

The Town of Palm Beach

DRAFT

AUGUST 19, 2024



Comprehensive Plan 2024



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Introduction



STATE REQUIREMENTS FOR COMPREHENSIVE PLANNING IN THE STATE OF FLORIDA

Florida's mandated growth management legislation was a consequence of explosive and poorly managed population growth and the inability to protect the Everglades and the state's natural



resources during the 1970s. Up to that point, Florida cities and counties had broad discretion to adopt local land use plans and regulations. By 1972, Florida was the fastest growing state in the country. As the state's population reached 1,000 new residents a day, the environmental, water quality, transportation, housing, and other quality of life issues became paramount.

Beginning in 1972, the state took steps to start managing the impacts associated with rampant population growth. Compounding the population pressures, Florida had experienced a serious drought and a growing environmental movement that lead to then-Governor Reubin Askew to convene a conference on water management. The outcome was the appointment of a Task Force on Land Use and

ultimately the creation of the Environmental Land and Water Management Act, the Water Resources Act, the State Comprehensive Planning Act, and the Land Conservation Act. Three years later the Task Force adopted the Local Government Comprehensive Planning Act.¹ The major objective of these new laws was addressing the state and regional impact that local land use decisions had on land and water 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, that all development regulations and permits be consistent with the plan and the elements within the plan, and that the land development regulations be adopted to implement the plan. Simply stated, the state mandated that the local comprehensive plan supersede zoning.

The ambitious planning reforms of the 1970s had a slow start in actual implementation but the programs took hold and survived despite an economic downturn in the mid-1970s, the modest state funding, and the adjustments to the laws to satisfy political and legal challenges. By the mid-1980s, under the leadership of then-Governor Bob Graham, a second phase of additional and complementary reforms took place. The Environmental Land Management Study Committee ("ELMS") was assembled consisting of 15 members, appointed by the Governor and others by the Florida House and Senate. The first ELMS committee, led by Dr. John DeGrove, who was the

¹ A History and New Turns in Florida's Growth Management Reform, by Nancy Stroud and 1000 Friends of Florida.

Director of the Urban Center at Florida Atlantic University was given a mandate to review current land management processes and agencies and recommend legislation. The ELMS I Committee prepared the report that later led to the Florida Legislature enacting the state's first mandatory local planning program, the 1975 Local Government Comprehensive Planning Act (Local Planning Act).²

The Local Planning Act was an important milestone that poured the foundation for later legislation but was not an astounding success. Working with a broadly worded state mandate to produce local comprehensive plans with minimal state guidance, little technical and financial assistance, and no penalties for noncompliance, many local governments adopted internally inconsistent advisory plans. Future land use maps were optional and often too politically sensitive to produce. Although state policy required consistency between plans and development approvals, this policy was largely ignored.³

Concern in the early 1980s about the ineffectiveness of the Local Planning Act prompted the appointment of the second ELMS Committee (ELMS II) to assess the state's growth management effort. The ELMS II concluded if Florida wants effective growth management, the state must take the lead, chart a policy course, and then effectively administer its programs. The resulting recommendations and subsequent legislation resulted in the State Comprehensive Policy Plan and statutory guidelines for Regional Planning Councils to develop Regional Policy Plans.⁴ These plans would become the foundation of the extensive overhauling of the local planning process in what became known as the Omnibus Growth Management Act of 1985 (Growth Management Act).

The Growth Management Act adopted changes to the coastal construction law, improved some perceived weaknesses in the original local planning, and established an integrated state, regional and local planning process. The sweeping Growth Management Act included the following mandates.⁵

- Required each county and municipal government to adopt a comprehensive plan consistent with regional and state plans.
- Established a process for the state to approve local plans and amendments.
- Required comprehensive plan content including required and optional Elements and Future Land Use Maps.
- Created formal state administrative hearings for challenges and sanctions for noncompliance.
- Expanded citizen standing to file challenges.
- Limited the number of most plan amendments to twice a year and more.
- Reaffirmed an earlier requirement that land development regulations and local development approvals be consistent with adopted local plans and provided certain citizens

² Ibid

³ Florida's Growth Management Odyssey: Revolution, Evolution, Devolution, Resolution by Robert M. Rhodes 2020

⁴ Ibid

⁵ Ibid

and groups a judicial remedy to enforce this consistency policy.

The law clearly stated the hierarchy of local land use policy and the regulating land development regulations within local government zoning codes. As demonstrated, the comprehensive plan is intended to provide the policy direction for the land development regulations that were to be applied to development orders that address local regulations and are depicted on associated site plans and conditions of approval.

During the late 1980s and early 1990s, the state growth management program, that was most specific to the Development of Regional Impact (DRI) process, was being criticized as a major state intrusion on traditional local home rule from both urban and rural localities and some in the building industries. This growing reproach, plus the fact the state program was relatively new and expected to evolve with experience, prompted another major reassessment of Florida's state program by the Third Environmental Land Management Study (ELMS III) Committee. The ELMS III Committee concluded that although local governments had been developing compliance plans and most had enacted implementing land development regulations, rigid adherence to uniform state standards and program mandates was not desirable or practical.⁶

State oversight continued to be loosened in the 2000s. In 2007, the Legislature established a pilot alternative review project that fast tracked and streamlined state review of plan amendments in urban areas. The project cut review time in half and focused state review on issues of state and regional importance. In 2009, this alternative state review process was authorized statewide for plan amendments that would encourage urban redevelopment. Additionally, urban areas were granted flexibility to satisfy transportation concurrency in certain dense urban areas.⁷

Further refinements were made through the early 2000s. Following the Great Recession from 2007 to 2009, then-Governor Rick Scott passed the 2011 Community Planning Act that superseded the Growth Management Act, which weakened or in some cases eliminated many of the provisions of the 1985 Growth Management Act. Most notable, the 2011 Community Planning Act created an expedited state review process and eliminated the Florida Department of Community Affairs, making the new Department of Economic Opportunity (DEO).⁸ During the 2023 Legislative Session, Governor Ron DeSantis approved the departmental name change from DEO to the Department of Commerce, effective, July 1, 2023.

The Community Planning Act is outlined in Chapter 163, Florida Statutes and its purpose and intent is to grant local governments the ability for the following.

- To preserve and enhance present advantages.
- To encourage the most appropriate use of land, water, and resources, consistent with the public interest.
- To overcome present handicaps.

⁶ Ibid

⁷ Ibid

⁸ Managing Growth, Promoting a Sustainable Future, 1000 Friends of Florida

- To deal effectively with future problems that may result from the use and development of land within their jurisdiction.

THE TOWN OF PALM BEACH COMPREHENSIVE PLAN

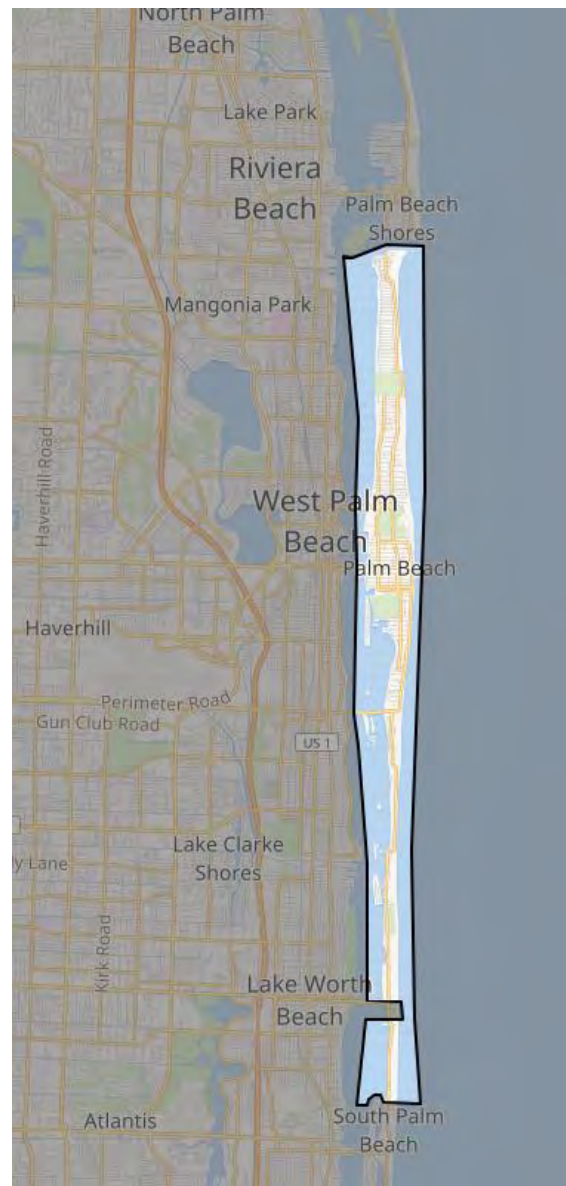
Palm Beach is an incorporated town in Palm Beach County, Florida, United States. Located on a barrier island in east-central Palm Beach County, the Town is separated from West Palm Beach and Lake Worth Beach by the Intracoastal Waterway to its west and a small section of the Intracoastal Waterway and South Palm Beach to its south. Town encompasses 3.8 square miles and is part of the South Florida Metropolitan (Statistical) Area. As of the 2020 Census, Palm Beach had a year-round population of 9,245.

Almost 100 years ago, the Town approved the “Plan of Palm Beach,” prepared by Bennett, Parsons & Frost, Consulting Architects based in Chicago and funded by the Garden Club of Palm Beach. It is important to pay tribute to this volunteer organization, as the Garden Club commissioned the first plan for the Town of Palm Beach.

The Garden Club of Palm Beach was organized in 1928 and in 1931, joined the Garden Club of America. The mission of the Garden Club has remained, since its inception, focused on horticulture, the environment, conservation, and civic improvements. The philosophy of the Garden Club has persisted in concert with the Town of Palm Beach’s original Town Plan up to the current 2024 Comprehensive Plan Update as stated below.

“The Garden Club of Palm Beach cherishes its past and continues to be actively involved in our present community while it works to plan for the future.”

The Garden Club of Palm Beach website



Town of Palm Beach Location Map

The 1929 Plan identified issues and assets of the Town. The Town Plan recognized that the number of permanent residents of the State was growing, and winter visitors were also increasing in



“One attractive and well managed public bath and beach, the concentration of general traffic upon a limited number of streets, beatification without especial reference to main arteries of travel, and a system of leisurely and convenient by-ways free from automobiles, punctuated with gardens:

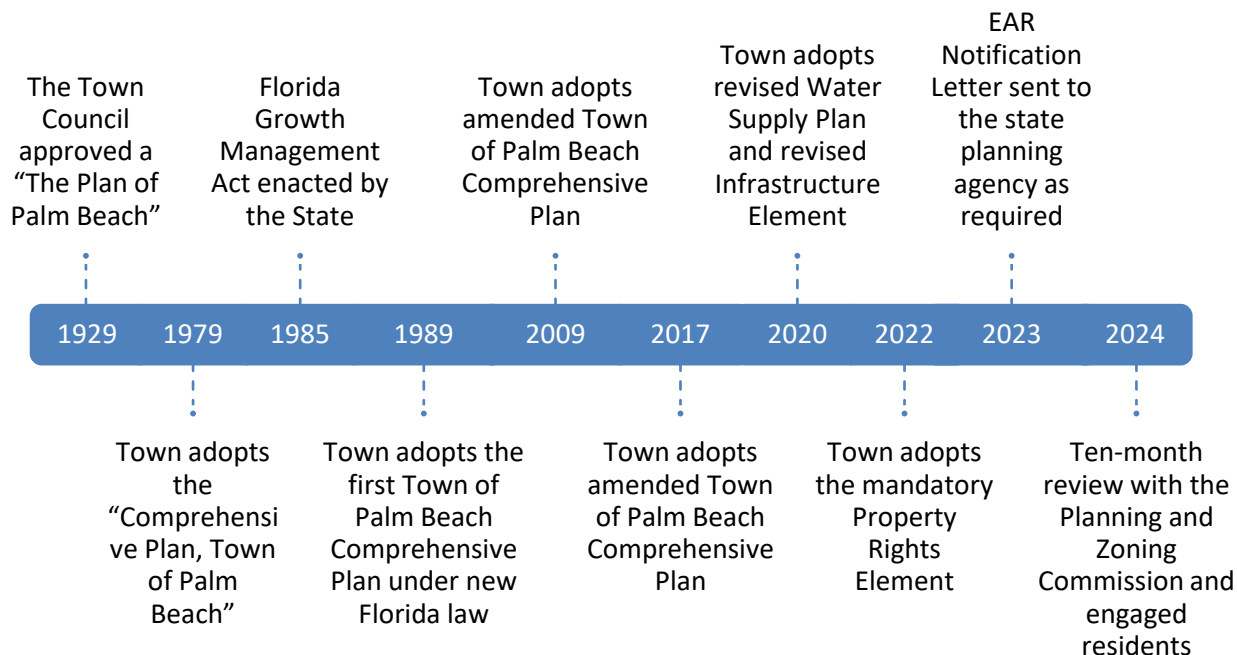
This is a plan which will localize recreation seeking crowds, discourage trespassing, and provide safety and quiet for residents of Palm Beach.”

The Plan of Palm Beach, 1929

number. The 1929 Plan further acknowledged that it was not surprising that towns on the railroads were prospering, and that West Palm Beach had grown from a service village to a city. The 1929 Plan noted that places at the water’s edge were gradually expanding and their problems increasing. The Town established the Goal of the 1929 Plan, which is cited below.⁹

⁹ The Plan of Palm Beach Bennett, Parsons & Frost, Consulting Architects, 1929

As illustrated, the Town of Palm Beach began comprehensive planning prior to the statutory mandates that began in 1979. The Town continued the comprehensive planning program through the state mandated series of growth management laws, as outlined in the following timeline.



Pursuant to §163.3177, Fla. Stat., the state requires certain "Elements" of a comprehensive plan while also allowing for optional ones that are specific to the particulars of a local jurisdiction. Each Element requires Goals, Objectives and Policies that are based upon the data and analysis of historical and current statistics, housing needs, development trends, natural resource protection, an adequate multi-modal transportation network, and the ability to provide necessary public services and facilities, among other aspects that are specific to that local government.

Referred to as the Community Planning Act, the law also mandates per §163.3191, Fla. Stat. that every seven years local governments update their comprehensive plans the Evaluation and Appraisal Review (EAR) that addresses any changes in state law that may impact local comprehensive plans since the last update to a local comprehensive plan.

Additionally, the EAR requires a review to any changes in local conditions that may affect the Goals, Objectives, and Policies of a jurisdiction's comprehensive plan. It provides for the community's vision through the series of Elements. The Comprehensive Plan directly and indirectly influences all aspects of daily life, including where people live and which uses are permitted, how natural areas are preserved and how people travel within the Town. The Comprehensive Plan provides the policy framework to address Quality of Life Issues.

State law also requires the establishment of a Local Planning Agency (LPA) pursuant to §163.3174 Fla. Stat. The Local Planning Agency (LPA) is responsible for the preparation of the comprehensive plan or plan amendment after hearings held with public notice and shall make

recommendations to the governing body regarding the adoption or amendment of the plan. The governing body may designate itself as the local planning agency pursuant to this subsection of the Florida Statutes. The Town of Palm Beach Town Council is the designated Local Planning Agency. The duties and responsibilities of the LPA are specified in Code Section 86-52 and include the following.

- ✓ Conduct the comprehensive planning program and prepare the comprehensive plan or elements or portions thereof for the Town.
- ✓ Coordinate the comprehensive plan or elements or portions thereof with the comprehensive plans of other appropriate local governments and the State.
- ✓ Recommend the comprehensive plan or elements or portions thereof to the town council for adoption.
- ✓ Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the town council such changes in the comprehensive plan as may be required from time to time.

Additionally, under the direction of Code Section 2-333, the Planning and Zoning Commission (PZC) is authorized to act in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The PZC is required to follow the concepts and contents of the Town's Comprehensive Plan in all planning, zoning and development related deliberations and decisions. The PZC also has such powers and duties as may be prescribed by ordinance.

RELATIONSHIP WITH COMPREHENSIVE PLAN AND TOWN PLANNING EFFORTS

STATE MANDATED LAND DEVELOPMENT REVIEW HIERARCHY



A Comprehensive Plan is a blueprint to guide the growth, development of land, resource protection, and provision of public services and facilities. 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. Zoning is a regulatory tool that implements the Comprehensive Plan policies. Pursuant to §163.3202, Fla. Stat., within one year after submission



of its comprehensive plan or revised comprehensive plan for review pursuant to §163.3191, Fla. Stat., each county and each municipality shall adopt or amend and enforce land development regulations (contained within the Zoning Code) that are consistent with and implement their adopted comprehensive plan.

The 2024 Comprehensive Plan update began on March 31, 2023, when the Town of Palm Beach Planning, Zoning and Building Department notified the Florida Department of Commerce, that amendments are necessary to reflect changes in state law and local conditions. To maintain compliance with state law, the Town must adopt the 2024 Comprehensive Plan by April 1, 2024.

Every seven (7) years, every local government in the state of Florida is required to evaluate its comprehensive plan through the Evaluation and Appraisal Review (EAR) process to determine if plan amendments are necessary to reflect changes in state law and changes in local conditions.

The Town's comprehensive plan was last updated was in 2017, with revisions to the 2020 Water Supply Plan and incorporation of the mandatory Property Rights Element in 2022.

On March 31, 2023, the Town notified the state land planning agency, Florida Department of Economic Opportunity (DEO), amendments are necessary to reflect changes in state law and local conditions.

The Town was required to transmit comprehensive plan amendments within one year, which would have been April 1, 2024. In fact, the first completed draft of the EAR-based comprehensive plan was presented to the Planning and Zoning Commission on October 17, 2023. The reaction to the first draft was of mixed review. It was requested that staff bring back a strike through and underlined version of the Data and Analysis portion of the Comprehensive Plan to distinguish the information that is to remain, be removed or requires updating. Since October 2023, the PZC has convened for public review of the EAR-based 2024 Comprehensive Plan eight times, in addition to providing independent reviews with written comments and suggestions to staff. During these last ten months, an engaged group of residents has also been providing meaningful and substantial input into the planning process.

Through the EAR process, the 2024 Comprehensive Plan update will address the following, provided for in each of the Elements of the 2024 Comprehensive Plan update.

- Assess how the Comprehensive Plan has guided planning, growth, and redevelopment since the last EAR-based amendment.
- Identify any changes to federal, state, and local matters that have impacted the Town of Palm Beach.
- Identify and evaluate changing conditions and trends as they relate to maintaining Quality of Life for the residents of the Town of Palm Beach.
- Assess both successes and shortcomings of the Plan.
- Identify changes to the Plan needed to reflect current conditions and direction.

- Determine the financial feasibility of the Town Comprehensive Plan and the extent to which adopted Level of Service (LOS) Standards have been met.
- Respond to changes in Florida Statutes and the Florida Administrative Code regarding growth management and development.
- Respond to changes to the State Comprehensive Plan and the Treasure Coast Regional Planning Council Strategic Regional Policy Plan as they affect Palm Beach's Comprehensive Plan.
- Prepare updated population estimates and projections.
- Identify changes to the Plan required to effectively manage growth, redevelopment, and anticipated impacts into the future.

The Town's existing Comprehensive Plan encompasses the following eleven elements:

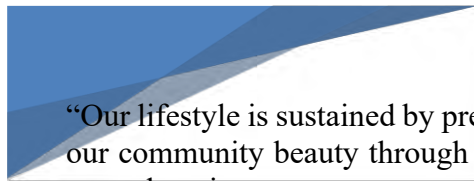
Data and Analysis and Goals, Objectives, and Policies

<u>1</u>	<u>Future Land Use</u>
<u>2</u>	<u>Transportation</u>
<u>3</u>	<u>Housing</u>
<u>4</u>	<u>Infrastructure</u>
<u>5</u>	<u>Coastal Management/Conservation</u>
<u>6</u>	<u>Recreation and Open Space</u>
<u>7</u>	<u>Intergovernmental Coordination</u>
<u>8</u>	<u>Capital Improvement</u>
<u>9</u>	<u>Historic Preservation</u>
<u>10</u>	<u>Public Safety</u>
<u>11</u>	<u>Private Property Rights</u>

The proposed 2024 Comprehensive Plan update has been amended, as follows.

- ✓ The Coastal Management/Conservation Element has been separated into two (2) distinct Elements.
- ✓ The Public Safety Element now has Data and Analysis, which was not present with the 2017 Comprehensive Plan.
- ✓ The Transportation Element has the addition of a Parking Sub-Element
- ✓ The Recreation and Open Space has a new Recreational Programming Sub-Element.
- ✓ The order of the Elements has been amended to tell the story of the Town of Palm Beach.
- ✓ The Goals for each of the twelve Elements of the Comprehensive Plan state that the "Town shall preserve, protect and ensure a high Quality of Life for Town residents..."

Quality of Life is herein defined:



“Our lifestyle is sustained by preservation of our community beauty through its built and natural environment; management of traffic, parking, and mobility impacts; enjoyment of cultural, recreational, and educational opportunities; exceptions for respectful community conduct; and a safe and secure community.”

Town of Palm Beach Strategic Plan

The 2024 Comprehensive Plan update composition is as follows.

Data and Analysis and Goals, Objectives and Policies

	<u>Introduction</u>
<u>1</u>	<u>Future Land Use Element</u>
<u>2</u>	<u>Transportation Element</u>
<u>3</u>	<u>Housing Element</u>
<u>4</u>	<u>Historic Preservation Element</u>
<u>5</u>	<u>Public Safety Element</u>
<u>6</u>	<u>Infrastructure Element</u>
<u>7</u>	<u>Recreation and Open Space</u>
<u>8</u>	<u>Coastal Management Element</u>
<u>9</u>	<u>Conservation Element</u>
<u>10</u>	<u>Property Rights Element</u>
<u>11</u>	<u>Capital Improvements Element</u>
<u>12</u>	<u>Intergovernmental Coordination Element</u>
	<u>GIS Map Series</u>

The proposed amendment to the Comprehensive Plan is based on a review of each Element of the adopted 2017 Evaluation and Appraisal Report, including required legislation, demographics data from the updated 2020 Census, and information that reflects the Town’s existing conditions and future community trends.

The subject Comprehensive Plan amendment also includes an update of the existing maps in the Map Series and the addition of the 11 new maps shown in bold below:

Map Series

<u>1</u>	<u>Location Map</u>
<u>2</u>	<u>Future Land Use Map</u>
<u>3</u>	<u>Zoning Map</u>
<u>4</u>	<u>Town Bridges Map</u>
<u>5</u>	<u>Functional Classification Map</u>
<u>6</u>	<u>Roadway Number of Lanes Map</u>
<u>7</u>	<u>Roadway Network Map</u>
<u>8</u>	<u>Roadway Responsibility Map</u>
<u>9</u>	<u>Bicycle Facilities Map</u>
<u>10</u>	<u>Pedestrian Network Map</u>
<u>11</u>	<u>Public Transit Map</u>
<u>12</u>	<u>OD Zones Analysis Map</u>
<u>13</u>	<u>Landmark Structures Map</u>
<u>14</u>	<u>Historic Districts & Scenic Vistas Map</u>
<u>15</u>	<u>Historically Significant Structures Map</u>
<u>16</u>	<u>Historic Markers Map</u>
<u>17</u>	<u>Archaeological Sites Map</u>
<u>18</u>	<u>Historic Specimen Trees Map</u>
<u>19</u>	<u>Public Buildings Map</u>
<u>20</u>	<u>Seawall Map</u>
<u>21</u>	<u>Parks & Recreational Facilities Map</u>
<u>22</u>	<u>Beach Access Map</u>
<u>23</u>	<u>Flood Zone Map</u>
<u>24</u>	<u>Coastal High Hazard Map</u>
<u>25</u>	<u>100-Year Flood Plain Map</u>
<u>26</u>	<u>Beaches, Shores, and Wildlife Map</u>
<u>27</u>	<u>Estuarine Areas, Wetlands & Vegetative Cover Map</u>
<u>28</u>	<u>Minerals & Soils Map</u>
<u>29</u>	<u>Town Spoil Islands Map</u>
<u>30</u>	<u>Natural & Artificial Reefs Map</u>

This EAR-based amendment to the Town's Comprehensive Plan is subject to the State Coordinated Review process, pursuant to §163.3184(4) Fla. Stat. A summary of this process is outlined below.

1. After initial local hearings (Local Planning Agency and Town Council) approving the proposed amendment to the Comprehensive Plan, the Town is required to transmit the complete proposed plan amendment to the State Land Planning Agency.

2. Next, within 60 days of receiving the complete amendment proposal, the State Land Planning Agency must issue an Objection, Recommendation, and Comments Report (ORC) to the local government.
3. The Town is required to hold a second public hearing to adopt the amendment to the Comprehensive Plan.
4. The complete adopted Comprehensive Plan amendment must then be submitted back to the State.
5. Finally, within 45 days of receiving the complete adopted plan amendment, the State Land Planning Agency issues a Notice of Intent to find the plan in compliance or not in compliance, which is posted on its website.

As part of the Town's community participation process, staff meetings to review the Data and Analysis and associated Goals, Objectives and Policies were held. Additionally, introductory meetings before the Planning and Zoning Commission (PZC) and Town Council were held to discuss the proposed 2024 Comprehensive Plan update.

The role of the PZC is described in the Town of Palm Beach Code of Ordinances, Section 2-333, Powers and Duties. It states that the PZC shall act in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The PZC follows the concepts and contents of the Town's Future Land Use Plan in all planning, zoning and development related deliberations and decisions. The PZC shall also have such powers and duties as may be prescribed by ordinance.

The Town held the following workshops with the PZC.

- May 3, 2023 – kick off meeting
- October 17, 2023- Distribution of the draft 2024 Comprehensive Plan update
- November 8, 2023–Public meeting on the draft 2024 Comprehensive Plan update
- December 6, 2023 - Public meeting on the draft 2024 Comprehensive Plan update – Introduction, Future Land Use, Housing, Historic Preservation, Public Safety, Recreation and Open Space and Property Rights.
- January 3, 2024 – Public meeting on the draft 2024 Comprehensive Plan update – Infrastructure, Coastal Management, Conservation, Capital Improvements Intergovernmental Coordination, Map Series
- February 6, 2024 – Public meeting on the draft 2024 Comprehensive Plan update Transportation and Infrastructure Elements
- March 5, 2024 – Public meeting on the draft 2024 Comprehensive Plan update Review of all Elements with the exception of the Transportation Element
- May 7, 2024 - Public meeting on the draft 2024 Comprehensive Plan update to review the Transportation Element
- June 4, 2024 - Public meeting on the draft 2024 Comprehensive Plan update to review the Transportation Element
- August 6, 2024 - Public meeting on the entire draft 2024 Comprehensive Plan update

In addition, the Comprehensive Plan update was presented to the Town Council, acting as the Local Planning Agency, on the following dates:

- May 10, 2023 – kick off meeting
- October 17, 2023- Distribution of the draft 2024 Comprehensive Plan update
- August 12, 2024 – Introductory Review of 2024 Comprehensive Plan update
- September 11, 2024 – Review of draft 2024 Comprehensive Plan update
- October 9, 2024- Review of draft 2024 Comprehensive Plan update
- November 13, 2024 - LPA and Town Council transmittal hearing
- January 15, 2025 - Adoption Hearing

Future Land Use Element

DATA & ANALYSIS

BACKGROUND

REWORDED AND MOVED TO PAGE 6 AND 7 OF THE INTRODUCTION

The art of planning is no stranger in the Town of Palm Beach, and the beauty which Town residents now enjoy is due to the efforts of several generations of planning activity. In 1929, the Garden Club of Palm Beach joined the Town and formally sponsored the preparation of a Town Plan. This Plan was prepared by Bennett, Parsons and Frost, Consulting Architects of Chicago, and approved by the Town Council on December 19, 1929.

The overall goal of the 1929 Plan stated the following:

"One attractive and well managed public bath and beach, the concentration of general traffic upon a limited of number of streets, beautification without especial reference to main arteries of travel, and a system of leisurely and convenient byways free from automobiles, punctuated with gardens: this is a plan which will localize recreation seeking crowds, discourage trespassing, and provide safety and quiet for residents of Palm Beach."

Under a section which dealt with "a review of tendencies", the following statement was made:

"There are many communities which can be said to be beautiful. The places in which charm is the additional attribute are very few. The element of charm is the thing which lifts a community out of the ordinary and makes it distinctive. The attribute of charm may be produced by an intelligent development of physical advantages in an unusual way."

This planning process, which was started in 1929, was an important policy foundation for the Town of Palm Beach. Today's Comprehensive Plan builds on the early foundation as an effort to preserve the quality and beauty of Palm Beach.

INTRODUCTION

EXECUTIVE SUMMARY

After over 100 years of graceful evolution, Palm Beach today is a fully developed community, world-renowned for its 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 the community **Town residents** to remain a high-quality residential community. The purpose of the Future Land Use Element as well as other Elements of the Plan, is to **provides the guiding land use objectives for the Town and the policy direction to ensure their implementation.** The Future Land Use **This** Element is the pivotal Element of **to** the Town's Comprehensive Plan. It recognizes the intrinsic value of the Town as a residential community and takes on the challenge of setting management goals and techniques which will allow the community to control the type, distribution, and **density and intensity** of development and redevelopment. **The Future Land Use Element** the future of the island will be **is** focused on preserving and protecting this residential island community while maintaining the culture, serenity, and the unique character of the Town.

is to designate future land use patterns are reflected in the goals, objectives and policies of the other Comprehensive Plan Elements. The future land use patterns proposed for the community are shown on the Future Land Use Map. The Future Land Use Map provides for a variety of land use types suited to the Town's needs. As shown in the table below, the Town's population continues to decline. In addition, the Town is experiencing the combination smaller lots in order to create a larger parcel for new single family homes; thereby reducing the overall number of housing units.

This Element of the Plan has been revised based upon review and assessment of the following:

1. Analysis of existing land use patterns prevailing as of April 2017;
2. Estimates and projections of the resident and seasonal populations in the Town for the 2017-2027;
3. Analysis of the availability of facilities and services to serve existing land uses, and those for which development orders have been issued;
4. Analysis of the character and magnitude of vacant and undeveloped lands and their suitability for use;
5. Analysis of the amount of land needed to accommodate the projected population;
6. Analysis of the need for redevelopment; and,
7. Analysis of the proposed development or redevelopment of flood prone areas.

The Town of Palm Beach is essentially "built-out." This unique island community has grown and developed into a premier residential community of exceptional beauty. As a result

The Existing Land Use Map portrays the location and distribution of land uses in Palm Beach as of 2017. The Future Land Use Map indicates the proposed location and distribution of land uses in the year 2027

All policies, land development regulations, zoning ordinances, and zoning map must be consistent with the Future Land Use Map once the Comprehensive Plan has been adopted.

The current Existing Land Use Atlas is kept on file in the Office of the Town Clerk and provides detailed mapping of the pattern of land uses in the Town as of April 2017.

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, provides transportation rights-of-way. All these components are contained in other Elements to support a community. Illustrating of the Future Land Use Element is the Future Land Use Map, and Map Series.

The Future Land Use Map establishes the "physical form" of a local jurisdiction and the physical relationship of land uses. State Statute requires 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, cone 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 the approximate acreage and the general range of density or intensity of land uses. It states the purpose of each use and general standards that will be regulated through the implementing 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

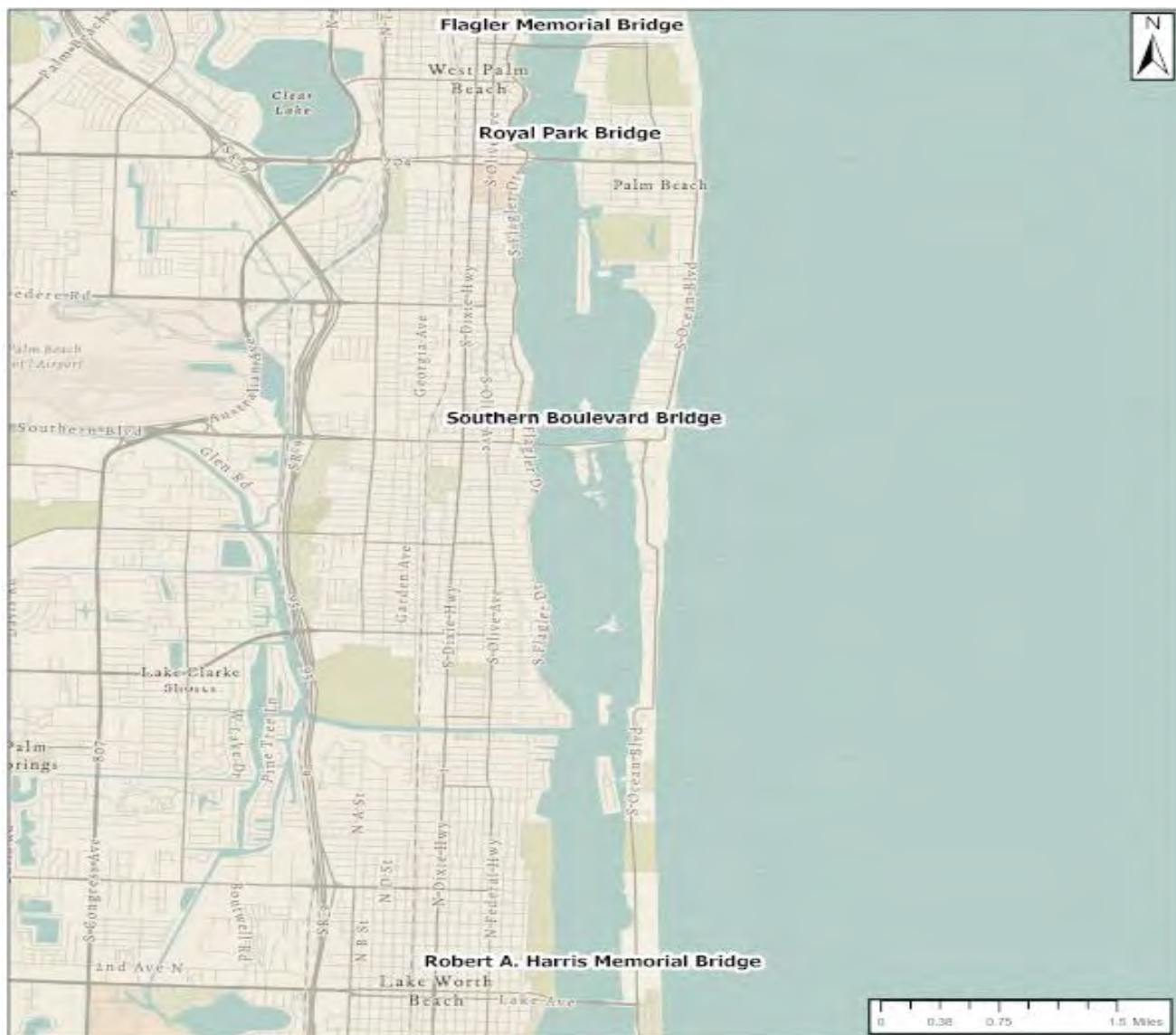
Future Land Use policies and zoning regulations work in tandem to create a full picture of how land will be used. The categories help guide the growth and development of a community while zoning designations define the specific standards for how land is to be developed. The Town's Future Land Use Element establishes the land use categories that define allowable land uses, residential densities, and commercial intensities. The Goal, 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, 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 for the Town 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. At the same time, 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, as stated, remains the same: “to preserve the quiet, residential character, and at the same time to meet the inevitable demands of the ever-increasing numbers coming to 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 in the Town. 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 zoning code. A significant revision was completed in 1974. With this update to the Comprehensive Plan, the implementing Zoning regulations will need to be done within one year following adoption of the 2024 Comprehensive Plan.

