.2 Capital Improvements Element/Schedule

The City's financially feasible Capital Improvement Schedule, adopted annually, includes capital improvement projects necessary to maintain levels of service providing for improved reliability and operational efficiencies at the facility (See the Capital Improvements Element). Table 8 contains the active and planned capital projects associated with the water supply, treatment, and above ground distribution assets:

Table 8 Capital Project Schedule

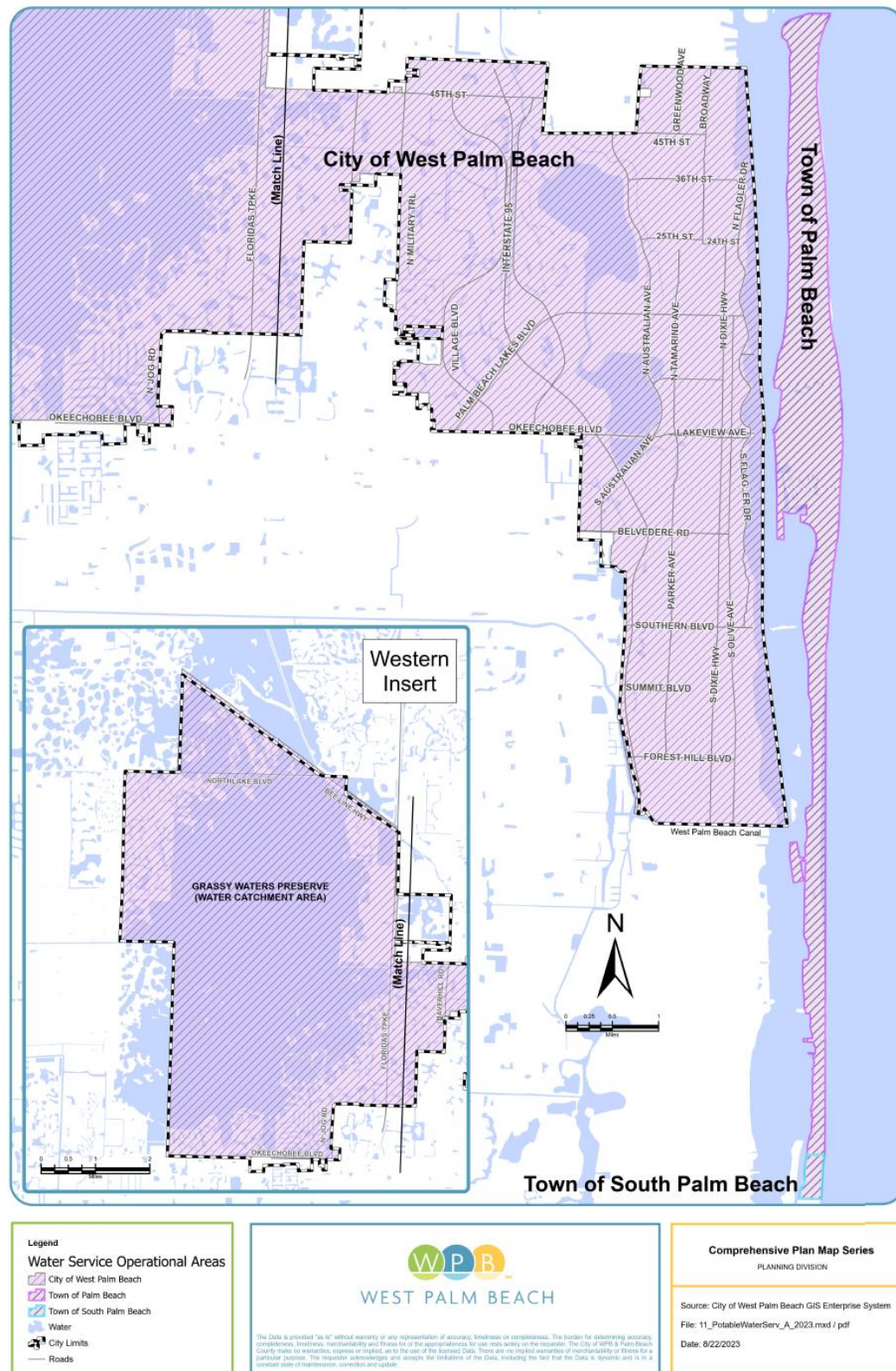
Capital Improvement Project	Planning Period		
	2025- 2029	2030-2034	2035-2045
Western Wellfield Rehabilitation (41756148) – Replacement of transformers, well pumps, motor control centers, electronics, and wellheads.	X	X	
Grassy Waters Preserve, York Bridge Reconstruction (New) – Structural assessment, design and replacement of the existing wooden bridge.	X		
Watershed Storage and Maintenance Facility (New) – Design and construction of a storage and maintenance building to house airboats, trailers and equipment.	X		
Eastern Wellfield Rehabilitation (New) – Replacement of transformers, well pumps, motor control centers, electronics, and wellheads.	X	X	
Wind Retrofit Administration Building and East Pump House (32164867) – FEMA Wind Mitigation Project replacing doors, windows, and louvers.	X		
Water Treatment Plant Chemical Building Exhaust Ventilation System Replacement (32164900) – Replace chemical room exhaust vents and ductwork.	X		
Pre-Chlorination System Modification (32164019) – Purchase and installation of new hypochlorite dosing	X		

pumps, containment piping and transfer line for cyanotoxin control.			
HVAC System Water Treatment Plant Chlorine Building (32164917) – Upgrade and Replace the HVAC systems to maintain temperature control on the sodium hypochlorite (Bleach)	X		
Backwash Recovery Pump Station Improvements (32164049 & 32164995) – Upgrade and Replacement of existing vacuum pump system with a submersible pump system and new discharge header.	X		
Raw Water Pump 27 Replacement (05852435) – Purchase and installation of a new motor (200 HP) and pump 13,900 gpm).	X		
Mixing/Metering Header Replacements (32164973 & 32164997) – Replacement of the existing meter/mixing headers and associated static mixer.	X		
Water Treatment Plant Server/Scada Room Construction (32164960) – Cyber security upgrade for a dedicated server room.	X		
Bulk Dry Storage & Lime Slaker (32164803) – Purchase and installation of a new lime silo and slaker system to increase storage capacity and redundancy.	X		
Cumberland Repump Station Emergency Power System Upgrades (22164899) – Purchase and installation of a new Mobile Power Generator, new Quick Connect, new Main Power Switch, and new Automatic Transfer Switch.	X		
Ibis Repump Station Emergency Power (42164029 & 42164030) – Replacement of the emergency generator and fuel tank (Day Tank).	X		
Ibis Repump Station Surge Tank Replacement (42164030) – Replacement of the hydropneumatic tank.	X		
Kaye Street Repump Station Driveway (32164923) – Expansion of the driveway and construction of a new retaining water.	X		
Palm Beach Repump Station Emergency Power (New) – Replacement of the emergency generator and fuel tank			
St. Mary's Repump Station Underground Fuel Tank Replacement (12164898) – Removal of the existing underground tank, purchase and installation of a new aboveground storage tank.	X		
Valley Forge Repump Station Tank Replacement (32165800) Demolition and Replacement of the existing three (3) million-gallon storage tank.	X		
Reinstate Settled Water Flume Bypass (32164411) – Removal and replacement of the existing liquid carbon dioxide storage tanks and associated equipment (Phase I).	X		
Citywide Security System And CCTV Upgrade (92399893) – Replacement and Upgrades to the WTP CCTV to meet City Standards.	X		

Lime Sludge Filter Press (New) – Purchase and installation of a new press to replace 1 of 3.	X		
WTP Employee Restroom and Locker Area Renovation (New) – Interior renovation and replacement of the lockers, sinks, showers and toilets	X		
WTP Filtration System Improvement (New) – Reconstruction of the existing filters (1 – 16, Built 1926) and addition of 5 MGD of new filters.	X		
Reinstate Settled Water Flume Bypass (32164411) – Removal and replacement of the existing liquid carbon dioxide/water mixing and metering system (Phase II).	X	X	
Water Treatment Plant Historical Building Improvements (32164818) – Hardening, Refurbishment, and upgrades to the 1926 West Pump House includes interior and exterior improvements.	X	X	
ASR Well Upgrades, Reclaim Pump and Level Sensor (32164961) – Upgrades to address permit requirements and replace recharge pump, motor, and level sensor.	X	X	
Water Treatment Plant Citywide Projects (32164595) – Unscheduled projects including design, purchasing, and construction activities.	X	X	X
Water Treatment Plant Security Upgrades (32164930) – Electronic and cyber security upgrades for electronic access to facilities and buildings, CCTV expansion, fire and intrusion alarms.	X	X	X
Water Treatment Plant Security Upgrades (32164935) – Physical security upgrades for perimeter fencing, buildings, and equipment.	X	X	X
Water Treatment Plant Chemical Storage Tank Replacements (32164996) – Upgrade and replace the chemical bulk and day tanks.	X	X	X
Hardening & Replacement of Electrical Equipment (32164031) – Upgrading and replacement of electrical transformers, switch gear, motor control stations, etc.	X	X	X
Hardening & Replacement of HVAC Systems (32164032) – Upgrading and replacing compressors, evaporators, and ductwork supporting critical electrical and chemical areas.	X	X	X
Valve and Motor Replacement (3216415) – Replacement of pumps, valves, and motors resulting from unscheduled premature failure.	X	X	X
Floridan Aquifer Water Treatment Plant Phase I (New) – Construction of a new 10 MGD Reverse Osmosis Treatment capacity.	X	X	
Finished Water Storage (New) – Construction of a new 3 MG storage tank	X	X	
Floridan Aquifer Water Production Wells Phase I (New) – Construction of up to 12 Floridan Aquifer Wells (Wells 1 -12) and associated Monitoring wells.	X	X	

Floridan Aquifer Water Transmission Lines Phase I (New) – Construction of up to 10 miles of raw water pipeline.	X	X	
Floridan Aquifer Water Booster Stations Phase I (New) – Construction of up to 2 booster stations.	X	X	
Floridan Aquifer Water Treatment Plant Disposal Wells Phase I (New) – Construction of two deep injection wells for RO Concentrate disposal.	X	X	
Floridan Aquifer Water Treatment Plant Phases II – V (Planned) – Construction of additional 40 MGD Reverse Osmosis Treatment Capacity.		X	X
Floridan Aquifer Water Production Wells Phases II - V (Planned) – Construction of an additional 19 Floridan Aquifer wells (Wells 13 - 31) and associated monitoring wells.		X	X
Floridan Aquifer Water Transmission Lines Phases II - V (Planned) – Construction of an additional 10 miles of raw water pipeline.		X	X

Based on the projected water demands, permitted allocations, available alternative water supplies, and issues associated with the reliance solely on the surface water supplies, the City anticipates the need for additional treatment capacity and technologies within the 20-year planning horizon. The City has recognized that existing water quality conditions have not been improving coupled with the emerging contaminants of concern, the City will need the use of advanced treatment strategies to continue providing safe drinking water. As a result, the City has initiated planning for the development of the upper Floridan Aquifer water supply as allowed under the SFWMD permit for Phase 1 (10 MGD). In addition, the City will continue to explore current technology and options to optimize the existing water supplies while enhanced treatment processes are assessed to meet anticipated future demands.





BACKGROUND:

Following the adoption of the 2024 Town of Palm Beach Comprehensive Plan, the Planning, Zoning and Building (PZB) staff identified policies within the Future Land Use Element that require further amendments. In addition, amendments to the Historic Preservation Element and Infrastructure Element are also required in order to address a newly discovered archaeological zone by the Town's archaeological consultants in February 2026 and the required update to the Town of Palm Beach Water Supply Facilities Work Plan (Work Plan), respectively. Further, the Town's Future Land Use Map and Zoning Map require changes to accommodate the adopted new Beach Area Future Land Use Designation and the adopted new Parks and Recreation and Public Facilities Zoning Districts. The Archaeological Sites Map is being amended to recognize the expanded archaeological zone. Finally, the Data and Analysis sections of the Future Land Use, Historic Preservation, and Infrastructure Elements have been updated to support these proposed amendments.

The statutory requirements set forth in §163.3202 Fla. Stats. provide that, if comprehensive plan policy changes create inconsistencies with the land development regulations, amendments to the Zoning Code must be completed within one year of adoption. For this reason, PZB staff focused on processing the state-mandated changes to the Zoning Code.

The Work Plan is a directive pursuant to §163.3177(6)(c) Fla. Stat., which states the Florida Department of Environmental Protection (FDEP) requires local governments to revise their Work Plans within their comprehensive plans no later than 18 months after the South Florida Water Management District (SFWMD) approves the Regional Water Supply Plan or updates. As the City of West Palm Beach is the Town's potable water supplier, the Town must follow the City's adoption. The City of West Palm Beach adopted its most recent updated Work Plan in March 2026.

On April 17, 2026, the Town transmitted the proposed Amendments to the Florida Department of Commerce and the required state agencies pursuant to §163.3184(4)(c) and (d) of the Act.

The state agencies that reviewed the amendments responded accordingly:

DATE OF RECEIPT	STATE AGENCY	COMMENT
April 22, 2026	Department of Transportation	Stated no impact on regional transportation facilities.
May 15, 2026	Treasure Coast Regional Planning Council	Stated no adverse effects on regional resources or facilities and no extra jurisdictional impact.
May 15, 2026	Department of Environmental Protection	Stated no impact on important state resources and facilities.
May 18, 2025	South Florida Water Management District	Provided comments regarding the proposed Town of Palm Beach 20-Year Water Supply Facilities Work Plan to ensure compliance with the regional water supply.
May 18, 2026	Department of Commerce	Identified conflicts rendered the initial transmittal of the proposed comprehensive plan amendments null and void ab initio based on Senate Bill 180.

As noted above, on May 18, 2026, the Florida Department of Commerce completed its review of the Amendments and found a conflict between the proposed Future Land Use Element policies that rounded down the density calculations to the nearest whole number with Chapter 2025-190, Section 28, Laws of Florida, as it pertains to being more restrictive or burdensome (commonly referred to as Senate Bill 180). In response to the Department of Commerce report, the PZB staff requested a virtual meeting with James Stansbury, the Department of Commerce's Chief.

The meeting was held on June 26, 2026. At the meeting, Mr. Stansbury understood that rounding down density fractions made sense, but because the density numbers without the fractions were lower, the Department of Commerce believed the Amendments could be viewed as “more restrictive or burdensome.” Mr. Stansbury suggested, and staff agreed, to simply return the residential density numbers to fractions, as adopted in the 2024 Town of Palm Beach Comprehensive Plan.

Regarding the South Florida Water Management District’s comments, Town staff has responded with additional detail on the Town’s conservation efforts and corrected the naming convention for aquifers.

In the correspondence dated May 18, 2026, from the Department of Commerce (see attached), the proposed amendments to return to the residential density fractions require a new transmittal hearing. As such, the schedule of adoption is as follows:

- July 15, 2026 – Transmittal to the state and regional planning agencies.
- 60-day state review
- September 9, 2026 – Tentative Adoption Hearing

DISCUSSION:

The following is a summary of the Comprehensive Plan Amendments previously transmitted to the State Department of Commerce and the review agencies, with the rounding down of residential density to the nearest whole number removed.

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES (GOPS):

1. To create a new POLICY 1.1 to acknowledge the Comprehensive Plan as the blueprint to guide growth, development, resource protection and public services and facilities.
2. To create new POLICIES 1.3 and 1.4 to replace POLICY 1.12 with a new definition of Town Resident.
3. To delete POLICIES 1.7 and 1.8 as they are duplicates of POLICIES 2.1 and 2.2.
4. To amend POLICY 1.13 to change the designation names for Residential Categories.
5. To amend POLICY 1.14 as follows:
 - a) To incorporate the definitions of Town-Serving Commercial Establishments.
 - b) To update the uses permitted in non-residential uses.
 - c) To create a new Beach Area Future Land Use Category.
6. To amend POLICY 1.15 to establish Floor Area Ratio (FAR) as the intensity standard for non-residential uses.
7. To delete POLICIES 6.4, 6.5 and 6.6 as the policies are directives that have now been addressed with the proposed amendment.
8. To amend POLICY 8.1 to replace standards for new Planned Unit Developments (PUDS) with a list of the three APPROVED PUDS.
9. To amend POLICY 2.3 to change the language to read from Zoning Ordinances to Zoning Code.

