



## Palm Beach County Planning Division Comprehensive Plan Amendment Process

Palm Beach County processes several rounds of amendments to the Comprehensive Plan per year; generally a minimum of two large scale amendment rounds with text and map series amendments and site specific amendments to the Future Land Use Atlas (FLUA), and four small scale amendment rounds. This document summarizes the County's Amendment Process, which is further detailed on the Planning Division's website ([www.pbcgov.org/pzb](http://www.pbcgov.org/pzb)).

### Privately Initiated FLUA Amendments

Property owners, and/or their designated agent, may request a future land use designation change by requesting a site-specific amendment to the Future Land Use Atlas (FLUA) by submitting an application. A pre-application meeting is required prior to submittal. Amendments to the FLUA and Comprehensive Plan are legislative in nature. Submittal of the Amendment application and fees does not convey any entitlements to the subject parcel(s), and does not guarantee the approval of the amendment by the Board of County Commissioners (BCC). When a proposed amendment is denied by the BCC, the same parcel(s) may not be heard for the proposed amendment request for a period of two years, unless otherwise specified by the BCC. Additionally, pursuant to BCC direction on July 15, 2008 and reaffirmed on October 11, 2011, proposed FLUA amendments determined to be inconsistent with a prohibitive provision of the Comprehensive Plan will not be processed without a concurrent text amendment.

**FLUA Amendment with Associated Text Amendments.** Pursuant to BCC direction on February 23, 2012, property owners may submit an application to request a text amendment to the Comprehensive Plan, consistent with language added to the Introduction and Administration (I&A) Element on April 29, 2015. These requests will be processed as Large Scale Amendments and must be made in conjunction with a site specific FLUA amendment or development order and requested in order to alleviate an inconsistency with a prohibitive policy of the Comprehensive Plan. Amendments are legislative; submittal of an application and fees does not convey any entitlements to the subject parcel(s), does not guarantee that the BCC will consent to the request to initiate the review of the amendment, and does not imply that the BCC will ultimately approve the amendment.

Private Text Amendments that require a ULDC change to implement the request require the submittal of a Private Initiated Amendment (PIA) to the Zoning Division. The scheduling of the BCC consideration for the private Plan amendment and PIA will be scheduled concurrently.

**FLUA Amendment with Concurrent Zoning Application.** At the request of an applicant, the County shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to F.S. § 163.3184(12). Zoning changes approved by the County are contingent upon the comprehensive plan or adopted plan amendment becoming effective.

Small Scale Amendments must be processed concurrently with a rezoning, if applicable. Article 2.H.1.F.1, of the ULDC requires that: *If a Small Scale land use amendment requires a Rezoning, Conditional Use, Development Order Amendment, or Abandonment application(s), all applications shall be reviewed concurrently and considered by the BCC at the same public hearing. The Applicant shall submit a Site Plan or Conceptual Site Plan as part of the zoning application(s). The complete zoning application must be submitted at a scheduled zoning application intake within 45 calendar days of receipt of the Small Scale land use amendment application. If a complete zoning application is not timely submitted, the Small Scale land use amendment shall be administratively withdrawn immediately.*

### **Types of Privately Initiated FLUA Amendments**

- **Large Scale Amendments.** A Large Scale Amendment application may be submitted for a FLUA change only, or a FLUA amendment and Tier Re-designation. The County accepts applications for Large Scale Amendments on two intake dates per year. The proposed amendment must consist of a lot (or lots) and includes all land necessary to support the proposed use including land necessary for drainage.
- **Large Scale Amendment with Tier Re-designation.** The County adopted the Managed Growth Tier System in 1999 to develop and implement strategies to protect viable existing neighborhoods and communities and to direct the location and timing of development within five geographically specific areas of the County. A property owner may request an amendment to change a site from one Tier to another through the amendment process. An amendment request that includes a Tier re-designation are subject to the following:
  - **Criteria.** Tier re-designations are governed by FLUE Policy 1.1-b that contains the criteria and requires a determination that the request does not constitute urban sprawl. The proposed amendment must meet the criteria in the policy in order to be processed.
  - **Concurrent FLUA Application.** Proposed Tier re-designations may require a concurrent Future Land Use Atlas amendment since not all Future Land Use designations are allowed in all Tiers. Applications for a Tier re-designation without a necessary FLU amendment will be found insufficient for processing. If a proposed Tier amendment requires and/or includes a concurrent FLUA amendment, the entire FLUA amendment application must be submitted. If the Tier re-designation does not require and/or does not include a concurrent FLUA amendment, then Part 5 (Public Facilities) of the Amendment Application is not

required to be submitted as part of the application. A proposed Tier re-designation requires an additional fee.

- **Study.** The County shall conduct a study to address the proposed Tier re-designation and, depending on the Tier re-designation proposed, the County may require additional data and analysis from the applicant during the amendment process.
- **Small Scale Amendments.** The process for the adoption of Small Scale Amendments is established by Section 163.3187(1), Florida Statutes, and is optional for local governments. The County accepts applications for Small Scale Amendments four times per year. In order to be processed as a Small Scale amendment (SCA), a concurrent Zoning application must be submitted and meet the following:

**SCA Criteria in the Introduction and Administration Element:**

- The parcel consists of a lot (or lots) which do not exceed a total of 10 acres in size (including all land necessary to support the proposed use including land necessary for drainage);
- The parcel is located within the Urban Service Area Boundary;
- The request is not to move the boundary of any tier.

The public hearing dates for Small Scale Amendments are held following certification of the concurrent zoning application, typically with the Planning Commission hearing held the month following certification, and the Zoning Commission and BCC hearings held the subsequent month.

## **Amendment Review Process**

The following provides an outline of the steps of the amendment process.

**Private FLUA Amendment Intake.** The Planning Division accepts privately initiated amendment applications four times per year.

**County Review Process.** Once proposed FLUA amendments are found sufficient for processing, the Planning Division distributes the request to other County departments for review, and prepares a staff report summarizing associated data, the consistency of the request with the goals, objectives and policies of the Comprehensive Plan, and compatibility with surrounding properties. Each staff report includes a staff recommendation.

**Public Hearing Notice.** Properties subject to a FLUA amendment are posted with Public Notice signs during the amendment process. Property owners within 500 feet (1,000 feet within the Exurban and Rural Tiers) and area municipalities receive a notification by mail prior to the first public hearing.

**Public Hearings - Agendas & Staff Reports.** Each proposed small scale amendment is subject to two public hearings: Planning Commission (PLC) public hearing and Board of County Commissioners (BCC) Adoption public hearing. Large Scale amendments are subject to three public hearings: PLC public hearing, BCC

Transmittal public hearing, and BCC Adoption public hearing. Agendas and staff reports are published online one week prior to each public hearing.

**Large Scale Transmittal State Agency Review.** All transmitted amendments are reviewed by State-mandated reviewing agencies, including the Treasure Coast Regional Planning Council (TCRPC) for consistency with State plans and regulations. State Review Agencies must provide comments to the County within 30 days of receipt of the transmitted amendments.

**BCC Adoption Hearing.** The Planning Division presents the amendment staff reports to the BCC at an Adoption Public Hearing. For Large Scale amendments, the staff reports will address any comments or objections issued by the State Land Planning Agency and State Review Agencies. At the hearing, the Board makes a determination on each amendment whether to adopt the amendment by ordinance or to deny. Adopted amendments, along with the response to State comments, are submitted to the State Land Planning Agency and other state departments.

**Effective Date.** Adopted amendments become effective according to Florida Statutes as identified in each adopted ordinance. Challenged amendments enter an administrative hearing process.

For more information contact:  
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