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, the Town 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 by downtown 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 City of Lake Worth Beach and also 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

Expansion of the corporate limits of the Town is not ~~feasible~~ **possible**. Therefore, the Town can only accommodate future ~~growth~~ **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. 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 landscaping, 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 location analyst company, Unacast's March 2021 report, Palm Beach County was the largest 2020 gainer of population, recording 11,100 new migrants from outside of the state of Florida. For example, migration from New York contributed greatly to the population boom and due to their appreciably higher than average income, New Yorkers brought 30% to 121% more income than those who were Southeast Florida residents in 2019. The income gap in Palm Beach County with New York was 30% in 2021. It is not just New Yorkers contributing to the boom, the consistent population growth from all areas has Southeast Florida being distinguished for commercial investment opportunities.¹

Intensive development occurring in downtown West Palm Beach continues to be a concern on the carrying capacity on the Town's roadways and public services. In fact, according to the Business Development Board of Palm Beach County, the County offers incentives for new relocations and expansions for businesses including expedited permitting, cash incentives and ad valorem tax exemption.

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. It is foreseen that the demographics may change as a result leading to a decrease in the average age of the population and a need for the Town to serve young families with children.

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, including Royal Palm Way, Southern Boulevard, Royal Poinciana Way and State Road A1A are heavily traveled and experience unacceptable levels of congestion on a daily basis.

¹ Business Development Board of Palm Beach County, 2021 Unacast Report

The three ~~most basic~~ **significant** land use protection ~~strategies~~ **policies** that have remained the mission statements for the Town of Palm Beach, (**with a minor adjustment with the subject update**), are as follows:

- Discourage the amount and type of region-serving commercial development while encouraging Town-serving ~~ones~~ **development**.
- Control the pace, type, and intensity of redevelopment activity in the Town.
- **Encourage Direct** 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 casualty, 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. It is imperative that region-serving, high traffic generating, commercial uses be prevented from further proliferating and be reduced wherever possible. To this end, the Town is committed to ~~ensuring that the existing~~ **fostering the presence of Town-serving establishments** ~~businesses and commercial areas within the Town remain vital and continue to meet~~ **essential to** the needs of its **Town** residents.

The Town's ~~Zoning Ordinance~~ **Comprehensive Plan** has established ~~32,000~~ and ~~4,3,000~~ square-feet as the maximum gross leasable area for commercial establishments in certain districts. To be granted a waiver from this provision, the applicant must demonstrate that the business is Town-serving; that adequate parking is available to support the request for increased floor area; and that a hardship exists which prevents them from conducting their Town-serving business within ~~4,3,000~~ square-feet or less. ~~The most common waivers have been for financial institutions and professional office space.~~

Residential redevelopment ~~could~~ **will continue to** play a major role in future land use. There is little open land remaining to develop. ~~so~~ **Developer** interest ~~will~~ **may** focus on large ~~estates~~ **parcels** ~~that will be tempting to~~ **can be** sub-divided. ~~Many estates can be subdivided without additional rezoning, since the existing densities are lower than present zoning allows.~~ Measures that will slow or prevent such change 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, many issues are clearly related to State-wide efforts to curb growth when the **public** facilities needed to serve new development are not available.

The Town recognizes that future ~~added~~ development and ~~attendant~~ population growth ~~would~~ is aggravate ~~aggravating~~ traffic problems, ~~perhaps~~ bringing the Town to a critical level of overuse. 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 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 2.4-1

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

POLICY 2.2

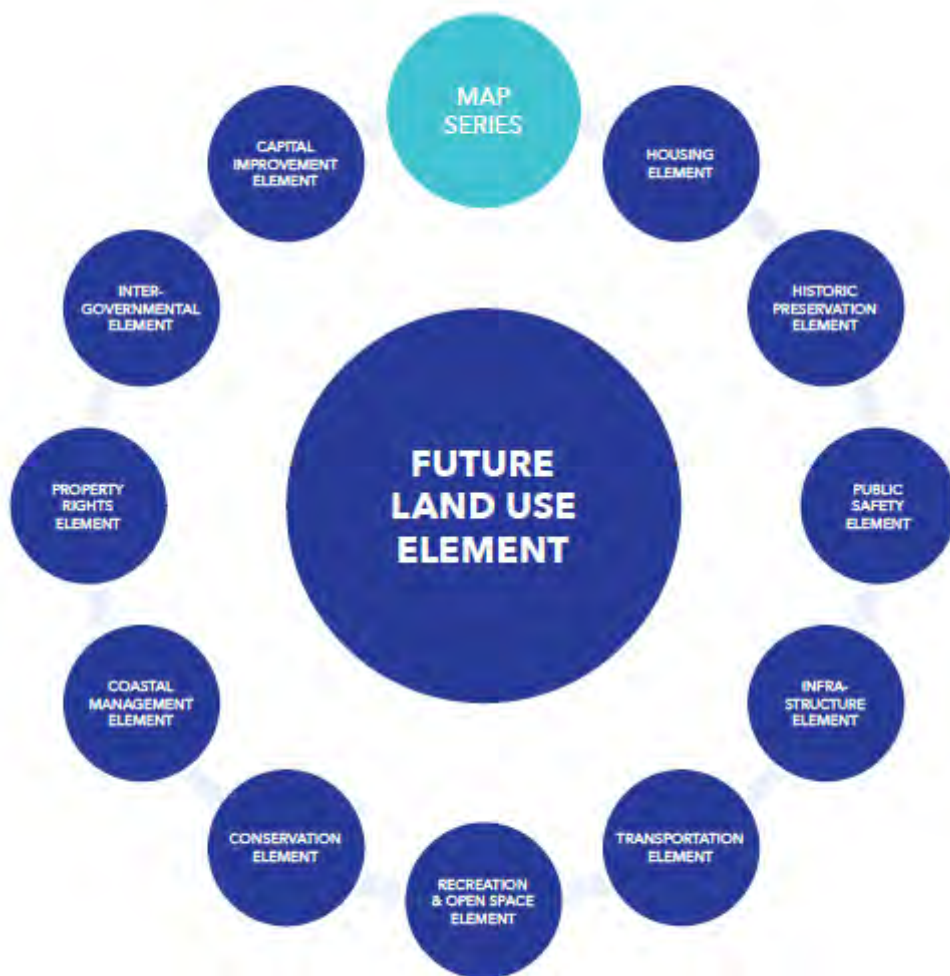
The Town shall take all technical and administrative measures legally available to prevent the change or transition of existing low-density areas or structures to more intensive use patterns, thereby lowering the pattern of residential density and commercial intensity and minimizing tourism inflow.

INNOVATIVE APPROACHES

~~There is evidence of~~ 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, ~~particularly in the R-B Zoning District.~~ New construction is increasingly out-of-scale and character with the surrounding area. In order to maintain the existing character, regulations encouraging renovation and discouraging demolition and reconstruction, ~~may be warranted~~ have been proposed and included in the Historic Preservation Element and will be examined with the Code Review process.

Future Land Uses

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



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

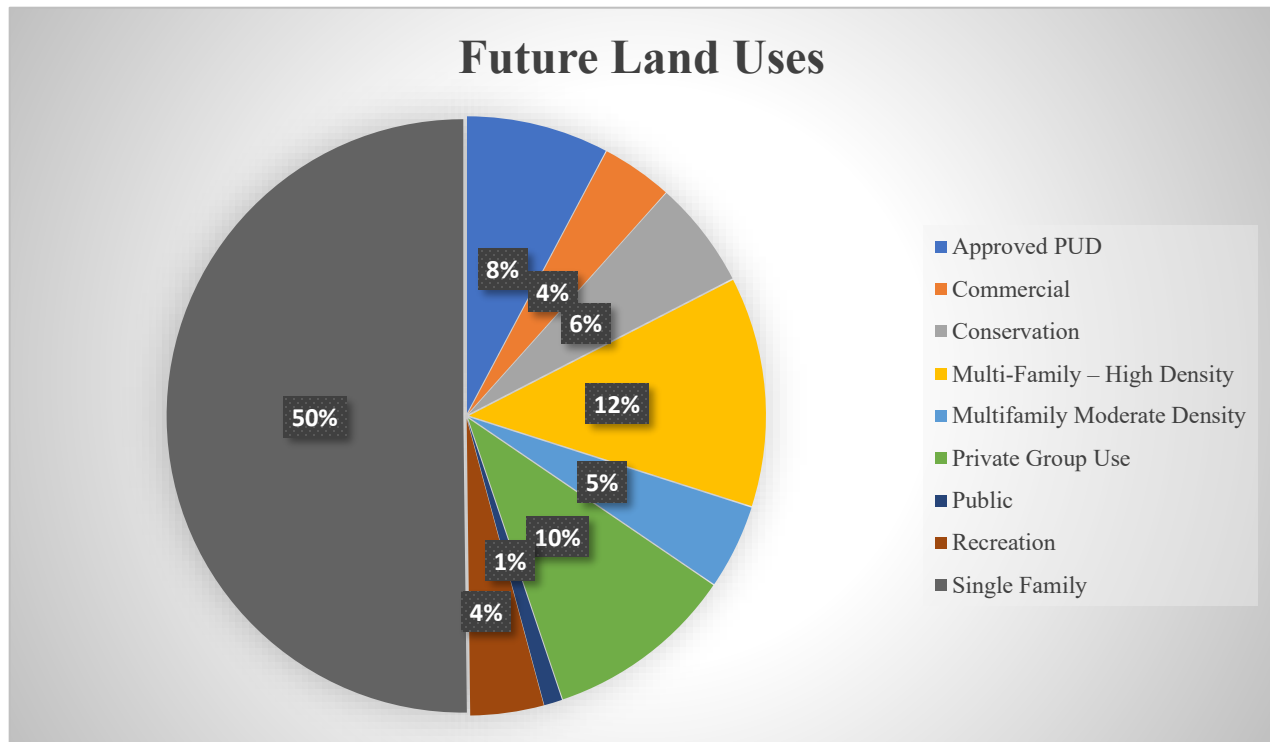


Figure 1.1 Future Land Use Percentages

The acreage by Future Land Use designation is presented in Table 1-1. These proportions are reasonably predictable and 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%; and commercial is limited to 3.87% of the Future Land Use. This land distribution is consistent with the predominant residential character of the Town of Palm Beach community. The community is also committed to conservation as 5.82% of its land is designated as such. Each Future Land Use designation is described in the following pages.

Table 1-1
Future Land Use Square Footage

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

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

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

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

Single-Family Uses

~~This is the most predominant land use in the Town. The Future Land Use Plan Map designates 1,103 acres of land for this use. The preferred locations are those with good visual qualities, buffered from annoying traffic influences with easy access to shopping and recreation.~~

This Future Land Use designation comprises approximately 1,103 **1,121** acres **and is the predominant land use in the Town**. The amount of land identified as Single Family represents approximately 50% of the total land area within the Town of Palm Beach (Table 1.1). ~~The single-family~~ **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 ~~cluster~~ development up to a maximum density of four dwelling units per gross Palm Beach acre (40,000 square feet). 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.

Multi-Family Uses

Two multi-family categories, permitting varying densities and uses, are shown on the Future Land Use **Plan Map**. In total, the Future Land Use **Plan Map** designates about 381 acres of land 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 Moderate Density: Appropriate uses include single-family and two-family homes, townhouses, multi-family units, and residential and **previously approved** mixed-use PUDs up to a maximum density of six dwelling units per gross Palm Beach acre (40,000 square feet); public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and essential services. The Plan designates close to 102 acres of land for Multi-Family Land Use.

Multi-Family High Density: The Future Land Use designation comprises approximately 278.47 acres, which is the second largest land use in the Town. ~~The amount of land identified as multi-family~~ **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, multi-family units, and residential and mixed-use PUD's up to a maximum density of 13 dwelling units per gross Palm Beach acre (40,000 square feet). Hotels are also permitted with an allowable density of up to 26 units/gross Palm Beach acre along with associated accessory commercial uses and time-sharing uses up to nine units/gross Palm Beach acre, ~~with carefully controlled conditions~~. The Plan designates nearly 278 acres of land for this use.

~~Multi-Family Moderate Density: Appropriate uses include single-family and two-family homes, townhouses, multi-family units, and residential and mixed-use PUD's up to a maximum density of six dwelling units per gross Palm Beach acre (40,000 square feet); public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and essential services. The Plan designates about 117 acres of land for this use.~~

Commercial Uses

~~While only one 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. The Plan designates about 93 acres for commercial uses.~~

The Commercial Future Land Use designation comprises approximately ~~93.68~~ **86.35** acres, representing ~~4.17~~ **3.87%** of the total land area within Palm Beach (Table 1-1). While only one 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), n**Nonconforming buildings or structures unintentionally damaged or destroyed, such as by fire or other casualty, act of terrorism, war 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.** ~~land development regulations.~~

The character of the Town's commercial sector is generally limited to three specific areas. These particular areas of commercial use were originally created to serve Town residents and are historic. **While** the Town of Palm Beach, ~~though,~~ has always drawn visitors to ~~the~~ **its** restaurants and retail areas, ~~the massive expansion rapid growth taking place in West Palm Beach is having a direct and dramatically negative impact on residents' quality of life.~~ **so they will continue to be regional attractions.** ~~The main commercial corridors and areas include Worth Avenue, Royal Poinciana Plaza and the mixed-use development that was the former location of Bradley's Casino.~~

The commercial uses are concentrated in **the following** 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~~ **Town** residents, ~~in this part of Town as well as visitors staying in local hotels.~~
2. Worth Avenue **and the surrounding area** 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. 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, ~~is a wide, palm-lined boulevard, 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. ~~However,~~ The Royal Poinciana Plaza, ~~which~~ consists of a concentration of shops, restaurants, and offices, **and soon to be repurposed historic Playhouse** ~~serves a broader clientele.~~

The dominant character of the Town's commercial sector is one of small scale. The vast majority of the commercial uses in the Town ~~each~~ encompass 4,000 square-foot or less of gross leasable 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~~ **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,** which is defined **as an increase in square footage, seating, off-street parking demand, or in the hours of operation** is discouraged in the Town.

Public Uses

~~The Plan designates approximately four acres of land for this use. Appropriate uses include public schools, low intensity public facilities at a scale and intensity necessary to primarily serve the needs of Town persons, and owned, operated, franchised, or supervised by a governmental agency.~~

The Public Land Use designation comprises approximately 22 acres. The Public Land Use category represents 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 primarily 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 further that such properties may also be appropriate for residential or commercial development. The 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),** such as by fire or other casualty, act of terrorism, war 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.** ~~land development regulations.~~

Recreation Uses

~~The Plan designates approximately 106 acres of land for this use. This category is intended for low intensity public recreational uses or activities at a scale and intensity necessary to primarily~~

serve the needs of Town persons, and to preserve the natural and scenic resources of the Town. **This Land Use designation encompasses 89.78 acres, and it is intended for low intensity public recreational uses or activities at a scale and intensity necessary to primarily serve the needs of Town residents, and to preserve the natural and scenic resources of the Town. Recreational land use includes the Lake Trail, Seaview Park, Phipps Ocean Park, Par 3 Golf Course, Town Marina, and Morton and Barbara Mandel Recreation Center. The amount of land identified as Recreation represents 4.0% of the total land area within Palm Beach (Table 1-1).** Only public facilities owned, operated, franchised 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),** such as by fire or other casualty, act of terrorism, war 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,** land development regulations.

Private Group Uses

~~The Plan designates approximately 219 acres of land for this use. Appropriate uses include low intensity private clubs, golf and country clubs, houses of worship, museums and noncommercial recreation type or cultural uses at a scale and intensity intended to primarily serve the needs of Town persons.~~

This Land Use designation comprises approximately 230 acres and represents 10.25% 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, museums and noncommercial recreation-type or cultural uses at a scale and intensity intended to primarily 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 ~~is the tool which~~ 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),** such as by fire or other casualty, act of terrorism, war 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,** land development regulations.

Approved Plan Unit Development (PUD)

~~This category represents Planned Unit Developments that have been approved by the Town Council. The Plan designates approximately 168 acres of land for this use. Only the Breaker's~~

PUD contains remaining development potential.

This Land Use designation consists of about approximately 173 acres and represents only 7.75% of the total land area within Palm Beach (Table 1-1). The Breaker's PUD contains additional development potential. If built to maximum density, this **the Breaker's** PUD could hold another 251 multi-family units and some commercial development. ~~Densities in new PUD's shall be limited to the maximum density allowable in the land use category and zoning district in which they are located prior to their approval but shall not exceed thirteen units per acre. Within this Future Land Use designation, the maximum density allowed cannot exceed 13 units per acre. During the Evaluation and Appraisal Review (EAR) of the Future Land Use Element, the Planning and Zoning Commission recommended that the Town Council not allow for future PUDs. Densities in new PUD's are limited to the maximum density allowable in the Future Land Use category and zoning district in which they are located prior to their approval, but again cannot exceed 13 units per acre. Any new proposed PUD will be analyzed with regard to concurrency with public facilities, compatibility with the surrounding area and consistency with the Comprehensive Plan and Zoning Code. Nonconforming buildings or structures unintentionally damaged or destroyed, may be rebuilt in accordance with Code Section 134-392(b), such as by fire or other casualty, act of terrorism, war 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. land development regulations.~~

Conservation

This ~~category~~ Future 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. 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.

~~Maps I-1 through I-7, comprising the Town's Future Land Use Map Series, provide mapping of future land use, recreation areas and their general service areas, historic sites and districts, beaches and shores, wetlands and estuarine areas, flood plains, and soils, follow. There are no existing or planned waterwells, cones of influence, rivers, bays, freshwater lakes, harbors, or economic mineral deposits in the Town of Palm Beach.~~

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.

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. has actually declined. According to the 2010 US Census, the Town had a population of 8,161. Table I-1 below shows US Census data from 1990, 2000, and 2010. The Town's 2000 and 2010 total population and total housing units figures were corrected as shown. It important to note that other population information from 2000 and 2010 are based on the non-corrected figures. The University of Florida, Bureau of Economic and Business Research (BEBR) estimates the 2015 population at 8,040. Future population growth is expected to remain relatively flat.

Table I-1
Demographic Data 1990 to 2010
Town of Palm Beach

	2010	2000	1990	% Change (1990 to 2010)
Total Population	8,161 ¹ 8,348	9676 ² 10,468	9,814	-16.8% ¹ — 14.9%
<18	572	989	657	-12.9
>18	7,776	9,479	9,157	-15.0
>65	4,657	5,501	5,163	-9.8
Median Age	67.4	66.6	66.2	
Total # of Households	4,799	5,789	5,421	-11.5
Average Household Size	1.74	1.81	1.81	
Total Housing Units	-8,857 ¹ 9,091	9,004 ² 9,948	9,191	-3.6% ¹ — 1.08%

Source: US Census 1990, 2000, and 2010. ¹ Town of Palm Beach Corrected 2010 US Census figures—only Total Population and Total Housing Units available. ² Town of Palm Beach Corrected 2000 US Census figures—only Total Population and Total Housing Units available.

Table 1-3 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, indicates 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 1-4.

Table 1-3. Historic Population Trends

<u>Year</u>	<u>Town of Palm Beach</u>		
	<u>Population Estimate</u>	<u>Total Change</u>	<u>Percent Change</u>
<u>1950</u>	<u>3,886</u>	<u>=</u>	<u>=</u>
<u>1960</u>	<u>6,055</u>	<u>2,169</u>	<u>35.8%</u>
<u>1970</u>	<u>9,086</u>	<u>3,031</u>	<u>33.3%</u>
<u>1980</u>	<u>8,884</u>	<u>202</u>	<u>2.2%</u>
<u>1990</u>	<u>9,191</u>	<u>307</u>	<u>3.3%</u>
<u>2000</u>	<u>8,298</u>	<u>893</u>	<u>10.7%</u>
<u>2010</u>	<u>8,348</u>	<u>50</u>	<u>0.5%</u>
<u>2020</u>	<u>9,245</u>	<u>897</u>	<u>10.7%</u>

Source: US Census 2020

Table 1-4. Population Projection Resident and Seasonal

<u>Year</u>	<u>Town of Palm Beach By Year</u>			
	<u>2020</u>	<u>2030</u>	<u>2040</u>	<u>2050</u>
<u>Population/Population</u> <u>Projection</u>	<u>9,245</u>	<u>9,809</u>	<u>10,139</u>	<u>10,322</u>

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

During the winter season, November through April, the Island's population swells to a peak double **its highest** ~~that of its year-round residential population~~ 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 ~~in~~ **of** the Town.

Table 1-24 also provides projections of the Town's permanent and seasonal populations through the year ~~2025~~ **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 population change ratio.**

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

TABLE I-2
RESIDENT AND SEASONAL POPULATIONS
Town of Palm Beach
2010-2025

PEAK SEASONAL POPULATION						
YEAR	YEAR-ROUND			SEASONAL & TRANSIENT		TOTAL
	Residents ⁽¹⁾			Seasonal ⁽²⁾	Transient ^(4,3)	
2010	8,161			6,311	3,000	17,472
2016	8,040			6,233	3,000	17,273
2025	8,425			6,531	3,000	17,956
(1) 1.74/unit (year round occupied; 4,690 units)						
(2) 1.74/unit (Seasonally vacant or held for occasional use; 3,627 units)						
(3) Approximately 1500 units at 2/unit						

SOURCE: 2010 U.S. Census corrected figure; 2010 U.S. Census; 2010 U.S. Census; Univ. of Florida, Bureau of Economic and Business Research, Palm Beach County, 2015 Town of Palm Beach, April 2017

EXISTING LAND USE –

The Town of Palm Beach lies on a coastal barrier which is separated from the mainland by Lake Worth, and the Lake Worth and South Lake Worth Inlets. The barrier is a low relief feature, consisting of beach and dune sand underlain by a ridge of coquina rock. Scattered outcrops of coquina extend into the waters of the Atlantic, where they provide substrate for various marine communities. The upland face of the barrier is characterized by a high ridge along the Atlantic which gradually slopes downward to the Lake.

The Town occupies an area approximately 12 miles in length, and varying in width from about one-quarter to three-quarters of a mile. It is surrounded by water on three sides: Lake Worth to the west, Lake Worth Inlet to the north, and the Atlantic Ocean to the east. The Town of South Palm Beach lies to the south. Expansion of the corporate limits of the Town is impossible. Thus, the Town has a finite area in which to accommodate its citizenry and the facilities to serve them.

Palm Beach is essentially built-out. Equally important, areas with potential for redevelopment are limited and require sensitive treatment to be fully compatible with the existing land use distribution in the Town. It is helpful to view Palm Beach from an overall perspective because such a macro-view allows identification of relationships, historical patterns, and land use groupings. The following diagram provides a generalized view of the land use patterns in the Town today.

As a barrier island, ~~t~~There has been no increase or decrease in the land area of Palm Beach since the last Evaluation and Appraisal Report (EAR). **Additionally,** ~~t~~There are no agricultural or industrial, or mobile home **land** uses in the Town. **Additionally,** **Lastly,** there are also no rivers,

bays, freshwater lakes, harbors, waterwells, cones of influence, or economically feasible mineral deposits.

~~Residential is the~~ **The** predominant land use within the Town **is Residential**, accounting for ~~60~~**70**% of all land area. The majority of single-family units are located in the north and south-central portions of the Town. In contrast, most multi-family dwellings are located in the southernmost part of Town, south of Sloan's Curve, and were developed beginning in the 1960's. ~~Because of~~ **Due to** the high cost of land and the fact that Palm Beach is in ~~the~~ **a** coastal hurricane vulnerability zone, there are no mobile homes in the Town.

~~The acreage devoted to commercial uses including hotel/resort uses accounts for about 4% of all land area. This represents a ratio of about 11.8 acres per one thousand population. This ratio is somewhat high compared to other communities due to the high seasonal residency component.~~

**TABLE I-3
EXISTING LAND USE Town of Palm Beach**

LAND-USE CATEGORY	2017	
	Aeres*	Percent
Total Land and Water	5,434	
Water/Submerged Lands	2,878	
Spoil Islands	47	
Net Contiguous Land Area	2,509	100%
Single family	1,162	46%
Multi family	355	14%
Breakers Mixed-Use PUD	138	6%
Hotel/Resort Accommodations**	29	1%
Commercial	86	3%
Public	48	2%
Recreation	74	3%
Private Group Use	242	10%
Conservation	3	***
Vacant	51	2%
Rights of way	321	13%
* A Palm Beach acre (PB ac.) is 40,000 square feet		
** Excludes the Breakers Hotel, which is part of the Breakers Mixed-Use PUD		
*** Less than 1%		

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. The vast majority of the commercial uses in the Town each encompass 4,000 square feet or less of gross leasable 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 I-4 below includes information regarding the Town's employment based on the US Census 2012 Economic Census. Based on the information from 2012, the largest employment sector in the Town was within the accommodation and food service sector where over 4,000 people were employed.

There are no industrial or agricultural uses within the Town of Palm Beach.

Table I-4 Employment Data from 2012 Town of Palm Beach			
	North American Industry Code System (NAICS) Code	Number of Establishments	Number of Employees
1	Wholesale Trade	15	100-249
2	Retail Trade	177	1,345
3	Transportation and Warehousing	12	57
4	Information	3	16
5	Finance and Insurance	89	829
6	Real Estate and Rental and Leasing	101	522
7	Professional, Scientific, and Technical Services	140	668
8	Administrative and Support and Waste Management	23	100-249
9	Educational Services	3	57(a)
10	Health Care and Social Assistance	24	78
11	Arts, Entertainment and Recreation	24	1,181
12	Accommodation and Food Services	43	4,074
13	Other Services	97	1,129

Source: 2012 Economic Census of the United States; US Census 2016

(a) The 2012 Economic Census does not provide for a breakdown of employees, but rather gives a range of 0-19 employees for the two subcategories of establishments. Therefore, the highest number ($19 \times 3 = 57$) assumed.

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. Title to these islands is variously held by either the State Trustees of the Internal Improvement Fund or the Blossom Estate. In addition, a portion of the Blossom Estate Subdivision was designated for conservation in connection with the approval of this subdivision.

Lands devoted to public recreational use account for 5% of the land area in the Town (excluding rights-of-way). There are three types of public recreation areas in Palm Beach: major recreation areas (such as community parks), neighborhood/mini parks, and special use resources or facilities.

~~All facilities are described in detail in the Recreation/Open Space Element.~~

~~Public uses include schools and governmental facilities such as Town Hall, police and fire stations, sanitary sewerage lift stations, etc. These constitute approximately 2% of the land area in the Town.~~

~~Private Group Uses account for 10% of the land in the Town. This category includes such uses as churches, private schools, golf and country clubs, other private clubs, museums, etc.~~

Moved to page 9.

~~The Town has surveyed 1162 sites of potential historic or architectural significance. All are listed on the Florida Site File of the Florida Department of State, Division of Historical Resources. The Town has designated 320 landmark properties as of May 2017. These are protected by ordinance.~~

Updated and moved to Historic Preservation Element

SUMMARY OF ANALYSIS

PUBLIC SERVICES ARE PROVIDED FOR IN THE INFRASTRUCTURE ELEMENT

Provision of Public Services

~~Roadways and community facilities serve as support systems for the Town's land uses. Limitations in land area and a lack of potable water sources have resulted in the Town's dependence on mainland resources for several basic services. Consequently, the Town's plans for the future need to be in harmony with demands throughout the region for clean air and water, waste disposal facilities, and other limited resources.~~

~~The City of West Palm Beach supplies and distributes potable water to the Town and also provides wastewater treatment service.~~

~~The Town collects vegetative yard trash and provides for disposal at Town-owned sites on the mainland. Solid waste is also collected by the Town and transferred to the Jog Road landfill operated by the Palm Beach County Solid Waste Authority.~~

~~The Town's storm drainage system is old and contains a number of outfalls which discharge into Lake Worth. The Town is currently obtaining National Pollutant Discharge Elimination System (NPDES) permitting for its drainage system. Because the Town is almost entirely developed, future drainage strategies must be directed toward practical corrections, while mitigating the impacts of future development.~~

~~The Town foresees no shortage in the areas of public infrastructure facilities or services over the next ten years.~~

~~The recreational emphasis of the Town's residents has been on private golf courses, clubs, and various cultural activities. To a great extent, these activities supplant more typical public recreational and cultural facilities. Nevertheless, in addition to an abundance of private recreational facilities, the Recreation/Open Space Element shows that public recreation facilities in~~

the Town far exceed minimum standards.

The Town's transportation system is rapidly being strained to capacity, and, in fact, is at a critical stage. The linear configuration of the Island has produced a "one road Town" with all the limitations of this urban form. County Road/Ocean Boulevard/State Road A1A forms the major north-south arterial spine that serves the entire length of Town.

In some locations, this route serves primarily as a residential access road, and is, therefore, not able to function as a major thoroughfare for carrying tourists and commercial thru traffic. In other locations, the roadway rides the crest of oceanfront dunes between the beach to the east, and fully developed residential areas to the west. This part of the roadway, particularly susceptible to damage from storms, is equally unsuited to improvements that would provide additional roadway capacity. Widening of the roadway in these locations would damage the quality of beach areas and the adjoining residential properties.

A growing concern that will likely impact the Town's transportation system and recreational and park facilities is the amount of residential density and intensity being added within the City of West Palm Beach's downtown as well as potential growth in the City of Lake Worth. With limited recreation space and a Transportation Concurrency Exemption Area (TCEA) in place, expected spillover of that increased density and intensity into the Town will only exacerbate capacity concerns along County Road/Ocean Boulevard/State Road A1A.

Groundwater Aquifer Recharge

The Floridan Aquifer is typically the major source of potable water elsewhere in Florida, but is of only limited use in Palm Beach County due to its high salinity content. There are no recharge areas to the Floridan Aquifer in the Town.

Most potable water in the County comes from the surficial aquifer or surface water sources. The surficial aquifer in the Town of Palm Beach is unsuitable for potable consumption due to high salinity levels. There are no designated recharge areas to this aquifer. Any areas in the Town that might have been suitable as designated recharge areas have already been developed in urban uses.

Soils and Minerals

Native soils in the Town have been largely eradicated by the process of urbanization. With the exception of a narrow ridge of highly permeable sand along the coastal ridge, most soils are poorly drained urban fill types.

The Florida Mining Atlas identifies two potentially valuable mineral resources in Palm Beach: coquina and sand. However, the socio-economic profile of the Town and consequent high real estate values preclude mining of these resources, either now or in the foreseeable future.

~~Vegetation and Wildlife~~

~~Past development has dramatically altered the natural environment of the island and its surrounding waters. The little developable land remaining in the Town is scattered in relatively small tracts, most of which lack significant natural or environmental characteristics.~~

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 island and is delineated in the Future Land Use Map Series. Future infrastructure and public and private development within the CHHA ~~will be~~ **is** restricted ~~except when doing so is not feasible~~. 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 the patterns of density wherever legally and practically possible. With the exception of some in-fill areas, lands within the 100-year flood zone have already been developed. The Town will continue to limit, through the land development regulations, the prohibition of structures, with the exception of docks and municipal owned and operated parks and essential services, as defined in Chapter 134 of the Town’s Code of Ordinances, on or over submerged land. ~~The Town will continue to enforce these regulations as has done so historically when Ordinance No. 3-60 was adopted in 1960.~~

~~Undergrounding of Utilities~~

~~The conversion of the overhead utilities to underground locations will be one of the most ambitious infrastructure projects ever undertaken by the Town of Palm Beach. 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 electric, telephone, and cable communications to the Town.~~

~~Future Redevelopment of Royal Poinciana Plaza/Royal Poinciana Way~~

~~There has been interest in the past in the redevelopment of the Royal Poinciana Plaza, and nearby commercial areas, as well as in the reopening of the long shuttered Royal Poinciana Theater. Given its size and highly visible location, redevelopment of this area would no doubt have a major impact on the character of the Town and the quality of life of its residents.~~

~~Impacts of the Issue:~~

~~Redevelopment in this area will have a major impact on the character of the Town and the quality of life of its residents.~~

~~Given its highly visible location, redevelopment of the Royal Poinciana Plaza has significant potential to affect the established community character of the Town of Palm Beach. The Comprehensive Plan suggests that the special physical character of the Town of Palm Beach is the Town's long-standing commitment to gradual and graceful evolution of development within the Town—as opposed to significant departures from the existing fabric of development.~~

~~On multiple occasions the owner of the Royal Poinciana Plaza has proposed to redevelop this distinctive site in a manner that conflicts with the Town's Comprehensive Plan and its Zoning Code.~~

THE FUTURE LAND USE MAP SERIES

Pursuant to §163.3177(6)10, Fla. Stats., as a component to 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 for this is to allow specific maps that must comply with changes in state law or local conditions to be updated without a comprehensive plan amendment in order to protect and serve the residents of the Town. The following Table 1-6 provides the complete list of maps in the 2024 Comprehensive Plan update.