HISTORIC PRESERVATION ELEMENT GOPS:

1. To amend POLICY 1.4 to reflect the continuous monitoring of archaeologically sensitive sites and zones in coordination with appropriate state and county agencies needed in their protection.

INFRASTRUCTURE ELEMENT GOPS:

1. To amend POLICY 3.1 to update the Potable Water Level of Service Standard in accordance with the City of West Palm Beach as the Town's potable water provider.
2. To amend POLICY 5.2 to address the updated 20-year Water Supply Facility Work Plan (Work Plan) that is adopted by reference.

COMPREHENSIVE PLAN MAP SERIES:

1. To amend the adopted 2024 Comprehensive Plan Map Series as follows:
 - a) To replace the Future Land Use Map to identify the Beach Area Future Land Use Designation.
 - b) To include the Lake Worth Lagoon in the Conservation Future Land Use Designation.
 - c) To amend the designations of public buildings to have a Public Future Land Use Designation.
 - d) To amend the Future Land Use Designations of park sites owned by local governmental agencies and the Preservation Foundation of Palm Beach, Inc. to a Recreation Future Land Use Category.
 - e) To amend the Future Land Use of the former U.S. Post Office located at 95 North County Road that is now privately owned to Commercial Future Land Use.
 - f) To establish associated acronyms for each Future Land Use Category and to update the Archeological Sites Map.

ZONING MAP

1. To replace the 1974 Official Zoning Map with the 2026 Official Zoning Map, as this map has been made part of the 2024 Comprehensive Plan Map Series, as amended in 2026.

WB:PJH:JH:jh

TOWN OF PALM BEACH

Information for Planning and Zoning Commission Meeting on: July 7, 2026

To: Planning and Zoning Commission

Via: Wayne Bergman, Director of Planning, Zoning, & Building

From: Planning, Zoning, & Building Staff

Re: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Official Zoning Map By Replacing The Existing 1974 Official Zoning Map Of The Town Of Palm Beach Last Updated September 2024 With A New 2026 Official Zoning Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date. 13-2026

Date: 6/23/2026

This ordinance was deferred to the July 15, 2026, Town Council meeting, pending responses from the state review agencies. After the state agencies' review, changes were not required. However, the companion Ordinance 12-2026 did have updates and, as a result, this ordinance will be heard at first reading a second time.

ATTACHMENTS:

Draft Ordinance No. 013-2026

Business Impact Statement

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation, Safe and Resilient Community, Community Culture and Character, Mobility and Transportation, Environmental Stewardship

Strategic Focus Areas:

Water Resources

Cooperative Relationships

Emergency Management

Quality of Life

Community Preservation

On-island Mobility

Management of Environmental Threats

Sustainable Management of Town Assets

Collaborative Town Government

FUNDING

No Fiscal Impact

ORDINANCE NO. 13-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY REPLACING THE EXISTING 1974 OFFICIAL ZONING MAP OF THE TOWN OF PALM BEACH LAST UPDATED SEPTEMBER 2024 WITH A NEW 2026 OFFICIAL ZONING MAP; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERE WITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, known as the Community Planning Act (the "Act");

WHEREAS, pursuant to §163.3201 of the Act, the adopted 2024 Comprehensive Plan requires the adoption and enforcement of appropriate local regulations on the development of lands and waters within an area as shown on the Town of Palm Beach Zoning Map;

WHEREAS, pursuant to Code Section 134-261, the Town Council of the Town of Palm Beach may from time to time on its own motion or on petition, amend, supplement, change, modify or repeal the regulations, restrictions or district boundaries; and

WHEREAS, by Ordinance No. 012-2026, the Town Council amended the 2024 Comprehensive Plan Map Series adopted by the Town Council on February 12, 2024, as a part of Ordinance No. 15-2024, including the Zoning Map therein;

WHEREAS, the Town Council hereby desires to adopt the Zoning Map as amended by Ordinance 012-2026 and attached as Exhibit A;

WHEREAS, the Town Council further desires to amend the Zoning Code at Chapter 134-752 to confirm that the Zoning Map as amended by Ordinance 012-2026 and attached as Exhibit A and as may be further amended from time to time, now governs the boundaries of the districts in the Town.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. Article VI, DISTRICT REGULATIONS, Division 1. - Generally, Section 134-752 is hereby amended as follows:

- a. The boundaries of the districts are as shown upon the Official Zoning Map of the 2024 Comprehensive Plan Map Series, which was adopted by the town council on February 12, ~~2024~~ 2025, as a part of Ordinance No. 15-2024,

amended by the town council in 2026, and amended from time to time and made a part of this chapter.

- b. Following the legend in subsection (a) of this section appear the original signatures of the members of the town council signing such ordinance, the signatures of the mayor and the town clerk, and the corporate seal of the town.
- c. The amended zoning map and all the notations, references and other information shown thereon are a part of this chapter as if such information set forth on the map were all fully described and set out in this chapter. This amended zoning map, ~~properly attested, shall remain at all times on file in the office of the town clerk~~ may be viewed in electronic format on the town's website at <http://www.townofpalmbeach.com>. The boundaries of such districts as are shown upon the map adopted by this section or any subsequent amendment thereto are adopted and approved, and the regulations of this chapter governing the use of land and buildings, the height of buildings, building site areas, the size of yards about buildings and other matters as set forth in this chapter are established and declared to be in effect upon all land included within the boundaries of each and every district shown upon such map.

Section 2: Incorporation of Recital

The above recitals are incorporated as fully set forth herein.

Section 3: Findings

The Official Zoning Map attached as Exhibit A has been determined by the Town Council to promote the public health, safety, and welfare, is consistent with the requirements of the Florida Statutes and all elements of the adopted Comprehensive Plan, and is not more restrictive or burdensome.

Section 4: Amendment to the Official Zoning Map

The Town of Palm Beach Official Zoning Map is hereby amended from the Official Zoning Map of the 2024 Comprehensive Plan Map Series, as amended by Ordinance 12-2026 and as set forth in Exhibit A.

Section 5: Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 6. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 7. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of

the Town of Palm Beach.

Section 8. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 15th day of July 2026, and for second and final reading this 12th day of August 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Business Impact Estimate

TITLE OF ORDINANCE:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY REPLACING THE EXISTING 1974 OFFICIAL ZONING MAP OF THE TOWN OF PALM BEACH LAST UPDATED SEPTEMBER 2024 WITH A NEW 2026 OFFICIAL ZONING MAP; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERE WITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BUSINESS IMPACT ESTIMATE:

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more of the statements below apply, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

1. The proposed ordinance is required for compliance with Federal or State law or regulation.
2. The proposed ordinance relates to the issuance or refinancing of debt.
3. The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
4. The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.
5. The proposed ordinance is an emergency ordinance.
6. The ordinance relates to procurement.
7. The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220 - 163.3243.
 - b. Comprehensive plan amendments and land development regulation amendments

initiated by an application by a private party other than the municipality.

- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

Is this ordinance exempt from the Business Impact Estimate requirement according to one of the aforementioned reasons?

No

Provide the relevant exemption reason number if applicable:

In accordance with the provisions of controlling law, the Town hereby publishes the following information:

Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The proposed ordinances implement coordinated updates to the Town's long-range planning and regulatory framework.

Ordinance No. 012-2026 amends the adopted 2024 Comprehensive Plan pursuant to Chapter 163, Florida Statutes. The amendments include updates to the Future Land Use Element, Historic Preservation Element, and Infrastructure Element; revisions to policies, definitions, and land use categories; incorporation of updated level of service standards; and updates to the Future Land Use Map and supporting map series. These changes reflect the Town's Evaluation and Appraisal Report (EAR)-based review and ensure internal consistency, modernization of terminology, and alignment with current planning objectives.

Ordinance No. 013-2026 updates the Town's Official Zoning Map to correspond with the amended Future Land Use Map, ensuring consistency between the Comprehensive Plan and land development regulations as required by state law.

The public purpose of these ordinances is to maintain a legally compliant, internally consistent, and up-to-date Comprehensive Plan and Zoning Map that guides growth, development, resource protection, and infrastructure planning, while promoting the public health, safety, and welfare.

An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

a) An estimate of direct compliance costs that businesses may reasonably incur;
The proposed ordinances do not impose direct or immediate compliance costs on private, for-profit businesses. The amendments are primarily policy-level updates and map adjustments that guide future development and regulatory decisions.

To the extent that future development, redevelopment, or land-use changes are proposed, property owners and businesses may incur typical costs associated with zoning, permitting, or site plan review. However, such costs are not created by these ordinances and are consistent with existing regulatory practices.

b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
The ordinances do not establish any new fees or charges. All existing application, permitting, and development review fees remain unchanged.

c) An estimate of the Town of Palm Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.
The adoption of these ordinances is not expected to result in a material increase in regulatory costs. The updates are administrative and policy-oriented and will be implemented through existing planning and development review processes. No new revenues are generated as a result of these ordinances.

Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The ordinances applied Town-wide as part of the Comprehensive Plan and Zoning Map; however, they do not directly regulate or require action by businesses. Any impact will occur indirectly over time as properties undergo redevelopment or land use change.

Additional information the governing body deems useful (if any):

These ordinances are required as part of the Town's ongoing statutory obligations under Chapter 163, Florida Statutes, including periodic evaluation and updating of the Comprehensive Plan and maintaining consistency between the Comprehensive Plan and land development regulations.

The amendments are largely clarifying, administrative, and policy-oriented, and are not

intended to increase regulatory burdens. Instead, they enhance clarity, improve internal consistency, and ensure that the Town's planning framework reflects current conditions, best practices, and adopted policy direction.

The coordinated adoption of the Comprehensive Plan amendments and the updated Zoning Map ensures compliance with state law and supports predictable, orderly development and redevelopment within the Town.

TOWN OF PALM BEACH

Information for Planning and Zoning Commission Meeting on: July 7, 2026

To: Planning and Zoning Commission

Via: Wayne Bergman, Director of Planning, Zoning, & Building

From: Jennifer Hofmeister, AICP, LCAM, Planner III

Re: Presentation & Review of Draft Glossary of Terms Focused on Specific Terminology Related to Non-Residential Uses

Date: 6/24/2026

ATTACHMENTS

Draft Glossary of Terms

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:

Quality of Life

Community Preservation

FUNDING

No Fiscal Impact

DRAFT WORK IN PROGRESS

Sec. 134-2. Definitions and rules of construction.

~~(a) *Rules of construction.* For the purpose of this chapter, the regulations are structured so as to be strictly permissive. As such, only those uses and structures which are specifically permitted in the Code of Ordinances are allowed. If there is no specific language in the Code which addresses a use or a structure, then said use or structure is not permitted.~~

~~The term "used for" shall include the term "designed for", the term "structure" shall include the term "building", the term "lot" shall include the terms "plot" or "tract", and the term "shall" is mandatory and not permissive.~~

~~In the interpretation or application of any provision of this chapter, it shall be held to be the minimum requirement adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision imposes greater restrictions upon the subject matter than the general provision imposed by the Code, the provision imposing the greater restriction or regulations shall be controlling.~~ **Rules of Construction moved to Article 1 “Introduction and Using the LDR”.**

ARTICLE 2 – GLOSSARY OF TERMS

Sec. 134-2

~~(b) *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

A

Abandonment means the permanent cessation of all uses of a communications facility; provided that this term shall not include cessation of all use of a facility within a physical structure where the physical structure continues to be used. For example, cessation of all use of a cable within a conduit, where the conduit continues to be used, shall not be "abandonment" of a facility in public rights-of-way.

Accessory ~~use or building or~~ structure means a subordinate ~~use or~~ structure customarily incident to the principal ~~use or~~ structure located on the lot or located on a contiguous lot when a unity of title has been provided.

Accessory structure (enclosed) means a subordinate structure that is fully enclosed by walls and a roof, that is customarily incident to the principal structure located on the lot or located on a contiguous lot when a unity of title has been provided.

Accessory structure (partially enclosed) means a subordinate structure that is not completely sealed off, typically having openings in its exterior walls or roof that allow for air and light penetration that is customarily incident to the principal structure located on the lot or located on a contiguous lot when a unity of title has been provided.

Accessory structure (unenclosed) means a subordinate structure without a complete exterior wall system, that is customarily incident to the principal structure located on the lot or located on a contiguous lot when a unity of title has been provided.

DRAFT WORK IN PROGRESS

Accessory use ~~or building or structure~~ means a subordinate use ~~or structure~~ customarily incident to the principal use ~~or structure~~ located on the lot or located on a contiguous lot when a unity of title has been provided.

Acre means; ~~for the purpose of calculating dwelling units, a unit of measurement for land, an area or parcel of land~~ containing ~~40,000~~ 43,560 square feet.

Adjoin means having a common property line or being separated only by a public right-of-way.

Affiliate means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person.

Alley means a ~~facility~~ road, whether paved or unpaved, which affords only a secondary means of access to abutting property and is not intended for general traffic circulation.

Alter or alteration of stormwater systems means work done on a stormwater management system other than that necessary to maintain the system's original design and function.

Alter or alteration of vegetation means to cut, trim, remove, defoliate, or otherwise destroy or disturb by any means, leaves, limbs, stems, roots, or other plant parts, dead or alive.

Alteration means any change because of construction, repair, maintenance or otherwise to a building located within an historic district or designated as a landmark or landmark site.

Amendment means a revision, change, addition, or deletion in the text of this zoning code or a change in the zoning or district boundaries of the official zoning map.

Annual occupancy fee means an annual charge against (i) the operator of communications facilities that are excused from paying the full franchise fee required under this chapter; and (ii) the owner of a private communications system. The fee recovers an apportioned share of the ongoing costs to the town in granting access to and acquiring and maintaining those portions of the public rights-of-way used by the operator of a communications facility and the owner of a private communications system. This fee is in addition to any other applicable fees set out in the Standards Applicable to Public Rights-of-Way and Easements Within the Town of Palm Beach, applications fees and any fees charged for the review and inspection of a particular operator's facilities.

Antitranspirant means a protective coating, generally applied to plant materials prior to or immediately after transplanting, that reduces water loss through the leaf surface.

Applicant means the record owner of the site and/or buildings located thereon, the owner's authorized agent, or a person holding a bona fide contract to purchase same who makes application for a certificate of appropriateness under this chapter joined by the owner of record.

Application fee means the charge specified in subsection 116-37(c) and designed to recover the town's costs in processing applications for franchises and licenses, including applications for transfer thereof.

Arbor means a light open latticework frame often used as a shady garden shelter.

Arcade means a line of arches along one or both sides, supported by pillars or columns, either freestanding or attached to a building.

DRAFT WORK IN PROGRESS

Architectural Commission (ARCOM) means a Commission of the Town consisting of regular voting members and alternative members appointed by the Town Council. Responsibilities include reviewing and approving modifications to existing structures visible from public rights-of-way, new construction, and landscaping.

Attic means non-habitable, unfinished space within the roof system of a building or structure with less than seven feet of head room, access by only pull-down, non-mechanical stairs and used only for storage, mechanical, or machinery use.

~~Auto-rental lot means a lot or parcel of land on which passenger automobiles for active rental purposes only are stored or parked.~~

~~Awning, sidewalk means an awning that projects over a public sidewalk or walkway.~~

Awning means ~~an accessory structure either temporary or permanent which is supported by an open framework and is covered by cloth material~~ a shelter projecting from and supported by the exterior wall of a structure constructed of non-rigid materials on a supporting framework.

B

Balcony means a projecting platform usually on the exterior of a building, sometimes supported from below by brackets or corbels or cantilevered by projecting members of wood, metal, or masonry.

~~Banks and financial institutions means establishments providing saving, lending, trust, and other financial services to the public. Banks and financial institutions shall include, but not necessarily be limited to, banks, brokers and brokerage firms, savings and loan associations, mortgage companies, loan offices, credit unions, and trust companies.~~

Bar/lounge means an establishment devoted to the serving of ~~dispensing~~ alcoholic beverages for on-site consumption ~~primarily in which the service of food is only incidental to the consumption of such beverages.~~

~~Basement means floor area situated under a building, such floor area having exterior perimeter walls and having a floor level two or more feet below the level of the contiguous exterior ground outside of the building and having one-half or more of its floor-to-ceiling height below the average level of all of the exterior ground of the lot comprising the subject building development site. For additional regulations and the exceptions to the regulations of basements see sections 134-1608, 134-1609 and 134-1611. See also sub-basement.~~

Basement means that portion of a building below the first or ground-floor level and having less than four feet of clearance from its ceiling to the average finished grade of the building perimeter. A basement shall not be considered a story for the purposes of determining building height, as it is not used as a habitable room.