Table 1-6

2024 Comprehensive Plan Map Series

	<u>Town of Palm Beach</u>
<u>1.1</u>	<u>Town Location Map</u>
<u>1.2</u>	<u>Future Land Use Map</u>
<u>1.3</u>	<u>Zoning Map Town</u>
<u>1.4</u>	<u>Town Bridges Map</u>
<u>2.1</u>	<u>Functional Classification Map</u>
<u>2.2</u>	<u>Roadway Number of Lanes Map</u>
<u>2.3</u>	<u>Road Network Map</u>
<u>2.4</u>	<u>Roadway Responsibility Map</u>
<u>2.5</u>	<u>Bicycle Facilities Map</u>
<u>2.6</u>	<u>Pedestrian Network Map</u>

<u>2.7</u>	<u>Public Transit Map</u>
<u>2.8</u>	<u>OD Zones Map</u>
<u>4.1</u>	<u>Landmark Structures Map</u>
<u>4.2</u>	<u>Historic Districts & Scenic Vistas Map</u>
<u>4.3</u>	<u>Historically Significant Buildings Map</u>
<u>4.4</u>	<u>Historic Markers Map</u>
<u>4.5</u>	<u>Archaeological Sites Map</u>
<u>4.6</u>	<u>Historic Specimen Trees Map</u>
<u>6.1</u>	<u>Public Buildings Map</u>
<u>6.2</u>	<u>Seawall Map</u>
<u>7.1</u>	<u>Parks & Recreational Facilities Map</u>
<u>7.2</u>	<u>Beach Access Map</u>
<u>8.1</u>	<u>Flood Zone Map</u>
<u>8.2</u>	<u>Coastal High Hazard Area Map</u>
<u>8.3</u>	<u>100-Year Floodplain Map</u>
<u>8.4</u>	<u>Beaches, Shores, and Wildlife Map</u>
<u>8.5</u>	<u>Estuarine Areas, Wetlands & Vegetative Cover Map</u>
<u>9.1</u>	<u>Minerals & Soils Map</u>
<u>9.2</u>	<u>Town Spoil Islands Map</u>

Table 1-7 provides the Future Land Use and corresponding Zoning Districts for residential and commercial districts in the Town of Palm Beach.

Table 1-7

<u>Future Land Use Designation</u>	<u>Town of Palm Beach</u>
	<u>Corresponding Zoning District Classification</u>
<u>Single Family</u>	<u>R-AA – Large Estate Residential District</u>
	<u>R-A – Estate Residential District</u>
	<u>R-B – Low-Density Residential District</u>
<u>Multi-Family Moderate Density</u>	<u>R-C – Medium-Density Residential District</u>
<u>Multi-Family Moderate Density</u>	<u>R-D (1) – Moderate Density Residential District</u>
<u>Multi-Family High Density</u>	<u>R-D (2) – High Density Residential District</u>
<u>Commercial</u>	<u>C-B- Commercial District</u>
	<u>C-OPI – Commercial – Office, Professional and Institutional District</u>
	<u>C-PC- Commercial - Planned Center District</u>
	<u>C-TS- Commercial – Town Serving</u>
	<u>C-WA – Commercial – Worth Avenue</u>
<u>Conservation</u>	<u>Conservation</u>

<u>Private Group Use</u>	<u>Cultural Institution District</u>
<u>Public</u>	<u>None</u>
<u>Recreation</u>	<u>None</u>
<u>Approved PUD</u>	<u>PUD-A</u>
	<u>PUD-B</u>
	<u>PUD-C</u>
<u>None</u>	<u>BA – Beach Area</u>

In preparing Table 1-7, 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, a privately initiated Zoning Map was approved that corresponds to the Private Group Use Future Land Use Category. Additionally, the Beach Area (BA) and the R-D(1) Zoning Districts do not have associated Future Land Use categories. Regarding the R-D(1) zoning district, the reason for this is due to the maximum density permitted in the R-D(1) is 10 dwelling units per acre. However, R-C only allows a maximum density of six (6) dwelling units, while R-D(2) grants up to 13 dwelling units per acre. A new Future Land Use category must be created that limits the maximum density to 10 to be consistent with the R-D(1) Zoning District. The Comprehensive Plan's purpose is to be the controlling instrument for proper planning, while the zoning code is to be the implementing regulatory document, and they must correlate.

FUTURE LAND USE NEEDS

~~Palm Beach is an intensely developed coastal community with almost no room left for growth. Expansion of the corporate area is likewise impossible. Significant population growth cannot take place unless major redevelopment occurs in existing single family areas. These factors, combined with the fact that most of the Town's land area is already developed, and located on a barrier island limit the Town's ability to arrange, shape and allocate land uses to adjust to community needs, and limit the permissible density of population.~~

~~There are presently about 112 acres of hotel, retail, service, office, pay parking, and mixed commercial uses. This represents about 11 acres of commercial use per one (1) thousand population. This is somewhat high compared to other communities, due to the unique character of the Town's year round and seasonal residents, and the seasonal tourist influx. However, in order to maintain the Town's predominantly residential character, no additional lands for commercial~~

~~uses are considered necessary or appropriate. The Town's inventory of recreational lands and facilities is more than adequate to provide for anticipated needs throughout the planning period. Given the small amount of population growth projected, no additional land will be needed for governmental or institutional uses.~~

Redevelopment

~~There are no concentrations of deteriorated structures or blighted areas in the Town, nor are any expected during the planning period. The high value of real estate in the Town, its unique character and history, and the vigilance of the local government Town leadership and residents will continue to maintain enforce a high standard of property conditions within the Town. On the other hand, there are a great many properties in the Town that were developed earlier at densities or intensities now considered inappropriate. Most, however, while inconsistent with the Town's Future Land Use Plan Map, are not inconsistent with the Town's prevailing character. Therefore, there is no need to affirmatively encourage redevelopment or reduction of these situations. Future redevelopment will be required to conform to the densities and intensities and levels of service incorporated established within the Town's Future Land Use Plan Element.~~

Preservation of Residential Neighborhoods

As far back as 1990, the Town Council and the Planning and Zoning Commission have been evaluating ~~those~~ the portions of the Town's Zoning Code that regulate the size of homes in the R-B zoning district, the predominantly single-family areas in the North End and center of the Town. 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 norms for home sizes in the North End averaged 2,500 to 3,000 square feet (or less) in the decades of 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 norms have become the reference point, as housing construction evolved to reflect changing residential tastes and real estate markets. In 1980, for example, a 6,000 square foot ~~house~~ home could be built on a 10,000 square foot lot. The ~~house~~ 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 and were 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 by the Architectural Commission and Landmarks Preservation Commission, ensure that change is controlled and gradual.

Resulting Problems or Opportunities

~~It is still important that the Town's regulations allow and encourage development of a size and character that is consistent with the desires of the residents, whether that desire is to perpetuate the existing character or to encourage evolution to accommodate new trends in residential construction and occupancy within the different geographic areas of the Town. Where the desire is to maintain the existing character of an area, the land development regulations for that area should be structured so as to reduce the extent of nonconformities created over years of regulatory change the Town reviews the existing regulations each year and makes changes that it believes will ensure the preservation of the Town's distinctive ambiance and character.~~

Summary

Palm Beach is a premier residential community of exceptional beauty and charm that has achieved a high standard of living by retaining its distinctiveness. The goal of the Comprehensive Plan is to preserve and protect the residential scale and quality of life with limited Town-serving commercial and recreational uses. Because the Town is "built-out", intensification of commercial uses will increase the traffic congestion and strain the already limited parking availability with a 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 per State Statute, 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, there are land use and zoning classifications that do not correspond to one another. 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 ten dwelling units per acre but not permit hotel use as the RD(2) does. Lastly, as a coastal community, an envisioned new Beach Area Future Land Use designation should be considered that addresses the necessary beach renourishment and related public purpose essential services and activities.

Future Land Use Element

GOALS, OBJECTIVES
& POLICIES

**FUTURE LAND USE ELEMENT
GOALS, OBJECTIVES AND POLICIES
DRAFT**

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS AND BUSINESSES TO BY MAINTAINING ITS UNIQUE IDENTITY. AND ITS HIGH QUALITY OF LIFE THROUGH THE EFFICIENT DISTRIBUTION OF COMPATIBLE LAND USES. THAT ARE CONSISTENT WITH THE ZONING CODE.

OBJECTIVE 1

Because the Town of Palm Beach is essentially built-out, the Town shall continue to regulate future growth development and redevelopment within the Town shall be managed to that maintains and enhances the Town's its unique physical and historic character, which is predominantly residential. The Town shall accomplish this by allowing only the type and number of businesses and other services that meet the needs of Town residents. character with emphasis on its visual qualities, and compatibility and harmony among its diverse land uses. The measurement of this objective shall be the extent to which the following policies are implemented:

POLICY 1.1

The Town shall continue **to comply with Section §163.3202, F.S.Fla. Stat., regarding land development regulations,** enforcement of the Town's Charter and Code of Ordinances 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 convenient **efficient movement of** on-site 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.
- 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**

**FUTURE LAND USE ELEMENT
GOALS, OBJECTIVES AND POLICIES
DRAFT**

serve the proposed development.

i. Provide for protection of clean and safe potable water.

j. ~~Reasonably ensure that newly planted trees are located in a manner that will require no more than minimal trimming in order to avoid contact with power lines.~~

POLICY 1.2

The Town shall maintain Future Land Use designations that focus on preserving and protecting the Town's primarily residential community through controlling the type, distribution and density of development and redevelopment.

POLICY 1.3

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

POLICY 1.24

The Town shall continue to c~~Conduct a~~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.

OBJECTIVE 2

~~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 1.5

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

POLICY 2-1.6

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

FUTURE LAND USE ELEMENT
GOALS, OBJECTIVES AND POLICIES
DRAFT

POLICY 2.4 1.7

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 2.5.2. 1.8

The Town shall cContinue to enforce the provisions of the Town's **its** Zoning Ordinance which are directed toward the encouragement **compliance with** of Town-serving commercial ~~uses~~ **establishments** and the discouragement of those uses which are likely to attract patronage on a regional level.

POLICY 2.1 1.9

The Town shall identify each of the provide ~~The listing of appropriate~~ land uses deemed appropriate for in each of the individual land use categories ~~generally expected to be appropriate.~~

2.1 1.9.1 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, **beach 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 2.2 1.10

The Town shall insure that dDevelopment orders ~~shall be~~ **are** issued by the Town only for new residential development or redevelopment that ~~is~~ **is** consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies:

2.2.1 1.10.1 Single-Family Residential – Intended to accommodate and preserve estates and single-family residential development at a maximum density of four dwelling units per gross Palm Beach acre (40,000 square feet) and a maximum height of two stories.

Appropriate uses include single-family dwellings, **previously** residentially **Approved** PUDs as set forth in Policies ~~11~~**10**.1.1 and ~~11~~**10**.1.4, cluster development, public uses and facilities, public and private schools, private group uses, ~~group homes~~ and foster care facilities, and essential services.

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~~2.2.2.~~ **1.10.2** Multi-Family Moderate Density – Intended to accommodate and preserve residential development at a maximum density of six dwelling units per gross Palm Beach acre (40,000 square feet) 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 ~~11.8.1.2~~; mixed-use PUDs as set forth in Policy ~~11.8.1.3~~; public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and essential services.

~~2.2.3.~~ **1.10.3** Multi-Family High Density – Intended to accommodate residential development at a maximum density of 13 dwelling units per gross Palm Beach acre (40,000 square feet) and, under limited circumstances, a maximum height of five stories.

Appropriate uses include single-family, two-family, townhouses and multi-family dwellings; residential PUDs as set forth in Policy ~~11.8.1.2~~; mixed-use PUDs as set forth in Policy ~~11.8.1.3~~; hotel and motel uses up to 26 rooms per gross Palm Beach acre (40,000 square feet) and associated accessory commercial uses (hotel and motel rooms are considered to be equivalent to 0.5 dwelling units); timesharing uses up to nine units per gross Palm Beach acre (40,000 square feet); public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and essential services.

POLICY ~~2.3.~~ **1.11**

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

~~2.3.1~~ **1.11.1** 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 Town persons and not substantially relying on the patronage of ~~non-Town persons. Commercial establishments (other than those in the "Commercial – Office, Professional & Institutional" (C-OPI) zoning district, which are not required to meet town-serving requirements) of 3,000 square feet or less of gross leasable area in the C-PC, C-TS and C-B zoning districts, and 4,000 square feet or less of gross leasable 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.**

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b. “Town residents” shall include all property owners, full-time and seasonal occupants of the Town.

c. “Town persons” shall mean ~~all full and seasonal residents of the~~ Town residents, as well as visitors staying at accommodations in, or employees working in establishments located within the Town.

~~2.3.2~~ **1.11.2.** 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.

~~2.3.3~~ **1.11.3.** Commercial – Intended to ~~create~~, 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 unit or in individual parcels, **provided these uses are** primarily ~~for the frequently recurring~~ needs of Town ~~persons~~ **residents**, ~~with limited provision for more intensive commercial uses that are proven to be compatible with the Future Land Use Plan and the character of the Town.~~

a. Appropriate uses include a wide range of commercial retail, service, professional and business uses for residents and visitors; hotels/motels up to 26 rooms per gross Palm Beach acre (40,000 square feet); timesharing uses up to nine units per gross Palm Beach acre (40,000 square feet); offices; public uses and facilities; public and private schools; 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 six dwelling units per gross Palm Beach acre, whichever is greater. In the Worth Avenue zoning district, the maximum allowable density shall be ten dwelling units per gross Palm Beach acre provided the Worth Avenue Design Guidelines are met.

c. ~~Maximum lot coverage for non-residential uses shall be 75%.~~

~~d.c.~~ In limited circumstances, ~~the Commercial Worth Avenue (C-WA) zoning district,~~ the maximum building height shall **may** be three stories **with Town Council approval.**

~~2.3.4~~ **1.11.4** Public – Intended to recognize existing locations of, and provide sites for, public uses, structures and facilities.

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- 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 ~~persons~~ **residents**. Only public uses owned, operated, ~~franchised~~, 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; ~~and, further, that such properties may also be appropriate for residential or commercial development with uses identified under the Single-Family Residential and Commercial land use categories.~~
- c. ~~Maximum lot coverage shall be 40%.~~
- d. ~~In limited circumstances, the maximum building height shall~~ **may be three stories with Town Council approval.**

~~2.3.5~~ **1.11.5** Public Recreation – Intended to provide for low intensity public recreational uses or activities, natural resources and scenic resources of a scale and intensity necessary to primarily serve the needs of Town ~~persons~~ **residents**. Only public facilities owned, operated, franchised, or supervised by a public governmental entity are given this designation.

~~2.3.6~~ **1.11.6** 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 ~~persons~~ **residents**.

- a. 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, that such properties may also be appropriate for residential or commercial development with uses identified under the Single-Family Residential, Multi-family Moderate Density, and Commercial Future Land Use categories.~~
- b. ~~Maximum lot coverage shall be 40%.~~
- c. In limited circumstances, ~~(Commercial Worth Avenue (C-WA) zoning districts),~~ the maximum building height shall **may be three stories with Town Council approval.**

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES **DRAFT**

~~2.3.7~~ **1.11.7** Approved PUD – Intended to recognize ~~existing or~~ previously approved PUDs. and provide for new PUD's within the density limits of the land use category in which they are located prior to approval of the PUD. PUD densities shall not exceed 13 dwelling units per gross Palm Beach acre.

POLICY 2.4 1

~~To prevent critical and dangerous overuse of its streets, parking resources, public services and facilities, and damage to its historic character, and to overall property values of the community, the Town will 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, and thereby lower the pattern of density, where possible, and to minimize tourism inflow.~~ **The Town shall prevent critical and dangerous overuse of its streets, 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 use patterns, thereby lowering the pattern of residential density and commercial intensity and minimizing tourism inflow.

~~POLICY 2.5~~ 2.3

The Town shall continue to enforce the provisions of the Town's ~~its~~ Zoning Ordinances which are directed toward ~~the encouragement of~~ Town-serving commercial uses and ~~the discouragement of~~ those uses which are likely to attract patronage on a regional level.

~~POLICY 2.6~~ **Policy moved to the Transportation Element.**

~~The Town shall provide the amount, location, and type of on-street parking and street furniture, signage, beautification measures and traffic control that is sufficient to assure efficient functioning of the Town's business centers at Town-serving levels, and shall require off street parking as necessary.~~

OBJECTIVE 3

The Town shall issue d~~Development orders or~~**and** permits for new development ~~or~~ **and** redevelopment ~~shall be issued for construction~~ in the floodplain or coastal high hazard area only if they meet the building elevations identified in the **Florida 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.**

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES **DRAFT**

POLICY 3.1

Prior to the issuance of a development order or permit, the Town shall make and record the following determinations: ~~that a. 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) and~~ **or unless the structure has been landmarked or designated as a historically significant building and approved for a floodplain variance.**

OBJECTIVE 4 ~~Moved to the Conservation Element~~

~~No new development shall be is permitted on or over submerged lands or lands predominantly characterized by Tidal Swamp (TM) soils as identified in the Soil Survey of Palm Beach County.~~

~~POLICY 4.1~~

~~The Town shall Areas identified as predominantly characterized by Tidal Swamp (TM) soils or identified as submerged lands shall be designated on the Town's Future Land Use Map for Conservation, and the Town's land development regulations shall prohibit urban development on such lands.~~

OBJECTIVE 5~~4~~

The Town shall ensure that d~~Development orders and permits for new development or redevelopment, or building permits for developments that have been issued development orders prior to the adoption of the Comprehensive Plan, shall be~~ **are** 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.

~~POLICY 5~~**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 as set forth in the Capital Improvements Element, or
- b. The final development order is conditioned on such facilities and services being available at the time the impact of development will occur, consistent with the Town's Concurrency Management System and implemented policies of the Capital Improvements Element.

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~~POLICY 5.2 this is a land development regulation and contained within Chapter 86, Article III, Stormwater Management~~

~~In order to ensure the availability of public facilities and services necessary to support development concurrent with its impacts, prior to the issuance of a development order or permit, the Town shall make and record the through the following determinations:~~

- ~~a. 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.~~
- ~~b. Negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town system; or, the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater; or,~~
- ~~c. For all commercial, or residential development or redevelopment where:
 - ~~i. The proposed value of the improvement exceeds 25% of the market value of the property;~~
 - ~~ii. A new swimming pool is constructed;~~
 - ~~iii. There is 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%;~~
 - ~~iv. New driveways or parking areas are constructed;~~
 - ~~v. The proposed work includes replacement or reconstruction of parking areas other than parking areas designed for less than three residential units; or~~
 - ~~vi. Other development as may be deemed appropriate by the Town Engineer.~~~~
- ~~d. There is adequate potable water supply capacity to continue providing the level of service standard established by the City of West Palm Beach, the Town's water provider. The City's current Potable Water Level of Service (LOS) is 272 gallons/per person/day (gpd);~~
- ~~e. There are adequate recreation facilities to maintain a standard of 6 acres/1000 population;~~
- ~~f. The traffic generation of the project will not reduce the level of service on roadways in the Town to a category lower than that established in this Plan;~~

**FUTURE LAND USE ELEMENT
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- ~~g. There is adequate sanitary sewer capacity to continue providing the level of service standard established by the City of West Palm Beach, the Town's water provider. The City's current LOS is as follows:~~

Level of Service standards are provided in the Infrastructure Data and Analysis and Goals, Objectives and Policies.

~~Wastewater Collection~~

Development Type	Avg. Daily Water Flow, gallons per day (gpd)
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 AC=acre

~~Pumping Station~~

Peaking Factor	Avg. Daily Flow Million Gallons per Day (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 record.~~

- ~~h. There is adequate capacity to continue collecting and disposing of least 2.55 pounds of solid waste per person per day;~~
- ~~i. The project will not increase the time necessary to evacuate the Town, in the event of a hurricane, to greater than twelve hours; or,~~
- ~~j. The development order or permit is specifically conditioned on the availability of the necessary facilities and services for each of the above and that said facilities are authorized when the project is authorized.~~

POLICY ~~5.34~~4.2

The Town shall determine pPrior to the issuance of a development order or permit, the

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

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~~Town shall make and record a determination~~ that the project provides open space, on-site traffic flow and parking commensurate with the requirements of the Town's land development regulations.

OBJECTIVE 65

~~The Town shall~~ ~~Efforts continue to be made to control blighting influences or other negative impacts to the Town, and redevelopment will be encouraged~~ **ensure minimum property maintenance standards provided in Chapter 88, Code of Ordinances, are maintained.** ~~in areas experiencing deterioration, when appropriate.~~

POLICY 65.1

The Town shall continue to utilize the code enforcement procedures provided for in Article V, ~~enforce's Code of Ordinances,~~ **to** proactively allows potential problems to be cited and requires property owners of cited property to take remedial action.

OBJECTIVE 76

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

POLICY 76.1

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 ~~Plan~~ **Map**.

POLICY 76.2

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 76.3

The Town shall continue to allow designated landmark**ed** 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**

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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. the land development regulations.

POLICY 6.4

The Town shall create a new Future Land Use category to correspond with the Beach Area (A) 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 Zoning Districts.

POLICY 6.7

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.

POLICY 6.8

The Town shall require 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 casualty, act of terrorism, war or act of God or nature (and with approval from FDEP if building east of the CCCL).

OBJECTIVE 8 (Moved to the Conservation Element)

~~The Town shall protect its natural resources. The measurement of this objective is the extent to which natural resources are preserved and the degree to which the following policies are implemented.~~

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POLICY 8.1

~~The Town shall protect the quality of its air from degradation by continuing to prohibit industrial uses within the Town.~~

POLICY 8.2

~~The Town shall protect designated native vegetation areas and their associated wildlife by prohibiting removal of vegetative species listed as threatened or endangered by State or Federal agencies on publicly owned property and new private development; and, by prohibiting planting of pestilent exotics and requiring removal of pestilent exotic species from sites of new construction or development.~~

POLICY 8.3

~~The Town shall stipulate that no development or construction which destroys wetland vegetation, including seagrass beds, shall be permitted in the Town unless loss is 100% mitigated.~~

POLICY 8.4

~~The Town shall require that all new development and redevelopment on the Atlantic shore restore dunes, where restoration potential exists and is necessary, as determined by the Town and FDEP.~~

POLICY 8.5

~~The Town will require soil erosion control techniques be used during construction.~~

POLICY 8.6

~~No development or redevelopment shall occur on or over submerged land other than docks, essential services or parks owned and operated by the Town.~~

OBJECTIVE 9

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

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~~POLICY 9.1~~

~~Continue to protect the Town's historically significant properties and aesthetic character through the active participation of the Architectural and Historic Landmarks Preservation Commissions in the development review and approval process, as authorized by the Town's Code of Ordinances.~~

~~POLICY 9.2~~ Moved to the Historic Preservation Element

~~The Town shall enforce its archaeological requirements as authorized by the Town's Code of Ordinances.~~

OBJECTIVE 107

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

~~POLICY 107.1~~

The Town shall ~~will~~ continue to cCoordinate with State, regional, county and local agencies to ensure mutual 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 Treasure Coast Regional Planning Council, Palm Beach County, the City of West Palm Beach, TPA and Palm Beach County School Board 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.

~~POLICY 10~~

~~Continue to coordinate with other governments in securing full resources by the State and other agencies for programs of their design, creation and/or benefit, and continue to ensure the protection of local self-determination in matters which are not demonstrated to be of actual regional significance.~~

OBJECTIVE 118

The Town shall acknowledge previously~~Approved~~ Provide for Planned Unit Developments, (PUDs) and other innovative regulations and techniques that will assist the Town in maintaining its high standards, quality of life, and appropriate mix and location of land use types and

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structures; and, ~~in ensure that new development is compatible with existing surrounding properties~~ **but will not allow new PUDs in the future.**

POLICY 11.1

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

~~11.1.1 Single-family PUDs located within the Single-Family Residential Land Use Category not exceeding four dwelling units per gross Palm Beach acre.~~

~~11.1.2 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.~~

~~11.1.3 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
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

~~11.4 In order to encourage preservation of historic residential structures, such single-family structures may be permitted to be converted through a historic preservation PUD to contain multiple residential units, within the confines of the existing structure, provided the density does not exceed four dwelling units per gross Palm Beach acre.~~

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OBJECTIVE ~~128~~

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 ~~129.1~~

The Town ~~will~~ **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.

OBJECTIVE ~~1310~~

The Town shall maintain pPublic access ~~shall be maintained~~ to all recreational facilities, including recreational and commercial working waterfronts as defined in F.S. §342.07, **Fla. Stat.** under the jurisdiction of the Town of Palm Beach.

POLICY ~~1310.1~~

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

POLICY ~~1310.2~~

The Town ~~of Palm Beach~~ shall continue to implement corrective measures on all access points identified by the Town as inadequate.

POLICY ~~1310.3~~

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

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POLICY ~~13~~10.4

The Town, in evaluating applications for marinas or marina siting, ~~all of the following~~ shall be addressed 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. ~~The criteria shall be reviewed by the Planning Department on an annual basis and updated as necessary.~~

- Discourage the amount and type of region-serving commercial development while encouraging Town-serving ~~ones~~ development.
- Control the pace, type, and intensity of redevelopment activity in the Town.
- ~~Encourage~~ Manage 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 casualty, 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).

~~OBJECTIVES AND POLICIES NOT APPLICABLE~~

~~No objectives or policies pertaining to the discouragement of the proliferation of urban sprawl are necessary or applicable in the Town of Palm Beach because it is virtually fully developed, and the only areas for potential development are located on "in-fill" parcels.~~

~~No objectives or policies encouraging the availability of suitable land for utility facilities are necessary or applicable. The City of West Palm Beach provides the potable water supply to the Town from its facility on the mainland. Wastewater treatment is provided by the East Central Regional Sewage Treatment Plant, also located on the mainland. Solid waste disposal sites are all located on the mainland with the North County Regional Resource Recovery plant, also located on the mainland, to come on line in the near future.~~

~~No policies are necessary or applicable to the protection of potable water wellfields since there are now no such facilities in the Town, nor are any expected in the future.~~

Transportation Element

DATA & ANALYSIS

INTRODUCTION

EXECUTIVE SUMMARY

The Transportation Element evaluates the current and projected traffic circulation and public parking operations to determine their impact on the to address quality of life issues for Town residents. This Element relies upon and supports the basic philosophy expressed throughout the Town's planning efforts since its first Plan was adopted in 1929, which recognized the relationship between land use and transportation. Transportation and land use are interwoven as trips are generated as a result of particular land uses. Later versions of the Comprehensive Plan continued to emphasize the effects of growth and the need to control the impacts of traffic on the community. ~~Comprehensive Plan adopted in 1983, the Town set forth primary land use objectives, This and one that this Element strives to further~~ acknowledges that changes in local conditions in the Town combined with development in downtown West Palm Beach have exacerbated traffic congestion and diminished the availability of convenient parking for Town residents.

Primary Land Use and Transportation Objectives 1929

"To maintain the quality of life which has given the Town its unique physical and historical character and, towards this objective, to take all legally and technically available measures to stabilize the Town's land use and reduce residential density patterns where possible."

"To preserve the Town's quality of life through retention of an essentially residential character and unique historic personality."

"The concentration of general traffic upon a limited number of streets, a system of leisurely and convenient by/ways free from automobiles, discourage trespassing, and provide safety and quiet for the residents of Palm Beach."

~~Over the years as~~ As the Town has developed, traffic congestion on both the main corridors and within residential neighborhoods has growth grown to a point where the resident quality of life for the residents has been affected. Most communities Future Land Use Map will clearly indicate identify potential where new roadways to accommodate additional traffic impacts within their Transportation Elements. must be provided; The Town is unusual in that it is virtually fully developed with does not have the opportunity for construction of new streets and limited opportunities for lane modifications to relieve the pressures on its major north-south arterial

~~thoroughfares and collector roadways. — SR A1A, North County Road, and North Ocean Boulevard.~~

~~Notwithstanding, the basic desired traffic circulation has remained consistent, to concentrate motorized travel on the major corridors.~~

~~This Element of the Plan has been developed based upon:~~

- ~~1. — Analysis of the existing transportation system;~~
- ~~2. — Analysis of existing transportation levels of service and system needs; and,~~
- ~~3. — Analysis of projected transportation levels of service and system needs, based upon the future land uses shown on the Future Land Use Map, and pertinent plans of the Florida Department of Transportation.~~

~~The Town of Palm Beach is essentially built out compared with other coastal communities. **This updated Comprehensive Plan recognizes that the Town is built out. Traffic throughout the Town has increased not only during the season but year-round. The contributing factors are due in part by the following:**~~

- ~~➤ **Population migration to the Town and South Florida, including neighboring West Palm Beach**~~
- ~~➤ **Increased visitors to regional and non-regional attractions in the Town, the Four Arts, Royal Poinciana Plaza and Playhouse, golf courses, private clubs, the beaches and the 12 existing hotels**~~
- ~~➤ **Redevelopment which has added more construction trucks to the roads**~~
- ~~➤ **Larger and increased number of service vehicles per home** The most critical demographic condition affecting demands on the traffic circulation system is the annual fluctuation of population that occurs when numerous transient visitors and seasonal residents come to Palm Beach for the winter season. This seasonal fluctuation is as important as the rate of population growth. It requires that systems be designed to handle recurring seasonal demands not present the rest of the year.~~

~~In addition, Town roadways are subject to traffic impacts resulting from developments in neighboring communities. Recent land use changes will result in increased density and intensity within the Transportation Concurrency Exemption Areas (TCEA) in downtown West Palm Beach. As a result, it is expected to negatively affect traffic circulation both on and off the island.~~

~~The Town of Palm Beach's Transportation Element is limited to only addressing traffic circulation **and introduces a Parking Sub-Element to address the impact of parking or lack thereof on resident quality of life.** which includes the types, locations, and extent to which of~~

~~the existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways links to provide for an efficient transportation network. An interrelated component of the traffic circulation pattern is the availability of adequate parking. This is not a new phenomenon as earlier traffic studies dating back to 1969 and again in 2006 recognized parking issues and their relationship with the traffic circulation in the Town due to the increased volume of vehicles. The subject Transportation Element will memorialize the impact of parking on the quality of life for Town residents.~~

HISTORY OF TRANSPORTATION PLANNING IN THE STATE OF FLORIDA

Prior to the incorporation of the Town of Palm Beach in 1911, the early years of transportation to the Town began via water and rail. As Henry Flagler was promoting the rail as the most efficient means of travel, the Florida Legislature was similarly analyzing the means of travel to South Florida. The State established in 1915, the Florida State Road Department, the precursor to the Florida Department of Transportation, and the State Road Board which officially began operation on October 8, 1915.¹ Many years later, transportation remains a critical component to the quality of life for the Town of Palm Beach,

In 1969, the Florida Department of Transportation (FDOT) was created by the Florida Legislature and absorbed all the authority and responsibilities of the Florida State Road Department.² The FDOT became a decentralized agency charged with the establishment, maintenance, and regulation of public transportation in the State of Florida.³ Under legislative mandates, the FDOT consists of seven districts strategically bound by geography. Each district is managed by a District Secretary, which varies in organizational structure, but in general, each has major divisions for Administration, Planning, Production, and Operations. Additionally, the districts have a Public Information Office that reports to the District Secretary and a District Chief Counsel who reports to the United States Department of Transportation (DOT) General Counsel in Tallahassee.⁴

The FDOT has a series of plans that govern transportation initiatives in this state. Some, such as the Florida Transportation Plan, establish policy, while others, including the Strategic Intermodal Systems Plan, focus on implementation and include the following:

- **Florida Transportation Plan (FTP) –Includes long-range goals, objectives and strategies to meet the needs of Florida’s “entire transportation system.”**
- **Strategic Intermodal Systems Plan (SIS) –Includes corridors, facilities and services of statewide and multi-regional significance.**

¹ “Transportation History Month in Florida”, Florida Department of Transportation October 12, 2015

² <https://www.tuckerpaving.com/fdot-traces-interesting-history-back-1915/>

³ “Florida Statutes 334.044 Powers and duties of the department”. Florida Statutes. Florida Legislature. Retrieved August 14, 2021.

⁴ <https://www.fdot.gov/agencyresources/districts/index.shtml>

- **FDOT Work Program –Includes all projects planned by the department for that period. FDOT holds at least one public hearing in each district, followed by a statewide public hearing by the Florida Transportation Commission. The program is then submitted to the Governor and Legislature.**
- **State Transportation Improvement Program (STIP) – Required by the federal government, the STIP incorporates the first four years of FDOT’s Work Program.**
- **Florida Strategic Highway Safety Plan (SHSP) –Focuses on how to accomplish the vision of eliminating fatalities and reducing serious injuries on all public roads. The SHSP is updated at least every five years by FDOT in coordination with statewide, regional, and local safety partners.⁵**

As displayed in Exhibit 2-1, Palm Beach is one of the five counties that comprise District 4. The remaining four include Broward, Martin, St. Lucie, and Indian River counties. District 4 is located within Southeast Florida and consists of 5,000 square miles and is home to over four million residents.

In District 4, vehicles travel more than 52.4 million miles daily. Worth noting, the FDOT assists Tri-Rail, a commuter rail service, to connect with Gold Coast Commuter Services, also a commuter assistance program, and two major transit authorities (Broward County Transit and Palm Tran) with 319 vehicles in their fleets.⁶ Additionally, Amtrak runs a low-cost rail line connecting West Palm Beach to Tampa, Florida.

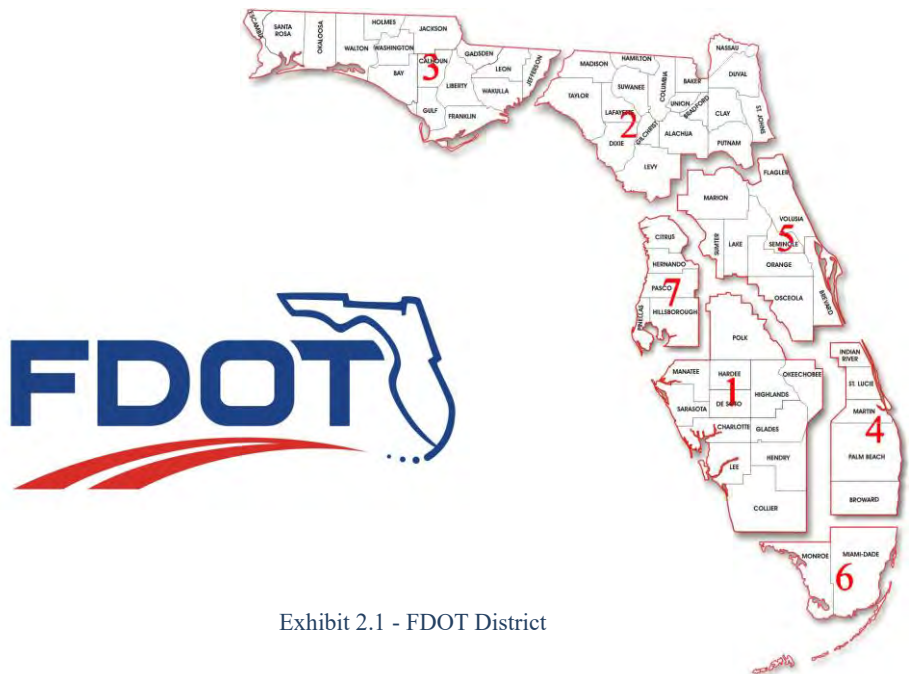


Exhibit 2.1 - FDOT District

⁵ <https://1000fof.org/wp-content/uploads/2021/12/transportation-planning-process-FINAL.pdf>

⁶ Ibid

Brightline, which is an intercity rail route between Miami and Orlando, runs on a track owned by Florida East Coast Railway. Brightline is the only privately owned and operated intercity passenger railroad in the United States. Its development started in March 2012 as “All Aboard Florida” by Florida East Coast Industries. Construction began in November 2014 and the current routes are shown in Exhibit 2-2 and opened in January 2018. An extension from West Palm Beach to Orlando International Airport opened in 2023, as detailed in Exhibit 2-3. Additional stops are being planned for in Phase 3 as displayed in the current version of the Phased Development of Brightline Stations.⁷



Exhibit 2-2 Current Operating Brightline Routes 2023

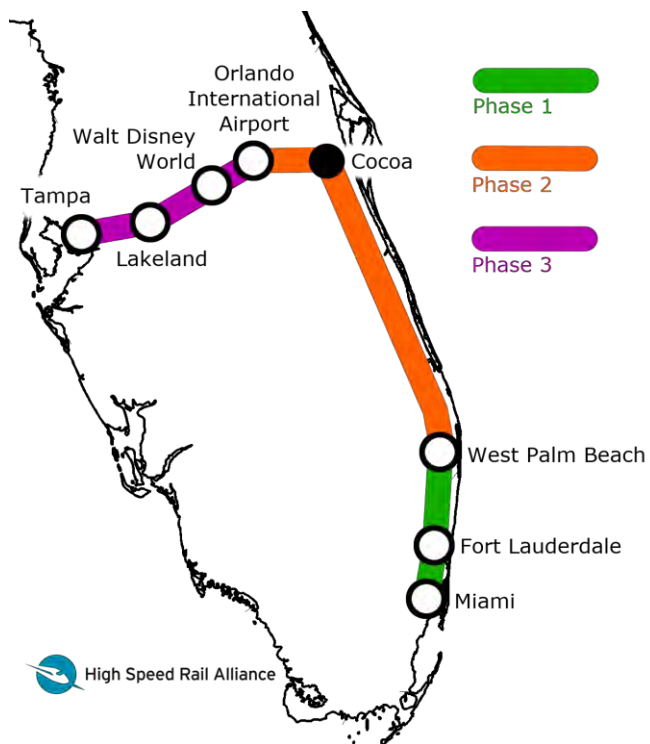


Exhibit 2-3
Phased Development of Brightline Stations

⁷ <https://www.hsrail.org/brightline-florida/>

FLORIDA REQUIREMENTS FOR THE TRANSPORTATION ELEMENT

Chapter 163, Fla. Stat., requires that as the population grows, adequate services are available to meet demand. The statute is intended to balance the availability of infrastructure and resources with economic development and community sustainability. Under §163.3177(6)(b), Fla. Stat., the purpose of the Transportation Element is to plan for a multimodal transportation system that emphasizes public transportation systems, where feasible. The Transportation Element is intended to provide for a safe, convenient multimodal transportation system, coordinated with the future Land Use Map or Map Series and designed to support all Elements of the Comprehensive Plan. A local government that has all or part of its jurisdiction included within the Metropolitan Planning Area of a Metropolitan Planning Organization (MPO) under §339.175, Fla. Stat., is required to prepare and adopt a Transportation Element consistent with this subsection.

Each local government's Transportation Element must address traffic circulation, including the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways. The Transportation Element is required to also include a Map or Map Series depicting the general location of the existing and proposed transportation system features and shall be coordinated with the future land use map or map series. The Element is required to reflect the data, analysis, and associated principles and strategies relating to the following key items applicable to the Town, among others:

- **The existing transportation system levels of service and system needs and the availability of transportation facilities and services.**
- **The growth trends and travel patterns and interactions between land use and transportation.**
- **All alternative modes of travel, such as public transportation, pedestrian, and bicycle travel.**
- **The capability to evacuate the coastal population before an impending natural disaster.**

PALM BEACH COUNTY TRANSPORTATION PLANNING

In Palm Beach County, the Transportation Planning Agency (TPA) is the MPO. The TPA partners with Palm Beach County for staff and resources through an Interlocal Agreement and represents all 39 incorporated cities, towns, villages. The TPA is a federally mandated public agency that works to prioritize and fund the transportation system. The Palm Beach TPA consists of a 21-member Governing Board, with more than \$600 million of federal, state, and local transportation dollars to implement projects that advance our regional vision for the nearly 1.5 million Palm Beach County residents.

The Governing Board is supported by staff, has a five-member Executive Committee and three advisory committees, which consists of the following.

- Technical Advisory Committee (TAC)
- Citizen's Advisory Committee (CAC)
- Vision Zero Advisory Committee (VZAC)

In addition, the TPA administers the Transportation Disadvantaged Local Coordinating Board (TDLCB) in Palm Beach County.

As one of the TPA's most important documents, the Transportation Improvement Plan (TIP) identifies projects for maintaining and improving the transportation system funded by Federal, State and local sources to assist local governments with their transportation planning efforts. This staged program encompasses a five-year period consisting of all regionally significant transportation improvements to all modes of travel in Palm Beach County. The TIP is based on, and reflects, the FDOT Work Program for Palm Beach County. Highway, bus, rail, port, bicycle/pedestrian, and beautification projects are included. The TIP is developed through a comprehensive and coordinated effort involving FDOT, the Palm Beach County Board of County Commissioners, the Port of Palm Beach, the South Florida Regional Transportation Authority, and municipalities within the County.

According to the TIP, there are no capacity improvements planned for the Town, nor are there any such improvements, expansions or new facilities planned for the Town in the Adopted FDOT Five-Year Work Program. ⁸Further, there are no ports, airports, rail lines, intermodal terminals, high-speed rail lines, or related facilities within the Town.

THE TOWN OF PALM BEACH TRANSPORTATION ELEMENT

The Transportation Element of the Comprehensive Plan has been developed based upon:

1. Analysis of the existing transportation system.
2. Analysis of existing transportation levels of service and system needs.
3. Analysis of projected transportation levels of service and system needs, based upon the future land uses shown on the Future Land Use Map, and pertinent plans of the Florida Department of Transportation.
4. Analysis of traffic circulation including valet parking and shared parking agreements with private businesses.
5. Analysis of existing parking facilities and future needs.

⁸ FY25-29 TIP palmbeachtpa.org

Existing Roadway Functional Classification

Map 2.1 of the Map Series provides functional classifications of the roadways within the Town for the current year (2024) and the 20-year planning timeframe (2044).

In order to be eligible for federal funding, federal regulations require a roadway to be functionally classified. Functional classification is the process by which roadways and highways are grouped into classes according to the character of service they are intended to provide. Roads with higher classifications serve the mobility needs of a greater number of people, and typically carry more traffic. Roads with lower classifications tend to provide access more to individual properties than serve the mobility needs of a greater number of people.⁹

Palm Beach County uses the Federal Functional Classification process to group roadways into classes based on the service they provide in relation to the total roadway network. The TPA Governing Board approved the Functional Classification Map on December 9, 2013. The designation of a roadway may only be changed within a decennial census cycle.

The four major roadway function classifications are:

- 1. Interstate Highways**
- 2. Arterials: Major and Minor Roadways**
- 3. Collectors: Major and Minor Roadways**
- 4. Local Roadways**

Interstate Highways

Interstates are the highest classification and are designed and constructed with mobility and long-distance travel in mind. These facilities are divided highways with full access control and grade separations at all intersections. The controlled access character of interstates results in high-lane capacities, which are three times greater than the individual lane capacities of urban arterial roadways.

Major Arterial Roadways

These roadways serve major activity centers, are the highest traffic volume corridors (with the exception of Interstates), have the longest trip demands, carry a high proportion of total urban travel on a minimum amount of mileage and interconnect and provide continuity for major rural corridors to accommodate trips entering and leaving urban areas and movements through urban areas.

⁹ <https://cmpdd.org/functional-classification/>

Minor Arterial Roadways

Minor Arterials provide service for trips of moderate length at a somewhat lower level of travel mobility, distribute traffic to smaller geographic areas, provide more land access than Major Arterials without penetrating identifiable neighborhoods and offer connectivity to the higher arterial system.

Major Collector Roadways

Major Collector Roadways provide both land service and traffic movement functions. They serve as intermediate feeders between arterials and local roadways and primarily accommodate short distance trips.

Minor Collector Roadways

Minor Collector Roadways are used to connect neighborhoods to arterials or major collectors. However, unlike major collectors, they tend to be shorter (often less than 3/4 of a mile in urban areas), have fewer lanes, and can have house driveways directly connect to them. They are also less likely to cross county boundaries.

Local Roadways

Local Roadways consist of all roads not defined as arterials or collectors. Local Roadways typically support direct access to homes and are generally designed for slow speeds.¹⁰

Under the jurisdiction of the FDOT, the roadway classifications are described as either divided or undivided as follows:

The following ~~divided major arterials~~ roadways include the following.

- ~~Royal Poinciana Way and South Ocean Boulevard (SR A1A).~~ -Major Collector
- South Ocean Boulevard (SR A1A) - Major Collector (Royal Poinciana is also considered SR A1A)
- ~~Royal Palm Way and South Ocean Boulevard.~~ - Minor Arterial

The following ~~undivided major arterials~~ roadways include the following.

- ~~North County Road and South Ocean Boulevard.~~ - Minor Collector
- ~~South County Road and South Ocean Boulevard.~~ - Major Collector
- ~~Southern Boulevard and South Ocean Boulevard.~~ (SR 80) – Minor Arterial
- ~~South County Road and Bradley Place/~~Cocoanut Row – Minor Collector

¹⁰ Ibid

Map 2.4 provides the roadway responsibility by the state and county governments. Undivided collectors include Coconaut Row and South Ocean Boulevard. The remaining roadways within the Town are classified as Local Roadways. Maps 2.5 and 2.6 of the Map Series identify bicycle and pedestrian facilities.

There are four main **Four** bridges crossing the Intracoastal Waterway and connecting the Town to the mainland; these are:

- Flagler Memorial Bridge
- Royal Park Bridge
- Southern Boulevard Bridge
- Robert A. Harris Memorial Bridge (Lake Worth Road)

The major traffic generators in the Town are the two major commercial areas, those being:

- **The northern commercial area encompasses Royal Poinciana Way, Sunrise and Sunset Avenues, Bradley Place, North County Road, and the Royal Poinciana Plaza.**
- **The Midtown area which includes the retail concentrations along South County Road, Peruvian Avenue, Worth Avenue, and the office area along Royal Palm Way.**








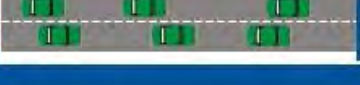






In addition to the commercial areas, major traffic generators also include the beaches, golf courses, cultural arts facilities, restaurants and offices.

Level of Service Standard

Level of Service (LOS) is a representation of the traffic congestion on a roadway. The Town sets the Level of Service standard for Town roads. Palm Beach County has the Article 12 Palm Beach County Traffic Performance Standards (TPS) Ordinance that applies countywide to County thoroughfares and State roads that are not part of the Florida Intrastate Highway System (FIHS). The State sets the standards for FIHS roads. The Town may set Levels of Service higher than the County or State for County and State roads, but it may not adopt a lower standard without State and/or County agreement.

Maintaining concurrency is a term used to describe the situation where there is capacity on roadways to accommodate traffic without reducing the level of service below the adopted standard. This requires predicting how proposed development will affect traffic congestion. **The most common method is utilizing the Institute of Transportation Engineers (ITE) Trip Generation Manual.** This manual **presents a summary of the trip generation data collected** Studies have been conducted to develop formulas for predicting the number of trips various land uses will generate. Computer models **modeling software** have **has** been created to try and predict **evaluate** how many vehicles will use **which certain** roadways to get between various land uses. Short term predictions can be fairly accurate, but long-term predictions **ones** often are not. By convention,

the Level of Service is written as “LOS” when accompanying a letter standard, as illustrated below.

<div>  What is Level of Service (LOS)?  </div>			
Level of Service is a quantitative measure of traffic operational conditions. Ranges of operation are defined for each type of roadway section (signalized intersections, freeways, ramp junctions and weaving sections) and are related to the amount of traffic demand at a given time as compared to the capacity of that type of roadway section.			
Six levels of service are defined for each type of roadway section and are given letter designations from A to F, with A representing good operating conditions and F representing unsatisfactory operating conditions.			
Intersection			Roadway
<ul style="list-style-type: none"> Highly stable, free-flow condition with little or no congestion Delay: <10 seconds/vehicle 		LOS A	 <ul style="list-style-type: none"> Free flowing Uninterrupted vehicle
<ul style="list-style-type: none"> Stable, free-flow condition with little congestion Delay: 10 to 20 seconds/vehicle 		LOS B	 <ul style="list-style-type: none"> Stable flow Other vehicles are more noticeable
<ul style="list-style-type: none"> Free-flow condition with moderate congestion Delay: 20 to 35 seconds/vehicle 		LOS C	 <ul style="list-style-type: none"> Stable flow Vehicle operations affected by other vehicles
<ul style="list-style-type: none"> Approaching unstable condition with increasing congestion Delay: 35 to 55 seconds/vehicle 		LOS D	 <ul style="list-style-type: none"> High density free flow Operation of vehicle is affected by other vehicles
<ul style="list-style-type: none"> Unstable, congested condition Delay: 55 to 80 seconds/vehicle 		LOS E	 <ul style="list-style-type: none"> High density traffic flow, nearing capacity Operating conditions are extremely poor
<ul style="list-style-type: none"> Stop and go Delay: >80 seconds/vehicle 		LOS F	 <ul style="list-style-type: none"> Forced or breakdown flow Amount of traffic exceeds capacity

Based on the data prepared by Kimley-Horn & Associates and by Progressive Design & Engineering as outlined in the Table above, collected data for the 2017 Comprehensive Plan on the yearly peak season daily traffic volumes and found a have remained steady or increased slightly in traffic between 2010 and 2015. ~~Therefore,~~ At that time, it was expected that the Town would be able to meet its current adopted levels of service standards. ~~While some locations along SR A1A may experience traffic levels in excess of the adopted level of service, as a whole traffic levels on A1A will remain within level of service E~~ However, Table 2.2 illustrates that the LOS for Southern Boulevard and SR A1A has declined to a LOS “F”, Royal Poinciana Way east of Coconut Row went from a LOS “C” to a LOS “D”, and Bradley Place north of Royal Poinciana Way from a LOS “D” to a LOS “E”. With the exception of Coconut Row and Bradley Place, all of the roadways identified in Table 2.1 through Table 2.3, are FDOT (state

roads). These tables shows the street segments that traffic data has been collected within the first block of each of the roadway segments

**TABLE H-1 2.1
YEARLY DAILY PEAK SEASON
TOWN OF PALM BEACH
~~2015-2008-2015~~**

#	Street Segment	Facility Type	2007	2009	2010	2011	2015	
							Count	LOS
1	Southern Blvd. (W. of SR A1A)	2 Lane Arterial Undivided	14,452	13,445	12,730	13,215	15,079	E
2	SR A1A (N. of Via Del Lago)	2 Lane Arterial Undivided	17,026	14,894	14,091	13,767	15,057	E
3	SR A1A (S. of Via Pelicano)	2 Lane Arterial Undivided	12,615	10,107	9,990	10,2133	10,636	D
4	Ocean Blvd. (N. of El Vedado)	2 Lane Collector Undivided	12,406	10,634	9,368	9,176	9,985	D
5	S. County Rd. (N. of Peruvian)	4 Lane Arterial Undivided	10,108	9,963	9,753	11,359	9,919	C
6	N. County Rd. (N. of Breakers Rd)	4 Lane Arterial Undivided	15,930	14,162	13,590	13,695	15,431	D
7	N. County Rd. (N. of Royal Poinciana Way)	4 Lane Arterial Undivided	14,666	14,407	13,712	14,908	13,070	D
8	Cocoanut Row (S. of Seabreeze)	2 Lane Collector Undivided	9,054	8,262	8,296	8,079	8,639	D
9	Cocoanut Row (N. of Whitehall)	2 Lane Collector Undivided	9,975	8,716	8,567	8,245	8,895	D
10	Bradley Pl. (N. of Royal Poinciana Way)	2 Lane Collector Undivided	16,052	14,084	13,351	14,324	12,279	D
11	Royal Palm Way (E. of Hibiscus)	4 Lane Arterial Divided	17,292	16,240	15,641	15,340	17,289	D
12	Royal Palm Way (W. of Hibiscus)	4 Lane Arterial Divided	19,210	17,992	17,374	17,076	18,821	D
13	Royal Poinciana Way (W. of Cocoanut Row)	4 Lane Arterial Divided	N/A	N/A	N/A	N/A	16,681	D
14	Royal Poinciana Way (W. of County Rd.)	4 Lane Arterial Divided	14,296	13,074	12,223	12,869	10,501	C

TABLE 2.2
YEARLY DAILY PEAK SEASON
TOWN OF PALM BEACH
2017-2024

Location No.	Street Segment	Facility Type								LOS
			2017	2018	2019	2020	2022	2023	2024	
1	Southern Blvd	2L ART	13,606	12,457	12,040	11,621	13,388	15,081	16,445	F
	(West of SR-A1A)	Undivided								
2	SR A1A	2L ART	14,256	13,778	12,507	12,185	14,454	15,422	16,788	F
	(North of Via Del Lago)	Undivided								
3	SR A1A	2L ART	9,792	10,394	8,714	8,686	10,654	11,011	11,932	D
	(South of Via Pelicano)	Undivided								
4	Ocean Boulevard	2L COLL	9,419	9,506	8,344	8,193	11,069	10,251	11,499	D
	(North of El Vedado Road)	Undivided								
5	South County Road	4L ART	9,287	9,327	11,481	11,918	10,548	10,273	10,627	C
	(North of Peruvian Avenue)	Undivided								
6	North County Road	4L ART	15,589	14,966	13,284	13,928	15,308	15,138	16,765	D
	(North of Breakers Row)	Undivided								
7	North County Road	4L ART	13,084	14,837	12,956	14,060	15,193	15,198	16,771	D
	(North of Royal Poinciana Way)	Undivided								
8	Cocoanut Row	2L COLL	9,010	8,849	N/A	8,636	9,469	9,477	8,922	D
	(South of Seabreeze Avenue)	Undivided								
9	Cocoanut Row	2L COLL	9,074	9,243	9,101	9,258	9,940	10,426	9,818	D
	(North of Whitehall Way)	Undivided								
10	Bradley Place	2L COLL	11,809	12,954	12,425	13,092	13,811	13,291	14,038	E
	(North of Royal Poinciana Way)	Undivided								
11	Royal Palm Way	4L ART	17,603	16,351	15,667	15,670	17,311	16,392	18,057	D
	(East of Hibiscus Avenue)	Divided								
12	Royal Palm Way	4L ART	19,043	17,342	21,970	22,142	19,405	18,527	19,976	D
	(West of Hibiscus Avenue)	Divided								
13	Royal Poinciana Way	4L ART	13,235	20,245	20,178	21,023	22,118	22,867	23,037	D
	(West of Cocoanut Row)	Divided								
14	Royal Poinciana Way	4L ART	7,859	13,056	11,634	11,788	13,784	14,246	15,393	D
	(West of County Road)	Divided								

NOTE:

Traffic count data was collected by Progressive Design & Engineering for the years 2007 to 2011.

Southern Boulevard was split in to two segments for data collection for 2024

Although the opportunities are limited, the Town has a policy of actively pursuing the acquisition and/or improved use of existing and future rights-of-way whenever possible. For the most part, potential for additional right-of-way acquisition is limited to that available at the time new development or redevelopment is approved.

Future Levels of Service

Annual traffic counts for the specific 14 road segments have been collected to determine trends in traffic circulation in the Town. As displayed on Tables 2.2 and 2.3, the current and

future level of service standard for on all State roadways satisfy FDOT requirements the following links are failing and are projected to remain as such:

- Southern Boulevard west of SR A1A
- SR A1A (South Ocean Boulevard) from South County Road to Southern Boulevard

The existing and future levels of service on all regionally significant roadways within the Town satisfy TCRPC requirements with the exception of Ocean Boulevard (SR A1A) between Southern Boulevard and County Road and Southern Boulevard within the Town limits. The Town has studied these roadway segments and determined that the most promising methods for alleviating traffic congestion problems are continuing operational improvements and Transportation Demand Management (TDM) efforts within the Town. The Town should and limiting the amount of traffic entering from outside the Town, primarily on Southern Boulevard. Capacity improvements on major roadways within the Town are not feasible due to physical the lack of environmental and policy constraints.

Growth of the Town's population, over many decades, and now built out, has contributed to the traffic and parking concerns. Additionally, a critical demographic condition affecting demands on the traffic circulation system for the Town of Palm Beach is the annual fluctuation of population that occurs with transient visitors and seasonal residents. The seasonal fluctuation is important to ensure systems can handle recurring seasonal demands not present the rest of the year.

The Townwide historic growth rate was calculated based on data collected throughout the Town between 2017 and 2024. Without significant capacity expansion to the Town's roadway network, the overall traffic growth will be limited to the available capacity of the Town's roads. It is worth noting, Palm Beach County and the Town of Palm Beach have not adopted the FDOT 2023 Multimodal LOS Handbook dated January 2023.

Year 2044 traffic volumes were projected based on a review of historic and anticipated pattern of growth. Long-range future volumes are typically based on a review of regional traffic volume models. For the Town, the professionally accepted model is the Greater Treasure Coast Regional Planning Model, which develops long-range traffic projections for the region, including all of Palm Beach County and adjacent counties. While this model is the professionally accepted model for long range planning in the region, all models have limitations.

The Town has unique traffic patterns which are influenced by its location on a barrier island with limited redevelopment. The model analyzes maximum redevelopment potential of approved land uses, which could artificially inflate or deflate volumes on certain roadways. For example, on County Road, the model reports a long-range volume that is over 60 percent less than the actual observed volumes.

Recognizing the limitations of the model, it is professionally accepted to review historic growth rates to determine future volume projections. The townwide historic growth rate was calculated based on data collected throughout the Town between 2017 and 2024. Without

significant capacity expansion to the Town's roadway network, the overall traffic growth will be limited to the available roadway capacity. The growth rate was then adjusted to account for the annual variations in traffic and the available capacity on the roadway network. The long-range growth was calculated to be 1.05 percent annually through the long-range analysis year. It is important to note the annual growth may be less and or greater than the average growth rate.

As noted on Table 2-2, S.R. A1A along Mar-a-Lago and on Southern Boulevard decreased from a LOS of "E" to "F", which is interpreted to mean that the amount of traffic exceeds capacity. The increase in traffic congestion is believed to be in part by Donald Trump's tenure as President of the United States during 2017-2021. Mar-a-Lago hosts large events that add trips to this segment of SR A1A which is heightened due to the need for Secret Service, which will continue for the remainder of his lifetime. Recently a Traffic Management Plan was approved by the Town Council that institutes a traffic demand management program.

~~Because it should also be noted that the area of concern on SR A1A is characterized by a section of roadway which offers motorists a magnificent scenic vista of the Atlantic Ocean on the east and beautiful estate residences on the west. This view causes sightseers and tourists to slow down and is often the cause of congestion.~~

As mitigation is ~~therefore~~ limited, there is no opportunity to widen segments of these roadways that are now operating at a LOS "E" "F" during the peak season.; ~~these segments will continue to operate at "E" during the peak season peak hour for the foreseeable future.~~ The Town will need to explore solutions to improve the level of service in this area. Further, in order to provide a more comprehensive analysis of local roadways, the Town shall collect daily traffic counts for all local roadways in the Town. This process will establish the baseline. For those local roadways that are a LOS "C" or better, the Town should maintain the current LOS. The minimum peak season, peak hour level of service standard on all other collector or arterial roadways in the Town are currently set at a LOS of "D". The Town should strive to improve the LOS for Town roadways to a LOS "C". The process for changing the LOS for roadways is in coordination with the FDOT and the TPA.

~~Consequently, in order to recognize the limited development potential of the little remaining vacant land in Palm Beach, the Town will adopt a Level of Service for SR A1A and Southern Boulevard of "E" for the peak season peak hour. This is believed to be sufficient to accommodate the limited amount of residential growth expected during the planning period.~~

~~The Town's minimum level of service standard for peak season peak hour on Royal Poinciana Way shall be "D"; for Cocoanut Row and Bradley Place it shall be "E".~~

~~In the past, the Town filed a lawsuit against the City of West Palm Beach for not sharing traffic data related to the West Palm Beach Downtown Master Plan so that the Town can analyze and plan for the mitigation of negative effects which may be encountered by the Town resulting from the increased traffic which will most likely be created from increased development and traffic calming measures. In the past, the Town has also objected to those portions of West Palm Beach's~~

proposed Downtown Master Plan which decreased traffic volumes on major roadways in the City of West Palm Beach and may have result in increased traffic volumes and exacerbation of traffic congestion on major roads in the Town, including SR 80, SR A1A, Royal Palm Way and Royal Poinciana Way. Sound traffic engineering and parking procedures are continually being implemented by the Town to ensure that safe and convenient on site and off street parking operations are maintained.

TABLE 2.3
LONG RANGE 2044
LEVEL OF SERVICE (LOS)
TOWN OF PALM BEACH

Location No.	Street Segment	Facility Type	2044 Daily Volume	Roadway Class	LOS C		LOS D		LOS E		Daily LOS
					Daily Capacity	v/c ratio	Daily Capacity	v/c ratio	Daily Capacity	v/c ratio	
1	Southern Blvd	2L ART	19,905	II	7,300	-	14,800	1.34	15,600	1.28	F
	(Just West of SR-A1A)	Undivided									
2	SR A1A	2L ART	20,320	II	7,300	-	14,800	1.37	15,600	1.30	F
	(North of Via Del Lago)	Undivided									
3	SR A1A	2L ART	14,443	II	7,300	-	14,800	0.98	15,600	0.93	D
	(South of Via Pelicano)	Undivided									
4	Ocean Boulevard	2L COLL	13,918	II	6,570	-	13,320	1.04	14,040	0.99	E
	(North of El Vedado Road)	Undivided									
5	South County Road	4L ART	12,863	II	10,875	1.18	24,300	0.53	25,350	0.51	D
	(North of Peruvian Avenue)	Undivided									
6	North County Road	4L ART	20,293	II	10,875	1.87	24,300	0.84	25,350	0.80	D
	(North of Breakers Row)	Undivided									
7	North County Road	4L ART	20,300	II	10,875	1.87	24,300	0.84	25,350	0.80	D
	(North of Royal Poinciana Way)	Undivided									
8	Cocoaanut Row	2L COLL	10,800	II	6,570	-	13,320	0.81	14,040	0.77	D
	(South of Seabreeze Avenue)	Undivided									
9	Cocoaanut Row	2L COLL	11,884	II	6,570	-	13,320	0.89	14,040	0.85	D
	(North of Whitehall Way)	Undivided									
10	Bradley Place	2L COLL	16,992	II	6,570	-	13,320	1.28	14,040	1.21	F
	(North of Royal Poinciana Way)	Undivided									
11	Royal Palm Way	4L ART	21,856	II	14,500	1.51	32,400	0.67	33,800	0.65	D
	(East of Hibiscus Avenue)	Divided									
12	Royal Palm Way	4L ART	24,180	II	14,500	1.67	32,400	0.75	33,800	0.72	D
	(West of Hibiscus Avenue)	Divided									
13	Royal Poinciana Way	4L ART	27,885	II	14,500	1.92	32,400	0.86	33,800	0.83	D
	(West of Cocoaanut Row)	Divided									
14	Royal Poinciana Way	4L ART	18,631	II	14,500	1.28	32,400	0.58	33,800	0.55	D
	(West of County Road)	Divided									

NOTES:

Roadway class and level of service volumes are based on the Florida Department of Transportation's 2020 Quality/Level of Service Handbook.

Regionally Significant Roadways

On a regional level, An additional factor has continued to be the there has been an exponential growth of the surrounding area. Palm Beach County's population has grown from less than 400,000 in 1980 to over 1.5 million in 2023. The rapid growth in the regional population can be expected to continue throughout the planning period. In addition, Town roadways have been impacted from by developments projects in downtown West Palm Beach. and other neighboring communities. In 1995, the City of West Palm Beach applied for a Transportation Concurrency Exception Area (TCEA) for the Downtown area. For the purposes of the TCEA, downtown West Palm Beach is generally defined as Palm Beach Lakes Boulevard to the north, the Intracoastal Waterway to the east, Okeechobee Boulevard with a portion extending to Park Place to the south, and Clear Lake to the west (see Exhibit 2-4).¹¹



Exhibit 2-4 - West Palm Beach TCEA Boundary

A TCEA is identified in §163.3180, Fla. Stat. to mean a specific geographic area or areas delineated in a comprehensive plan for urban infill development, urban redevelopment, or downtown revitalization which are exempt from traffic concurrency requirements.

The primary purpose of a TCEA is to allow development to occur in urbanized areas where infrastructure already exists, thereby reducing urban sprawl. Traffic Concurrency

¹¹ 2024 WPB TCEA Report

Exception Areas allow an exception from the concurrency requirements for transportation facilities if the proposed development is consistent with the adopted local government comprehensive plan and is located within an area designated in a comprehensive plan for urban infill development, urban redevelopment or downtown revitalization.

In 1997, the City of West Palm Beach adopted the TCEA into its Comprehensive Plan. The goals of the TCEA include, but are not limited to:

- Promoting redevelopment of the Downtown to create an attractive, vibrant place where people live, work, and shop
- Creating a Downtown that will be the judicial, governmental, cultural, and historic center of Palm Beach County
- Offering a sustainable alternative to development through mixed use opportunities
- Reducing the City's dependence on automobiles. Generally, the TCEA is an extension or enabler for the implementation of the City's Downtown Master Plan (DMP), contained in the Downtown Master Plan Element of the City's Comprehensive Plan.¹²

Approval of the City of West Palm Beach's TCEA, several goals, objectives, and policies (GOPs) were adopted in the Transportation, Capital Improvements, and Downtown Master Plan elements of the City's Comprehensive Plan. The GOPs were created to ensure that the City's Transportation Vision and the intent of the TCEA were maintained.¹³

As part of the TCEA requirements, the Transportation Element within the City of West Palm Beach's Comprehensive Plan, Policy 2.3.5(h) was adopted requiring the Downtown to comply with specific residential to non-residential ratios for future years. The policy was adopted to ensure that the future growth of the Downtown is predicated on a balance of land uses which will help achieve shorter vehicle miles travelled and leads to a reduced dependence on automobiles. The current residential to non-residential ratios for Downtown comply with the requirements of the policy below.

Policy 2.3.5(h): The Downtown Master Plan (DMP) and TCEA are predicated on a set of assumptions needed to provide and implement the transportation goals, increase the number of residential dwelling units, and increase the intensity of nonresidential land uses. This balance of land uses is essential in achieving shorter trip lengths and reduced dependence on automobiles, as envisioned by the DMP and TCEA. This balance shall be maintained by the following actions:

(a) The City shall implement the DMP to increase the number of residential units in and near the Downtown

¹² Ibid

¹³ Ibid

- (b) The City shall increase the density and mix of land uses in Downtown**
(c) The City shall increase the ratio of residential to nonresidential land uses¹⁴

The ratio is the total number of built residential dwelling units divided by the total amount of built nonresidential development (1,000 square feet) in the Downtown (for purposes of this calculation, built units or nonresidential floor space are those having been issued a certificate of occupancy). The 1995 ratio (based on 1995 data), as calculated by the Buildable Areas Monitoring Table, shown in Table 2.4, is 0.33, and the DMP projects development within the boundaries of the TCEA to reach a built ratio of 0.46 by year 2010.