Beach cabana house means a permanent structure which may contain a bathroom and other rooms, but not a kitchen or any sleeping rooms, and not used as a dwelling unit.

Beam means a structural member whose primary function is to carry transverse loads, as a joist, girder, rafter, or purlin.

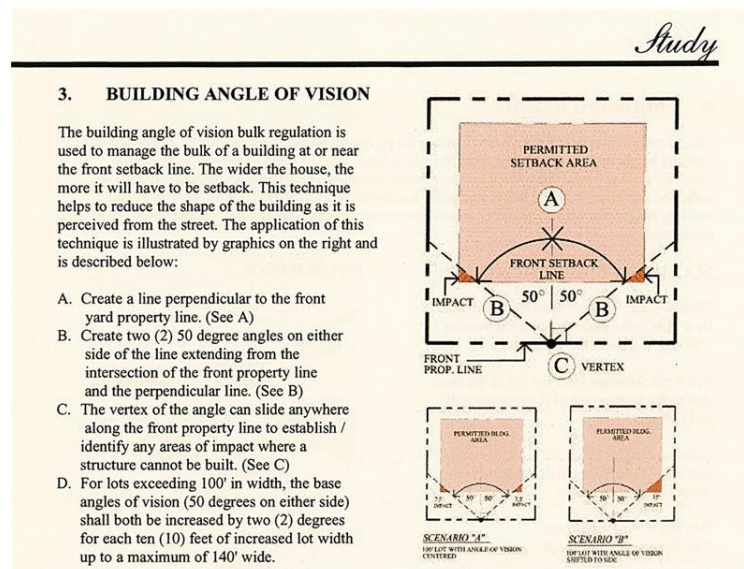
Best Management Practices (BMP's) means turf and landscape practices, or a combination of practices based on research, field-testing, and expert review, determined to be the most effective and practical site-specific means, including economic and

technological considerations, for improving water quality, conserving water supplies, and protecting natural resources. (See Article IX).

Building ~~See Structure~~ means a building or other structure built for the shelter or enclosure of persons, animals or chattels, including fences, signs, paving and boundary walls, and any part of any such building or structure when subdivided by division walls or party walls extending to or above the roof and without openings in such separate walls. The term "building" shall be construed as if followed by the words "or any part thereof."

~~**Building angle of vision** means a line drawn from the front yard property line as determined in section 134-1636(2) 50 degrees either side of a line drawn perpendicular or radial to the front yard property line.~~

Building (angle of vision) means a bulk regulation used to manage the bulk and mass of a building at or near the front setback line. The wider the house, the more it will have to a greater front setback. This technique helps to reduce the shape of the building of the building as it is perceived from the street. A triangular field defined on a site plan that generates the area in which a two-story structure may be sited in the front of a property in an effort to limit the visual mass of the building when viewed from the street. It is determined by a line drawn from the front yard property line (as determined in section 134-1636(2)) 50 degrees either side of a line drawn perpendicular or radial to the front yard property line. No portion of any individual two-story building that is not on a lot fronting on a cul-de-sac shall extend beyond a line drawn from the front property line 50 degrees either side of a line drawn perpendicular or radial to the front yard property line. The application of this technique is illustrated by graphics below:



Building Code (Florida) means the document adopted pursuant to §553.75, Fla. Stat that contains or incorporate by reference all laws and rules which pertain to and govern the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities and enforcement of such laws and rules.

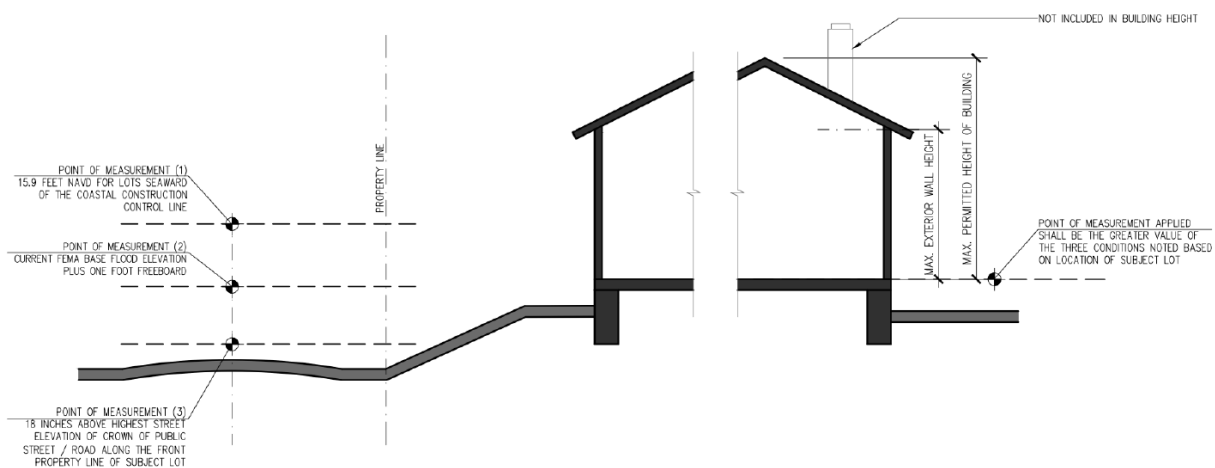
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Building Official means a designated professional certified as a building code administrator by the State of Florida who is responsible for ensuring that the buildings within the Town adhere to local, state, and federal codes and regulations.

Building, height of means the maximum height of the building measured from the point of measurement to the highest point of the roof system. It excludes chimneys, skylights, spires, cupolas, and similar architectural features that are usually carried above the rooflevel and not used for human occupancy. provided that each of the feature shall be erected only to such height and size as is necessary to accomplish the purpose it serves. The height of the outside exterior walls is measured from the point of measurement to the point at which the outside wall meets the horizontal eave of the roof or the bottom of a parapet wall. The lowest habitable finished floor elevation shall be at or above the point of measurement applicable to the subject lot.

The building height point of measurement (zero datum) shall be the greater of the following conditions as applied to the location of the subject lot:

- (1) For lots in the Special Flood Hazard Area, and not seaward of the CCCL, the point of measurement shall be at the current FEMA base flood elevation plus one foot of freeboard.
- (2) For lots seaward of the Coastal Construction Control Line (CCCL), the point of measurement shall be 15.9 feet NAVD (13.9 feet NAVD plus two feet above the lowest horizontal structural member).
- (3) For lots outside the Special Flood Hazard Area and lots that are not seaward of the CCCL, the point of measurement shall be a maximum of 18 inches above the highest street elevation of the crown of the public or private street or road, measured along the front property line of the subject lot.



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- (4) For through lots and comer lots, the point of measurement (zero datum) related to the crown of the abutting public or private street, shall be measured only along the street with the primary entrance for the proposed building on the subject lot. For the purpose of constructing additions to Landmark structures, the planning, zoning, and building director or designee, shall determine from which street the point of measurement (zero datum) shall be measured to ensure visual compatibility.

Building height plane means a height limiting plane extending at an inclined angle from the intersection of the front yard property line as determined in section 134-1636(2) and the zero datum as defined in "height of building" and "overall height of building", or the minimum floodplain elevation as established in chapter 50 of this Code, whichever is higher.

~~*Building line* means the line, established by law, beyond which a building shall not extend, except as specifically provided by law.~~

~~*Building, overall height of* includes the height of a building, as defined in the definition of the term "building, height of (applicable to all districts except the R-B districts)"; the definition of the term "building, height of (applicable only in the R-B district)"; the definition for the term "building, height of, corner lot"; the definition of "building, height of, through lot"; and the definition of "building, height of, lot abutting low streets," plus the vertical distance from the building height to the highest point of the building's roof system.~~

~~*Business services* means establishments providing support services to other business concerns. Business services would include, but not necessarily be limited to, print shops, secretarial services, travel agents, drafting services, and advertising agencies, etc.~~

Bulkhead means a vertical, manmade structure built along a shoreline to protect the land from erosion.

Bulkhead line means, for the purposes of this chapter, a line shown on the official map series of the Town's Comprehensive Plan that establishes the line of mean high water. There shall be no filling seaward of the line of mean high water on the Atlantic Ocean and westward of the line on Lake Worth Lagoon, except upon compliance with this chapter.

Business Tax Receipt means a tax levied upon all businesses within the municipal boundaries. Payment of the tax receipt does not certify or imply the competence of the licensee.

Buttery means a pantry or wine cellar.

C

~~*Cabana (pool house)* means an accessory structure usually used in connection with outdoor bathing, providing enclosed space for showering or changing clothes, with recreational cooking and/or bar facilities, but no sleeping rooms.~~

Cable service means having the same meaning as that provided in §610.103(1), Fla. Stat., as that provision shall be amended from time to time.

Cable system means having the same meaning as that provided in §610.103(3), Fla. Stat., as that provision shall be amended from time to time.

Campus means the total of all of the property, or lots included in a unity of title approved by the town, that are utilized for such purpose, owned and operated by a single

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not-for-profit cultural and arts institution. A campus owned by a single not-for-profit cultural and arts institution, or subject to an approved unity of title, shall be considered one parcel of land to administer the requirements of the CI district and thus applied to the entire campus and not on an individual lot-by-lot basis.

Cannabis cultivation means a use of any property, in whole or in part, including inside buildings, for the growing or cultivation of Cannabis plant(s), whether or not such growing or cultivation is lawful under federal or state law.

Carport means an unenclosed accessory structure for the sheltering of an automobile(s).

~~*Change in generic use* means the change in the use of a parcel or structure thereon or portion thereof from one generic category of use to another, but not including a change of activity within a generic use category.~~

Carriage porch means a roofed structure over a driveway at the door to a building, protection from the weather for those entering or leaving a vehicle. See also *porte cochere*.

Certificateholder means having the same meaning as that provided in §610.103(4), Fla. Stats., as that provision shall be amended from time to time.

Certificate of appropriateness means a document evidencing approval of the commission for work proposed by an applicant.

Chimney means a vertical noncombustible structure containing one or more flues to carry smoke from the fireplaces to the outside, usually rising above the roof.

Club, private means buildings and/or facilities, not open to the general public, owned and operated by a corporation or association of persons for social or recreational purposes for members and their bona fide guests and which may render, as an accessory use, services that are customarily carried on as a business. Within residential zoning districts, a private club may provide living quarters for its bona fide employees only.

Coastal Construction Control Line (CCCL) means a jurisdictional boundary, not a setback line, established by the Florida Department of Environmental Protection (FDEP) that defines the area where the FDEP regulates construction and other activities that could impact the beach and dune system. Florida Administrative Code Rule 62B-26.010 specifically details the CCCL for Palm Beach County and provides the legal description of Palm Beach County Coastal Construction Control Line pursuant to Section 161.053, F.S.

Code Enforcement Board means a Board of the Town consisting of regular voting members and alternative members appointed by the Town Council. Responsibilities involve hearing cases involving violations of the Town Code and ordinances and imposing administrative fines or other non-criminal penalties for pending or repeated violations.

~~*Common open space* means that area of a development site which is unencumbered by buildings, other structures, driveways for vehicular access, or automobile parking areas and storage. This area shall include all yard areas as well as those other open land areas located within the planned unit development site.~~

Code of Ordinances means a comprehensive set of laws that includes ordinances, regulations, and administrative rules. It serves as a compilation of the requirements established by local government authorities to manage various aspects of community life. Municipal Code of Ordinances are often organized into different chapters, articles and

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sections, each addressing specific areas, such as zoning, land development, public safety, parking, open space and recreation, and environmental protection.

Colonnade means a combination or grouping of columns placed at regular intervals and arranged with regard to their structural or ornamental relationship to the building. They can be aligned either straight or arced in a circular pattern.

Column means an architectural support of definite proportions, usually cylindrical in shape with shaft, capital and sometimes a base. May be free-standing or attached to a wall.

Commercial use means those uses that include Town-serving office establishments, Town-serving personal service establishments, and Town-serving retail establishments, as defined herein. ~~use of land or structures thereon or portions thereof, for the purpose of conducting business, including the provision of goods and/or services, not otherwise identified under the definition of other generic uses, to the general public or segments thereof. For the purposes of this definition, timesharing, motel and/or hotel uses and occupancy of residential properties for periods of less than three months more frequently than three times per calendar year shall be considered commercial uses.~~

Communications facility means any facility used to provide communications service.

Communications services means having the same meaning as that provided in § 202.11(2), Fla. Stats., as that provision shall be amended from time to time.

Communications services provider means any person providing communications services through the placement or maintenance of a communications facility in public rights-of-way. "Communications services provider" shall also mean any person providing private communications services as that term is defined in F.S. § 202.11(18), through the placement or maintenance of a communications facility in public rights-of-way.

Comprehensive plan means a document prepared, adopted or amended pursuant to §163.3164, Fla. Stat that provides the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. It is not intended to include the regulations that are found in the zoning code, but rather to require identification of Goals, Objectives and Policies that promote the vision of a community, which are then implemented through the Code and other regulating documents.

Construction (landmark, landmark site, historic district, means the erection of an on-site improvement to a landmark or to a building or any parcel of ground located within an historic district or on a landmark site, whether the site is presently improved or unimproved, or hereafter becomes unimproved by demolition, demolition by neglect or as a result of destruction of an improvement located thereon by fire, windstorm or other casualty, or otherwise (such a parcel of ground being herein referred to as a "site").

Construction, operation or repair means the named actions interpreted broadly, encompassing, among other things, installation, extension, maintenance, replacement of components, relocation, undergrounding, grading, site preparation, adjusting, testing, make-ready, and excavation.

Construction site shall mean any site upon which construction or demolition work is occurring or upon which such work has commenced but has not been completed.

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Conditional use (F/K/A) means uses which are allowed to be authorized in a zoning district only under the specific conditions specified in sections 134-227 through 134-233 and article III of this chapter and pursuant to the procedures in division 4 of article II of this chapter, but which use cannot be located in a zoning district as a matter of right and which may be revoked if any of the required conditions of approval and operation are violated.

Consistency with the comprehensive plan means that a development proposal is found by the planning, zoning and building director to meet all the requirements of the town's land development regulations, including the concurrency requirements.

Cubic content ratio (CCR) means a measure of land use intensity, expressing the mathematical relationship between the cubic content of a building and the unit of land. It is arrived at by dividing the gross cubic content, as calculated by multiplying building height as stated in the definition of the term "building, height of (applicable only in the R-B district)" in this section times exterior building width times exterior building depth of all structures by the gross area of the lot.

Cornice means a decorated projection at the top of a wall designed to protect the wall face or to ornament and finish the eaves that crown an architectural feature.

Cultural and arts institution (not-for-profit) means any corporation, organization, association, or institution that:

(a) provides programs or activities in areas directly concerned with the arts or cultural heritage,

(b) is not for profit and owned and operated by a single cultural and arts institution that has a tax-exempt status with the Internal Revenue Service, and whose net earnings may not lawfully inure to the benefit of any private shareholder, member, or individual,

(c) may include one or more museums, art galleries, performing art centers, libraries, and/or botanical and sculpture gardens, and

(d) may include one or more accessory uses that are customarily incidental to and directly supportive of such uses, including cooking facilities, lecture halls, classrooms, storage facilities, offices, off-street parking and loading, and not more than a total of three residential units for purposes of no-charge housing to employees, short-term guests, and artists in residence, all of which shall be subject to the conditions and limitations set forth in this division, and shall be limited to a maximum of three bedrooms and 2,300 square feet per unit.

D

Declaration of use means a town agreement signed under oath and recorded against the title of land in order to provide notice that the use of the land or structure is subject to certain limitations and/or conditions of approval, which unless otherwise determined by the town council, shall include provisions for remedies for violation of said limitations, conditions of approval and/or the Code of Ordinances and that the use will remain in compliance with the limitations in the Code of Ordinances and conditions of approval by the submittal of a certificate of compliance each year.