Table 2.4
Downtown Baseline Ratios

<u>Years After Effective Date</u>	<u>Baseline Ratio</u>
<u>5</u>	<u>0.33</u>
<u>7</u>	<u>0.36</u>
<u>9</u>	<u>0.39</u>
<u>11</u>	<u>0.42</u>
<u>13</u>	<u>0.45</u>
<u>14+</u>	<u>0.46</u>

In April 2024, the City of West Palm Beach Development Services Department hosted their quarterly Developer Outreach meeting that previews development projects that are currently under review, approved, and under construction. The projects include the committed trips for the traffic operational analysis for the future conditions scenario. The list of projects is not limited to the downtown but is citywide. They include 13 under review, 25 approved and 15 under construction, for a total of 53 separate applications. The Palm Beach County Traffic Performance Standards (TPS) GIS Database was cross-checked to verify the total number of daily and AM/PM peak hour trips for each project and the associated trip distribution/assignment on the road network. The site-generated trips that were distributed to the Southern Boulevard, Royal Palm Way (Royal Park Bridge), and Royal Poinciana Way (Flagler Memorial Bridge) bridge crossings were summarized into a table format for use in the traffic operational analysis for the impacted intersection locations. Some projects were not reflected in the Palm Beach County TPS Database. The projected site-generated trips for these projects were calculated per the ITE Trip Generation Manual (11th Edition) based on the redevelopment program. An estimated trip distribution/trip assignment was developed for each project.

¹⁴ Ibid

Traffic Circulation Analysis

Traffic circulation in Palm Beach is mainly influenced by the four connecting bridges from the mainland, two of which feed directly to the Town's two major commercial areas.

Due to geographical constraints, the Town's existing roadway network does not lend itself to major improvements to increase capacity. As in most communities approaching build-out, development has occurred immediately adjacent to the rights of way, virtually precluding any major network improvements.

In assessing and analyzing traffic circulation service and capacities, the basic "level of service" methodology was utilized, along with recent and historical traffic volume data.

Traffic signals in the center of the Town are computer-synchronized. However, there are no signals on SR A1A south of Hammon Avenue all the way to Lake Worth Road, a distance of nearly six miles. Also, there are no traffic signals on Southern Boulevard within the Town.

To improve safety and traffic flow, the Town completed an intersection/triangle visibility study in 2005 that inventoried and recommended regulations to deal with vegetation, walls and other impediments to motorist visibility of oncoming traffic. In 2009, **the Town authorized the "Town-Wide Intersection Sight Distance/Visibility Study" as a supplement to the 2005 Study to provide a more thorough analysis of traffic crash data to support recommendations and/or decisions to modify, change or alter the Town's current** the Town modified regulations related to intersection-sight triangles to the Town Code. While the Town has not adopted a "joint use access" provision as suggested in Policy 1.2, joint access is permitted upon review and approval by the Director of Public Works. **Pursuant to Code Section 134-2180, A** access is limited to the minor roadway when a lot has frontage on both a major and minor roadway.

Existing System Deficiencies

Although traffic volumes fluctuate, average annual daily traffic has generally decreased slightly over the past five years. Given the fact that there is very little vacant land available, there does not appear to be further potential for substantial increases in traffic volumes generated by new development, although traffic will likely increase as surrounding areas develop or redevelop to higher intensity.

While the Town has taken numerous steps to ameliorate traffic and parking problems, they persist in selected areas, chiefly during the peak winter tourist months. Of particular concern are the Royal Park, Flagler Memorial, and Southern Boulevard bridges during the morning and afternoon "rush hours", and the Town Center and Royal Poinciana commercial areas. Traffic and parking conflicts continue, particularly in residential districts adjacent to these commercial districts or the beach areas.

Town staff is continually addressing localized traffic circulation problems, or implementing traffic operation improvements, to increase capacity and safety at points of congestion.

Traffic volume data indicate that all major roadways operate at Level of Service "D" or better during peak periods except for Southern Boulevard which operates at Level of Service "E" during

the AM and PM Peak Hour as well as SR A1A north of Via Del Lago which operates at a Level of Service “E” during the PM Peak Hour.

Areas which local knowledge and field inspection indicate are of particular concern include the Worth Avenue and South County Road commercial areas, and the Royal Park, Flagler Memorial, and Southern Boulevard bridges during morning and evening peak hours, primarily due to the bridge openings. The Town has observed that the timed bridge openings during the peak season help to mitigate traffic congestion. To a lesser degree, congestion also develops in the commercial areas during the mid-day hours (11 a.m. – 1 p.m.). Map II-2 identifies the principal areas of traffic and parking problems in the Town

In 2023, Palm Beach Town Council commissioned the Corradino Group, a transportation consulting firm, to perform a traffic and parking analysis, titled “Town of Palm Beach Traffic Analysis and Commercial Areas Parking Study” to determine the level of traffic generated by restaurants and the related impact that valet parking had on the availability of public parking. As the study relates to the Comprehensive Plan update, the study area was then extended to include the following:

- **Traffic Analyses involving a Trip General Comparison, Intersection Capacity Analysis**
- **Origin-Destination Analysis**
- **Parking Supply and Demand Analysis**
- **Valet Parking Review of 18 restaurant locations**
- **Intersection Capacity Analysis**

The Corradino Group and the Town partnered with Streetlight Data to obtain a subscription license to access data available through the StreetLight InSight Data platform. StreetLight Data is a technology platform that gathers and reviews data obtained from Connected Vehicle Data (CVD), GPS data, smart phones data and commercial truck data on a daily, weekly, or monthly basis. It allows subscribers to select zones or roadways and analyze where travel originates and ends. The Corradino Group used the platform to determine the current traffic patterns to the Town for average weekday and weekend conditions. The analysis divided the Town into three district areas: North District, Central District and South District, as shown on Map 2.8, and analyzed the following:

- **Determination of what percentage of the traffic is local traffic or traffic from outside the Town of Palm Beach.**
- **Determination of the distribution of traffic originating from each of entry points into the Town.**

Based upon the results of the Origin-Destination Analysis, a total of one-way Annual Average Daily Traffic (AADT) of 38,400 trips come into the Town daily using the five entry points that includes the four bridge causeways in addition to Ocean Boulevard at the south end of

the Town. It is worth noting that close to that many are also leaving the island, which increases the total daily trips to close to 70,000.



Intersection Capacity Analysis

Update the intersection capacity analyses completed for the morning and afternoon peak hours for the 2023 and 2028 analyzed scenarios at twenty-three intersections, with morning, mid-day, and afternoon peak periods for existing conditions (2024) and future conditions (2029) at twenty-four intersections (signalized and unsignalized) within the Town. For the completion of this effort, new turning movement counts were collected.

The following is the list of the twenty-four intersections that were analyzed:

- 1. County Road and Golfview Road (Signalized)**
- 2. County Road and Worth Avenue (Signalized)**
- 3. County Road and Peruvian Avenue (Signalized)**
- 4. County Road and Chilean Avenue (Unsignalized)**
- 5. County Road and Australian Avenue (Unsignalized)**
- 6. County Road and Brazilian Avenue (Unsignalized)**
- 7. County Road and Royal Palm Way (Signalized)**
- 8. County Road and Seaview Avenue (Unsignalized)**
- 9. County Road and Royal Poinciana Way (Signalized)**
- 10. County Road and Breakers Row (Signalized)**
- 11. County Road and Sunset Avenue (Signalized)**
- 12. County Road and Sunrise Avenue (Signalized)**
- 13. Bradley Place and Sunset Avenue (Unsignalized)**
- 14. Bradley Place and Sunrise Avenue (Signalized)**
- 15. Cocoanut Row and Royal Poinciana Way (Signalized)**
- 16. Cocoanut Row and Royal Palm Way (Signalized)**
- 17. Ocean Boulevard and Southern Boulevard (Roundabout)**
- 18. Lake Drive and Royal Palm Way (Unsignalized)**
- 19. Lake Drive and Brazilian Avenue (Unsignalized)**
- 20. Lake Drive and Australian Avenue (Unsignalized)**
- 21. Lake Drive and Chilean Avenue (Unsignalized)**
- 22. Lake Drive and Peruvian Avenue (Unsignalized)**
- 23. Cocoanut Row and Worth Avenue (Unsignalized)**
- 24. Cocoanut Row and Seaview Avenue (Unsignalized)**

The purpose of these analyses is to provide an update of the traffic operating conditions of the twenty-four intersections listed above utilizing 2024 traffic counts and provide recommendations to improve any excessive delays or capacity issues, as well as turn lane storage length capacity issues where turn lane vehicle queues block the adjacent through movements.

Traffic Signalization

The Town has deployed Adaptive Traffic Control Systems (ATCS) at all signalized intersections within the Town's jurisdiction. The objective of the ATCS is to provide optimized signal timing plans based on real-time traffic demands.

Multimodal Transportation Services

Public transit services, including disadvantaged services, are provided by PalmTran, the countywide system, which operates two bus routes that connect destinations within the Town to the City of West Palm Beach. The Town does not directly provide transit services. Map 2.7 of the Map Series shows the location of the existing PalmTran bus route. PalmTran, provides service to the Town of Palm Beach via Bus Route 41 which extends the length of the island and begins and ends at the Intermodal Transit Center in downtown West Palm Beach.

Since September 2021, the West Palm Beach Downtown Development Authority has partnered with Circuit to provide free rides within Downtown and the Town of Palm Beach (see Exhibit 2-5). Circuit is 100% electric, local shuttle service which promotes better air quality while offering a first-mile/last-mile transportation option that is convenient and easy to use.. In addition, since most of the rides are shared among passengers, this also reduces the total vehicle miles traveled on area streets in addition to reducing demand for limited parking. Table 2-2 provides trip starts from the Town to downtown West Palm Beach. Ridership has grown 63%, from 7,098 passengers in March 2022 to 11,606 unique



passengers in March 2023. In that same time period, Circuit has provided 129,012 rides, leading to a reduction of approximately 70 metric tons of greenhouse gas emissions, and the creation of 37 jobs for local residents as managers, supervisors and drivers/ambassadors.

Within the Fare Zone area for trips starting or ending in this area, which is the Town of Palm Beach, a fee of \$4 for the first passenger and \$1 for each additional passenger applies.

The current stops are as follows:

- Tri-Rail
- Brightline
- Local Bus Stops
- The Square
- Downtown
- Worth Ave
- SR A1A.¹⁵

In March of 2023, the WPB DDA and the Transportation Management Association WPBgo (of which the WPB DDA is a funding partner) approached the Palm Beach Town Council to explore funding for the Town's portion of the service area, given the system had reached maximum capacity. According to data provided by Circuit, 19% of trip destinations for the entire system were within the Town. On March 14, 2023,

the Town Council approved a 6-week pilot for \$30,000 to test the concept during the twilight weeks of high season. Discussion with the Council acknowledged that transportation solutions that reduced car demand may help with parking challenges.¹⁶

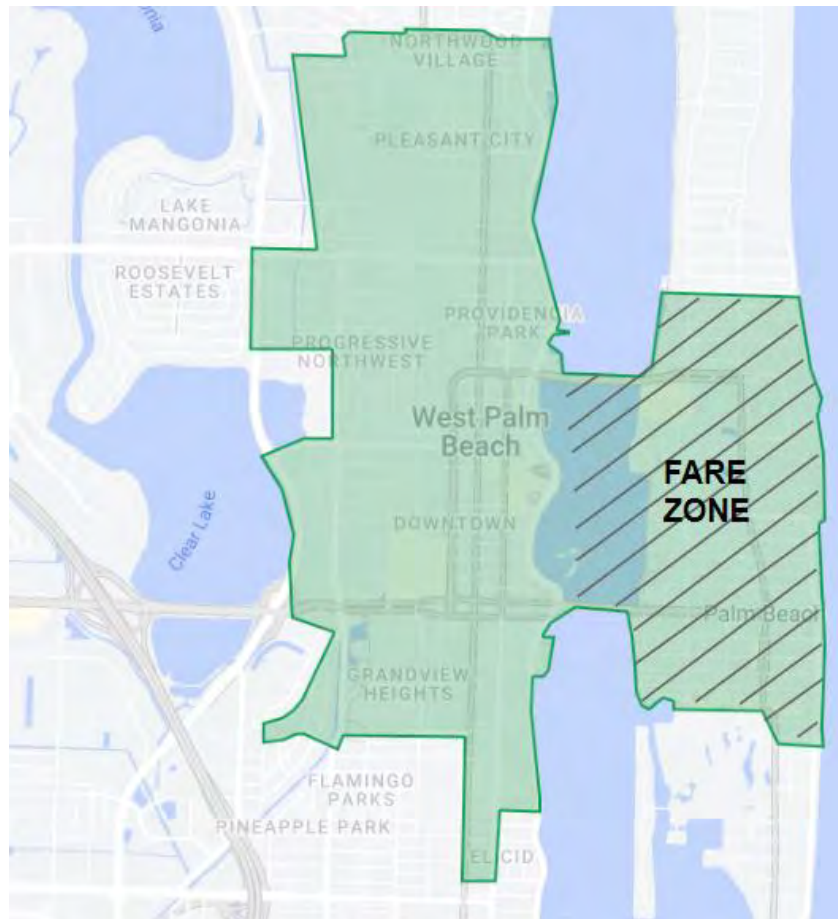


Exhibit 2-5 West Palm Beach Circuit Service Boundary

¹⁵ <https://downtownwpb.com/explore/getting-around/circuit-shuttle/>

¹⁶ [Report to Town of PB – On Demand Pilot 2023 Wpbgo](#)

The pilot commenced on Saturday, April 8, 2023, and continued through Friday May 19, 2023.

The key objectives of the pilot were as follows:

- 1. Reduce excess parking demand and related illegal parking complaints**
- 2. Reduce congestion, particularly congestion in/out of Palm Beach over the Flagler and Royal Park bridges**
- 3. Assess value of collaboration with business associations in Palm Beach to achieve these objectives**

The Performance Report found that from April 8, 2023 to May 13, 2023, Table 2.2 ridership counts, for both app requests and street hails per month:

Table 2.5 Ridership in the Town					
	January	February	March	April	May
From Palm Beach (pickups)					
<i>Requests</i>	507	592	704	544	582
<i>Rides</i>	357	397	432	381	387
<i>Passengers</i>	644	789	858	727	695
To Palm Beach (drop offs)					
<i>Requests</i>	616	669	934	766	757
<i>Rides</i>	510	520	611	511	492
<i>Passengers</i>	993	1,046	1,259	967	870
To & From Palm Beach (intra PB)					
<i>Requests</i>	116	134	123	140	119
<i>Rides</i>	206	235	255	240	200
<i>Passengers</i>	470	566	640	547	489

The average wait time for pickup was 10:28 during the pilot program, compared to 12:28 in the weeks prior. The desired service standard for this metric is 7 to 10 minutes. The Performance Report also noted that if all riders would have driven their own car without Circuit availability, the presence of Circuit reduced parking demand by as much as 3,957 vehicles.¹⁷

¹⁷ **Ibid**

Traffic Signage and Town-Wide Beautification

The issue of Traffic Signage and Clutter was addressed in a pilot program in 2004 where the signage ~~situation~~ on Royal Poinciana Way was evaluated. ~~and S~~several problems **were** identified. A working committee of staff assisted by volunteers identified that signs were sometimes repetitious, poorly located, often concealed by vegetation, aesthetically unpleasing, and confusing. ~~There seemed to be a~~ **A** condition of “information overload” as well as an absence of coordination of the signage appurtenances **was documented**. Often three or four signs were mounted on separate poles within a couple of feet of each other, when one or two mounting poles would suffice. The working committee also noted a lack of color coordination among signs, excessive overhead wires, shiny raw metal sign backs that caused glare, and ~~a number of~~ **several** other issues that contributed to a visual problem that could be improved.

Impacts of the Issue

~~Aside from the overall aesthetic improvement issue, the Town believes this program might have a positive overall effect on safety. “Information overload” and visual clutter may have a distracting effect on motorists, and to that extent aesthetic improvements may improve overall safety as well.~~

Unanticipated Changes in Circumstances

~~There have been no unanticipated changes in circumstances that have resulted in the consideration of this topic. Further, neither consideration of this topic nor any subsequent modifications to the Town’s goals, objectives and policies will result in any unanticipated changes in the existing circumstances as outlined in the Comprehensive Plan.~~

Resulting Problems or Opportunities

~~Problems associated with open space and beautification and traffic signage and clutter should be limited to initial construction related difficulties.~~

~~Opportunities include community wide aesthetic improvement and enhanced appearance, and overall safety improvement through the reduction of confusing signage and messaging.~~

SUMMARY

Due to the geographic limitations, the traffic circulation system in the Town is constrained in the ability to physically alter the roadway network to provide more lanes. To improve the quality of life for Town residents, the data, analysis and recommendations of the “Traffic Analysis and Commercial Parking Study” prepared by the Corradino Group should serve as the basis of traffic mitigation and parking management strategies. It is recommended to explore improvements that are operational in nature, such as traffic signalization, transportation demand management measures, alternative modes of transportation, and continued controlled bridge openings during peak hours.

Solutions to improve the level of service are recommended for those segments that are currently or projected to fail in the long-range planning horizon. Additionally, trip counts for all local roadways should be conducted to establish the current LOS. Should it be determined that those roadways are a LOS “C” or better, the Town should pursue working with FDOT and TPA to maintain the current LOS so as to not allow increased capacity for those roadways.

PARKING SUB-ELEMENT

Parking in the Town of Palm Beach has been an identified issue since the 1929 Town Plan. The previous comprehensive traffic and parking study titled “the Traffic and Parking Improvement Plan” prepared by American Consulting Engineers of Florida, Town’s consulting engineers in 2006 indicated that in certain instances insufficient parking may be affecting the ability of residents and others to safely and conveniently access safely and conveniently recreational (including the municipal docks) and school facilities. The Study of 2006 also recognized that bridge openings at the Royal Park and Flagler Memorial Bridges needed to be synchronized to be consistent with peak seasonal operations.

Palm Beach has continued to be a visitor destination for its natural and architectural beauty, shops, and restaurants. Consequently, parking availability and utilization continue to affect the daily life of Town residents. In response to resident concern, parking goals were established during a strategic planning process in 2023. The goals were incorporated in the Town’s Strategic Plan and include the following:

- Availability and Accessibility
- Safety and Security
- Uniformity and Consistency
- Best Use of Inventory
- Data-driven Decision Making

The parking analysis portion of the Town of Palm Beach Traffic Analysis and Commercial Parking Study focused on the commercial areas with an emphasis on parking management. The study area examined the land designated as Commercial, divided further by zoning district, and included the following.



Sunrise Avenue Street parking

- Commercial Offices (C-B)
- Commercial Office, Professional, Institutional (C-OPI),
- Commercial Planned Center (C-PC),
- Commercial Town Serving (C-TS),
- Commercial, Worth Avenue (C-WA).
- Several private lots, garages, and valet operations.

The Study Area distinguished the South and North Commercial Parking Districts as displayed on Exhibit 2-6. For each district, two types of parking data were collected.

- (1) Parking Accumulation Data/Studies and
- (2) Parking Occupancy Data/Studies.

Parking accumulation studies are a “snapshot” of conditions that measure the occupancy of available spaces. If there is high utilization, above 90%, then either more spaces are needed or a management and information system is needed to direct people to available spaces; however, a small percentage of excess spaces at any given time during peak hours is necessary to maintain a high quality of service for providing adequate parking to satisfy the mobility of parking demand.

The South Commercial Parking Study District, displayed on Exhibit 2-7, includes a total of 1,188 on-street parking spaces from South Lake Drive to South Ocean Boulevard and from Royal Palm Way to Worth Avenue. The actual study area is smaller in that it does not include Royal Palm Way, South Ocean Boulevard, and South Lake Drive or the segment of east-west roadways from Coconut Row to South Lake Drive. These areas include 718 on-street parking spaces. For the entire area, of the 1,188 on-street parking spaces, roughly 70% are available to the public for self-parking, with the rest reserved for commercial and passenger loading, valet areas, or reserved for residential permit holders.

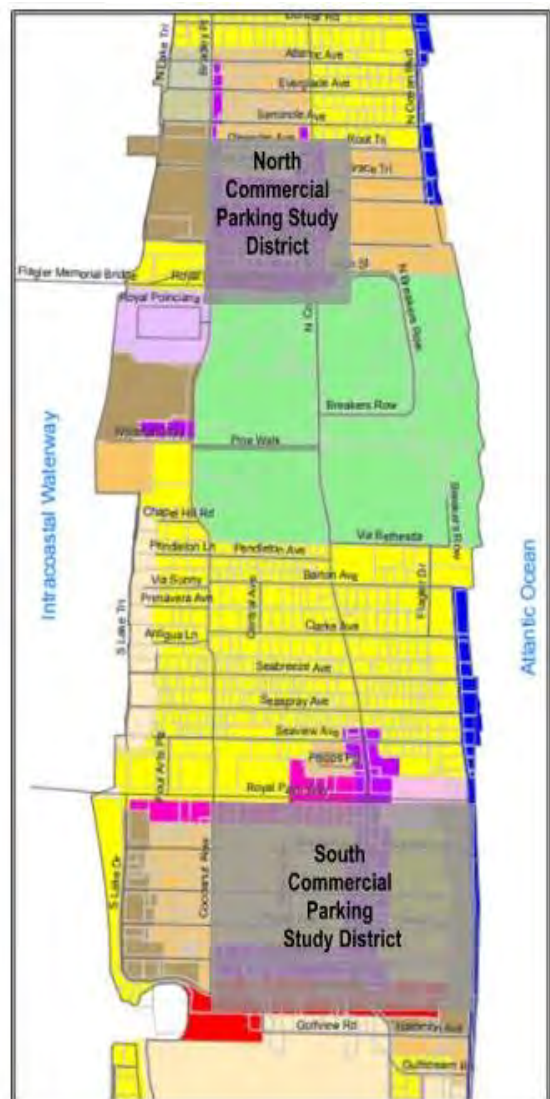


Exhibit 2-6 Parking Districts

Exhibit 6-6

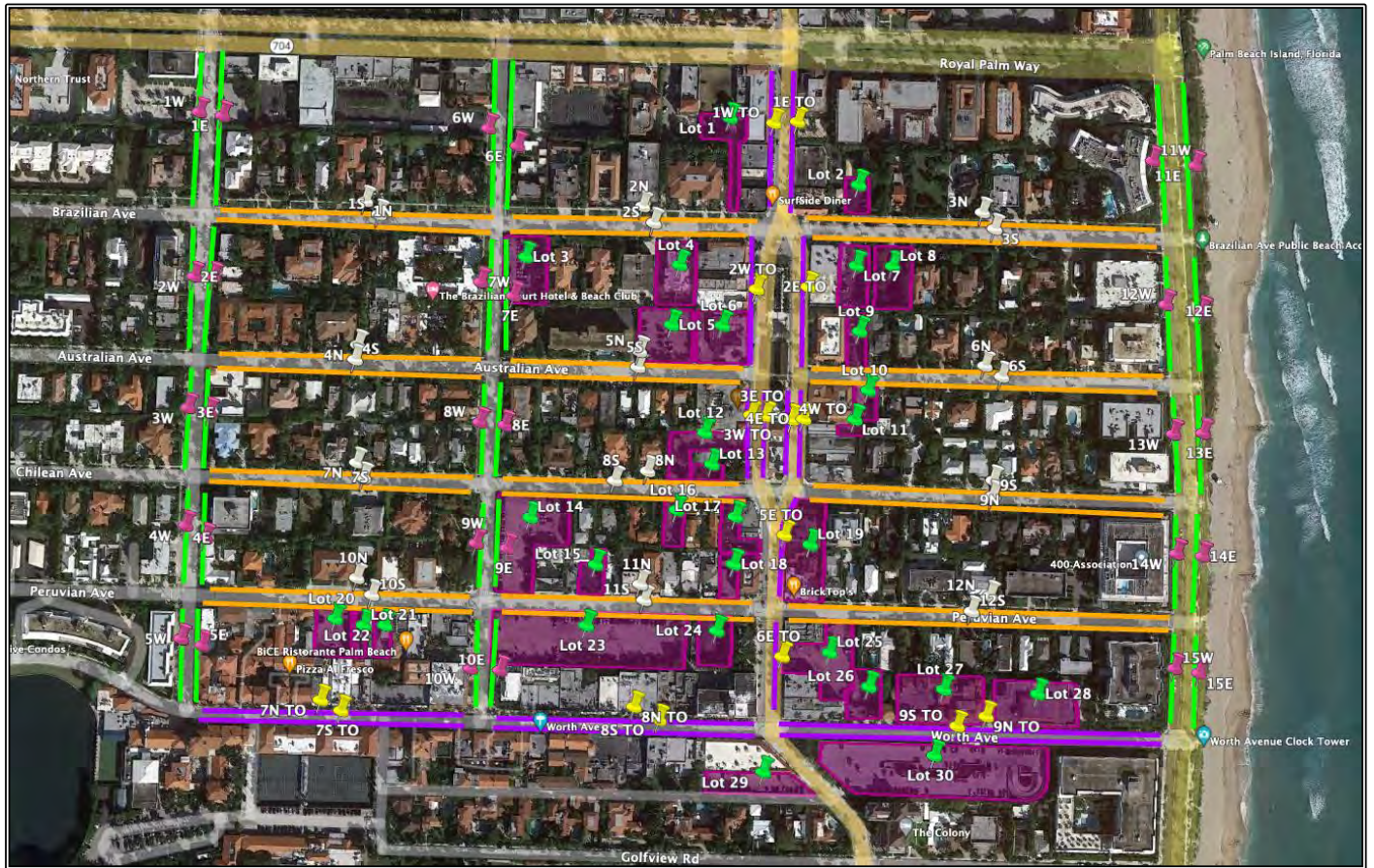


Exhibit 2-7 South Parking Study District

Ownership patterns, marina owners and guest parking, and resident-only parking on off-street spaces cause a similar reduction of public parking supply on off-street locations. In total, 1,350 off-street spaces are available in the South District; however, only 895 (66%) are available for public self-parking. In total, the restrictions lower the publicly available parking supply by 35% in the South Parking Study District.

In the North Commercial Parking Study District, shown in Exhibit 2.8, on-street parking is less impacted by restrictions. There are 220 on-street parking spaces in total, and only 9 are regulated as commercial and passenger loading zones, leaving 96% available for public self-parking. Of the 502 off-street spaces, 386 (77%) are publicly available for self-parking.

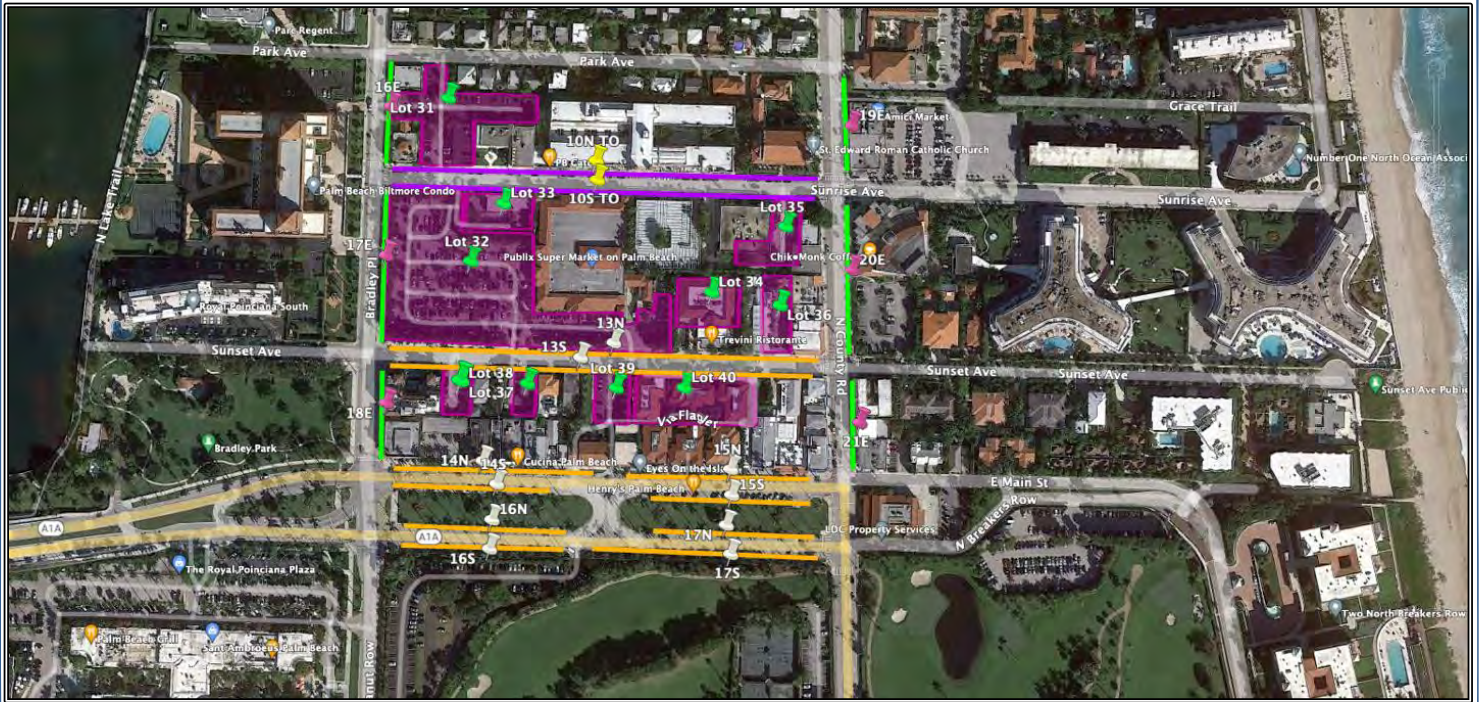


Exhibit 2.8 North Parking Study District

Existing and future parking deficiencies were identified within the area of the study based on existing development, and for future conditions based on near-term projected development scenarios. The Town of Palm Beach Traffic Analysis and Commercial Areas Parking Study also examined Chapter 134, Article IX, Off-Street Parking and Loading, and compared the regulations with three communities, Bal Harbour and Naples, Florida and Greenwich, Connecticut for future consideration to parking requirements.

Valet parking is prevalent and necessary within Midtown, because parking is limited. The Palm Beach Police Department administers valet parking agreements with private businesses and the Preservation Foundation. Currently, there are 32 of them. The valet parking agreements identify the locations of parking spaces that each establishment has been authorized to use per their approved parking plan.

The cumulation of resident complaints caused the Town Council to direct the Town's Business and Administrative Committee (BAC) to examine the parking problem in 2022. As a result, a Six-Point-Parking Program, "Palm Beach ParkMobile Expansion" was implemented. A summary of the program is provided below:

- Part 1: Expansion of paid parking from Barton Avenue to Hammon Avenue
- Part 2: Palm Beach Resident Parking Decals
- Part 3: Valet Parking on Worth Avenue and South County Road
- Part 4: Signage to direct drivers to Parking Opportunities

- Part 5: Free 30-minute Parking Spaces for added Convenience
- Part 6: Long-term Goal of Building a Parking Facility

The parking recommendations proposed by the Traffic and Commercial Parking Study align with the six key points of the Parking Program.

SUMMARY

With regard to parking, the following is a summary of the evaluated Parking Supply and Demand.

- There is adequate supply for both commercial parking study districts when considered on a district-wide basis; however, particularly within the South Commercial Parking Study District, there are localized shortages caused by the combined effects of street circulation patterns, destination locations, the distribution of parking within the district, and lack of parking information to visitors.
- The parking supply includes the spaces allocated to valet parking. Valet parking provides an alternative way to access parking and can reduce traffic caused by cars circulating to find parking. For the visitor, valet parking is a convenience. For the destination business owners, valet operations are good business by providing a desired service to their patrons and assurance that patrons don't balk due to the apparent lack of convenient parking. The valet operations do not increase the supply of parking in the commercial districts of the Town because they use parking areas that are generally within the respective commercial districts.
- On weekends, Worth Avenue on-street parking is full, and off-street parking is near capacity west of South County Road; however, there is adequate available supply elsewhere within the district.
- On weekdays there is a localized lack of capacity near Brazilian Avenue west of South County Road.
- Supply and demand are misaligned either locationally, by ownership, or by management.
- Additional capacity is not required for the entirety of each district. Management strategies that better utilize available parking areas can alleviate parking issues.
- Community expectations for walk distance are very short, as evidenced by the large number of valet operations. A well-managed valet is a good choice for management at high-priced establishments.