Demolition means the complete or constructive removal of a building or any portion thereof on any site.

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Demolition by neglect means neglect in the maintenance of any building, resulting in any one or more of the following:

(1) The deterioration of a building to the extent that it creates or permits a hazardous or unsafe condition as determined by the building official.

(2) The deterioration, as determined by the building official, of a building characterized by one or more of the following:

a. Those buildings which have parts thereof that are so attached that they may fall and injure persons or property.

b. Deteriorated or inadequate foundation.

c. Defective or deteriorated floor supports or floor supports insufficient to carry imposed loads with safety.

d. Members of walls or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

e. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety.

f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

g. Members of ceilings, roofs, ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety.

h. Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

i. Any fault, defect or condition in the building that renders the same structurally unsafe or not properly watertight.

j. Unsafe electrical and/or mechanical conditions.

(3) Action by the town council, the fire-rescue chief or the building official based upon the safety or physical condition of any building.

Density means an objective measurement of the number of residential units allowed per unit of land.

Detention means the collection and storage of surface water for subsequent gradual discharge.

Development order means any action granting, denying, or granting with conditions an application for a development permit.

Development permit means, for the purposes of determining concurrency, any of the following:

(1) Site plan or development plan approval;

(2) Subdivision approval;

(3) Building permit;

(4) Other official action of the town having the effect of permitting the development of land.

Dining room means any building or part thereof or any room or part thereof in which food is dispensed or served for profit or gratis to a restricted and limited clientele consisting of tenants and residents of the same premises and their bona fide guests, and private club members and their bona fide guests. No outside advertising is permitted.

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Dish antenna, ~~television and communication~~ means ~~an accessory structure consisting of~~ a satellite earth station designed to receive television or other broadcasts relayed by microwave signals from earth-orbiting communications satellites.

Distribution electric substation means an electric substation which takes electricity from the transmission grid and converts it to a lower voltage so it can be distributed to customers in the local area on the local distribution grid through one or more distribution lines less than 69 kilovolts in size.

Dock means ~~an unenclosed accessory structure built~~ a landing pier for boats supported by ~~on~~-piling over the water. ~~which is designed or used to provide dockage for and access to one or more boats and which may have davits, vertical lifts, gates, water and electrical service, other similar public utility services and additional accessory uses customarily incident to a dock, such as but not limited to storage chests and low-intensity lighting approved by the town and installed in a manner as to not have an adverse effect upon adjacent properties.~~

Dormer means a structure projecting from a sloping roof, usually housing a vertical window that is placed in a small gable, or containing a ventilating louver.

Drainage means the removal of surface water or groundwater from land by drains, grading, or other means.

Drive-in use means an establishment that, ~~by design, physical facilities, service, or by packaging procedures, encourages or permits customers to receive goods or services in that~~ dispenses products or services to patrons who remain in ~~their motor~~ vehicles.

Dune means a hill or ridge of windblown sand and marine deposits formed by action of the wind and water, often stabilized by vegetation indigenous to this formation.

DSH means diameter at standard height (4.5 feet or 1.37 meters) measured from the top of rootball.

Dwelling means a building or portion thereof designed or used exclusively for residential occupancy, but not including trailers, campers, mobile homes, hotels, motels, motor lodges, boardinghouses and lodginghouses, tents, tourist courts or tourist homes.

Dwelling (accessory) means an ancillary or secondary living unit, that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit.

Dwelling, ~~multiple or~~ multifamily, commonly known as an apartment house, means a building or portion thereof used or designed as a residence for three or more families living independently of each other, having individual living units with each unit having cooking facilities and containing a living room and/or one or more bedrooms.

Dwelling, single-family means a detached building designed and used exclusively for residential purposes by one family.

Dwelling, townhouse means an attached building, not over two stories in height, which is designed for or occupied exclusively by one individual or family and attached to two or more other buildings of similar design and in which each dwelling unit is separated from adjacent dwelling units by party walls extending vertically from the ground upward through the roof in a manner so that there shall be no interconnection of or overlapping between any part of individual dwelling unit walls, floors, roofs, basements or other portions of the building structure, and in which each dwelling unit shall have separate and

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individual sewer, water and public utilities connections. Townhouses may or may not be located on land belonging exclusively to the individual dwelling unit owner.

Dwelling, two-family means an ~~detached~~ attached building designed and used exclusively for residential purposes by two families living independently of each other.

Dwelling unit (D.U.) means a room or group of rooms designed, used exclusively or occupied as separate living quarters by a single family.

E

Earthworks means any subsurface remains of historical, archaeological or architectural importance or any unusual ground formations of archaeological significance.

Elevation means a drawing showing the vertical elements of a building, either exterior to interior, as a direct projection to a vertical plane.

Erosion Control Line (ECL) means the line determined in accordance with the provisions of ss. 161.141-161.211, Florida Statutes which represents the landward extent of the claims of the state in its capacity as sovereign titleholder of the submerged bottoms and shores of the Atlantic Ocean, the Gulf of Mexico, and the bays, lagoons and other tidal reaches thereof on the date of the recording of the survey as authorized in s. 161.181, Florida Statutes.

Employee means any person generally working on site for the establishment and includes sole proprietors, partners, limited partners, corporate officers and the like.

Erosion and sediment control plan means a plan for the control of soil erosion, sedimentation of waters and sediment related pollutants, and stormwater runoff resulting from land disturbing activity. The town may require the party responsible for carrying out the plan to submit monitoring reports, as deemed necessary, to determine whether the measures required by the approved plan are being properly performed.

Essential services means public utility facilities related to water supply, telephone, cable television, gas and electrical distribution systems, town-owned town-operated services such as sanitary sewer, stormwater drainage and solid waste collection and disposal systems, and town-owned municipal buildings and structures, including any necessary appurtenant structures serving the town, but not including buildings housing employees.

~~*Executive/employee/group vacation retreat* means simultaneous use or occupancy of a dwelling unit by a group of individuals other than a family.~~

~~*Executive office suites* means a tenant space shared by separate office and professional services, each of which has a fixed desk. The executive office suite and each office and professional service business within said suite is licensed and has a fixed desk for each employee.~~

Exterior means all outside surfaces of a building.

F

Façade means the exterior face of a building, which is the architectural front, sometimes distinguished from the other faces by elaboration of architectural or ornamental details.

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Family means an individual; or two or more persons related by legal adoption, blood, or a licit marriage; or a group of not more than three persons who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling.

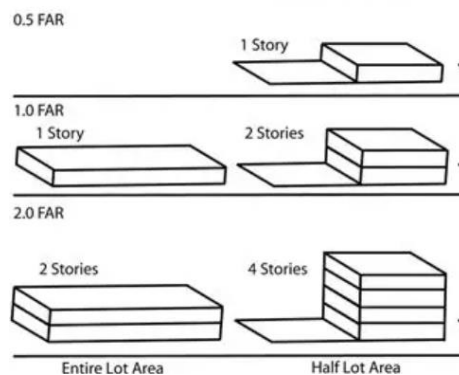
Fenestration means the arrangement and design of windows and other exterior openings in a building.

~~*Floor area total* means the sum of the gross horizontal area of all the floors of a building, except a basement or subbasement as defined, measured from the exterior faces of exterior walls and/or supporting columns.~~

Floodplain means a flat area of land adjacent to a river, lake, or coastline that is subject to inundation by flooding. These areas, also known as Special Flood Hazard Areas, are mapped by FEMA and have a designated probability of flooding each year, such as the 1% annual chance (100-year) flood. Floodplains are crucial for their natural functions, like supporting wildlife and filtering water, but their importance in managing flood risk and protecting communities is often complicated by human development.

Flood Vent means a designed opening in a foundation wall that allows floodwaters to automatically flow into and out of an enclosed area below the Base Flood Elevation (BFE). These vents are crucial.

Floor Area Ratio (FAR) means the ratio of the Gross Floor Area of all buildings on a lot to the total lot area.



Folly means a structure constructed primarily for decoration, sometimes built in a landscaped park to highlight the view.

Formula restaurant means a restaurant that is one of a chain or group of three or more restaurants in the nation, and which satisfies at least two of the following three descriptions:

- (1) It has the same or similar name, trade name, or trademark as others in the chain or group;
- (2) It has standardized and limited menus, ingredients, food and beverage preparation;
- (3) It offers any of the following characteristics in a style that is distinctive to and standardized among the chain or group:
 - a. Exterior design or architecture;
 - b. Interior design; or

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- c. Uniforms, except that a personal identification or simple logo will not render the clothing a uniform.

Formula retail means a retail establishment that is part of a chain or group of three or more retail establishments in the nation, and which satisfies at least two of the following three descriptions:

(1) It has the same or similar name, trade name, or trademark as others in the chain or group;

(2) It has standardized and limited retail products.

(3) It has standardized signage.

(4) It offers any of the following characteristics in a style that is distinctive to and standardized among the chain or group:

a. Exterior design or architecture;

b. Interior design; or

c. Uniforms, except that a personal identification or simple logo will not render the clothing a uniform.

Foster care facility means a facility, licensed or funded by the state department of children and family services, housing foster residents and providing a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents and serving either children or adult foster residents.

Fountain means an architectural setting incorporating a continuous or sporadic water supply, fed by a system of pipes and nozzles through which water is forced under pressure to produce a stream of ornamental jets.

Franchise means the authorization granted by the town to an operator of a telecommunications facility, cable system, or an open video system giving the operator the nonexclusive right to occupy the space or use facilities upon, across, beneath, or over any public right-of-way in the town, to provide a specified service within a franchise area. Any franchise shall be issued in the form of an ordinance and must be accepted unconditionally by the franchisee to become effective in the time and manner specified in the town. Such franchise shall not mean or include:

(1) Any other permit or authorization required for the privilege of transacting and carrying on a business within the town required by the ordinances and laws of the town;

(2) Any permit, agreement or authorization required in connection with operations on public streets or property, including by way of example and not limitation, street cut permits;

(3) Any permits or agreements for occupying any other property of the town or private entities to which access is not specifically granted by franchise including, without

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limitation, permits and agreements for placing devices on or in poles, conduits or other structures, whether owned by the town or a private entity; or

(4) The right to place devices in the right-of-way, such as pay telephones, for end user use in terminating or originating transmissions.

Franchise area means the area of the town that a franchisee is authorized to serve by its franchise.

Franchisee means a person holding a franchise issued under this chapter, or a franchise issued prior to this chapter, subject to the provisions of sections 116-16 and 116-18.

FCC means the Federal Communications Commission or its designee.

Frontage means all the property on one side of a street or place between two intersecting streets or places measured along the line of the street or place, or, if the street or place is dead-ended, all of the property abutting on one side between an intersecting street or place and the dead end of the street or place.

G

Garage, private means a building or space used as an accessory to or part of a main building permitted in any residence district and providing for the storage of motor vehicles and in which no business, occupation or service for profit is in any way conducted.

Garage, storage means any building or premises, other than a private garage, used exclusively for the parking or storage of motor vehicles.

Generic use is the broad description for the use of a parcel or structure or portion thereof. There are but three generic uses in the town: residential, commercial and public/private group use.

Goal in the comprehensive plan means a broad, long-term vision and aspiration for the Town's future, reflecting shared values and guiding decisions on land use, growth, economic development, housing, and quality of life. Goals are achieved through specific objectives, policies, and implementation strategies.

~~Gross leasable area (GLA) means the sum of the gross horizontal area of all floors on one building, which are leased, rented or owned areas within a building, measured from the interior faces of exterior walls and from the interior faces of common interior walls, exclusive of common areas. For the purposes of this definition, the gross leasable area of a given use shall include all floor areas being used, advertised or operated under a single commercial use name which are adjacent to one another; or all floor areas being used, advertised or operated under a single commercial use name which are within 1,500 feet of one another; or all floor areas being used or operated under different commercial use names, but for which interior access between/among them is provided.~~

Gross Floor Area (GSF) means the sum of the areas of all floors in a building, measured from the interior face of the exterior walls. The GSF is calculated by adding up the square footage of each individual floor and includes all enclosed space, including stairwells, elevator shafts, and basements, but excludes areas like unroofed courtyards or balconies.

Gross revenues means any and all revenue, of any kind, nature or form, as more particularly defined under the succeeding sections of this chapter.

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Ground cover means plants, other than turf grass, normally reaching an average maximum height of not more than 24 inches at maturity.

Group home means a facility, licensed or funded by the state department of children and family services, providing a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents.

H

Habitable space means space in or on a structure used or intended to be used for occupancy, for living, sleeping, lounging, eating, cooking or recreation. Finished or unfinished floors above the maximum number of stories allowed containing an elevator, permanent or mechanically operated stairs and seven feet or more of head room shall be considered habitable space. Closets, hallways, storage rooms, attics, machinery rooms, mechanical equipment rooms, utility space and similar areas shall not be considered habitable space.

Hardship means a restriction on property so unreasonable that it results in an arbitrary and capricious interference with basic property rights. Hardship relates to the physical characteristics of the property, not the personal circumstances of the owner or user, and the property is rendered unusable without the granting of a variance.

Hat racking means the removal of main stems, tops of trees, or a significant percentage of tree canopy, generally by cross-cutting the main stem(s) or leaders, leaving stubs.

Hedge means a dense row of regularly spaced shrubs planted to form a continuous, unbroken visual screen.

~~Historically or architecturally significant multifamily structure means a structure designated by the town council as an historic or architecturally significant structure and which is proposed for conversion to a multifamily structure under a PUD-4 application.~~

Historic conservation district means an area of the Town adopted by the Town Council at a public hearing which has clearly defined boundaries and meets all of the criteria found in Section 18-304 and contains a number of historically significant buildings.

Historic district means an area identified by the commission that contains one or more landmarks or landmark sites as well as those abutting sites the commission determines should fall under the provisions of this chapter to assure that their appearance and development is harmonious with such landmarks and landmark sites.

Historically significant building means any building which, in whole or in any structural part, which is at least 50 years old, which meets at least one of the four criteria for designation listed in Code Section 18-305(C) located within a historical conservation district approved by the Town Council at a public hearing; as being worthy of preservation, but may not rise to the level of a landmark building and as such is eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12, Historic Buildings.

Historically significant building (alteration) means any change because of construction, addition, repair, maintenance, or renovation to a building or structure that is defined as a historically significant building,; in which the construction, addition, repair,

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maintenance or renovation will not preclude the building's or structure's continued designation as a Historically Significant Building, as reviewed and verified by a Town expert in historic preservation and confirmed to meet the criteria requirements of Section 18-305. An alteration to a historically significant building shall meet the Secretary of the Interior's Standards for the Treatment of Historic Properties. An alteration to a Historically significant Building does not include complete demolition, which shall not be affected.

Historic trees and specimen trees means as follows:

(1) Historic tree means a tree that has been determined in the judgment of the town manager, in conjunction with the town manager's designee and a representative of the garden club of Palm Beach, to be of notable public interest because of its historic association and has been so designated by action of the town council.

(2) Specimen tree means a tree that has been determined in the judgment of the town manager, in conjunction with the town manager's designee and a representative of the garden club of Palm Beach, to be of high value because of its type, size, age or other professional criteria, and has been so designated by action of the town council.

Hotel/motel means an establishment which provides, for pay, lodging and other services to transient and semipermanent residents. A hotel provides meals, convenience shops, entertainment, lounges and recreational facilities as well as maid, laundry, valet, telephone, desk, limousine and other personal services. A hotel may consist of one or more buildings and/or accessory buildings.

House of worship means a structure owned and/or utilized by a religious organization for worship, religious training or education. A house of worship, for the purposes of this chapter, may include, in addition to the principal structure, accessory structures and/or dwelling units for religious organization personnel located within an accessory structure which is utilized primarily for religious training or educational purposes.

I

Impact fee means one-time charges imposed on developers to help fund infrastructure and public services needed to support new development.

Impervious area means any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes but is not limited to semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

Improvement means any permanent change to land that augments the property's value. An improvement will cause change to the land, increase the value, and will allow the landowner to make productive use of the property.

In public rights-of-way or in the public rights-of-way shall mean in, on, over, under or across the public rights-of-way.

Institution means public and public/private group use of a nonprofit nature, typically engaged in public service, e.g., ~~houses~~ places of worship, nonprofit cultural centers, charitable organizations.