With this in mind, an annual review of valet parking and shared parking plans will be implemented to address local changes to the parking conditions and prevent future deterioration. Regarding the Town's Code required parking, the number of parking spaces per land use is conservative, requiring more parking spaces than is typical to assure the highest level of convenience for its residents and viable service for its businesses. This also mitigates some of the effects of historic and other older buildings that continue to operate as an important part of the commercial districts with legacy parking supplies dating back to when they were built. However, the current Code allows for variances and the "principle of equivalency" that provides parking credits when a site is redeveloped even when there are limited parking spaces on site, often referred to as "phantom parking spaces". These parking allowances must be scrutinized. Additionally, development applications or modifications to existing and proposed new uses within the Town must continue to undergo a review of site-specific traffic impacts and public parking

Transportation Element

GOALS, OBJECTIVES
& POLICIES

GOAL

~~THE TOWN SHALL MAXIMIZE THE EXISTING STREET TRANSPORTATION SYSTEM THAT WILL PRESERVE, PROTECT AND ENSURE SUSTAIN THE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS AND VISITORS FOCUSING ON SAFE ROADS AND MULTI-MOBILITY TO THAT FOSTERS A SAFE, AND MORE EFFICIENT AND CONVENIENT TRANSPORTATION AND PARKING MANAGEMENT SYSTEM, COORDINATED WITH THE OTHER GOVERNMENTAL AGENCIES, FOR ALL EXISTING AND FUTURE LAND USES.~~

OBJECTIVE 1

The Town shall continue to correct traffic operational deficiencies and undertake other needed measures, identified in this Element, that are necessary to ~~the provision of~~ **provide** a safe, convenient, and energy-efficient, multimodal transportation system, including providing for ~~the~~ protection of existing and future rights-of-way from building encroachment. ~~Design of t~~**The** multimodal transportation system will be ~~done~~ **designed** to ensure the safety of ~~not only~~ motorists, ~~but also the safety of~~ cyclists and pedestrians, ~~particularly where they interact with motorists.~~

POLICY 1.1

~~The Town shall c~~Continue to enforce zoning provisions regarding walls, hedges, and fences at intersections to minimize sight visibility hazards for motorists, cyclists, and pedestrians.

POLICY 1.2

The Town ~~should consider~~ **shall continue to enforce** ~~modifying its land development regulations to adopt a "joint use access" provision controlling~~ **that limit** the number of access points at which ~~where vehicle~~ driveways enter ~~onto~~ the roadway system **under Code Section 134-2180.**

POLICY 1.3

Continue to enforce provisions in the Town's Zoning Ordinance relating to building setbacks from the "ultimate" right-of-way as identified in the Town Atlas; and negotiate, as appropriate, during the site plan review process for dedication of rights-of-way for necessary or potential future roadway ~~widening~~ **modifications.**

OBJECTIVE 2

The Town shall issue development permits for land uses provided for on the Future Land Use Map only when there is sufficient ~~roadway capacity~~ **right-of-way** to ensure that roadways affected by the development will operate at not less than the minimum levels of service standards set forth in this Element. Professionally accepted techniques shall be employed for measuring **the** level of services for cars, trucks, and other vehicles as well as bikes and pedestrians **for** this purpose.

POLICY 2.1

The Town shall use the following two-way peak-hour, peak-season Level of Service (LOS) standards for facilities and segments listed below, effective ~~one year from~~ **at the time of** adoption of this Element.

FACILITY OR SEGMENT	"LOS"
(1) SR A1A (FDOT)	"E" "D"
(2) Royal Poinciana Way (FDOT)	"D"
(3) Coconut Row/Bradley Place from to Seabreeze to north of Royal Poinciana Way (Town)	"E" "D"
(4) Southern Boulevard (FDOT)	"E" "D"
(5) All other roadways (Town)	"D" "C"

POLICY 2.2

The Town ~~will~~ **shall** continue to work with the Florida **Department of Transportation (FDOT)**, Palm Beach County and the ~~Palm Beach Metropolitan Planning Organization (MPO)~~ **Palm Beach Transportation Planning Agency (TPA) to develop solutions** for the purpose of determining an appropriate methodology for determining the level of service on roadways in the Town where there are no traffic signals. The purpose of this effort will be to develop **to** the constrained roadway strategy **segments of** SR A1A, **Royal Poinciana Way**, and Southern Boulevard **roadways** facilities within the Town **that are currently at a LOS "F", which is failing.**

POLICY 2.3

The Town shall collect daily peak season traffic counts for all local roadways on an annual basis to determine the current LOS.

POLICY 2.24

The Town shall maintain the current LOS for those local roadways that are determined to be a LOS “C” or better (“B” or “A”).

POLICY 2.2 5

The Town shall, prior to the issuance of a development order or permit for new construction or redevelopment, make and record a determination that:

- 2.25a The project provides for safe and convenient on-site traffic flow and vehicular parking, ~~Considering~~ **needed** ~~motorized and non-motorized~~ vehicle parking commensurate with the requirements of the Town's land development regulations; and,
- 2.25b The traffic ~~generation of~~ **generated by** the project will not reduce the level of service on roadways in the Town to a level of service category lower than that established in this Plan.

POLICY 2.2 6

The Town, ~~As needed the Town will~~ **shall** review its adopted level of service standards to determine if modifications, in response to changed conditions, ~~is~~ **are** warranted.

POLICY 2.27

The Town shall maintain records regarding de minimus transportation impacts ~~in order to determine if and~~ when the 110% threshold of such impacts has been reached.

POLICY 2.28

The Town will shall continue to implement ~~For those projects that cannot meet the concurrency requirement for transportation, the Town's land development regulations include provisions for the use of “proportionate fair-share mitigation for transportation facilities” consistent with Section §163.3180(16), Florida Statutes Fla. Stat.~~ Additionally, the regulations **shall** ~~operate in a consistent manner~~ **consistently** with Palm Beach County's proportionate fair-share regulations for those projects that cannot meet the concurrency requirement for transportation.

POLICY 2.29

The Town shall require, As as part of the Town's ~~its~~ concurrency management system, ~~Town shall require that all transportation facilities be in place prior to~~ **before** the final inspection approval of a development permit.

POLICY 2.10

The Town shall develop a strategy to improve the level of service standard on roadways that are at a “D” or lower.

POLICY 2.11

The Town shall use the Generalized Service Volume Tables from the FDOT 2020 LOS Handbook dated June 2020 as the standard for determining the road segment level of service on the roadways within the Town of Palm Beach.

OBJECTIVE 3

The Town shall continue to ~~Coordinate the Town's~~ **its** transportation planning efforts with the plans and programs of the ~~Metropolitan Planning Organization~~ **Palm Beach Transportation Planning Agency (TPA)** and the Florida Department of Transportation's Adopted 5-Year Work Program and take into consideration public transportation, ~~and bicycle, and pedestrian ways~~ **access** in future transportation planning.

POLICY 3.1

The Town ~~will~~ **shall continue to** review this Element ~~on a regularly basis to~~ determine its consistency with the Florida Department of Transportation's adopted ~~Five (5)-Year Work Program and plans of the Metropolitan Planning Organization~~ **Palm Beach Transportation Planning Agency (TPA)** and make appropriate recommendations to these agencies regarding proposed projects that will ~~improve~~ **impact** ~~design deficiencies on the major thoroughfares~~ **collectors and minor arterials leading into** the Town.

POLICY 3.2

The Town shall consider the appropriateness for, or effects upon, bicycle and pedestrian ~~ways~~ **infrastructure** during the planning for construction or expansion of any major transportation facilities within its municipal limits.

POLICY 3.3

The Town shall continue to coordinate between several local, county, state, and federal agencies responsible for street and right-of-way signage to ~~improve~~ **avoid the placement of** ~~repetitious, poorly located, aesthetically unpleasing and confusing signage within the Town. Community awareness shall also be advanced to educate the public about the Town's initiatives and the advantages of proper signage.~~

POLICY 3.4

The Town will ~~will~~ **shall continue to** coordinate with the ~~MPO~~, **TPA**, FDOT, and PalmTran to ensure ~~evaluate~~ that pedestrian, bicycle, and mass transit ~~connections are~~ **infrastructure** provided within the Town. The Town will ~~will~~ **may** also seek ~~consider~~ enhancement grants through the ~~MPO~~ **TPA**, FDOT, and other available sources to fund bicycle, ~~and~~ pedestrian **and other multimodal** improvements within the Town, as opportunities arise.

POLICY 3.5

The Town will ~~will~~ **shall continue to** coordinate with the City of West Palm Beach and the City of Lake Worth **Beach** to ensure interconnectivity with these jurisdictions in terms of pedestrian and bicycle facilities, **where feasible**.

POLICY 3.6

~~The Town will work with the MPO/State Bicycle and Pedestrian Coordinator to promote public education of the benefits of walking and bicycling through distribution of available online and printed materials.~~

OBJECTIVE 4

The Town shall continue to coordinate with responsible governmental agencies external to the Town to incorporate provisions into their plans, programs and operations and developments within their jurisdictions which will minimize transportation impacts to the Town consistent with the Town's efforts to manage traffic congestion on its roadways. A primary objective is to minimize traffic impacts **on SR 80 (Southern Boulevard) all state** and other regionally significant roads leading to **and from** the Town.

POLICY 4.1

The Town will ~~will~~ **shall continue to** coordinate with ~~the Florida Department of Transportation (FDOT)~~, Palm Beach County, **the City of** West Palm Beach and other communities to minimize transportation impacts to the Town through participation in **on** the ~~Palm Beach Metropolitan Planning Organization (MPO)~~ **Transportation Planning Agency the TPA Governing Board** and its respective committees.

POLICY 4.2

The Town will ~~will~~ **shall continue to** coordinate directly with FDOT to mitigate traffic impacts on SR 80, **SR A1A** and other regionally significant roads leading to Palm Beach.

POLICY 4.3

The Town shall t~~Through~~ the Treasure Coast Regional Planning Council (TCRPC) and **their Hurricane Evacuation Model**, ensure traffic impacts of proposed development in adjacent municipalities within concurrency exemption zones address all factors including, but not limited to **the following**.

- a. Increased development
- b. Bridge crossing and times
- c. Increased passenger rail traffic
- d. Increased freight rail
- e. Hurricane sheltering

OBJECTIVE 5

The Town shall preserve the built and natural environment by managing traffic and parking impacts on Town residents.

POLICY 5.1

The Town shall consider the recommendations of the report titled “Town of Palm Beach Traffic Analysis and Commercial Areas Parking Study” prepared by The Corradino Group, dated June 10, 2024.

POLICY 5.2

The Town shall direct the Planning and Zoning Commission to develop traffic management strategies that are Town resident-focused based upon the data and recommendations of the Town of Palm Beach Traffic Analysis and Commercial Areas Parking Study”. The recommendations shall then be provided to the appropriate committee and then to Town Council for approval.

POLICY 5.3

The Town shall deploy and monitor Adaptive Traffic Control Systems (ATCS) at all signalized intersections within the Town’s jurisdiction.

POLICY 5.4

The Town shall control, regulate, and stabilize mobility including traffic, parking, bicycle and pedestrian-friendly infrastructure.

POLICY 5.5

The Town shall improve the safety of all modes of traffic to reduce crashes on roadways and waterways through enforcement of traffic laws and increased public education opportunities.

POLICY 5.6

The Town shall implement recommendations contained in the 2020 Truck Regulations Study that include but are limited to requiring smaller service vehicles and off-island parking of workers.

POLICY 5.7

The Town shall implement emerging methods and technologies to enhance pedestrian safety including the deployment and monitoring of the Adaptive Traffic Signal Control (ATSC) and strategic crosswalk initiatives.

POLICY 5.8

The Town shall continue to evaluate the existing parking inventory and shortcomings to identify opportunities to develop a comprehensive parking management plan that is resident-focused.

POLICY 5.9

The Town shall continue to partner with local, state, and federal agencies to proactively review and address regional transportation challenges.

POLICY 5.10

The Town shall pursue appointing a member from the Town Council or a Town Commission member to the Business Development Board of Palm Beach County and the Palm Beach County Chamber of Commerce.

POLICY 5.11

The Town shall explore ways to reduce traffic and parking congestion, including bicycle and pedestrian infrastructure, ride sharing for contractors, hybrid work schedules and employee shuttles to and from the City of West Palm Beach and the Town.

POLICY 5.12

The Town shall explore initiating a Trolley or Shuttle program for Town residents and employees traveling within the Town.

POLICY 5.13

The Town shall continue operating the Six Point Parking Program, referred to as “Palm Beach ParkMobile Expansion”.

POLICY 5.14

The Town shall evaluate converting one-way traffic to two-way to provide additional routes to improve traffic circulation.

POLICY 5.15

The Town shall implement a Traffic Mitigation Plan for roadways not meeting the Town’s level of service standards.

POLICY 5.16

The Town shall consider exploring traffic impact solutions as a part of a Traffic Mitigation Plan for school zones, including drop-off and pick-up operations during the defined arrival and dismissal periods.

POLICY 5.17

The Town shall consider implementing a Parking Placard Program email communication system.

POLICY 5.18

The Town shall continue to utilize a parking management program(s) to provide consistent parking regulations, fees and a high-profile enforcement of all vehicular and non-vehicular traffic laws.

POLICY 5.19

The Town shall continue to request the United States Coast Guard reduce bridge openings during peak travel hours.

POLICY 5.20

The Town shall consider appointing a member of Town Council to the Treasure Coast Regional Planning Council Governing Board (TCRPC).

POLICY 5.21

The Town shall consider removing the ability to apply for variances to the minimum parking requirements for commercial uses.

POLICY 5.22

The Town shall amend the Zoning Code to update the parking regulations used in the “Principal of Equivalency” when calculating the number of required parking spaces for redevelopment projects.

Housing Element

DATA & ANALYSIS

INTRODUCTION

This Element has been prepared to meet the requirements of the Florida Community Planning Act. It includes: goals, objectives and policies; inventories of existing housing and its condition; inventories of subsidized housing, group homes, and historically significant housing; and, projections of population, households and housing need.

This Element of the Plan has been developed based upon:

1. Analysis of information about the Town's housing inventory and its characteristics provided by the U.S. Census Bureau, Palm Beach County and the University of Florida's Shimberg Center, and compared to Countywide statistics, as appropriate;
2. Analysis of information pertaining to housing and the built-out status of the Town with relatively little redevelopment potential;
3. Analysis of the extent of housing need of anticipated populations in the community, the need for replacement housing, and maintenance of existing housing;
4. Analysis of the amount of land necessary, if any, to accommodate total estimated housing need;
5. Analysis of the part of the housing need that can be expected to be met by the private sector and the private sector housing delivery process.

COMMUNITY CHARACTER, GROWTH, HOUSING INVENTORY, AND VACANCY RATES

The Town of Palm Beach experienced its greatest growth between 1950 and 1970, when its resident population increased from 3,886 to 9,086. Since then, population growth has been less dramatic and recently has been declining. The 2010 U.S. Census indicated that the Town's population was 8,161. Estimates by the University of Florida place the 2016 population at 8,040. Future growth will be limited by the small amount of vacant land available for development and limited redevelopment opportunities left in the Town.

During the winter season, November through April, the Island's population swells to a peak that is higher than its normal residential population as a result of the influx of seasonal residents and tourists. Following is a table representing the latest housing characteristics of the Town:

TABLE 3
RESIDENT POPULATION & HOUSING CHARACTERISTICS
2010-2025

CHARACTERISTIC	2010	2016	2025
----------------	------	------	------

RESIDENT POPULATION	8,161 ¹	8,040 ³	8,425 ⁴
POPULATION PER HOUSEHOLD	1.74 ²	N/A	N/A
ALL HOUSING UNITS	8,857 ¹	N/A	N/A
Occupied year-round units	4,690 ¹	N/A	N/A
Seasonally vacant or held for occasional use	3,627 ¹	N/A	N/A
Vacant for Sale or Rent	540 ¹	N/A	N/A

Source: ¹2010 U.S. Census corrected figure; ²2010 U.S. Census; ³Univ. of Florida, Bureau of Economic and Business Research; ⁴Palm Beach County, 2015

From October 2011 through August 2016, the Town issued 159 building permits for construction of new single family residential dwelling units, and 160 permits for demolition of single family residential dwelling units. There has been no net gain in single family residential dwelling units in the Town in the last five (5) years.

According to the U.S. Census, there were 8,857 dwelling units in the Town in 2010. Of the total dwelling units, 4,184 (47.2%) units were vacant of which 39.9% (approximately 3,534) units were vacant and considered used for seasonal, recreational, or occasional use and the other 7.3% were either for sale, for rent, or other vacant.

Based on the U.S. Census 2010-2014 American Community Survey, Multi family units represented 72.2% of the Town's housing inventory during this timeframe; the remainder were single family structures. There are no mobile home dwelling units in the Town.

The 2010 U.S. Census found that 86.3% of occupied units were owner-occupied within the Town of Palm Beach. Homeownership rates are higher in the Town of Palm Beach than in Palm Beach County which had a 71.4% owner-occupied rate in 2010.

While over 63% of the housing units in the Town were constructed since 1960, a significant percentage was built prior to 1940—19.2% compared to only 1.6% throughout the County as a whole. Many of the older structures have been identified by the Town and the State as having historical and architectural significance, and have been designated as historic structures.

Since the Town is fortunate in having no serious housing problems, the Town's program takes a different focus from that employed in a community beset with such problems. The Town's challenge is to maintain, in good and sound condition, its existing housing stock.

HOUSING COSTS

Housing costs and land values in Palm Beach are very high compared with other areas of the State. This is because of the unique character of development having taken place in the Town since its inception. The limited amount of developable vacant land ensures the continuation of high housing

costs in the Town.

Based on the U.S. Census 2010-2014 American Community Survey, the estimated median monthly rental rates in the median estimated value of owner occupied units in Palm Beach County during the timeframe was \$194,600, it was \$931,700 in the Town of Palm Beach.

SPECIAL HOUSING TYPES

There are no subsidized rental housing projects or group homes licensed by the State in the Town. The Town has identified and surveyed 1162 sites which are listed on the Florida Site File which is maintained by the Florida Department of State, Division of Historical Resources. The Town has designated 320 landmarks as of May 2017.

The Town has an active Landmarks Preservation Program established through Ordinance No. 1-79, and amended Ordinance 2-84, and has a Landmarks Preservation Commission for the purpose of establishing, regulating, preserving, and protecting historic districts and landmark structures within the Town of Palm Beach. As of May 11, 2017, the Town has designated 320 landmarked sites, and landmarked 12 vistas and districts which are protected by Ordinance 2-84, as amended.

HOUSING NEED

Present vacancy rates are adequate to provide reasonable opportunity for housing choices.

Substandard housing is nonexistent, and no units are expected to deteriorate to a dilapidated state requiring demolition during the planning period. Therefore, no replacement housing will be necessary. Similarly, there are no rural or farm worker households in the Town, nor are any expected in the future.

There is no readily available information on the number of handicapped households in the Town. However, the Town adheres to the State Code regarding provision of facilities for the handicapped.

Since the Town's population is projected to remain steady or increase slightly over the next 10-year planning period, the existing housing supply should be adequate to handle the housing needs of the community. Renovation and redevelopment of existing housing units is expected to continue.

THE PRIVATE SECTOR AND HOUSING SUPPLY

Palm Beach is recognized as a high cost housing area. In 2014 the average just value of a single-family home in Palm Beach was \$4.8 million and the average just value of a multi-family home was \$584,977. No rental housing is expected to be constructed, nor any housing valued below \$150,000. Current trends in the Town have included the combination of smaller lots into larger properties as well as larger estates being subdivided. Another trend has been the combination of condominium units into a larger unit through a unity of title.

THE HOUSING DELIVERY SYSTEM

The housing delivery system is comprised of two principal components. The public sector has varying control over the availability of land, provision of utilities and infrastructure, and regulation of land uses through zoning, subdivision regulations and environmental restrictions. The private sector's primary responsibilities lie in the areas of financing and construction.

The Town provides the public infrastructure necessary to support varying types of housing. Similarly, it has designated a variety of density levels and land use types throughout the Town in order to provide for housing of differing types and prices. However, with virtually no residential land in the Town left undeveloped, there is little the Town can do to provide for additional housing.

While the Town has imposed certain restrictions and requirements on development, including housing, these are necessary in light of the environmental fragility of a barrier island and to preserve the unique character of the Town. For example, open space and landscape requirements may affect the cost of housing, but are necessary to achieve the community's objectives in other Plan Elements. In this greater context, none of the Town's land development regulations are seen to have any significant adverse effects upon the provision of housing in the Town.

The private sector has always proven capable and efficient in the development of land and provision of financing for housing in the Town. Since the amount of development expected to occur over the planning period is relatively minor, no problems are foreseen in the housing delivery process and no specific improvements have been identified as necessary to increase its efficiency.

RECOMMENDATIONS

Chapter 163.3177(f) F.S. requires that the means for accomplishing the following objectives be included in the Plan:

1. Provision of housing with supporting infrastructure for all current and anticipated residents.

The Town has provided, and will continue to provide, an adequate level of infrastructure to support the current and anticipated populations.

It has been shown that provision of housing for low and moderate income households has historically been provided by the private sector through both the open market and provision of on-site housing for domestic employees. It has been shown that the private sector is providing, and will continue to provide, adequate housing for its existing and anticipated low and moderate income households.

The Town will continue to allow, and encourage, provision of on-site living accommodations for domestic employees.

2. The elimination of substandard housing conditions and for the structural and aesthetic improvement of housing;

~~There is no significant amount of substandard housing in the Town of Palm Beach, nor is existing housing likely to deteriorate to substandard condition during the planning period. The Town has a Code Enforcement Board and staff assigned to enforcement of the Town's Code of Ordinances, as well as an Architectural Commission which is charged with ensuring the continuance and improvement of the aesthetic and architectural character of structures in the Town. In addition, 315 structures are afforded protection via the Landmarks Preservation Ordinance which established a Landmarks Preservation Commission to regulate changes to "Landmarked" structures and protects them from "demolition by neglect."~~

~~3. The provision of adequate sites for future housing; including affordable workforce housing, and housing for low, very low, and moderate income families, and for mobile homes: Item 1, previous, describes the Town's method of providing housing for low and moderate income households. This same source of housing will provide the sites necessary to address the housing needs of low and moderate income households in the Town.~~

~~However, beyond the ability of the private sector to provide on-site locations for housing for its domestic and maintenance help, the unique character of the Town's land uses, lack of vacant land and the economic realities regarding the cost of land in the Town, will likely prevent provision of additional sites for new construction of rental and for sale housing for low and moderate income housing in the Town.~~

~~The economic reality in the Town is that land costs are so high, and the remaining land so limited, that new construction of rental and for sale housing specifically targeted to the low and moderate income segment is not possible. However, previous data and analysis have clearly shown that more than the needed number of affordable housing units are provided for low and moderate income households in the Town.~~

~~Since the Town is virtually fully developed, with only scattered vacant lots available for new construction of residential units, there are no individual locations which have been specifically designated for manufactured housing. Consequently, the Town allows manufactured housing in all of its residential zoning districts. All manufactured housing units must meet all of the housing standards of the Town of Palm Beach including adherence to hurricane protection codes and architectural review.~~

~~4. The provision of adequate sites in residential areas or areas of residential character for group homes and foster care facilities licensed or funded by the Florida Department of Health and Rehabilitative Services.~~

~~The Town allows group homes and foster care facilities licensed or funded by the Florida Department of Health and Rehabilitative Services, housing up to six persons (Chapter 419, F.S), in its lower density residential zoning districts; and allows such uses without limitation as to the number of persons in its higher density residential districts. The Town has adopted principles and criteria to guide the location of such facilities in the Town.~~

~~5. The identification of historically significant and other housing for purposes of conservation, rehabilitation or replacement.~~

~~Palm Beach has no concentrations of deteriorating housing. The socio-economic profile of Palm Beach suggests that Town residents are unlikely to allow existing housing stock to deteriorate.~~

~~There are a large number of residential structures of historical or architectural significance in Palm~~

~~Beach. The Town's Historic Structures survey has been updated to include structures not previously surveyed and a protection process has been developed which will be used by the Landmarks Preservation Commission to evaluate and designate other sites and/or structures.~~

EXECUTIVE SUMMARY

Palm Beach is a community that is known for a high standard of living, prestigious housing and stewardship of its natural landscape that contributes to the high quality of life for residents. The housing analysis required for the Evaluation and Appraisal Review of this Element provides updated demographics, historical development patterns and housing styles, existing housing supply and unit types, and anticipates the housing needs for the 20-year planning horizon. The Town provides the public infrastructure necessary to support varying types of housing. Similarly, ~~it has designated a~~ **there are a** variety of density levels and land use types throughout the Town. ~~in order to provide for housing of differing types and prices.~~ However, with virtually no residential land in the Town left undeveloped, there is little the Town can do to provide additional housing **but there is and will continue to be the opportunity to redevelop existing housing structures.**

TOWN OF PALM BEACH HOUSING STYLES AND HISTORIC DEVELOPMENT PATTERN

Although the first families to arrive on the island were recorded in 1876, the beginning of the real estate boom in Palm Beach began in 1892. Pioneer Charles Clarke, who saw the island from the Atlantic Ocean while on his yacht, purchased two and a half acres of land. In 1893, Mr. Clarke bought his second property, the Dimick Hotel, and twenty more acres reaching from the Lake Worth Lagoon to the Atlantic Ocean. Following suit was Henry Flagler, who had also visited the area by boat while scouring the mainland for land on which to extend his railroad south to Miami.

Town settlement began to take root following the completion of the Royal Poinciana Hotel by Henry Flagler in 1894. The overwhelming popularity of this grand hotel, which was the largest wooden structure in the world, comprised 1,150 rooms with six stories and two attic dormer floors.¹ With Flagler's railroad spur completed in 1895, providing rail from the mainland onto the island, tourists were granted easier access to the hotel and the island. The Royal Poinciana Hotel quickly established the Town as the "American Riviera", prompting the construction of grandiose winter residences for the wealthy well into the mid-1920s.



Flagler's Rail Spur from West Palm Beach

In 1901, Flagler's success inspired him to build another hotel, the Palm Beach Inn. The original Palm Beach Inn burned in 1903 and was rebuilt. The all-wood building burned again in 1925, which was then demolished and was replaced by the magnificent structure renamed the renowned Breakers, which continues to serve as a Palm Beach landmark today. The early real estate development consisted of clearing the densely vegetated land to subdivide for the sale of lots and home sites to winter visitors.

¹ Town of Palm Beach, 2010 Historic Sites Survey

The Bradley Brothers, J.R. and E.R., were the first to plan a subdivision consisting of 230, 50-foot lots along Sunset Avenue from the lake to the ocean to be called “Floral Park”. The Bradley Brothers filled in the extension marsh area denoted on Exhibit 3-1 Sanborn Plat #9 as ponds.

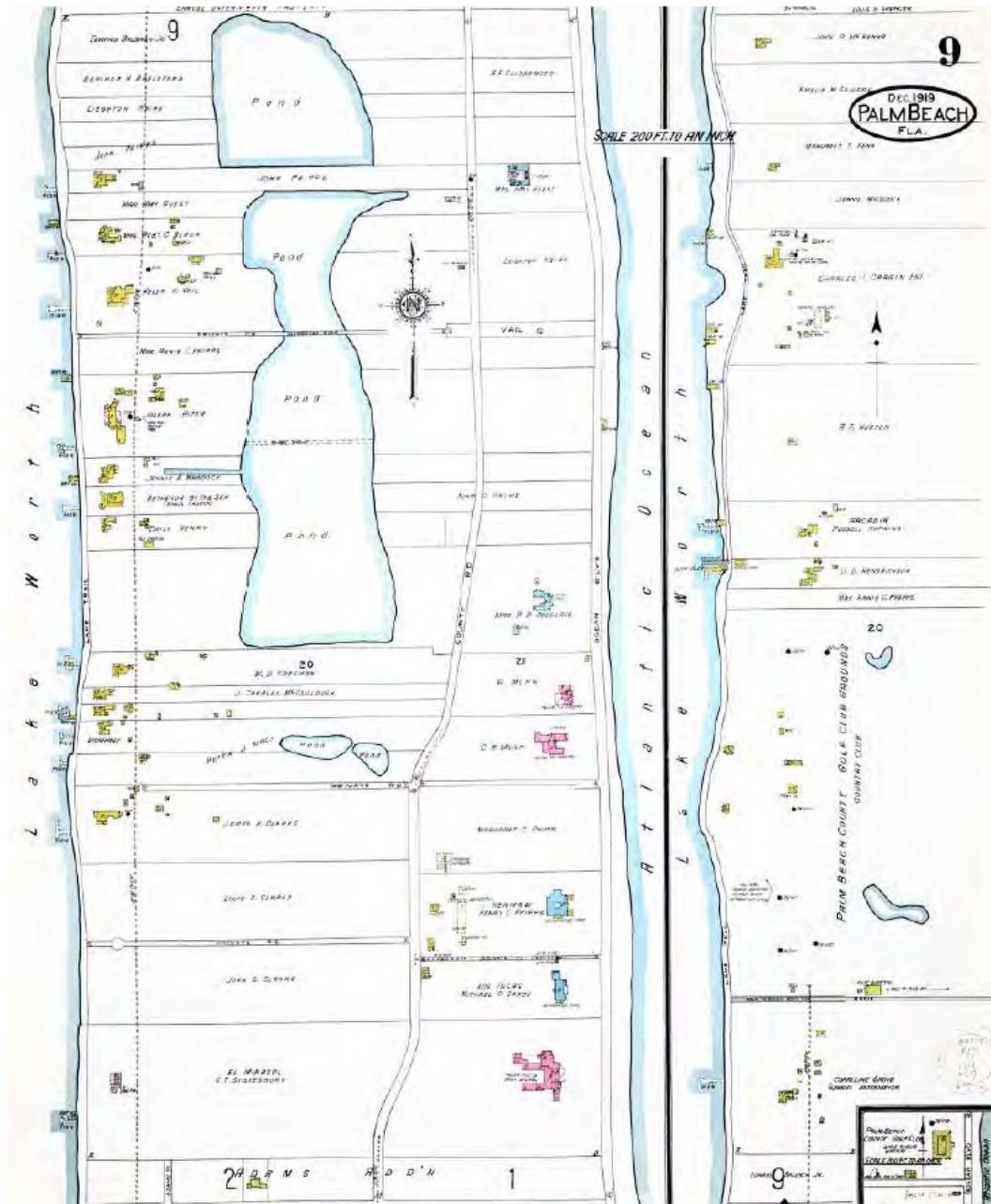


Exhibit 3-1 Sanborn Map #9

E.N. “Cap” Dimick, the Town’s first elected Mayor, then purchased 150 acres in the area from Worth Avenue to just north of Royal Palm Boulevard called “Royal Park” laid out on the Sanborn Maps of 1919 and shown below in Exhibit 3-2. The site preparation for Floral Park, the Royal Park area, included dealing with remote, low lying and swampy land. As such, filling in the land was necessary, and the work was challenging. Dimick would also go on improve the area with electricity, roads, water mains, sewers, landscaping and streetlamps.²



Exhibit 3-2 Sanborn Map #7

² Ibid

In 1918, Addison Mizner came to Palm Beach by invitation from Paris Singer, of the Singer sewing fortune. Mr. Singer had purchased a lot from Dimick's "Royal Park" and had a small bungalow built on Peruvian Avenue. Mizner would transform the bungalow into a Chinese villa. With the success of the conversion, Singer and Mizner would team to complete the exclusive "Everglades Club". The Everglades Club moved the social scene into an exclusive private realm and introduced the Mediterranean Revival style architecture to Palm Beach.³



The Everglades Club - circa 1920

During the 1920s, other great architects settled in Palm Beach, including Swiss-born architect, Maurice Fatio, and Austrian born John Volk. Fatio opened an architectural firm in Phipps Plaza and practiced until his passing in 1943. Volk formed the partnership of Craig, Stevens and Volk. Volk completed over 1,000 architectural commissions in his lifetime and was the most prolific of the great architects of Palm Beach.⁴

Following the Great Depression of 1929, the architecture, scale, and massing of homes on the island began to adapt to the economic conditions of the nation. Smaller houses and modest construction replaced the opulent mansions of the early boom. Housing styles were changing from the large Mediterranean houses to British Colonial, Bermuda, Georgian and Monterey styles. Room sizes were reduced, and the garage became an important and often necessary feature of the home. This trend would continue into the 1930s and building construction would lag until post World War II.⁵

A year prior to the banking collapse, Palm Beach residents saw the need for planning and architectural control as a way to keep their community beautiful and livable. The Town would establish the "Art Jury", composed of famous architects and landscape architects of the Town. The approval of the Art Jury was essential for any new project, as well as any structural and design modifications.

³ 2010 Site Survey of the Town of Palm Beach

⁴ Ibid

⁵ Town of Palm Beach Landmarks Manual

As time progressed, the Town Council decided to establish a more formal architectural commission to prevent “construction of inferior quality and appearance that could degrade and depreciate the image, beauty, and reputation of Palm Beach with adverse consequences for the entire town.”⁶ Today’s Architectural Review Commission (ARCOM) consists of seven members, two of which are required to be state-registered architects and one landscape architect. In brief, ARCOM is charged with consideration of approval of a building permit for building plans that are among more detailed criteria provided for in Code Section 18-205 in conformity of the following:

- ✓ Good taste and design and, in general, contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
- ✓ Not excessively dissimilar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance.

It is important to note that during World War II, the Town residents and businesses contributed greatly to the soldiers. A group called the “Volunteers for Victory” was formed to provide medical, housing and relaxation for our country’s military. The Breakers served as a hospital during the war. In 1943, it became Ream General Hospital. It is named after William Joy Ream, a Major in the Medical Corps who was considered the first “flying surgeon” in the US Army.⁷



The Breakers “Ream General Hospital” 1945

⁶ Ordinance No. 08-70 Architectural Commission

⁷ Library Of Congress, " The Breakers Hotel, Places of Healing Hotels"

Palm Beach did flourish after World War II and again, housing styles changed. Many of the large estates of the 1920s were torn down and subdivided into smaller lots. In fact, in 1947, the Stotesbury Estate “El Mirasol”, designed by Addison Mizner and pictured here, was demolished. The only element that was spared was the entrance gate, which was deemed a historic landmark in the years following. Today, the land is comprised of a 14-lot ranch-style development known as El Mirasol Estates. ⁸

Following World War II, many Palm Beach dwellings were replaced with low-rise apartment buildings and in the Town’s southend high density condominiums. Compounding the issue, the September 1947 Hurricane dramatically altered the landscape of the southend of Palm Beach. Prior to the storm, South Ocean Boulevard (SR A1A), had traversed along the ocean side of the island but following the storm, the road was realigned along the lake. The subsequent road realignment significantly increased the buildable land on the property, and eventually oceanfront and lakefront villas, along with apartment buildings, were constructed as a part of the complex. ⁹



El Mirasol circa 1920

According to the USGS maps from as late as 1945, little development occurred south of Sloan’s Curve. By 1952, however, nearly every parcel shown on the (1919) Sanborn maps had been developed. Some included the Sea Breeze, Ambassador Lake and Ambassador South, Carlyle House, the Palm Beacher, Sutton Place, the Cove, Palm Beach Oasis, La Palma, the Patrician of Palm Beach, La Bonne Vie, and Atriums of Palm Beach. Many of these were originally constructed as hotels and apartment buildings and were later converted to condominiums. ¹⁰

Mirroring national trends, Palm Beach also experienced increased housing demands even before the war ended, although it was not as intense as other areas. It was during this decade that Palm Beach experienced its largest post-war population boom. Construction also increased; the annual totals for building permits between 1945 and 1955 increased from \$1 million to \$6 million. ¹¹

⁸ Old House Journal Updated June 21, 2021 “8 Great Addison Mizner Buildings”

⁹ Environmental Services, Inc. “Town of Palm Beach Historic Site Survey” 2020

¹⁰ Ibid

¹¹ Ibid

The Town of Palm Beach Housing Element is an analysis of the housing stock from settlement to present. The historical perspective allows an understanding that the Town of Palm Beach began as a community of those who had the resources to settle and build a town for the affluent, distinguished, as well as philanthropic. That distinction remains today, and it is the mission of Town leadership, residents, and staff to uphold it.

Historic buildings in Palm Beach model typical architectural styles with some regional adaptations to climate, materials, design, and function. The earliest structures in the Town consisted of temporary thatch buildings, while settlers established their claims and could save money to build proper homes and structures. Materials from throughout the country became more readily available as faster transportation became accessible via train and automobiles. As communications developed, methods of construction and styles of buildings expanded.¹²

The various architectural styles that began during the early years of development in the Town are described in the following pages and include those still prevalent today. These architectural styles are representative of resources from the early settlement period to beyond the established period of significance. These time periods also include representations of the post-World War II era and contemporary or mid-century modern architectural styles.¹³ As stated, the Town of Palm Beach's housing represents a diversity of architecture that reflects the evolution of the Town's settlement. The following descriptions are examples of the architectural styles within the Town of Palm Beach.

Bungalow, 1905 – 1930 Popularized in California, these architectural styles were featured in building plan advertisements and catalogs which made them widely accessible to the public. These designs were implemented throughout the early twentieth century into the pre-WWII era. Building plans are rectangular or L-shaped under low pitched gable, cross-gable, or hipped roofs and details include knee-braces, exposed rafter tails, full front porches under the primary or a secondary roof with corner posts or battered posts and are often set on piers or a ventilated stem wall foundation. Siding was most often horizontal boards in a clapboard or novelty profile, and windows could be single or paired double hung sash with divided lights on the upper sash. Bungalows have low and simple lines with wide projecting roofs and exposed rafters, with one or two-stories, large porches, and occasional dormers. The Bungalow can be described as a diluted vernacular of the Craftsman style, and the high-styled Craftsman buildings are less common. Examples of Bungalow resources in Palm Beach can be found on Seabreeze and Seaspray Avenues.

Colonial Revival, 1880 – 1955 Colonial Revival structures have details based on features that relate back to Georgian, Adamesque, and Dutch architecture. Along the Atlantic coast, this style also evolved into Southern Colonial architecture. It became a dominant model for homes during the late nineteenth century until the onset of the mid-century architectural era. Characteristics include pedimented entry porches framed with columns or sidelights

¹² Ibid

¹³ Ibid

with a fanlight transom, gable returns, and paired double hung windows with multi-pane glazing. The form is typically a rectangular two-story plan with brick or clapboard siding under a hipped, cross gable, or gambrel roof. Facades are symmetrical and may exhibit an eclectic mix of features from any of the original influences of the style. Examples of Colonial Revival resources in Palm Beach are found on Pendleton Avenue and Seaspray Avenue. There are also several substyles of the Colonial Revival style, which include British Colonial, Dutch Colonial. The most defining characteristic of this Revival style, popular 1895-1930, is the gambrel roof.

British Colonial, 1880 – 1955 A subtype of the Colonial Revival style, British Colonial structures represent a modification of British architecture to the warmer climates of Bermuda and India. Common characteristics vary from place to place due to the local environment and available building materials. In Palm Beach, where the style typically draws from the Bermuda iteration, buildings typically feature multiple steeply pitched roofs with concrete tile. Prominent chimneys are also common, as are arched openings and shutters. A unique feature – although not always present – is a scalloped gable parapet, often located at the entry. In Palm Beach, the style was introduced in the winter of 1933-1934 (identified in a 1935 article as “Tropical Colonial”) and popularized by John Volk and Howard Major. The first iterations of the style were constricted on Peruvian Avenue.

Georgian Revival, 1880 – 1955 Georgian Revival is often considered a substyle of Colonial Revival. Georgian architecture (dating from the 18th century and the reigns of Kings George I – IV) was typically symmetric with regular window openings and an elaborate entry, typically with classical details, and a cornice with dentils or other features. The style was adapted throughout the Caribbean and subsequently came to Palm Beach. Locally, the buildings generally have further emphasized the entry with metal projecting porch roofs and large stairs. Quoining is also very common. Unlike the original Georgian style, Palm Beach’s revival are typically multi-massed and are not strictly symmetric. Some examples of Georgian Revival architecture in Palm Beach are on Brazilian Avenue and Clarendon Avenue.

Frame Vernacular, ca. 1885 – ca. 1960 Wood frame buildings are a typical building pattern for residential housing. Frame Vernacular buildings generally feature a gable or hip roof, horizontal board siding such as weatherboard or novelty siding, front porches with a separate roof structure, regular window opening patterns, and minor detailing that can include exposed rafter tails, corner boards, and porch brackets and spindles. Plan types are rectangular and arranged with pier system foundations, porches, symmetrical fenestration patterns, and overhanging eaves to allow for maximum ventilation. Solid wood framed buildings lost favor by the 1950s as manufactured concrete masonry units (CMU or concrete block) became more economical and popular. Other stylistic influences can be seen to a minor degree, such as Colonial Revival window detailing, Bungalow or Craftsman knee braces, rafter tails, and cross gable roof patterns. While the Frame Vernacular style does not have an associated time period, recorded buildings exhibiting this style in Palm Beach range from 1886 to 1958. In general, residential Frame Vernacular style buildings were more popular prior to WWII and were then superseded by Masonry Vernacular. Several excellent

examples of Frame Vernacular structures are located on Root Trail. It should also be noted that the name refers to the structural system and not the veneer as frame vernacular structures can have a variety of facings, including brick and stucco.

Art Deco and Art Moderne, 1920 – 1940 These two “Modernistic” architectural styles, popular in the 1920s and 1930s respectively, represented whimsical forms with curving elements, geometric shapes, linear bands, and diverse materials. According to the description provided in “A Field Guide to American Houses: Second Edition”, the earlier form, Art Deco, common in public and commercial buildings, was defined by a smooth stucco exterior surface, zigzags, chevrons, and geometric motifs on the façade. Towers and other vertical projections give a sense of verticality. Around 1930, Art Moderne became the dominant style and is found more in residential types versus commercial buildings. Common features include an asymmetrical façade with smooth wall surface, flat roof with coping at the roof line, horizontal grooves or lines in walls and horizontal balustrade. Building designs were unique, less predictable, and established a new brand of architecture. Art Deco and Moderne buildings typically include a featured element with a strong vertical character which could be expressed in the massing of the building, a single projecting feature, or various linear elements. An example of an Art Moderne resource is located on North Ocean Way.

International, 1925 – Present Following on the heels of Art Deco and Art Moderne, the International style diverged from the period revivals and featured its own unique details. Character defining elements of these buildings are the square or rectangular forms exaggerated with horizontal features like wide canopies or cantilevered elements, aluminum sash windows wrapping across corners, and facades covered in a smooth stucco finish, absent of ornamentation. Roofs are flat and may be simply detailed with a coping element but are otherwise not embellished. The shift in architectural styling was due, in part, to a change in construction technique from structural masonry to a steel skeleton. This construction was developed in Europe as a deliberate attempt to begin a fundamental shift in design based on materials and new building technologies, which led to a functional approach to design less encumbered by larger materials and applied ornamentation. Some examples of International style buildings in Palm Beach are located on Nightingale Trail and Royal Palm Way

Masonry Vernacular, ca. 1920 – ca. 1980 Like Frame Vernacular, Masonry Vernacular is a prominent style found in Palm Beach. If not available locally, masonry units could be easily transported by the 1920s when the material started to gain popularity. Some buildings apply details of the Mediterranean Revival styles popular in the 1920s while others borrow from the Art Deco and Moderne styles of the 1930s and 1940s. Exterior finishes are stucco or masonry veneer including brick, stone, and rough faced concrete block. Brick may be used to form windowsills and lintels as a distinct texture and scale from the smooth faced façade. Masonry Vernacular structures are typically asymmetrical but maintain regular window openings and by the 1940s, the building form shifted from a rectangular to an L- shaped plan with a shallow roof projection. Front porches were also typical in residential Masonry Vernacular buildings and more often are inset under the primary roof or cross-gable extension. Examples of Masonry Vernacular resources in Palm Beach are the St. Edwards Parish Center at 165 N County Road. While the Masonry Vernacular style does not have an

associated time period, recorded buildings exhibiting this style in Palm Beach range from 1923 to 1979. Typically speaking, residential Frame Vernacular buildings were more popular prior to WWII, and were then superseded by Masonry Vernacular after. Near the turn of the century, several cities saw their downtowns (mostly frame structures) destroyed by fire, prompting local legislation requiring commercial structures to be fireproof (most often brick). For this reason, prewar commercial structures are also often masonry.

Mediterranean Revival, 1880 – 1940 Mediterranean Revival buildings derives stylistic influences from several countries surrounding the Mediterranean Sea, but perhaps most notably from Italy and Spain. The style's popularity, which peaked during the 1920s, partially stems from the designs at the 1915 San Diego Exposition. It was notably employed in Florida and California, as it not only suited the climate but also harkened to earlier Spanish mission settlements. In Florida, drawing on the Spanish colonial heritage was a logical source of inspiration, and in Southern Florida it was applied to a wide range of buildings, from grand hotels, civic, and recreational buildings to far more modest homes. Finish details include varied ornate stucco patterns, clay tile roofs, decorative grill work, shaped parapets, clay drain spouts, arched motifs, and loggias. In Palm Beach, the popularity of the style can be traced to Addison Mizner's Everglades Club. His distinct approach to the style was rooted in the idea that a "building look traditional and as though it had fought its way from a small unimportant structure to a great rambling [one] that took centuries of different needs and ups and downs of wealth to accomplish" and employed the integration of indoor and outdoor via loggias, courtyards, and balconies. This rambling Mediterranean Revival aesthetic was employed by other Palm Beach architects, including Maurice Fatio. Examples of this style can be found throughout Palm Beach.

Mid-Century Modern, 1945 – 1990 The Mid-Century Modern style of architecture from the post-World War II era (1945-1960) is an adaptation of various modernist movements. Frequently referred to as "Contemporary," it was popular between 1945 and 1990. Buildings were often constructed of concrete block or other masonry units with slab foundations; common features include low-pitched gable or flat roofs with medium to wide overhanging eaves, slanted bean pole supports, smooth stucco exterior, and awning or jalousie windows. Eventually, windows became a key feature of many spaces as they became larger and more prominent, such as trapezoidal windows in gable ends or window walls of single pane fixed glass. Another characteristic often used with this style is decorative grilles or ornamental masonry elements incorporated into the front porch or exterior carport wall and commonly referred to as concrete screen or "breeze" block. The style has a refined simplicity and is found regularly in residential structures in Florida communities. Examples of Mid-Century Modern resources in Palm Beach include the President of Palm Beach condominium building.

Minimal Traditional, 1935 – 1950 Evolving out of the Depression Era, Minimal Traditional homes represent restraint and economy without being austere: simple in plan, rooflines, and minimal decoration or architectural features. Primarily used for residential construction, the forms are compact and simple L-shaped, or rectangular with a shallow projecting cross gable roof with a low to moderate pitch and little to no eave. Facades are finished with wood siding,

smooth stucco, brick, asbestos, or masonry veneers with varied windows that include casement, picture, and multi-pane or one-over-one sash windows arranged asymmetrically. There is little architectural ornamentation. As stated in “A Field Guide to American Houses”, in post-war developments the style is often found alongside early Ranch houses. Examples in Palm Beach can be found on Seabreeze, Seaspray and Seaview Avenues and include features such as gable vents with tropical designs, front porches with wood columns or wrought iron supports, and traditional cornice and eave details.

Mission, 1890 – 1920 The Mission style of architecture was prevalent from 1890 to 1920 and was inspired by the Spanish Mission churches throughout the southwest. During the 1910s, popular trade catalogs, including the Sears and Roebuck Company, offered this house plan style for sale that could be ordered by builders and architects. This style allowed residential architecture to replicate the Spanish Colonial time period. Identifying features include sculpted dormers or parapets, one or two stories in height, flat roofs with tiled parapet roofs, tiled hip roofs with wide overhanging open eaves, and robust square porch columns that frame arched openings. Buildings were wood frame or hollow core tile with symmetrical or asymmetrical facades covered in smooth or textured stucco. At the roof line, scuppers are often installed to allow water to drain from the flat roof. Facades can be symmetrical or asymmetrical and the surface is typically a smooth stucco finish. Variations can be found in dormer or parapet patterns. Ornamentation is minimal with occasional crests. The local landmark at 17 Golfview Road is an example of a Mission resource in Palm Beach.

Monterey, 1925 – 1955 The Monterey style, a fusion of revival styles taken from New England, the South, and the Southwest, emerged in California in the 1830s. During the second quarter of the twentieth century, the style enjoyed a brief renaissance, primarily in regions claiming a Spanish Colonial heritage. The resulting designs were two-story dwellings of Spanish Eclectic and Colonial Revival detailing. Early examples of Monterey, built between 1925 to 1935, tended to portray Spanish detailing; those buildings from the 1940s and 1950s typically emphasized English Colonial influences. Scattered examples of the style were constructed across America’s suburbs during the second quarter of the twentieth century. In Florida, the Monterey Revival style never gained wide popularity, although it is popular in Palm Beach. The style, principally applied to residential housing, never made a significant contribution to hotel or commercial building trends. The distinctive features included a low-pitched gable roof, a cross gable, and a second story balcony, usually cantilevered and integrated within the principal roof. Construction materials included wood shingles, brick, tile, stucco, and weatherboard. The first and second stories generally had different materials, wood over brick the most common application. Door and window surrounds often reflected Territorial examples of Spanish Colonial antecedents. Cast iron application for balcony columns led to a further variant, called Creole French. Pendleton Avenue has fine examples of Monterey buildings in Palm Beach.

Moorish Revival, 1835 – ca. 1915 Moorish Revival architecture, also called Neo-Moorish architecture, is one of three exotic revival architectural styles (Egyptian, Oriental, and Swiss Chalet) that became popular in Europe and America in the mid nineteenth century. Oriental Revival was sparked “by increasing exploration and trade in the Far East during the late

18th and early 19th centuries.” Moorish Revival, likewise, draws from the Islamic-influenced architecture of North Africa, the Middle East, Turkey, and Spain and Portugal. There are a few extant Moorish Revival buildings in Palm Beach but they are all highly distinctive. Examples can be found on Chilean and Seaspray Avenues. A common feature is highly colorful and elaborate tilework and/or intricate screening. Pointed arched openings are also typical, often with scallops. Projecting balconies, either open or enclosed, can often be found on Moorish Revival buildings. Perhaps the most distinct feature, however (although not always present), is the minaret. Traditionally, minarets are located at or near mosques and used to call worshippers to prayer but have been adapted for residential buildings.

Neo-Classical Revival, 1895 – 1955 The Neoclassical style became best known after the World’s Columbian Exposition, held in Chicago in 1893. Elements of classical architecture are utilized in this style influenced by Greek and Roman architecture and characterized by ordered columns, pediments, pilasters, cornices, and moldings. Building features can be monumental in size but exhibit classical proportion, scale, and symmetry arranged in a rectangular plan. The early use of this style followed the turn of the twentieth century; however, more subtle examples of the style can be seen into the 1950s. Civic structures, banks, and government buildings commonly rely on the imposing nature of Neoclassical architecture to convey strength and security.) The Landmarked Colony Hotel, at 135 Hammon Avenue is an example of the style.

Palm Beach Regency, ca. 1920 – ca. 1980 Palm Beach has identified the Regency style as a prominent local style. Regency architecture was named for King George IV, appointed regent of England from 1811 to 1820, but is generally considered to encompass architecture throughout the first three decades of the nineteenth century. This time period was marked by an interest in classical Greek art, design and ideology, and Regency architecture was an expression of this interest. It developed out of Georgian architecture and utilized similar symmetry and classical style elements. Distinguishing characteristics of Regency architecture include narrow windows, often round headed and adorned with decorative elements such as floral moldings, circular stairs and balconies featuring fine ironwork, and classical entryways with fluted columns. Regency architecture would typically be of brick construction covered in stucco or painted plaster. Palm Beach Regency buildings are typically flat-roofed, single story symmetrical structures, and many feature urns on the roofline. They also often have arched windows and/or openings – often with keystones, classical moldings, and pediments. The style is similar to a stripped-down Beaux Arts design, and these buildings could also be identified as such. Several other notable Palm Beach Regency buildings are in the local Regents Park Historic District. The five structures in the district are all Regency and were designed by Clarence Mack. While architectural resources do not have a date range for the style, surveyed Palm Beach Regency resources range in construction from 1923 – 1979.

Ranch, 1935 – 1975 While the Ranch style was another California design from the 1930s, it did not reach widespread use until the post-WWII period of the 1950s when it became the most popular form for residential construction. Examples in the Town of Palm Beach can be found on Island Drive. Most obvious characteristics include the wide, horizontal emphasis

from the broad roof line and rectangular or L-shaped plan, picture window detail, asymmetry, and simple front entry which may be understated or detailed with aluminum porch supports and a multi-paneled wood door. Chimney features or slightly offset roofs accentuate the overall roof line and there may be attached carports, breezeways, or garages. Early iterations of the Ranch (sometimes called Ranchettes or Early, Minimal, or Compact Ranches) were typically smaller with less detailing, but still feature the strong horizontals and other characteristics of the later, more refined iteration of the style. In the 1970s and 1980s, some Ranches took on stylized forms that incorporated details from earlier styles.

Shingle, 1880 – ca. 1910 Primarily found in New England, Shingle style draws from Queen Anne, Colonial, and Richardsonian Romanesque, but its primary distinguishing characteristic is continuous wood shingle cladding. Buildings have sculpted, irregular, and complex masses (borrowed from Queen Anne and Richardsonian Romanesque), unified by the siding. It is one of the first styles to emphasize the interior volumes as opposed to external details, and typically forgoes elaborate window and entry decoration. It can be difficult to find many cohesive features to the style beyond the shingle siding, partially because it was never widely adopted, like its contemporary Queen Anne, but remained an “architect’s style.” Despite this, common features can include classical columns, Palladian windows, wide porches, gambrel roofs, and sometimes lower stories of stone. 224 S Ocean Boulevard (PB06593; Figure 58) is a fine example of the Shingle style in Palm Beach. This building does have several features typical of the Dutch Colonial Revival style and exemplifies the complexity of identifying the Shingle style. Shingle style resources often have features that are typical of other styles, and often the only differentiating feature is the siding.

Tudor Revival, 1890 – 1940 Tudor Revival architecture draws on a variety of early English building styles from late Medieval to the early Renaissance. While “source” style encompasses everything from simple cottages to grand palaces across a century, there is a significant range in design. Tudor Revival was an uncommon style until the 1920s, when new veneer techniques allowed even modest homes to be faced in a variety of materials. Most Tudor Revival buildings feature a steep, side facing gable with at least one gable extension, or a cross gabled roof. Half-timbering is a very common feature in Palm Beach, where wood “timbers” with stucco (and occasionally brick) infill are at the second (often overhanging) story. Windows are traditionally grouped without much detail; leaded glass windows are not uncommon but not often found in Palm Beach. Chimneys are prominent, and there are often multiple, particularly in some of the more sprawling instances. There are few examples of Tudor Revival in Palm Beach. Residential examples are located on Banyan Road and Via Del Mar.

STATE OF FLORIDA HOUSING ELEMENT REQUIREMENTS

In the State of Florida, every local government is mandated to include a Housing Element in its comprehensive plan. The Housing Element must consist of “principles, guidelines, standards, and strategies” to plan for the provision of adequate housing for all current and anticipated populations. The Housing Element should also provide for specific programs that call for partnerships with the private and nonprofit sectors to address housing needs, streamline the permitting process, and minimize costs and delays for affordable housing. The Housing Element requires, where applicable, the identification of historically significant housing for the purposes of conservation, rehabilitation and when necessary, for the replacement.

Pursuant to state law, the principles, guidelines, standards, and strategies of the Housing Element must be based on data and analysis prepared on housing needs based upon the number and distribution of dwelling units by the following data.

- ✓ **Unit Type**
- ✓ **Tenure**
- ✓ **Age**
- ✓ **Rent**
- ✓ **Value**
- ✓ **Monthly cost of owner-occupied units**
- ✓ **Rent or cost to income ratio**
- ✓ **Number of dwelling units that are substandard.**

Section 163.3177, (6)(f)1. A housing element consisting of principles, guidelines, standards, and strategies to be followed in:

- a. The provision of housing for all current and anticipated future residents of the jurisdiction.**
- b. The elimination of substandard dwelling conditions.**
- c. The structural and aesthetic improvement of existing housing.**
- d. The provision of adequate sites for future housing, including affordable workforce housing.**
- e. Provision for relocation housing and of historically significant buildings for purposes of conservation, rehabilitation, or replacement.**
- f. The formulation of housing implementation programs.**
- g. The creation or preservation of affordable housing to minimize the need for additional local services and avoid concentration of affordable housing in one area.**

Chapter 163, Florida Statutes

THE TOWN OF PALM BEACH HOUSING ELEMENT

Pursuant to §163.3177, Fla. Stat., the methodology used to estimate the condition of housing, and a projection of the anticipated number of households by size, income range, and the age of residents derived from the population projections must be included in the data and analysis of the Housing Element. Based upon the findings, policies within the Housing Element have been updated to reflect the development trends. The Housing Element helps the Town guide plans, policies, and regulations necessary to ensure the availability of housing supply is consistent with the historical character and identity of Palm Beach.

Data provided in the following tables have been gathered based upon the U.S Census Bureau data provided by the Decennial Census and the American Community Survey (ACS), characteristics of existing housing in the Town. According to Census data, the Town's population is projected to grow over the next 20-year planning horizon as data gathered is demonstrated.

Table 3-1. Permanent and Seasonal Population (2010-2050)

<u>Palm Beach</u>	<u>2010</u>	<u>2020</u>	<u>2030</u>	<u>2040</u>	<u>2050</u>
<u>Population/Population Projection</u>	<u>8,348</u>	<u>9,245</u>	<u>9,809</u>	<u>10,139</u>	<u>10,322</u>
<u>Seasonal</u>	<u>6,311</u>	<u>6,595</u>	<u>6,707</u>	<u>6,821</u>	<u>6,937</u>
<u>Total</u>	<u>14,659</u>	<u>15,840</u>	<u>16,516</u>	<u>16,960</u>	<u>17,259</u>

Source: 2010 and 2020 U.S. Census, Shimberg Center of Housing Studies, University of Florida.

As summarized in Table 3-2, according to the 2020 U.S. Census, there were 9,256 housing units from which 54.60% its were occupied. In comparison with 2010, there was an increase in occupancy that caused a growth of permanent residents in the Town. Vacant units are considered for seasonal, recreational, or occasional use.

Housing Occupancy

Table 3-2. Housing Occupancy

	<u>Town of Palm Beach</u>			
	<u>2010</u>		<u>2020</u>	
	<u>Estimate</u>	<u>Percent</u>	<u>Estimate</u>	<u>Percent</u>
<u>Total housing units</u>	<u>9,091</u>	<u>100%</u>	<u>9,256</u>	<u>100%</u>
<u>Occupied housing units</u>	<u>4,799</u>	<u>52.78%</u>	<u>5,051</u>	<u>54.60%</u>
<u>Vacant housing units</u>	<u>4,292</u>	<u>47.22%</u>	<u>4,205</u>	<u>45.40%</u>
<u>Vacant for sale</u>	<u>220</u>	<u>(X)</u>	<u>139</u>	<u>(X)</u>
<u>Vacant for rent</u>	<u>260</u>	<u>(X)</u>	<u>187</u>	<u>(X)</u>

Source: U.S. Census Bureau 2010 and 2020 Decennial Census

Table 3-3 indicates that between 2010 and 2020, Palm Beach saw a slight shift in the number of owner-occupied and renter-occupied units. Owner-occupied units decreased by 5.39%, while renter-occupied units increased by 5.39% during that time. By 2020, 82.45% of all occupied housing units in Palm Beach were owner-occupied, with 17.55% occupied by renters.

<u>Housing Tenure</u>	<u>Table 3-3. Housing Tenure</u>			
	<u>Town of Palm Beach</u>			
	<u>2010</u>		<u>2020</u>	
	<u>Estimate</u>	<u>Percent</u>	<u>Estimate</u>	<u>Percent</u>
<u>Occupied housing units</u>	<u>4,799</u>	<u>100%</u>	<u>5,051</u>	<u>100%</u>
<u>Owner-occupied</u>	<u>4,215</u>	<u>87.84%</u>	<u>4,165</u>	<u>82.45%</u>
<u>Renter-occupied</u>	<u>584</u>	<u>12.16%</u>	<u>886</u>	<u>17.55%</u>

Source: U.S. Census Bureau 2010 and 2020 Decennial Census

Table 3-4 is based on data from the U.S. Census, American Community Survey (ACS). It indicates that 25% of the housing supply is single-family units; and 61.4% of the supply belongs to buildings with more than 20 or more units.

<u>Number of Units in Structure</u>	<u>Table 3-4. Number of Units in Structure</u>			
	<u>Town of Palm Beach</u>			
	<u>2006-2010</u>		<u>2016-2020</u>	
	<u>Estimate</u>	<u>Percent</u>	<u>Estimate</u>	<u>Percent</u>
<u>Total housing units</u>	<u>9,580</u>	<u>100%</u>	<u>9,841</u>	<u>100%</u>
<u>1-unit, detached</u>	<u>2,394</u>	<u>25.0%</u>	<u>2,519</u>	<u>25.6%</u>
<u>1-unit, attached</u>	<u>287</u>	<u>3.0%</u>	<u>204</u>	<u>2.1%</u>
<u>2 units</u>	<u>65</u>	<u>0.7%</u>	<u>158</u>	<u>1.6%</u>
<u>3 or 4 units</u>	<u>185</u>	<u>1.9%</u>	<u>201</u>	<u>2.0%</u>
<u>5 to 9 units</u>	<u>205</u>	<u>2.1%</u>	<u>186</u>	<u>1.9%</u>
<u>10 to 19 units</u>	<u>428</u>	<u>4.5%</u>	<u>530</u>	<u>5.4%</u>
<u>20 or more units</u>	<u>6,016</u>	<u>62.8%</u>	<u>6,043</u>	<u>61.4%</u>
<u>Mobile Home</u>	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>
<u>Boat, RV, van, etc.</u>	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>

Source: U.S. Census Bureau, 2006-2010 American Community Survey 5-Year Estimates; U.S. Census Bureau 2016-2020 American Community Survey 5-Year Estimates.

As summarized in Table 3-5, the majority of Palm Beach's housing supply (6,552 units-66.6%) was built between 1960 and 1989. Due to the age of the structures, these sites are considered potential redevelopment opportunities for the housing market. Additionally, 12.2% of the residential structures were built in 1939 or earlier, thereby contributing to the historical significance of the Town. The Historical Preservation Element of the Comprehensive Plan includes further description of the historic homes of the Town.

<u>Year Structure Built</u>	<u>Table 3-5. Year Structure Built</u>	
	<u>Town of Palm Beach</u>	
	<u>2020</u>	
	<u>Estimate</u>	<u>Percent</u>
<u>Total housing units</u>	<u>9,841</u>	<u>100%</u>
<u>Built 2010 or later</u>	<u>201</u>	<u>2.1%</u>
<u>Built 2000 to 2009</u>	<u>328</u>	<u>3.3%</u>
<u>Built 1990 to 1999</u>	<u>396</u>	<u>4.0%</u>
<u>Built 1980 to 1989</u>	<u>1,761</u>	<u>17.9</u>
<u>Built 1970 to 1979</u>	<u>2,253</u>	<u>23.3%</u>
<u>Built 1960 to 1969</u>	<u>2,538</u>	<u>25.8%</u>
<u>Built 1950 to 1959</u>	<u>596</u>	<u>5.4%</u>
<u>Built 1940 to 1949</u>	<u>529</u>	<u>5.4%</u>
<u>Built 1939 or earlier</u>	<u>1,204</u>	<u>12.2%</u>

Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates

Based on the U.S. Census, 2016-2020 American Community Survey, 56.1% of the housing supply value is \$1,000,000 or more, see Table 3-6. Also, this bracket experienced an increase in the number of units from 1,983 to 2,369 units. The median owner-occupied housing value in the Town is \$1,211,900 in comparison with the median housing value in Palm Beach County of \$316,600.

<u>Housing Value</u>	<u>Table 3-6. Housing Value</u>			
	<u>Town of Palm Beach</u>			
	<u>2006-2010</u>		<u>2016-2020</u>	
	<u>Estimate</u>	<u>Percent</u>	<u>Estimate</u>	<u>Percent</u>
<u>Owner-occupied units</u>	<u>4,125</u>	<u>100%</u>	<u>4,226</u>	<u>100%</u>
<u>Less than \$50,000</u>	<u>77</u>	<u>1.9%</u>	<u>52</u>	<u>1.2%</u>
<u>\$50,000 to \$99,999</u>	<u>52</u>	<u>1.3%</u>	<u>31</u>	<u>0.7%</u>
<u>\$100,000 to \$149,999</u>	<u>43</u>	<u>1.0%</u>	<u>101</u>	<u>2.4%</u>
<u>\$150,000 to \$199,999</u>	<u>124</u>	<u>3.0%</u>	<u>66</u>	<u>1.6%</u>

<u>\$200,000 to \$299,999</u>	<u>185</u>	<u>4.5%</u>	<u>128</u>	<u>3.0%</u>
<u>\$300,000 to \$499,999</u>	<u>549</u>	<u>13.3%</u>	<u>465</u>	<u>11.0%</u>
<u>\$500,000 to \$999,999</u>	<u>1,112</u>	<u>27.0%</u>	<u>1,014</u>	<u>24.0%</u>
<u>\$1,000,000 or more</u>	<u>1,983</u>	<u>48.1%</u>	<u>2,369</u>	<u>56.1%</u>
<u>Median (dollars)</u>	<u>941,200</u>	<u>(x)</u>	<u>1,211,900</u>	<u>(x)</u>

Source: U.S. Census Bureau, 2006-2010 American Community Survey 5-Year Estimates, U.S. Census Bureau 2016-2020 American Community Survey 5-Year Estimates

Interestingly, the U.S. Census also indicates that 8.9% (378 units) of the owner-occupied units have a value of \$300,000 or less. These units might be located on structures that were built in the 1960s, 70s, or 80s that are considered for potential redevelopment. It is believed that many of these aging buildings, located in the southend and mainly condominiums, are facing a steep assessment increase due to the need for major building upgrades required by recent legislation passed after the collapse of the Champlain Towers South condominium building in Surfside condominium, Florida.

Tables 3-6 and 3-7 present information regarding Mortgage Status and Gross Rent. Both tables indicate an increase in the number of units due to the population growth within these two periods. In terms of gross rent, Table 3-7, shows that there were 142 additional occupied rental units in the 2016-2020 period.

The analysis on a national level and applied to the Town indicates that the increase may be attributed to the 2020 migration to Florida due to Covid and the option available for working remotely.

Mortgage Status

Table 3-6. Mortgage Status

	<u>Town of Palm Beach</u>			
	<u>2006-2010</u>		<u>2016-2020</u>	
	<u>Estimate</u>	<u>Percent</u>	<u>Estimate</u>	<u>Percent</u>
<u>Owner-occupied units</u>	<u>4,125</u>	<u>4,125</u>	<u>4,226</u>	<u>100%</u>
<u>Housing units with a mortgage</u>	<u>1,344</u>	<u>32.6%</u>	<u>1,073</u>	<u>25.4%</u>
<u>Housing units without a mortgage</u>	<u>2,781</u>	<u>67.4%</u>	<u>3,153</u>	<u>74.6%</u>

Source: U.S. Census Bureau, 2006-2010 American Community Survey 5-Year Estimates, U.S. Census Bureau 2016-2020 American Community Survey 5-Year Estimates

<u>Gross Rent</u>	Table 3-7. Gross Rent			
	<u>Town of Palm Beach</u>			
	<u>2006-2010</u>		<u>2016-2020</u>	
	<u>Estimate</u>	<u>Percent</u>	<u>Estimate</u>	<u>Percent</u>
<u>Occupied units paying rent</u>	<u>593</u>	<u>100%</u>	<u>735</u>	<u>100%</u>
<u>Less than \$500</u>	<u>0</u>	<u>0.0%</u>	<u>31</u>	<u>4.2%</u>
<u>\$500 to \$999</u>	<u>67</u>	<u>11.3%</u>	<u>57</u>	<u>7.8%</u>
<u>\$1,000 to \$1,499</u>	<u>182</u>	<u>30.7%</u>	<u>130</u>	<u>17.7%</u>
<u>\$1,500 or more</u>	<u>344</u>	<u>58.0%</u>	<u>517</u>	<u>70.4%</u>
<u>No rent paid</u>	<u>169</u>	<u>(x)</u>	<u>76</u>	<u>(x)</u>
<u>Median (dollars)</u>	<u>1,625</u>	<u>(x)</u>	<u>1,724</u>	<u>(x)</u>

Source: U.S. Census Bureau, 2006-2010 American Community Survey 5-Year Estimates, U.S. Census Bureau 2016-2020 American Community Survey 5-Year Estimates

According to the Planning, Zoning and Building Department, and displayed on Table 3-8, the Town issued the following number of permits from January 2018 to January 2023. The data demonstrates that building permits have increased as well as the corresponding building permit revenue. Please note that beginning in 2020, the building permit process changed to combine all sub-contractor permits with the general contractor permit. As a result, the data is misleading as it may reflect fewer building permits. However, the construction value based upon permit fee represents an ongoing progression in redevelopment activity in the Town.