DRAFT WORK IN PROGRESS

Intensification of use means for the purposes of this chapter, increased square footage, increased seating, increased off-street parking demand, and increased hours of operation.

Intensity means the quantitative measure of how much a commercial use can be developed, measured by factors as building square footage, land area, and bulk regulations, among other land development regulations.

Internal trip capture means trips generated by a mixed-use project that travel from one onsite land use to another onsite land use without using the external road network.

Irrigation system means a permanent, artificial watering system designed to transport and distribute water to plants.

J

Jetty means an artificial barrier perpendicular to the shoreline used to change the natural littoral drift to protect inlet entrances from clogging by excess sediment, or to protect a shoreline area from storm waves.

Jurisdiction means the official authority to make decisions and judgments.

K

L

Land Development Regulations (LDR) means the rules and ordinances that govern how land can be used and developed. They encompass zoning laws, subdivision regulations, building codes, environmental policies and other measures that control various aspects of development, ensuring the LDRs align with the goals, objectives and policies of a community's comprehensive plan.

Land disturbing activity means any land change that may result in soil erosion from water or wind and the movement of sediments and sediment related pollutants in waters, including but not limited to clearing, grading, excavating, transporting and filling of land.

Landmark and landmark site means an unimproved parcel of ground, including, without limitation, earthworks (landmark site) or a parcel of ground with improvements (landmark), wheresoever located in the town of particular historic, architectural or cultural significance, which landmark or landmark site meets the criteria set forth in section 54-161.

Landmarks Preservation Commission (LPC) means a commission of the Town consisting of regular voting members and alternative members appointed by the Town Council. Responsibilities involve safeguarding the Town's historic and cultural resources through its landmarked structures and historic districts.

LPC Approval Guide means a list of alterations to landmarks and historically significant buildings and properties that identifies whether review and approval are required from staff, the LPC Chair, or the full LPC at a public hearing. This list shall be in the form of a matrix, adopted by the town council by resolution and amended by the town council from time to time by resolutions after review and recommendation by the LPA.

Landscape area (cultivated) means planted areas that are frequently maintained by mowing, irrigating, pruning, fertilizing, etc.

DRAFT WORK IN PROGRESS

Landscaped Open Space means ~~open-space~~ an area within a property that is designed to be ~~which is~~ covered and maintained with natural growth in a permeable soil.

Landscaping (required) means landscaping that shall consist of those plantings required by this chapter, including beautification strips, hedges, trees, planted ground cover, sodded and grassed areas and planted floral installations, all of which must be composed of natural plantings only as distinguished from artificial manufactured planting reproductions.

Latticework means reticulated or netlike work formed by the crossing of laths or thin strips of wood or iron, usually in a diagonal pattern.

Level of service (LOS) standard means a measure of the relationship between service capacity and service demand for public facilities.

Level of service (Traffic) means a measure of the operational performance of a road link or intersection based on a ratio of volume to capacity (V/C) and identified by a declining letter scale (A-F).

License means the legal authorization, terminable at will, to use a particular, discrete and limited portion of the public rights-of-way to construct, operate or repair a communications facility or a private communications system. The term license shall not mean or include:

- (1) Any franchise;
- (2) Any other permit or authorization required for the privilege of transacting and carrying on a business within the town required by the ordinances and laws of the town;
- (3) Any permit, agreement or authorization required in connection with operations on public streets or property, including by way of example and not limitation, street cut permits;
- (4) Any permits or agreements for occupying any other property of the town or private entities to which access is not specifically granted by franchise including, without limitation, permits and agreements for placing devices on or in poles, conduits or other structures, whether owned by the town or a private entity.

Licensee means a person holding a license issued under this chapter.

Loading Zone means an unobstructed area provided and maintained for the temporary parking of trucks and other motor vehicles for the purpose of loading and unloading goods, wares, materials, and merchandise.

Local Planning Agency means the designated body pursuant to §163.3174, Fla. Stat., responsible for the comprehensive planning program and the preparation of the comprehensive plan, the elements, and plan amendments.

Loggia means an arcaded or colonnaded porch or gallery attached to a larger structure, open on one or more sides.

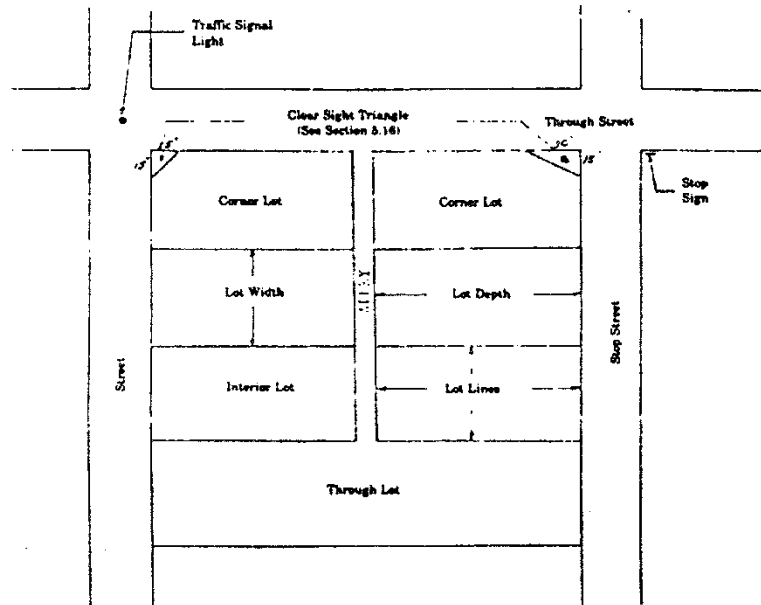
Logo means a graphic representation, letter, character, symbol, trademark, design, brand or crest or combinations thereof used to identify a business or organization.

Lot means a parcel of land, vacant or occupied. For the purpose of this chapter, the word "lot" shall be taken to mean any number of contiguous lots of record or unplatted parcels of land or portions thereof not separated by a street or public way, upon which one or more principal structures for a single use are erected or are to be erected.

DRAFT WORK IN PROGRESS

When the lot is situated immediately adjacent to the ocean front, for the purpose of this chapter, the east lot line shall be the town's bulkhead line as provided in chapter 62 of this Code or the mean high water line, whichever is most westerly. When the lot is situated immediately adjacent to the waters of Lake Worth, the west lot line shall be the existing bulkhead wall or mean high water line, whichever is most easterly. The exception to this definition is that town-owned or town-leased property is exempt from this definition. The following is an illustration of this definition:

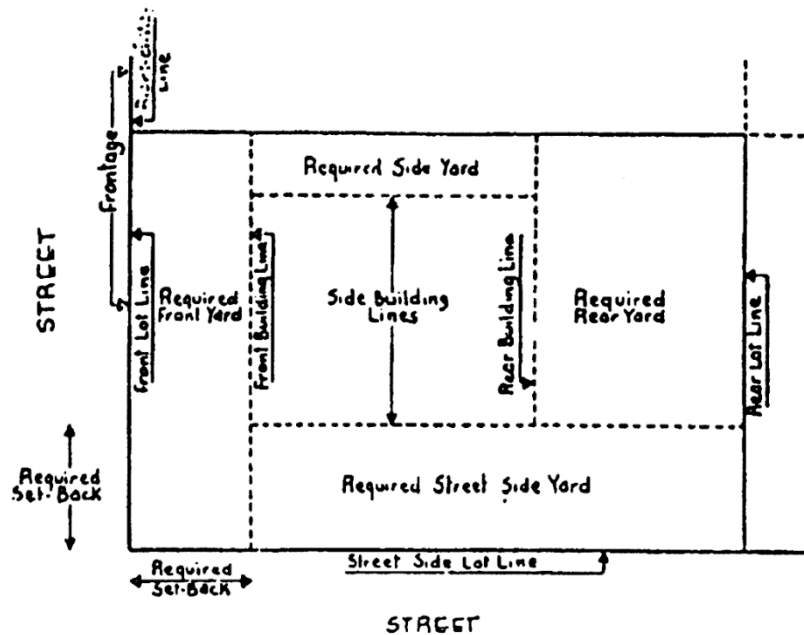
Lot Definitions—General **Replace with better image**



Lot, corner means a lot abutting upon two or more streets at their intersection. which is illustrated as follows: **Replace with better image**

DRAFT WORK IN PROGRESS

Yard Definitions—Corner Replace with better image



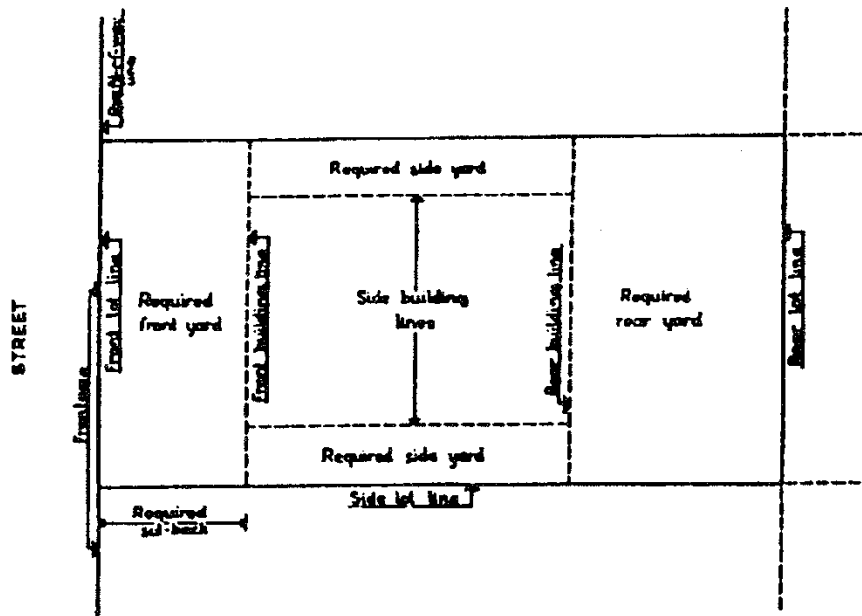
Lot coverage means that percentage of the lot area covered or occupied by the buildings or any part of the buildings, excluding therefrom any projections permitted to extend into yard areas elsewhere by this chapter.

Lot coverage means a measure of intensity of land use that represents the portion of a site that is impervious (i.e., does not absorb water). This portion includes but is not limited to all areas covered by buildings, parked structures, driveways, roads, sidewalks, and any area of concrete asphalt.

Lot depth means the distance from the midpoint of the front lot line to the midpoint of the mean rear lot line.

Lot, (interior) means a lot other than a corner lot having frontage on one street, illustrated as follows:

Yard Definitions—Interior Lot Replace with better image

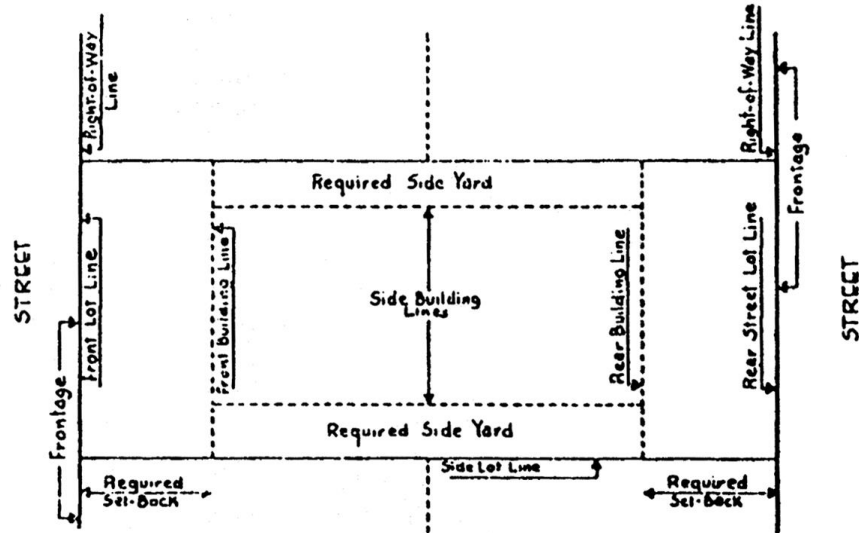


Lot (Lines) means the lines bounding a lot as established by ownership.

Lot of record means a parcel of land as originally subdivided or subsequently re-subdivided and properly recorded as a lot within a subdivision or plat.

Lot, (Street Lot Line) means the front street lot line, side street lot line or rear street lot line of any lot, which shall be the right-of-way line of the abutting street. For public streets this shall consist of the dedicated right-of-way line of public streets plus any additional street widths as required by section 134-1636; for private streets, such right-of-way line shall consist of the platted or unplatted right-of-way line of such private streets plus any additional street width as required by section 134-1636. Note: Refer to section 134-1636 for street lot lines. **Sections will change.**

Lot, (Through) means an interior lot having frontage on two streets, other than a corner lot, illustrated as follows: **Replace with better image**



Lot Split means the division of a single parent parcel into two (2) lots, each meeting all applicable requirements for minimum lot size, width, depth, setbacks, and lot coverage under the Town's zoning and subdivision regulations.

Lot (width) means the distance measured along the front building line between the side lot lines of a lot.

M

Mangroves means any specimen of *Avicenna germinans* (black mangrove), *Laguncularia racemosa* (white mangrove), *Rhizophora mangle* (red mangrove), and *Conocarpus erectus* (buttonwood mangrove), dead or alive, regardless of size.

Manufactured housing means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or panels, and which is built on a frame and designed to be used as a dwelling with a permanent foundation and connected to all required utilities and may include plumbing, heating, air conditioning, and electrical systems contained therein. If fabricated after June 15, 1976, each section shall bear a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standards.

Marijuana shall mean all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis as defined in F.S. § 381.986(1)(f), which are dispensed from a medical marijuana treatment center for medical use by a qualified patient pursuant to F.S. § 381.986.

Mean High Water means the average height of the high waters over a 19-year period. For shorter periods of observation, "mean high water" means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean 19-year value.

Mean High-Water Line means the intersection of the tidal plane of mean high water with the shore.

DRAFT WORK IN PROGRESS

Medical Marijuana Dispensary means a facility that is operated by an organization or business holding all necessary licenses and permits from which marijuana, cannabis, cannabis-based products, or cannabis plants are delivered, purchased, possessed, or dispensed for medical purposes and operated in accordance with all local, federal, and state laws. Physicians authorized by state law to order low-THC cannabis, as defined in Florida Statutes, for qualified registered patients' medical use are not included in the definition of medical marijuana dispensary.

Medical Marijuana Treatment Center means an entity that acquires, cultivates, possesses, processes (including development of related products such as cannabis food, tinctures, aerosols, oils, ~~or~~ ointments or gummies), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualified registered patients or their personal caregivers and is registered by the state department of health and regulated under chapter 134 of the Town Code of Ordinances.

Minor exterior change means an exterior change the cost of which does not exceed \$2,000.00 as determined by the building official and is determined by the landmarks project coordinator to not materially affect the exterior of the structure.

Mobility Fee means a local government fee schedule established by ordinance and based on the projects included in the local government's adopted mobility plan.

Mobility Plan means an alternative transportation system mobility study developed by using a plan-based methodology and adopted into a local government comprehensive plan that promotes a compact, mixed use, and interconnected development served by a multimodal transportation system in an area that is urban in character, or designated to be urban in character, as defined in s. 171.031.

Moderate drought-tolerant means vegetation that requires supplemental irrigation during extreme dry periods to maintain attractive appearance.

Mulch means organic, arsenic-free material such as wood.

Municipally owned or operated refers to ~~the~~ town facilities.

Museum means an institution for collecting, preparing, and exhibiting rare, interesting, or typical specimens of works of art, science, invention, manufacturers, etc., or of antiquities, curiosities; or objects of natural history; also, the collection of such articles or their repository.

N

Native habitat means habitat that predominantly consists of or is used by those communities of plants, animals, and other flora and fauna which occur indigenously on the land, in the soil, or in the water.

Native plant community is a natural association of plants dominated by one or more prominent native plant species.

Native plant species shall be the plant species indigenous to the State of Florida, and found through either the Institute for Regional Conservation's (IRC) Natives for Your Neighborhood Florida Statewide Plant List or the Florida Native Plant Society's Native Plants for Your Area list.

DRAFT WORK IN PROGRESS

~~Native shoreline vegetation means vegetation that occurs indigenously on the land, in the soil, or in the water.~~

~~Nightclub~~ means an establishment dispensing alcoholic beverages for on-site consumption, whether or not food is served, and which ~~is operates as~~ a place of entertainment that is usually open late at night, ~~offering the following as a principal use:~~

~~(1) Live or recorded music, dancing with or without a dance floor, drinks, and a floorshow:~~

~~(1) (2) One or more deejays playing recorded music;~~

~~(2) (3) By One or more performing artists;~~

~~(3) (4) By one or more live entertainers singing to prerecorded music. or~~

~~(3) — A deejay playing recorded music;~~

~~provided, however, that a restaurant that provides only background dinner music, or entertainment, or where dancing is conducted to live or recorded music does not constitute a nightclub.~~

~~Nonconforming (building) or structure~~ means a building ~~or structure~~ lawfully in existence on the effective date of the ordinance from which this chapter is derived that does not conform to the regulations contained in this chapter for the zoning district in which the building ~~or structure~~ is situated.

~~Nonconforming (land)~~ means a parcel of land lawfully in existence on the effective date of the ordinance from which this chapter is derived that does not conform to the regulations contained in this chapter for the zoning district in which the land is situated.

~~Nonconforming (use)~~ means a use lawfully in existence on the effective date of the ordinance from which this chapter is derived that does not conform to the regulations contained in this chapter for the zoning district in which the use is situated.

~~Nonprofit cultural center~~ means an institution for promoting education and the refinement of taste, intellectual and/or aesthetic matters, not including museum uses, operated without profit.

O

~~Office and professional services means administrative offices and establishments providing professional services such as lawyers, doctors, insurance agents, real estate brokers, consultants, interior designers, architects, and engineers.~~

~~Office, veterinarian means an establishment which provides medical and surgical care for animals, and may provide overnight facilities.~~

~~Objective in the comprehensive plan means a specific, measurable, intermediate end that is achievable and marks progress toward a goal.~~

~~Ordinary repairs or maintenance means work done to prevent deterioration of a building or to correct any deterioration or decay of or damage to a building or any part thereof by restoring the building as nearly as practicable to its condition prior to such deterioration, decay or damage.~~

~~Open space~~ means that area of a lot which is unencumbered by buildings, ~~other~~ structures, driveways, or automobile parking areas, except for garden walls and fences as provided in this chapter.

DRAFT WORK IN PROGRESS

Open video system or OVS means a facility consisting of a set of transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service, which includes video programming, which is provided to multiple subscribers within a community, and which the Federal Communications Commission or its successor has certified as compliant with Part 76 of the Rules of the Federal Communications Commission, 47 CFR, Part 76, as amended from time to time.

Operator means, when used with reference to a system, a person (i) who provides service over a communications facility and directly or through one or more affiliates owns a significant interest in such facility; or (ii) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a facility. A person that operates under lease a communications facility or a specific portion of a communications facility to provide communications services shall be treated as an operator for purposes of this chapter.

Ordinary repairs or maintenance means work done to prevent deterioration of a building or to correct any deterioration or decay of or damage to a building or any part thereof by restoring the building as nearly as practicable to its condition prior to such deterioration, decay or damage.

Outdoor cafe seating means the placing or locating of furniture outdoors, including tables, chairs, and umbrellas, adjacent to a business licensed as a restaurant dining room, retail specialty food including the sale of prepared foods for takeout only, or private, ~~social, swimming, golf, tennis or yacht clubs~~ with the purpose of providing outdoor seating that does not increase the seating capacity. The exception is that a specialty food use, including the sale of prepared foods for takeout only that is under 2,000 square feet in gross floor area may request up to eight [additional] outdoor cafe seats over the inside capacity provided that the seating meets the conditions of Code Sec. 134-2106 Note this section will change.

Outdoor promotional events means events sponsored and managed by a property owner where the event is to be held in the C-TS, C-WA or C-PC Zoning District for the purpose of providing a public event or promoting business on said private property. Such event shall be limited in scope and size by special exception approval by the town council and the criteria as set forth in section 134-2115 of this Code.

Owner of record means as reflected on the current county tax roll.

P

Parapet ~~wall~~ means ~~a low wall to protect the edge of that portion of a wall which extends above the~~ roof line.

Park (active) means a public space designed to promote physical activity and community engagement. They include play areas, walking paths, and recreational spaces.

Park (passive) means a public area that does not provide facilities or equipment for exercise or play, such as sports fields or playgrounds. Instead, it emphasizes natural landscapes designed to promote public health, preserve wildlife and offers a serene space for relaxation and enjoyment.

DRAFT WORK IN PROGRESS

Parking (garage) means a structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade with those levels being either open or enclosed.

Parking (lot, public or private) means an open area or plot of land used for the storage or parking of motor vehicles to provide off-street parking, either for profit or gratis, for commercial or residential uses, other than single-family.

Parking, (principle of equivalency), as it relates to a method of establishing an inventory of required off-street parking spaces for a conforming or nonconforming use of an existing building, or structure for the purpose of determining the net off-street parking requirement for the establishment of a proposed new use to be permitted in the existing building or structure, is based on the "schedule" in section 134-2176. Proposed to be converted to alternative parking program.

Parking (required) means those parking facilities determined as the minimum facilities necessary to comply with this chapter as set forth in the schedule of off-street parking requirements.

Parking (supplemental) means those parking facilities provided as a permitted or special exception and which are in addition to existing required parking as set forth in the schedule of off-street parking requirements. Supplemental off-site parking in an underground garage or surface, enclosed, partially enclosed, or a rooftop parking facility that is a permitted use in the C-TS C-WA and C-OPI zoning districts is not required to be parking that is in addition to what is required in the schedule of off-street parking requirements in the code.

Parking (tandem or stacked) means two or more parking spaces arranged end-to-end such that one vehicle must be moved to allow another vehicle to exit.

Patio means an outdoor area, often paved and shaded, adjoining or enclosed by the walls or arcades of a house.

Pergola means an open, accessory structure comprised of a **structural framework open framed roof, over an outdoor area usually often latticed and supported by regularly spaced posts or columns** covered with climbing shrubs or vines **to shade a walk or passageway.**

~~Personal service establishments means establishments primarily engaged in the provision of services to individuals dealing with their personal or immediate effects. Personal services would include, but not necessarily be limited to, hairstyling or beauty services, tailor/dressmaker, travel agent, cleaning services, interior decorator services, dance studio or similar personal instruction services.~~

Permanent means designed, constructed, and intended for more than short-term use.

Permanent resident means someone who intends to reside in the area indefinitely and has taken steps to solidify this intention, such as owning property or living there for an extended period of time.

Pervious area means an area maintained in its natural condition or covered by a material that permits infiltration or percolation of water into the ground.

Pestilent exotic/invasive species means species as identified by the most recent invasive species plant list found on the Florida Invasive Species Council (FISC) website.

DRAFT WORK IN PROGRESS

Place or maintain or placement or maintenance or placing or maintaining means to erect, construct, install, maintain, grade, excavate, place, repair, extend, replace, expand, remove, occupy, locate or relocate. A communications services provider that owns or exercises physical control over communications facilities in public rights-of-way, such as the physical control to maintain and repair, is placing or maintaining the facilities. A party providing service only through resale or only through use of a third party's unbundled network elements is not placing or maintaining the communications facilities through which such service is provided. The transmission and receipt of radio frequency signals through the airspace of the public rights-of-way does not constitute placing or maintaining facilities in the public rights-of-way.

Planning and Zoning Commission means a Commission of the Town consisting of regular voting members and alternative members appointed by the Town Council. Responsibilities including acting in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The commission is required to follow the concepts and contents of the town's comprehensive plan in all deliberations and decisions.

Planting means the placing on or setting into the ground of live plant material.

Plat (final) means the final plan of a subdivision that has been approved by the Town Council and recorded in the public records of Palm Beach County Circuit Court & Comptroller. Once recorded, the lots can be sold.

Plat (preliminary) means a plan that shows the layout of a potential subdivision that has not been recorded in the public records. The sale of any lots is not allowed. If the subdivision includes public improvements, approval of the preliminary plat allows the developer to begin constructing the public improvements. If there are no public improvements, the preliminary and final plats can be provided as one application.

Policy means the way in which programs and activities are conducted to achieve an identified goal.

Pollarding is a pruning system involving the removal of the upper branches of a tree thus promoting a dense head of foliage and branches.

Pool (swimming) means a manmade structure that is designed to hold water to enable swimming and associated activities.

Porch means a roofed entrance, either incorporated in a building or as an applied feature on the exterior of a building.

Porte-cochere means a doorway large enough to let a vehicle pass from the street to the parking area. See also carriage house.

Project Designation Manual & Matrix (ARCOM and/or LPC) means documents adopted by resolution of Town Council which group varying types of development and design review applications into categories to assist applicants and staff in determining the level of review (e.g. administrative, major, minor, neighbor consent, chairperson review, etc.) required for certain projects or applications; as amended from time to time by the Town Council.

Proportionate Fair Share means a developer's contribution is proportionate to the traffic their project generates, ensuring they only pay their fair share towards addressing the added burden on the transportation network.

DRAFT WORK IN PROGRESS

Prop roots means the structures originating below the lowest limbs of red mangroves, and which are also known as stilt roots.

Public/~~private~~ Group use means use of land or structures thereon or portions thereof for public structures, governmental operations, education, essential services, recreation and cultural amenities generally beneficial to the public health, safety and general welfare of the town's residents.

Public rights-of-way ~~shall have the same~~ *meansing* the area on, below, or above a public roadway, median, highway, street, sidewalk, alley, or waterway, including, without limitation, a municipal, county, state, district, or other public roadway, highway, street, sidewalk, alley, or waterway, as defined ~~provided~~ in §610.103(9), Fla. Stats., as that provision shall be amended from time to time.

Public structures means municipally owned and/or operated structures used for public purposes such as, but not limited to, administrative offices, recreational buildings, police and/or fire stations and other public safety facilities.

Q

Quasi-commercial means any activity that would seemingly or to some degree be normally considered commercial in nature.

R

Rate means volume per unit of time.

Rational Nexus means in the context of impact fees, the legal requirement that there be a reasonable connection between the need for new public infrastructure and the fees charged to new developments to fund that infrastructure. Essentially, it means the fee imposed must be proportionate to the impact the development has on the need for those facilities.

Registration or register shall mean the process described in this division whereby a communications services provider provides certain information to the Town.

Removal means to relocate, cut down, remove, or in any other manner destroy or cause vegetation to be destroyed.

~~*Rear height plane* means a height limit of a building in the R-B district as measured by the maximum overall height permitted on the abutting lot to the rear. When a lot abuts more than one lot to the rear, an average maximum overall height will be used to establish the rear height plane.~~

Reseller means any person that provides telecommunications service for which a separate charge is made over a telecommunications facility, where that person does not own or lease the underlying telecommunications facility used for the transmission.

Residential use means use of land or structures thereon or portions thereof for residential occupancy of a permanent or semipermanent nature with an intended occupancy period, by any one individual or family, with or without bona fide nonpaying guests, of not less than three months; except that residential uses may be occupied by any one individual or family for periods of less than three months not more frequently than three times per calendar year; and except that this definition does not include occupancy of a transient nature such as in hotel, motel or timesharing uses.

DRAFT WORK IN PROGRESS

Restaurant means every building or part thereof and all accessory buildings used in connection therewith or any place or location kept, used or maintained as, advertised as or held out to the public to be a place where meals and foodstuffs are prepared and served.

Restrictive covenant means a written agreement executed by and between a property owner and the Town whereby the property owner for a specified consideration by the Town agrees to certain conditions, restrictions, and/or limitations on the use, maintenance, or sale of his property. Such restrictive covenant shall be recorded in the public record and shall run with the land and shall be binding upon the property owner, his successors, and assigns.

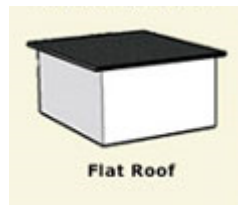
~~*Retail Establishments* means establishments selling commodities or goods to ultimate consumers.~~

Retail tobacco or nicotine products dealer means a licensee of the Florida Department of Business and Professional Regulation authorized to engage in the retail sale of tobacco products and nicotine products to consumers.

Retention means the collection and storage of runoff without subsequent discharge to surface waters.

Roof means A structural covering over any portion of a building or structure, including projections beyond the walls or supports of the building or structure.

Roof (flat) means roof having a pitch of not more than 1.5 inches in 12 inches.



Roof (gable) means A roof that slopes downward in two opposite directions from a central ridge.



Roof (gambrel) means a roof with two pitches on each side.



DRAFT WORK IN PROGRESS

Roof (hip) means a roof with slopes upward from all four sides of a building, requiring a hip rafter at each corner.



Roof (mansard) means a roof with a steep lower slope and a flatter upper slope on all sides, either of convex or concave shape.



Roof (pitched) means a gabled, or hipped roof having a slope or pitch of at least one-foot rise for each four feet of horizontal distance in the direction of the slope or pitch of the roof.

Runoff coefficient means ratio of the amount of rain that runs off a surface to that which falls on it; a factor from which runoff can be calculated.

S

School (academic) means a structure or portions thereof designed or used for instructing one or more persons, either children or adults, in either general or specialized education, and including accessory uses such as administrative offices, physical education facilities and group housing facilities for students or staff; provided, however, that instruction received by children or adults in their place of residence shall not constitute a school.

School (professional or studio-type) means a structure or portion thereof designed and used for the business of instructing one or more persons, either children or adults, in a specialized subject such as voice, language, dancing or modeling.

Sediment means the mineral or organic particulate material that is in suspension or has settled in surface waters or groundwaters.

Sediment related pollutants means substances such as nutrients, pesticides, pathogens, and organic materials that are transmitted with, or in association with, sediment.

Service station means a building or lot where gasoline, oil, greases, batteries and tires are supplied and dispensed to the motor vehicle trade and where repair services other

than body work and painting are rendered and where motor vehicles are washed and/or polished manually but not by machinery.

Setback means the minimum distance by which any building or structure must be separated from a street right-of-way.

Shade tree means a tree having a height of not less than 12 feet and a spread of not less than ten feet at the time of planting.

Sign, illuminated means a sign which is lit by electrical lighting installed thereon or therein or lighted by remotely located lights or that is produced and/or displayed by means of artificial projected light or lighted by reflected light.

Sign, individual business means a flat wall-mounted identification sign permitted for each individually town-licensed business with street or parking lot frontage and having direct ground level walk-in access from a public or private roadway, sidewalk, or parking lot in a commercially zoned district. *Sign, institutional* means a sign for building identification of schools, colleges, museums, libraries, houses of worship, or other institutions of a similar public or semipublic nature.

Sign, menu means a restaurant or take-out food establishment wall or pedestal mounted sign which identifies the menu and prices within said establishment.

Sign, official traffic means a sign placed or erected by a municipal, county, state, or federal governmental agency as a regulatory, aid-to-traffic or informational sign, in connection with control of vehicular or pedestrian traffic over a bridge, roadway, pathway or sidewalk.

Sign, property identification yard means a detached and freestanding identification sign for a Commercial zoned property supported on a monument, pillar or similar supporting structure.

Sign, sale or rental means a temporary sign advertising the sale or rental of the premises upon which it is placed or erected by the owner or broker or any other person interested in the sale or rental of the premises.

Sign, tow-way means a sign which provides notice as required by Florida Statute for any property owner, lessee, or person authorized by a property owner or lessee to tow or remove any vehicle or vessel from private property without the consent of the owner or other legally authorized person in control of that vehicle or vessel.

Sign, yard means a detached and freestanding identification sign supported on a pole or similar supporting structure.

Skylight means an opening in a roof which is glazed with a transparent or translucent material used to admit natural or diffused light to the space below.

Site Plan means a plan, drawn to scale, showing uses, buildings, and structures proposed for a parcel of land as required by the land development regulations that includes parcel lines, streets, open space, major landscape features, both natural and manmade.

Spa means a hot tub or similar warm-water hydromassage man-made body of water.

Special exception (see Conditional Use). ~~Special exception uses are allowable as conditional uses authorized in a zone only under the specific conditions specified in sections 134-227 through 134-233 and article III of this chapter and pursuant to the procedures in divisions 3 and 4 of article II of this chapter, but which use cannot be located~~

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~~in a zone as a matter of right and which may be revoked if any of the required conditions to approval and operation are violated.~~

~~*Special exception structure* means a structure approved as a special exception subject to sections 134-227 through 134-233, 134-897, 134-952, 134-1008, 134-1063, 134-1115, 134-1165 and 134-1214.~~

Statue or Sculpture means an object which is fashioned, shaped and formed by hand or machine into a work of art, including but not limited to contemporary, modern, classical and/or abstract design, and that may or may not be a likeness of a person or thing.

Stormwater means the flow of water that results from, and that occurs immediately following, a rainfall.

Stormwater Management Agreement means the agreement recorded in the public records which contains the stormwater management plan and any restrictions placed on the property at the time of recordation and, if applicable, a letter from an professional engineer registered in the state stating that any underground storm water improvements have been constructed substantially in compliance with the approved storm water management plan.

Stormwater management plan means a design prepared by a professional engineer registered in the state of Florida illustrating the stormwater management system to be constructed to address the town's stormwater level of service during and after construction.

Stormwater management system means the system, or combination of systems, designed to treat stormwater, or collect, convey, channel, hold, inhibit or divert the movement of stormwater on, through and/or from a site.

Story means that portion of a building, other than an attic, included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between such floor and the ceiling next above it. Habitable space, open patios, accessible roof decks not used exclusively for mechanical equipment, observation decks and/or similar areas located above the first or second story shall be considered a story for the purpose of this definition.

Street means a facility, either public or private, that affords the primary access to abutting property and that is intended for general traffic circulation. A street includes the entire area between street lines (right-of-way lines), including provisions for cul-de-sacs.

Street (line) means the line between the street and abutting property. Also referred to as right-of-way line.

Structural alteration means any change, except the repair or replacement, in the supporting members of a building, such as bearing walls, columns, beams or girders, or the rearrangement of any interior partitions affecting more than 50 percent of the floor area of the building.

Structure means ~~anything~~ that which is constructed, placed or erected on land, submerged land or over water, the use of which requires permanent or temporary location on the land, submerged land or over water, or attachment to something having permanent or temporary location on or over the land, submerged land, or water.

DRAFT WORK IN PROGRESS

Structure (accessory) means an accessory structure is a smaller building or feature on the same property as a main structure, whose use is subordinate and incidental to the principal structure.

Structure (principal) means a main and foremost building or structure located on a lot and in which is conducted the main and foremost use of the lot on which the building or structure is situated.

Structure (public) means anything constructed, placed or erected on land, submerged land or over water by a Federal, State, County, City of West Palm Beach and City of Lake Worth Beach governmental entities, the use of which requires permanent or temporary location on the land, submerged land or over water, or attachment to something having a permanent or temporary location on or over the land, submerged land, or water.

~~Sub-basement means a facility that is located underground and does not exceed in height the lowest point of the public sidewalk abutting the property or, alternately, the lowest point of the public street if there is no public sidewalk and no portion which is located beyond the confines of the outer walls of the main building located above ground level. For additional regulations and the exceptions to the regulations of sub-basements see sections 134-1610, 134-1611 and 134-2179.~~

Subdivision means the division of land into three (3) or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land. The term includes establishment of new streets or alleys, additions, and resubdivisions; and, when appropriate to the context, also relates to the process of subdividing or to the land or area subdivided.

Substantial improvement means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during a one-year period in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building should be:

- (1) The appraised value of the structure prior to the start of the initial repair or improvement, or
- (2) In the case of damage, the value of the structure prior to the damage occurring.

This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been pre-identified by the code enforcement official and which are solely necessary to assure safe living conditions.

Surface water means water above the surface of the ground whether or not flowing through definite channels.

Survey means the process of measuring and mapping the boundaries, features, and ownership of a piece of land by a registered land surveyor. It involves determining and marking the boundaries, corners, and lines of the land and collecting accurate data using specialized tools and equipment.

Survey (ALTA) (American Land Title Association/National Society of Professional Surveyors) means a detailed plan that follows strict standards and provides information

about boundaries, easements, encroachments, and zoning restrictions. Alta surveys are often required by insurance and title companies to determine if there are any potential risks associated with the property.

Survey (construction) means a plan of the natural and artificial features of a piece of property to provide detailed information about the contours, elevations, vegetation, water bodies, structures, and other characteristics of the land is providing a comprehensive understanding of terrain for site development and landscape design. This type of survey ensures accuracy during the building process to help the architecture and engineering teams implement their designs and specifications in line with legal requirements.

Survey (elevation certificate) means a document that provides information regarding a building's location, lowest point of elevation, flood zone and other characteristics according to the Federal Emergency Management Agency (FEMA).

Survey (plat) means a plan, prepared by a registered surveyor or engineer, prepared in compliance with this chapter that delineates property lines and shows monuments and other landmarks for the purpose of identifying property.

Survey (subdivision) means a plan prepared by a registered surveyor or engineer, that calls for the division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivisions; and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.

Survey (topographic) means a plan prepared by a registered surveyor or engineer that maps the natural and artificial features of a piece of property to provide information about the contours, elevations, vegetation, water bodies, structures, and other characteristics of land vital for site development and landscape design.

Surveyor (land) means A person who knows surveying principles and methods, legal requirements, and is registered in the state in the field of land surveying.

I

Telecommunications (facility) means a facility that is used to provide one or more telecommunications services, any portion of which occupies public rights-of-way. The term telecommunications facility, by way of example, and not limitation, includes wires, equipment, cabinets, guys, conduit, radio transmitting towers, other supporting structures, and associated facilities used to transmit telecommunications signals. An open video system is not a telecommunications facility to the extent that it provides only video services; a cable system is not a telecommunications facility to the extent that it provides only cable service.

Telecommunications (services) means the transmission for hire, of information in electronic or optical form, including, but not limited to, voice, video, or data, whether or not the transmission medium is owned by the provider itself. Telecommunications service includes telephone service but does not include over-the-air broadcasts to the public-at-large from facilities licensed by the Federal Communications Commission or any successor thereto.

Temporary irrigation system means one which is not to be supplied by buried polyvinyl chloride (PVC), polyethylene (PE), copper tubing or any other direct buried piping.

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Tent means any freestanding structure of a temporary basis usually composed of canvas, plastic or other such material.

Terrace means a flat or raised space or platform adjoining a building, paved or planted, especially one used for leisure enjoyment.

Timesharing use means the use of any unit under which the exclusive right of use or occupancy of the unit for a period of less than three months circulates among various occupants in accordance with a fixed time schedule on a periodically recurring basis for a period of time established by such schedule. ~~Such a use is permitted in the town only by special exception in the C-OPI, C-PC, C-B and R-D(2) zoning districts.~~

Tower means a tall structure designed for observation, communication or defense. A bell tower is synonymous with the term “campanile”; church towers are used for hanging bells.

Townperson means all full-time and seasonal Town residents as well as visitors staying ~~at in~~ accommodations, and employees working in establishments located within the Town.

Town resident (fulltime) means someone who is domiciled within the Town by living there on a permanent basis, as evidenced by either:

- (1) Evidence of homestead exemption on such residence.
- (2) Voter registration at the address of such residence.
- (3) State of Florida Driver’s License or Florida Identification Card at the address of such residence.
- (4) Declaration of domicile in the Public Records of Palm Beach County, Florida at the address of such residence.

Town resident (seasonal) means someone who owns or rents a residence within the Town but does not qualify as a full-time resident.

~~Town resident (seasonal) means someone who owns or rents a residence within the Town but does not qualify as a full-time resident. nts principally oriented to serving the needs of townpersons which would not substantially rely upon the patronage of persons not defined as townpersons. Town-serving establishments, by definition, would typically contain 4,000 or less square feet of interior gross leasable area (GLA) in the C-WA district; 3,000 or less square feet of interior GLA in the C-TS and C-B districts and 2,000 or less square feet interior GLA in the C-PC district. Establishment would also not engage in advertising designed to attract other than townpersons.~~

Town-Serving means establishments, principally oriented to serving the needs of townpersons and not substantially relying on the patronage of non-townpersons. Commercial establishments which are 3,000 gross square-feet or less in the C-OPI, C-PC, C-TS and C-B zoning districts, or 4,000 gross square feet or less in the C-WA zoning district are assumed to meet the intent of the first part of this definition. Town-serving commercial establishments shall attract no less than the established percentage defined in the Zoning Code of their customers/members/clients from among townpersons.

Town-Serving (office establishments) means businesses oriented to serving the needs of Town-persons and not substantially relying on the patronage of non-Town-persons primarily engaged in the provision of services that include but not necessarily limited to providing professional services such as attorneys, doctors, veterinarians, insurance

DRAFT WORK IN PROGRESS

agents, real estate brokers, financial advisors, trust advisors, consultants, interior designers, architects, engineers, and similar office services as determined by the Planning, Zoning and Building Director.

Town-Serving (personal service establishments) means businesses oriented to serving the needs of Town-persons and not substantially relying on the patronage of non-Town-persons primarily engaged in the provision of services to individuals dealing with their personal needs. Personal services include, are but not necessarily be limited to, hairstyling or beauty services, tailor/dressmaker, travel agent, cleaning services, dance studio, gyms and workout studios or similar personal services as determined by the Planning, Zoning and Building Director.

Town-Serving (retail establishments) means businesses that are principally oriented to serving the needs of Town-persons and not substantially relying on the patronage of non-Town-persons selling commodities or goods to ultimate consumers. Retail services include, but are not necessarily limited to, clothing stores, retail specialty food stores (excluding restaurants), other general merchandise stores, or similar retail services as determined by the Planning, Zoning and Building Director.

Town-Serving (retail specialty foods) means establishments that focus on selling a specific category of products for pick-up or fast casual dining, such as coffee shops, pickup windows associated with a primary restaurant, and diners.

Transfer means any transaction in which: (i) all or a portion of the communications facility is sold or assigned (except a sale or assignment that results in removal of a particular portion of the facility from the public rights-of-way); (ii) there is any change, acquisition, or direct or indirect transfer of control of the franchisee or licensee; or (iii) the rights and/or obligations held by the franchisee or licensee under the franchise or license are transferred, sold, assigned, or leased, in whole or in part, directly or indirectly, to another party. In succeeding provisions of this chapter, all these activities are referred to as franchise transfers.

~~*Trellis means an ornamental accessory structure of lattice work over which vines are trained, usually made of narrow strips of wood which cross each other at regular intervals.*~~

Trellis means a structural frame supporting open latticework or gating constructed to support plants or vines or left exposed.

Trim or trimming of vegetation means to cut branches, twigs, limbs, and foliage, but does not mean to remove, defoliate, or destroy. Trimming does not include the cutting of prop/aerial roots.

Trip Generation means the basis for estimating the level of use for a transportation system and the impact of additional development or transportation facilities on an existing, local transportation system.

Trip (vehicle) means a one-way journey that proceeds from an origin to a destination via a single mode of transportation; the smallest unit of movement considered in transportation studies. Each trip has one production end and one attraction end.

Turf (artificial) means a product manufactured from synthetic materials that simulates the appearance of natural turf, grass, sod or lawn.

Turf means continuous plant coverage consisting of grass species suited to growth in the county.

U

Underground facilities means utility and telecommunications facilities located below the surface of the ground, excluding the underground foundations or supports for overhead facilities.

Uniform Development Review Procedures means standardized set of guidelines and steps local governments use to evaluate and approve development applications, ensuring consistency, efficiency, and fairness throughout the process.

Unity of Title means the combination of two (2) contiguous lots under single ownership to create one unified lot that meets all applicable requirements for minimum lot size, width, depth, setbacks, and lot coverage under the Town's zoning and subdivision regulations.

Untrimmed mangrove means a mangrove that has not been trimmed over two successive growing seasons.

Use (conditional) means a land use, structure or activity that is not automatically permitted in a specific zoning district but may be allowed if it meets particular conditions, ensuring it is compatible with surrounding properties. These uses require a public hearing and approval from the Town Council.

Use (permitted) means any land use, structure, or activity expressly authorized within a specific zoning district without needing variances or public hearings, "use by right".

Use (principal) means a main and foremost use of improved or unimproved property, such use established on the property and which may be within or without any building on the property.

Use (prohibited) means any land use, structure, or activity forbidden within a specific zoning district. They include those explicitly listed in Table 134-1104 as prohibited or not listed as either a permitted or conditional use.

V

Vacant land means any lot or parcel of land which is completely open, has no use associated with it or upon it and is not utilized as the required yard area for any adjoining uses.

Vape and smoke shop is a retail outlet specializing in the selling of tobacco products and other nicotine.

Variance means a modification from the literal interpretation of this chapter, other than those sections relating to use requirements, subject to the procedures of divisions 3 and 4 of article II of this chapter where there is a hardship as defined therein.

Very drought tolerant means vegetation that can survive without supplemental irrigation after establishment.

Video service shall have the same meaning as that provided in §610.103(11), Fla. Stats., as that provision shall be amended from time to time.

Video service provider shall have the same meaning as that provided in §610.103(12), Fla. Stats., as that provision shall be amended from time to time.

W

DRAFT WORK IN PROGRESS

Waiver means a modification from the literal interpretation of this chapter, other than those sections relating to use requirements, subject to the procedures of division 4 of article II of this chapter where there is not a hardship as defined therein.

Wetlands means hydrologically sensitive areas that are identified by being inundated or saturated by surface water or groundwater with a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands shall also be defined as those areas within the regulatory jurisdiction of the department of environmental regulation pursuant to F.S. ch. 403 and F.A.C. rules 17-3, 17-4, and 17-12. Wetlands generally include swamps, marshes, bogs and similar areas.

Window means a visual corridor through vegetation between upland properties and the waterfront.

Window (Bay) means a window forming a recess in a room and projecting outwards from the wall either in a rectangular, polygonal, or semicircular form. **Add illustration**

Worth Avenue Design Guidelines means guidelines prepared to protect and enhance the quality and character of Worth Avenue. They are intended for use by the general public and reviewing bodies in evaluating new construction as well as alterations, renovations or other changes to existing structures along Worth Avenue. They are intended to encourage the maintenance and restoration of the architectural heritage of Worth Avenue and to encourage the creative use of modern variants of the Mediterranean-Revival, Neo-Classical and other compatible architectural styles.

X

Xeriscape means landscaping practices designed to reduce or eliminate the need for supplemental watering, especially in arid and semi-arid climates. It involves using drought-tolerant plants, efficient irrigation, and other water-conserving techniques to create a low-maintenance and environmentally friendly landscape.

Y

Yard means an open space on the same lot with a building, such space unoccupied by structures and unobstructed from the ground upward except by trees or shrubbery or as otherwise provided in this chapter. The term "yard" may also apply to that area of the lot required to remain in open space by percentage of lot coverage regulations contained in this chapter in addition to the required front, required side or required rear yard open spaces.

Yard (Front) means a yard across the full width of the lot, extended from the front building line, including open porches, to the front street line of the lot.

Yard (Rear) means a yard extending across the full width of the lot and measured between the rear line of the lot and the rear building line of the main building. For corner lots, the rear yard shall be the yard opposite the front street line of the lot. For through lots, the rear yard fronting on the street opposite the front street line of the lot shall be the rear street yard. ~~(Note: Refer to section 134-1636 for street lot lines.)~~

DRAFT WORK IN PROGRESS

Yard (Side) means an open unoccupied space on the same lot with a building between the building line and the sideline of the lot extending through from the front building line to the rear yard or to the rear line of the lot, where no rear yard is required.

Z

Zero Datum means the point of measuring all zoning code calculations related to building height, building overall height, building height plane and cubic content ratio.

Zoning District means defined areas delineated on the official zoning map of which the regulations governing the use of land, density, bulk, height, and coverage of buildings and other structures are uniform.

Zoning In Progress means a period of time during the zoning procedures which begins with active and documented efforts by those authorized to do the zoning work which, in the normal course of municipal action, may culminate in the requisite zoning change.

TOWN OF PALM BEACH

Information for Planning and Zoning Commission Meeting on: July 7, 2026

To: Planning and Zoning Commission

Via: Wayne Bergman, Director Planning, Zoning, & Building

From: Jennifer Hofmiester, AICP, LCAM, Planner III

Re: Second Review of Proposed Conditional Use Criteria

Date: 6/24/2026

ATTACHMENT

Sec. 134-229 Code Section Current and Proposed

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:

Quality of Life

Community Preservation

FUNDING

No Fiscal Impact



Sec. 134-229. Requirements for granting.

The requirements for granting a special exception use under this chapter are as follows:

- (1) The use is a permitted special exception use as set forth in article VI of this chapter.
- (2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.
- (3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
- (4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.
- (5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.
- (6) The use will comply with all elements of the comprehensive plan.
- (7) The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.
- (8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- (9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.
- (10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.
- (11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
- (12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.
- (13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.
- (14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

Proposed 134-229 – Requirements for Granting a Conditional Use.

- A. The Town Council may approve a conditional use under this Section if it finds by competent substantial evidence that the use and the proposed development application meet all the conditions below:

1. Listed as a conditional use under Article VI of this Chapter for the applicable zoning district.
2. Consistent with the use, density and intensity of use standards, as applicable, within the Comprehensive Plan.
3. The intended use of the property and location of site elements will not result in material adverse impacts to the value of properties in the immediate surrounding neighborhood.
4. ~~Complies~~ The design of the Conditional Use complies with all regulations of the applicable zoning district under Article VI of this Chapter and all other applicable regulations under the Code of Ordinances, including the Supplementary District. Regulations in Article VIII of this Chapter that may include additional conditions and limitations for certain conditional uses.
- ~~3. Consistent with the use, density and intensity of use standards, as applicable, within the Comprehensive Plan.~~
5. ~~Designed~~ The design of the Conditional Use will to maintains safe ingress and egress and traffic flows onto and through the property by vehicles and pedestrians based on standards set forth in the Code of Ordinances, including the “Standards Applicable to Rights-of-Way and Easements” adopted May 1994, as revised through September 2025 and amended from time-to-time.
6. ~~Will~~ The design of the Conditional Use will not result in material adverse impacts ~~on adjacent properties and~~ on the immediate surrounding neighborhood (e.g. undue odor, noise, smoke, gas, glare, vibration) due to use of the property, location of mechanical equipment on the property, refuse collection, service delivery, parking and loading, signs, lighting and other site elements.
- ~~6. The intended use of the property and location of site elements not cause substantial injury to the value of adjacent properties in the surrounding neighborhood.~~
7. The intended use of the property and location of site elements on the property are designed ~~to~~ not to be substantially adverse to the public health, safety, welfare and morals of the Town.
8. Meets the town-serving requirement, if applicable, under Section 134-229(B).

B. The proposed conditional use will not attract the principal portion of its customers or clients from off-island locations. The Applicant shall submit evidence satisfactory to the Town Council that not less than fifty percent (50%) of the customers or clients of the proposed conditional use will be Town persons as defined in Section 134-2. Satisfactory evidence shall include, but not be limited to, credible data or information such as lists of customers and clients' addresses or certification thereof by an independent certified public accountant approved by the Town, market studies prepared by independent professional firm approved by the Town, or data from similar operations under control of the Applicant and acceptable to the Town. The Town may in the future on an annual and ongoing basis require the Applicant to demonstrate to the satisfaction of the Town Council that the conditional use is continuing to be Town-serving; and if the Applicant fails to maintain the Town-serving requirement under Section 134-229(8), such conditional use approval shall become null and void and the Town may pursue all remedies under the Code of Ordinances and at law. Notwithstanding the foregoing, this subsection shall not be applicable to hotel, motel or timeshare uses in any zoning district.

C. The Town Council may impose reasonable and appropriate conditions and safeguards so that the use and the proposed development application meet the criteria in subsection (A) and (B) above.

TOWN OF PALM BEACH

Information for Planning and Zoning Commission Meeting on: July 7, 2026

To: Planning and Zoning Commission

Via: Wayne Bergman, Director of Planning, Zoning, & Building

From: Planning, Zoning, & Building Staff

Re: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, Article Vi, District Regulations, At Division 6. - R-D(1) High Density Residential District, Section 134-1000; And At Division 7. - R-D(2) High Density Residential District, Section 134-1055, To Remove Public And Private Academic School As Special Exception Uses In The R-D(1) And R-D(2), Respectively; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
20-2026

Date: 6/23/2026

ATTACHMENTS

Staff Report

Ordinance No. 020-2026

Business Impact Statement

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:

Quality of Life

Community Preservation

FUNDING

No Fiscal Impact

ORDINANCE NO. 20-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ZONING, ARTICLE VI, DISTRICT REGULATIONS, AT DIVISION 6. - R-D(1) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1000; AND AT DIVISION 7. - R-D(2) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1055, TO REMOVE PUBLIC AND PRIVATE ACADEMIC SCHOOL AS SPECIAL EXCEPTION USES IN THE R-D(1) AND R-D(2), RESPECTIVELY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted Chapter 134, Zoning, of the Code of Ordinances, to establish comprehensive controls for the development of land in the Town based on the Comprehensive Plan for the Town; and

WHEREAS, Chapter 134 establishes zoning districts for the purpose of protecting, promoting and improving the public health, safety, morals, and the general welfare of the people and convenience of efficient traffic circulation of people and goods; and

WHEREAS, Article VI of Chapter 134 provides for land development regulations for each of the established zoning districts by division that include a list of permitted and special exception uses; and

WHEREAS, the Town Council of the Town of Palm Beach, pursuant to the authority granted to it in Chapters 163 and 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, on May 14, 2025, the Town Council of the Town of Palm Beach adopted Ordinance No. 006-2025 to remove private and public academic schools from the list of special exception uses in the R-B low density residential district, R-C medium density residential district, and C-B commercial district in the central (midtown) and north end of the Town, and as a special exception use south of 2500 South Ocean Boulevard only in the R-D(1) moderate density residential district, R-D(2) high density residential district, and C-TS town-serving commercial district; and

WHEREAS, on February 11, 2026, the Town Council of the Town of Palm Beach adopted Ordinance No. 035-2025 related to required Code Amendments to maintain consistency with the adopted 2024 Comprehensive Plan, which required Code Amendments that did not pertain to private and public academic schools as special exception uses; and

WHEREAS, Ordinance No. 035-2025 inadvertently failed to reflect the changes made to the residential zoning districts by Ordinance No. 006-2025;

WHEREAS, Ordinance No. 017-2026 reinstated the changes made by Ordinance

006-2025, which removed public and private academic schools as special exception uses in the R-B low density residential district and the R-C medium density residential district and as a special exception use south of 2500 South Ocean Boulevard in the R-D(1) moderate density residential district and the R-D(2) high density residential district; and

WHEREAS, on June 10, 2026 Town Council meeting, the Town Council of the Town of Palm Beach made a motion to remove public and private schools as special exception uses south of 2500 South Ocean Boulevard after hearing requests from the residents in the southend of the Town; and

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: Article VI, **DISTRICT REGULATIONS, Division 6. - R-D(1) High Density Residential District, Section 134-1000** is hereby amended as follows:

Sec. 134-1000. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter.

The special exception uses in the R-D(1) high density residential district are as follows:

- (1) Existing Approved planned unit developments.
- (2) Public structures/uses.
- (3) Essential services related to town-owned municipal buildings and structures.
- ~~(4) Public or private academic schools located south of 2500 South Ocean Boulevard.~~
- (5) Churches, synagogues and other houses of worship.
- (6) Supplemental parking.
- (7) Roof-deck automobile parking.
- (8) Municipally owned or operated parking areas.
- (9) Beach cabana houses intended for the use of family and guests only.
- (10) Group home.
- (11) Foster care facility.
- (12) Municipally owned and operated parks and recreation areas.

Section 2: Article VI, **DISTRICT REGULATIONS, Division 7. - R-D(2) High Density Residential District, Section 134-1055** is hereby amended as follows:

Sec. 134-1055. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter.

The special exception uses in the R-D(2) high density residential district are as follows:

- (1) Existing Approved planned unit developments.
- (2) Public structures/uses.
- (3) Essential services related to town-owned municipal buildings and structures.
- ~~(4) Public or private academic schools located south of 2500 South Ocean Boulevard.~~
- (5) Churches, synagogues and other houses of worship.
- (6) Supplemental parking.
- (7) Accessory commercial uses to hotel uses.
- (8) Municipally owned or operated parking areas.
- (9) Beach cabana houses intended for the use of family and guests only.
- (10) Hotels.
- (11) Timesharing uses.
- (12) Roof-deck automobile parking.
- (13) Group home.
- (14) Foster care facility.
- (15) Pedestrian access tunnel to the beach as an accessory use provided that the applicant owns the land on both sides of the roadway, provides unity of title, and provides prior written approval from all governmental agencies having jurisdiction.
- (16) Outdoor cafe seating for dining purposes related to hotels, condo-hotels and dining rooms provided that all requirements and conditions contained in sections 134-2104 and 134-2108 are met.
- (17) Condo-hotels in accordance with section 134-2110.
- (18) Municipally owned and operated parks and recreation areas.

Section 3. Incorporation of Recitals.

The above recitals are incorporated as fully set forth herein.

Section 4. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 5. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 6. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading on the 15th of July 2026, and for second and final reading on the 12th day of August 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Business Impact Estimate

TITLE OF ORDINANCE:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ZONING, ARTICLE VI, DISTRICT REGULATIONS, AT DIVISION 6. - R-D(1) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1000; AND AT DIVISION 7. - R-D(2) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1055, TO REMOVE PUBLIC AND PRIVATE ACADEMIC SCHOOL AS SPECIAL EXCEPTION USES IN THE R-D(1) AND R-D(2), RESPECTIVELY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BUSINESS IMPACT ESTIMATE:

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more of the statements below apply, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

1. The proposed ordinance is required for compliance with Federal or State law or regulation.
2. The proposed ordinance relates to the issuance or refinancing of debt.
3. The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
4. The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.
5. The proposed ordinance is an emergency ordinance.
6. The ordinance relates to procurement.
7. The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local

Government Development Agreement Act under ss. 163.3220 - 163.3243.

- b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

Is this ordinance exempt from the Business Impact Estimate requirement according to one of the aforementioned reasons?

No

Provide the relevant exemption reason number if applicable:

N/A

In accordance with the provisions of controlling law, the Town hereby publishes the following information:

Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The proposed ordinance amends Chapter 134 (Zoning), Article VI (District Regulations), to remove public and private academic schools as special exception uses within the R-D(1) and R-D(2) residential zoning districts located south of 2500 South Ocean Boulevard.

The ordinance follows Town Council direction provided on June 10, 2026, after consideration of public input from residents regarding the appropriateness of academic school uses within the affected residential areas. The amendment continues the Town's policy direction established through Ordinance No. 006-2025, which removed public and private academic schools as special exception uses from other residential zoning districts within the Town.

The public purpose of this ordinance is to preserve the residential character of the affected neighborhoods, ensure compatibility between land uses, reduce the potential for traffic and operational impacts associated with institutional uses, and promote the public health, safety, welfare, and orderly development of the Town.

An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

a) An estimate of direct compliance costs that businesses may reasonably incur:

The ordinance is not anticipated to impose direct compliance costs on existing businesses or property owners because it does not require modifications to existing development, structures, or operations.

The ordinance removes the ability for future applicants to seek approval of public or private academic schools as special exception uses within the R-D(1) and R-D(2) zoning districts.

b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible:

The ordinance does not establish any new fees, charges, assessments, or financial obligations.

c) An estimate of the Town of Palm Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

The ordinance is not expected to increase or decrease the Town's regulatory costs. Administration and enforcement will occur through existing zoning and development review processes and will utilize existing staff resources. No new revenues are anticipated.

Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The number of businesses directly impacted by the ordinance is expected to be minimal. The ordinance affects only future applications involving public or private academic school uses within the R-D(1) and R-D(2) residential zoning districts south of 2500 South Ocean Boulevard. No existing businesses are anticipated to be affected.

Additional information the governing body deems useful (if any):

The ordinance does not affect existing legally established uses, nor does it alter development standards applicable to residential, commercial, hotel, or other permitted uses within the affected zoning districts. The amendment is limited to removing public and private academic schools from the list of special exception uses available for future consideration.

The Town Council has determined that the ordinance supports long-term land use

compatibility and neighborhood preservation objectives by limiting institutional uses within the affected residential districts. The ordinance is not expected to have a measurable economic impact on existing businesses operating within the Town.



ORDINANCE NO. 020-2025 TO REMOVE PUBLIC AND PRIVATE SCHOOLS
FROM THE R-D(1) AND R-D(2) ZONING DISTRICT
TOWN OF PALM BEACH PZC MEMO

STAFF DIRECTIVE:

On May 14, 2025, the Town Council of the Town of Palm Beach adopted Ordinance No. 006-2025 (see attached) to remove private and public academic schools from the list of special exception uses in the R-B low density residential district, R-C medium density residential district, and C-B commercial district in the central (midtown) and north end of the Town, and as a special exception use south of 2500 South Ocean Boulevard only in the R-D(1) moderate density residential district, R-D(2) high density residential district, and C-TS town-serving commercial district.

On February 11, 2026, the Town Council of the Town of Palm Beach adopted Ordinance No. 035-2025 related to required Code Amendments to maintain consistency with the adopted 2024 Comprehensive Plan, which required Code Amendments that did not pertain to private and public academic schools as special exception uses. Ordinance No. 035-2025 inadvertently failed to reflect the changes made to the residential zoning districts by Ordinance No. 006-2025. Ordinance No. 017-2026 reinstated the changes made by Ordinance 006-2025, which removed public and private academic schools as special exception uses in the R-B low-density residential district and the R-C medium-density residential district, and as a special exception use south of 2500 South Ocean Boulevard in the R-D(1) moderate density residential district and the R-D(2) high density residential district.

On June 10, 2026, at the Town Council Local Planning Agency (LPA) meeting the Town Council of the Town of Palm Beach made a motion to remove public and private schools as special exception uses south of 2500 South Ocean Boulevard after hearing requests from the residents in the southend of the Town. Therefore, Ordinance No. 020-2026 removes public and private schools from the R-D(1) and R-D(2) as follows:

Section 1. Article VI, **DISTRICT REGULATIONS, Division 6. - R-D(1) High Density Residential District, Section 134-1000** is hereby amended as follows:

Sec. 134-1000. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter.

The special exception uses in the R-D(1) high density residential district are as follows:

(1) Existing Approved planned unit developments.

- (2) Public structures/uses.
- (3) Essential services related to town-owned municipal buildings and structures.
- (4) Public or private academic schools ~~located south of 2500 South Ocean Boulevard.~~
- (5) Churches, synagogues and other houses of worship.
- (6) Supplemental parking.
- (7) Roof-deck automobile parking.
- (8) Municipally owned or operated parking areas.
- (9) Beach cabana houses intended for the use of family and guests only.
- (10) Group home.
- (11) Foster care facility.
- (12) Municipally owned and operated parks and recreation areas.

Section 2. Article VI, **DISTRICT REGULATIONS, Division 7. - R-D(2) High Density Residential District, Section 134-1055** is hereby amended as follows:

Sec. 134-1055. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the R-D(2) high density residential district are as follows:

- (1) Existing Approved planned unit developments.
- (2) Public structures/uses.
- (3) Essential services related to town-owned municipal buildings and structures.
- (4) Public or private academic schools ~~located south of 2500 South Ocean Boulevard.~~
- (5) Churches, synagogues and other houses of worship.
- (6) Supplemental parking.
- (7) Accessory commercial uses to hotel uses.
- (8) Municipally owned or operated parking areas.
- (9) Beach cabana houses intended for the use of family and guests only.
- (10) Hotels.
- (11) Timesharing uses.
- (12) Roof-deck automobile parking.
- (13) Group home.
- (14) Foster care facility.
- (15) Pedestrian access tunnel to the beach as an accessory use provided that the applicant owns the land on both sides of the roadway, provides unity of title, and provides prior written approval from all governmental agencies having jurisdiction.
- (16) Outdoor cafe seating for dining purposes related to hotels, condo-hotels and dining rooms provided that all requirements and conditions contained in sections 134-2104 and 134-2108 are met.
- (17) Condo-hotels in accordance with section 134-2110.
- (18) Municipally owned and operated parks and recreation areas.