Table 3-8. Building Permit Numbers and Value			
<u>Town of Palm Beach</u>			
YEAR	Number of Permits	Permit Fee	Construction Value
2017-2018	11,060	\$8,975,730	\$346,043,274
2018-2019	9,263	\$11,447,287	\$340,796,896
2019-2020	7,307	\$9,532,107	\$282,979,440
2020-2021	8,666	\$12,175,092	\$398,208,367
2021-2022	9,083	\$13,982,534	\$470,998,176
2022-2023	7,647*	\$16,763,595*	\$566,823,791

*As of September 2023

New Condominium Law

The Town is built out. As such, the Town of Palm Beach will experience redevelopment rather than infill development. However, there is speculation that the older condominiums will be impacted by recent legislation. More specifically, Governor DeSantis signed Senate Bill 4D (“SB 4D”) relating to building safety into law on May 26, 2022. The bill was proposed and passed following the collapse of the Champlain Towers South condominium in Surfside, Florida in June 2021. The Senate Bill 4D has been made into law and is contained in §553.899 Fla. Stat. and Chapter 110.9 of the Florida Building Code. The law enacts measures with the goal of helping to ensure that condominiums are safely maintained and structurally sound to reduce any possible threat to the public health, safety, or welfare. The bill includes several changes to existing law that may affect liability claims against property owners as well as first-party property insurance claims in Florida.

Senate Bill (SB-4D) established a statewide inspection program, requiring condominium and cooperative associations to conduct milestone structural inspections in two phases and perform structural integrity reserve studies to ensure that condominium and cooperative buildings are safe for continued use.¹⁴

A summary of the Phase One Milestone Inspections is as follows:

- 1. Milestone inspections can be performed by a team of professionals with the Florida-based architect or engineer acting as the design professional in responsible charge of work and reports signed and sealed by team members.**
- 2. Require visual inspection of primary structural members and systems.**
- 3. Identify any substantial structural deterioration that negatively affects the building’s general condition, integrity, or life-safety of occupants.**
- 4. Document whether unsafe or dangerous conditions were observed.**
- 5. Report to include determination of any items requiring further inspection and necessary maintenance, repair or replacement of structural components.**
- 6. The association is responsible for costs in which governing documents say the association must maintain, not necessarily all costs from inspection.**

¹⁴ Florida SB 4-D Building Safety Law, Thornton Tomasetti

SB 4-D DEADLINES		
Phase One Milestone Inspection		
Distance from Coastline	Building Age	Deadline
3 miles or less	25 years or older	Dec. 31, 2024, then every 10 years.
	Under 25 years	Dec. 31 of 25th year, then every 10 years.
More than 3 miles	30 years or older	Dec. 31, 2024, then every 10 years.
	Under 30 years	Dec. 31 of 30th year, then every 10 years.
Any	Any	Within 180 days of written notice from a local enforcement agency.
Dates and provisions subject to clarification and updates by the legislature and recommendations of the Florida Building Commission.		

Snapshot of SB-4-D Deadlines

Phase-Two Milestone Inspections involve the following.

1. **Following Phase 1, a Florida-licensed engineer or architect is required to perform a phase-one inspection, a phase-two milestone inspection is necessary, it may involve materials testing, probing or removal of finishes, or non-destructive testing such as ground penetrating radar.**
2. **A report describing the manner and type of inspections, stating whether unsafe or dangerous conditions were observed, identifying, and describing the extent of any substantial structural deterioration, and recommending maintenance, repairs or replacement of structural components as appropriate.**
3. **Failure to progress required repairs within a year of the phase-two inspection report submission requires the municipal authority to assess if the building is safe for continued occupancy.¹⁵**

The structural integrity reserve studies require reserves to be funded and the study then determines the reserve funds required for future major repairs and replacement of the common area based on visual inspection of the common areas. The requirements of the individual study per building includes the following.

1. **Visual inspection performed by an individual certified as a reserve specialist or professional reserve analyst by the Community Associations Institute or the Association of Professional Reserve Analysts.**

¹⁵ Ibid

2. Identification of common area elements inspected.
3. Estimation of remaining useful life of each element.
4. Estimation of replacement cost or deferred maintenance expense of each element.
5. Recommendation annual reserve amount needed for replacement or deferred maintenance expense of each element.
6. Maintenance of studies maintained for at least 15 years after completion. Residential condominiums three stories or higher must have structural integrity reserve study every 10 years.

With regard to the existing housing supply in the Town of Palm Beach, it is expected that with the Town's quality of housing and the Town being a desired community in which to live, future demand by redevelopment of existing single family housing units will continue. Further, with rigid local and state regulations pertaining to building safety, additional housing options may result through the rebuilding of some of aging condominium buildings located in the southend.

SB 4-D DEADLINES		
Structural Integrity Reserve Study		
Distance from Coastline	Building Age	Deadline
Any	Associations existing on July 1, 2022, that are controlled by non-developer unit owners	Dec. 31, 2024, then every 10 years.

Snapshot of SB 4-D Reserve Study Requirements

There are no concentrations of deteriorated structures or blighted areas in the Town, nor are any expected during the planning period. The high value of the real estate in the Town, its exclusive appeal, dynamic history, and the vigilance of the local government, residents and Town staff will continue to maintain a high standard of property conditions.

SUMMARY

Palm Beach settlement began with the first home built in 1891. Over the next century it would transition from a seasonal resort lifestyle to a fully developed affluent community. Today, more residents are remaining year-round and younger families are relocating from other areas of the country. With this movement, lack of vacant land, older housing, renovations and replacement is and will continue to occur. The importance of compliance with zoning and building codes will be imperative as will the oversight of design by ARCOM and LPC.

With regard to the Town's multi-level residential structures, the Town will need to evaluate the impacts of Senate Bill 4D regarding safety of existing condominiums on the Southend. Additionally, the South end is anticipated to have redevelopment pressures. Therefore, a vision for the south end through a public engagement process is planned.

Housing Element

GOALS, OBJECTIVES & POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE ENCOURAGE THE MAINTENANCE OF THE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS THROUGH THE ASSURANCE THAT THE TOWN'S HOUSING STOCK IS SAFE, SANITARY AND WITHIN A HEALTHY LIVING ENVIRONMENT THAT PROMOTES THE TOWN'S STANDARD OF EXCELLENCE. HOUSING STOCK THROUGHOUT THE TOWN WITH A HEALTHY LIVING ENVIRONMENT FOR ALL RESIDENTS.

OBJECTIVE 1

The Town shall ensure new and renovated homes are compliant with the criteria outlined in Chapter 18, Chapter 50 and Chapter 54, Code of Ordinances regarding criteria for approval of building permits for non-landmarked and landmarked structures. Assist in providing opportunities for comparably affordable housing in sound structural condition for the current resident and seasonal population.

POLICY 1.1

The Town shall process, review and analyze development projects and present staff memorandums to ~~Provide information and technical assistance, upon request, and assist with the design process~~ **and zoning review** ~~on new construction, and rehabilitation, and demolition projects through the~~ **Architectural Review Commission (ARCOM)** ~~and Landmarks Preservation Commissions (LPC) for the resident and seasonal population.~~

POLICY 1.2

The Town shall continue to maintain and enforce building and property standards consistent with the Florida Building Code and Chapter 88, Property Maintenance Code.

POLICY 1.3

The Town shall require all new construction or redevelopment to comply with the existing protective ordinances related to flood protection and management, including but not limited to, Chapter 50.

OBJECTIVE 2

~~The Town shall p~~Prevention of the Town's housing stock from deteriorating to a substandard condition. The measurement of this objective is the extent to which deterioration of the housing stock is prevented, and the degree to which the following policies are implemented.

POLICY 2.1

As needed, the Town shall conduct a windshield survey of structural conditions of housing throughout the Town.

POLICY 2.2

If structural deficiencies are found, the Town will cite the property owner and require rehabilitation of a deteriorating structure, or demolition of a dilapidated structure, ~~within one year.~~

OBJECTIVE 3

~~The Town shall permit the location of manufactured housing in all residential districts throughout the Town.~~

POLICY 3.1

~~The Town's land development regulations shall continue to allow manufactured housing as a permitted form of construction in all residential zoning districts.~~

POLICY 3.2

~~The Town shall include the following definition of manufactured housing in its land development regulations:~~

~~"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."~~

POLICY 3.3

~~The Town's guidelines for the location of manufactured housing shall be the same as for~~

conventionally built homes in that they;

- a. ~~Must comply with all Town building codes, hurricane wind velocity codes, and U.S. Department of Housing and Urban Development Body and Frame Construction Requirements as applied to hurricane resistive design standards; and,~~
- b. ~~Shall be subject to the review of the Architectural Commission and Landmarks Commission as provided in the Town's Code of Ordinances.~~

OBJECTIVE 43

The Town shall permit the placement of a community residential home within its **multifamily** residential zoning districts in accordance with Chapter 419, F.S.

POLICY 4.13.1

The Town shall continue to allow a community residential home, as defined by Chapter 419, F.S., in its **multifamily** residential zoning districts; provided no other community residential homes are within the Town in which the proposed site is to be located within a radius of 1,000 feet of an existing or proposed community residential home.

OBJECTIVE 5

~~The Town shall prevent increases in the number of substandard housing units through rehabilitation or demolition of such housing within one year of its identification. The measurement of this objective is the extent to which such housing is identified and rehabilitated, and the degree to which the following policies are implemented.~~

POLICY 5.14.1

~~The Town shall determine~~ Substandard structures shall be determined on the basis of the criteria **General Requirements** established in Section 12-16 (Article II, Obnoxious Conditions on Private Property) of the Town's Code of Ordinances **Chapter 88 Property Maintenance Code.**

POLICY 5.14.2

As needed, the Town shall conduct a windshield survey of structural conditions of housing throughout the Town.

POLICY ~~5.14.3~~

The Town shall enforce the provisions of Chapter 88 in accordance with the duties and powers of the code official. ~~If obnoxious conditions or structural deficiencies are found, the Town will cite the property owner, and require rehabilitation of a deteriorating structure, or demolition of a dilapidated structure, within one year.~~

OBJECTIVE ~~6~~ 5

~~The Town shall support high quality of housing through the review and approval of new construction by the Architectural Review Commission (ARCOM) and Landmarks Preservation Commission (LPC), and the conformance with the Town's building and zoning codes.~~ **identify, protect and maintain the Town's inheritance of housing structures and neighborhoods having significant historic and/or architectural merit. The measurement of this objective shall be the extent to which such structures and neighborhoods are protected, and the degree to which the following policies are implemented:**

POLICY 6.4. 5.1

The Town shall require aAll requests for demolition, building and landscape plans shall be reviewed by either the Town's Architectural **Review** Commission or Landmarks Preservation Commission as a prerequisite to the issuance **of a development order or** building permit.

POLICY 6.4. 5.2

The **Town shall require the** criteria for a **designating** historically significant ~~house~~ **buildings** shall be **reviewed and approved** determined by the Landmarks Preservation Commission as outlined in Chapter 54 of the Town's Code of Ordinances.

POLICY ~~6.4.~~ 5.3

The Town shall require hHousing structures which are not designated as Landmarks shall be reviewed in accordance with Chapter 18 (Article III, Architectural Review) of the Town's Code of Ordinances.

POLICY 6. 5.4

The Town shall maintain ~~Based on a 2010 environmental Services, Inc, survey and analysis of Historic Structures in the Town, a listing of those structures identified in such survey~~ **the 2020 Historic Site Survey prepared by Environmental Services, Inc.,** analysis of Historic Structures in the Town and shall be maintained which **that** meet the

criteria for designation as "Landmark Structures" in accordance with Chapter 54 of the Town's Code of Ordinances.

POLICY 6-4. 5.5

The Town shall consider additional protective measures for residential zoning districts to ensure for historic preservation as well as new home construction Best Management Practices for coastal communities as outlined in the Coastal Management Element, pursuant to Chapter 380, Fla. Stat., Best Management Practices for coastal communities.

POLICY 5.6

The Town shall propose and adopt regulations that incentivize property owners to retain and improve their existing buildings.

OBJECTIVE 7

~~Although the Town does not foresee taking any actions that would displace persons from their housing, in the event such actions occur, the Town shall provide necessary relocation housing. The measurement of this objective is the provision of relocation housing as needed.~~

POLICY 7.1

~~If and when housing is eliminated by action(s) by the Town, relocation and/or assistance shall be provided by the Town as required by law (Section 421.55, FS).~~

OBJECTIVE 8

~~The Town's Housing Implementation Program shall consist of the following:~~

- ~~1. Provision of information and technical assistance, upon request, to developers of housing in the Town.~~
- ~~2. Conduct of windshield surveys of structures in the Town to identify structural deficiencies.~~ See Objective 2, specifically Policy 2.1
- ~~3. Citation of owners of housing in the Town identified to be substandard and require such owners to rehabilitate or demolish such housing within one year of the citation.~~
- ~~4. Allow group homes and foster care facilities, licensed or funded by the Florida Department of Health and Rehabilitative Services, housing up to six persons, in its residential zoning districts; and, follow principles and criteria to guide the location~~

~~of such facilities in the Town, adopted by the Town as part of its land development regulations.~~

- ~~5. Continue to permit the location of on-site living quarters for domestic and maintenance help in existing and new residential units in the Town's residential zoning district.~~

OBJECTIVE 9

~~The Town shall designate the Planning Administrator to identify housing programs and funding opportunities which may in the future become applicable to the Town, as needed.~~

OBJECTIVE 10 See new Objective 6

~~In order to continue to provide adequate sites for existing low and moderate income households in the Town, or preserve existing properties within the Town, the Town shall encourage existing methods of housing provision, and shall monitor provision of housing in the future, taking remedial measures as deemed necessary. The measurement of this Objective is the extent to which the following policies are implemented:~~

POLICY 10.1

~~The Town shall continue to permit the location of on-site quarters for domestic and maintenance help in its residential zoning districts, with preferred locations for other new housing for low and moderate income households in proximity to the Town Center and commercial areas, because of the greater availability of goods and services, both public and private.~~

POLICY 10.2

~~All amendments to the Town's Zoning Code shall be reviewed by the Town to ensure that proposed regulatory techniques and review procedures do not create barriers to affordable housing and promote access to housing within the Town by promoting fair housing laws and practices.~~

POLICY 10.3

~~The Planning, Zoning and Building Department shall monitor the availability of affordable housing, taking into consideration existing and new units, and unit losses, current land costs, hurricane evacuation times, insurance costs and other limiting factors associated with barrier island communities.~~

POLICY 10.4

~~If an affordable housing shortage is identified, the Town shall take remedial measures to address the deficiency. Amendments to the Comprehensive Plan and Land Development Regulations to implement remedial measures shall be made, as necessary.~~

POLICY 10.5

~~Priority consideration for remedial measures shall be given to the Town's senior citizens, residents, and workforce (in that order).~~

OBJECTIVE 6

The Town shall collaborate with state, regional and county efforts in the provision of affordable housing that are fair and equitable through intergovernmental coordination and other appropriate mechanisms.

POLICY 5.6.1

The Town shall participate with such organizations as the Florida Housing Finance Corporation, League of Cities, Intergovernmental Plan Amendment Review Committee (IPARC) and other similar agencies to address regional concerns regarding the limited supply of affordable and workforce housing units.

POLICY 10.16.2

~~The Town shall continue to permit the location of on-site quarters for domestic and maintenance help in its residential zoning districts, with preferred locations for other new housing for low- and moderate-income households in proximity to the Town Center and commercial areas, because of the greater availability of goods and services, both public and private.~~

POLICY 10.2-6.3

The Town shall require aAll amendments to the Town's Zoning Code ~~shall~~ be reviewed ~~by the Town~~ to ensure that proposed regulatory techniques and review procedures do not create barriers to affordable housing and promote access to housing within the Town by promoting fair housing laws and practices.

OBJECTIVE 7

The Town shall study the south end of the Town to create a long-range vision for the area.

POLICY 7.1

The Town shall hold a series of public engagement meetings to collaborate and provide opportunities for meaningful public input.

POLICY 7.2

The Town shall educate the public on the regulations adopted by Senate Bill 4-D per §553.899, Fla. Stat., that mandates a statewide inspection program, requiring condominium and cooperative associations to conduct milestone structural inspections and perform structural integrity reserve studies in order to ensure that condominium and cooperative buildings are safe.

Historic Preservation Element

DATA & ANALYSIS

INTRODUCTION

PURPOSE

EXECUTIVE SUMMARY

The Town of Palm Beach Historic Preservation Element formally states Town policy with regard to the protection of its historic and archaeological resources. This Element is optional per §163.3177, Fla. Stat., ~~but serves as a tool for coordinating the actions and policies of the Town of Palm Beach.~~ 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 ~~a~~-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, ~~because~~ **but rather to** it is recognized that both are needed to keep a community ~~alive~~ **thriving**. The purpose of historic preservation is to integrate the past with the present and the future.

~~SUMMARY OF LANDMARKS PRESERVATION ORDINANCE~~ **REWORDED WITH NEW DATA AND ANALYSIS**

~~The Town of Palm Beach Landmarks Preservation Ordinance (Supporting Document I) was adopted in 1979, and was amended to its present reading in 1984. The purpose of creating a Landmarks Preservation Commission was to protect historic resources with intrinsic aesthetic, or architectural character, and to better facilitate the upkeep and maintenance of those structures so designated. The ordinance lists these as its goals:~~

- ~~1) — Safeguard and enhance that which reflects the Town's history and heritage~~
- ~~2) — Stabilize and improve property values~~
- ~~3) — Foster civic pride in the notable accomplishments of the Town's past~~
- ~~4) — Protect the Town's attraction to residents and visitors.~~
- ~~5) — Strengthen the economy of the Town~~

~~6)——Promote the education, pleasure and welfare of residents and visitors~~

~~The Commission consists of seven members and three alternates, all of whom have a special knowledge of, and interest in landmarks preservation. All Commissioners are required to be residents of the Town except one non-resident “expert”, and all serve three year terms in this appointed office. A member cannot serve more than two consecutive three year terms.~~

~~The Landmarks Preservation Commission can only gain jurisdiction over a property after an extensive research process proves the structure is eligible for the distinction, by meeting at least one of the four criteria for designation. Once approved by the Commission, and sustained by the Town Council, the jurisdiction to oversee improvements, additions, and modification to the designated property is transferred from the Architectural Commission to the Landmarks Preservation Commission. When transferred from one commission to the other, there is no change regarding the Town's Zoning Code.~~

~~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 process is very similar to that of the Architectural Commission. Once the Landmarks Commission approves the proposed additions or alterations to a landmarked structure, the Certificate of Appropriateness is granted. Work may proceed after standard building permits have been applied for, and issued by the Building Department. For archaeological landmarks, the earth, rock, or subsoil cannot be moved or excavated without an approved Certificate of Appropriateness.~~

~~Minor changes to landmarked properties such as replacing door hardware, shutters, re-painting a structure in color to match existing or re-roof with same material, etc., which have a total estimated value of \$2,000 or less, can be approved as, "minor exterior changes," at the discretion of the Planning Administrator. Usually, no Certificate of Appropriateness would need to be filed for these approved minor changes.~~

~~GOALS, OBJECTIVES AND POLICIES~~

UPDATED WITH NEW DATA AND ANALYSIS

~~Beginning in 1927, structures designed, built or modified in Palm Beach have been regulated by an advisory body of the Town of Palm Beach. The original body was called the Art Jury, and members such as Addison Mizner, Maurice Fatio, and Charles Perrochet assisted in a sort of design critique to help ensure the beauty and visual harmony that made Palm Beach a unique resort area. Today, the Art Jury survives as two similar, but distinct, bodies: The Landmarks Preservation Commission and the Architectural Commission. Generally speaking, the Architectural Commission is the old Art Jury, regulating the overall design, proportion, and concerns of contemporary design, as well as signage. The Landmarks Preservation Commission was created~~

~~to serve in essentially the same capacity, but focuses on the needs and concerns of historic architecture, to protect the historic resources of the Town of Palm Beach.~~

~~GOAL~~

~~The goal of the Landmarks Preservation Ordinance is to protect the visual appearance of the Town of Palm Beach through the perpetuation of properties of special, notable, aesthetic, architectural, and/or historical significance. It is NOT the intention of the Ordinance to annex private property, to make private property open for public inspection, or to prevent owners from the right to expand, modify, or update the architectural and/or mechanical services of their property.~~

~~Legislation rewards owners of landmarked property with tax incentives, credits, and reductions as a reward for preserving a piece of the nation's heritage. Further, Federal and State programs offer financial and technical assistance to the owners of locally landmarked properties. In most places, owners of landmarked structures receive a greater return when selling their property.~~

~~In exchange for these rewards and incentives, the Landmarks Preservation Ordinance was written in such a way that before the owner(s) of a landmarked property may demolish or destroy an historic resource in the Town, he/she must show just cause to both the Landmarks Preservation Commission and to the Palm Beach Town Council.~~

~~The landmarking process ensures that only those properties of true architectural or historic significance are awarded the distinction, protection, and benefits allowed to the Town's designated landmarks.~~

~~OBJECTIVE 1: EVALUATION OF POTENTIAL STRUCTURAL SITES~~

~~When the Landmarks Preservation Ordinance was first enacted in 1979, a survey of all Palm Beach architecture fifty or more years old was completed, determining which structures were eligible for consideration as landmarks of the Town of Palm Beach. This effort concentrated on the oldest area of Town, from the Coral Cut to Sloan's Curve (Map: Supporting Document II).~~

~~The structures were evaluated and rated A to D, based primarily on their architectural merit. "A" structures were those properties that were eligible for consideration on both the local and the national level; "B" structures were equally eligible for consideration as local landmarks, but held little or no national merit; "C" structures were either smaller structures eligible for local consideration, or marginal large properties; and "D" structures were deemed not eligible for consideration at this time.~~

~~By 1988, the old survey became outdated. Since 1979, a considerable number of local buildings had crossed the fifty year threshold used for National Register eligibility, and as local architectural scholarship improved, errors in the validity of some statements in the 1979 survey were discovered.~~

~~A new survey was commissioned with three goals in mind: to add ten years of eligible structures to those already eligible for consideration; to correct the errors made in the 1979 survey; and to~~

include the entire Town of Palm Beach, from the Palm Beach Inlet to the South Palm Beach line. The 1988 survey was simplified to read either "eligible" or "not eligible" for local designation, and the letter grading system was abandoned.

In 1996 and 2004 the Town received grants from the Florida Department of State, Division of Historical Resources to update the survey. The survey was done again in 2010. Currently 1,162 sites have been surveyed and included on the Florida Site File. The Town has designated 320 landmarks as of May 2017.

OBJECTIVE 2: EVALUATION OF POTENTIAL ARCHAEOLOGICAL RESOURCES

DESCRIPTION OF THE SOILS IS PROVIDED IN THE CONSERVATION ELEMENT

The Town of Palm Beach is situated on a narrow barrier island. The island is bordered on the west by Lake Worth and on the east by the Atlantic Ocean. The north end of the island is terminated by a man-made channel, the Lake Worth Inlet. There is no record of a natural inlet connecting the Atlantic Ocean with Lake Worth. Evidence that Lake Worth has been a freshwater lake for at least the last two thousand years has some support from archaeological evidence and historical documentation.

The western side of the island is an oolitic limestone ridge which runs from the Everglades Links Golf Club to the northern tip of the island. The ridge ranges in elevation from sea level to its highest point of thirty feet above mean sea level at the Palm Beach Country Club Golf Course.

The eastern side of the island fronts the ocean with a sea beach. Behind or to the west of this is a primary dune. At some points there are secondary sandy knolls or dunes behind the primary dune.

Perhaps the most significant natural feature in Palm Beach was located between the primary dune to the east and the oolitic limestone ridge on the west. Through this area a freshwater slough once existed that extended north to south. The slough extended from the Everglades Links Golf Course and extended north to the northwest tip of the island, opening into Lake Worth and not the ocean. This slough undoubtedly was fresh water or possibly brackish. Along the borders of this slough was tropical hammock. Trees included gumbo limbo, wild fig, and cabbage palm.

The soil in the slough has a surface of black muck soil which ranges in depth from as little as 15 cm to as much as 40 cm. Under this is a light tan fine grained sand. Post hole tests excavated by the consultant along the edge of the slough indicated that under this light tan sand is sand that is the same as the sand which makes up the primary dune features. Local construction workers indicated that the depth of the sand in this slough is as much as 21 feet. This sediment horizon is only a short distance east from where the oolitic limestone rises to its highest point of thirty feet above the sea level. Whatever oolitic substrate exists here does not rise much above sea level and is not visible on the surface even where construction has cut deeply into the dune and its surroundings.

At about the turn of the century this slough was filled in for development. When the consultant observed soil profiles in trenches in Sea Spray Street where water lines were being replaced, it was observed that the fill there is about 40 to 50 cm in thickness, under which lies the original black muck surface. Here the muck was about 40 cm thick with the usual light tan sandy substrate below.

South of the Everglades Links Golf Course the island consists only of the sea beach and dune feature, the western oolitic ridge stopping north of this point. Also, the island is much narrower here. The area between the end of the oolitic rise and the beginning of the narrow southern extension of the island was filled in, artificially expanding the island by filling the wetlands and shallows adjacent to Lake Worth.

Changes which have impacted Palm Beach's natural features have included storm erosion to the primary dune, (as much as 30 feet in recent years according to one life guard who said he had worked on the beach for the last 15 years); construction of condos, etc., directly on the primary dune; the filling of the slough; clearing of the top of the oolitic ridge for the construction of buildings, and all the other disturbances associated with the development of the Town, such as roads, utilities, etc. Very little of Palm Beach has escaped being altered by development.

The eleven known sites that lie within the town limits were visited and evaluated during a survey supported by the Florida Department of State, Division of Historical Resources in 1994. Five of these sites were found to be in association with the primary dune features along the Atlantic side of the island. Of these five sites, three were human burials (two without any recorded evidence of associated habitation and one had a combination of settlement and cemetery components). One of the burials, seems to have been non-native. Of the two remaining dune sites, one was an isolated archaeological feature, specially a cache of celts, with no other materials located. However, it is worth noting that similar celt caches have been associated with human burials. The other site, the Lake Worth Casino midden, could not be located during this survey and may actually have been a component of the nearby Patrician site.

The other six sites were located in association with the freshwater slough that ran north to south through the town. These sites included middens (habitation sites) and burial mounds and were located along the edge or on the shore of the slough. The midden material is confined to the hammock type of soil, which extends about twenty yards east from the road. (Supporting Document: *Preservation Plan*, Town of Plan Beach Landmarks Commission, 1995).

POLICY FOR THE ESTABLISHMENT OF SELECTION PRIORITIES

With over 1,162 structures considered eligible for consideration as local landmarks, the Landmarks Preservation Commission has established priorities to better facilitate the landmarking process. These structures (together with limited historic information) are derived from the Florida Master Site Files periodically prepared for the Town by a historic preservation consultant.

Site information is cross-referenced with historical records housed in the Town of Palm Beach Department of Planning, Zoning and Building Records Office, and in the Historical Society of Palm Beach County and the Preservation Foundation of Palm Beach. The research should result in a more condensed, focused list of structures, eligible for local designation under at least one of the Landmarks Preservation Ordinance's criteria. The sites on the resulting list should be distributed to the Landmarks Commissioners.

Each commissioner should independently visit every structure on the resulting list of targeted properties for discussion at a public meeting. At said meeting, the Commission should actively discuss the properties listed during a presentation provided by the historic preservation consultant, and select properties to be placed under consideration for landmarking during the upcoming designation season. The Commission can conduct this process at multiple meetings if necessary.

If at any time, a property owner feels that his/her property is eligible for designation as a local landmark, a request can be made to any Landmarks Preservation Commissioner to place the structure under consideration. Likewise, individual Commissioners can propose to place any structure under consideration, which will then become a matter to be decided by the full Commission.

The list of those properties put under consideration should be turned over historic preservation consultant who, will research, evaluate and prepare a Designation Report for each property. Designation Reports should contain architectural and historical information on the structure, explanation of how each criterion for designation is met, and a recommendation to consider or not consider the structure as a landmark of the Town of Palm Beach.

A public hearing should be announced and held to consider these properties individually in a public forum, allowing the property owners, their representatives, and members of the community to express their opinion relative to the recommendations of the consultant and staff as put forth in the Designation Report(s).

After reviewing the information and recommendation of the consultant and the staff in the public forum, the Landmarks Commissioners should then vote to accept or deny the recommendation. If the Commissioners' vote favors accepting the structure as a landmark of the Town of Palm Beach, their decision will be sent to the Town Council for its final ratification.

The property owner, his/her representative, or a member of the community may appeal at either level.

This policy should be periodically revisited, and adjusted as necessary. A new survey should be undertaken every ten years to correct the historical errors of the earlier efforts, and to add those structures that cross the National Register threshold of 50 or more years old.

POLICY FOR ARCHAEOLOGICAL MANAGEMENT PLAN

This Phase I Archaeological assessment indicated a total of eleven known archaeological sites within the town of Palm Beach. These sites are in various states of preservation and access, varying from sites heavily damaged, destroyed by development or obscured by fill, to sites with visible surface features and a high preservation quality.

The Town of Palm Beach's best tool for managing these archaeological resources is to use an archaeological zone overlay for each known archaeological site or potential site. An archaeological zone is an area of known archaeological sites locations with a high potential of having archaeological sites, archaeological features or artifacts.

All proposed development, clearing, or subsurface alterations within a zone (including such subsurface activities as utility trenching, tree removal, construction activities) should be subject to the Archaeological Ordinance of the Town's Code of Ordinances that requires an archaeological assessment for known archaeological sites and/or potential archaeological sites. The assessment (Phase I or reconnaissance level) will result in a report presented to the Planning, Zoning & Building Department prior to the issuance of any permits for demolition (below ground), excavations, tree removal, or other ground disturbing activities. Based on the assessment report, a determination will be made by the Planning, Zoning & 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 will be required only if something highly significant is found, such as human remains. If human remains are uncovered, they are subject to Florida's Unmarked Human Graves Act, and should be avoided if possible. If that is not feasible, then they should be reinterred in a secure part of the property under the coordination of the consultant archaeologist and tribal representative.

In the event that human remains are encountered during archaeological monitoring then the guidelines of State Statue 872.05, which provides for human remains, will need to apply.

Known or Potential Archaeological Areas

Many archaeological sites are recorded within the Town of Palm Beach, all of which are shown on the Town's Archaeological Sites Map. New areas can be added if additional sites are discovered during development, by accidental discovery or as a result of archaeological investigations. Although many of these sites are now obscured or even severely damaged by development, some less altered components may remain intact. The survival of significant site features in an urban

context is well documented in south Florida in downtown Miami and Ft. Lauderdale where many sites had been covered by fill. Palm Beach has had a similar developmental history where fill was commonly used.

When an archaeological site or feature is discovered during development in an area outside of a known or potential archaeological area, then the Town of Palm Beach should be notified, and an archaeologist should quickly inspect the discovery to determine its significance. However, even with the Town's Archaeological Sites Map, it is possible for archaeological discoveries to be made in many parts of Palm Beach since the town is located in a narrow barrier island with close proximity to water and other resources that were ideal for prehistoric and historic occupation. See the Town's Archaeological Ordinance within the Town Code of Ordinances for further information.

POLICY FOR THE ESTABLISHMENT OF EDUCATIONAL PROGRAMS

Encourage an Historic Marker Program to better educate the public on areas of "living history" throughout the Town of Palm Beach. Such a program could be locally funded, or work within an already established state or national framework. Such a program could be the result of the efforts of others as specified in "section 8.0: Policy for the Establishment of Historical Research."

POLICY FOR THE ESTABLISHMENT OF HISTORICAL RESEARCH

Historical research of an ongoing nature should be continually supported by the Landmarks Preservation Commission. Aside from the influx of new research generated by the continued Designation Report process, a program should be established to enhance the existing historical files with greater depth and clarity.

An ongoing internship program should be enacted to give undergraduate and graduate students of architecture and historic preservation the opportunity to gain practical experience in their field. This program should be limited to three summer months.

POLICY FOR THE ESTABLISHMENT OF MAINTENANCE PLAN

A maintenance plan should be enacted to protect the historic resources of the Town of Palm Beach, and help evaluate the structural integrity of landmarked architecture.

This maintenance element should encompass three basic areas: structural evaluation; code enforcement; and "demolition by neglect."

In cases where the structural integrity of a landmark or a potential landmark may be in question, a Historic Structures Report should be completed by the collaborative effort of the Town Building Official and an independent architectural history specialist.

The report should detail the conditions of the building inside and out, from the basement through

~~the roofing members, wherever possible. No exploratory demolition or any other process that disrupts the property or the rights of the property owner should be undertaken.~~

~~The completed report, detailing the condition of floors, ceilings, wall materials, windows, doors, roofs and roofing members, exterior spaces and ornamentation should be prepared and submitted to the Landmarks Preservation Commission Staff for evaluation. The Staff will relay the conditions outlined in the Historic Structures Report to the Commission in a public forum, and the Commission will vote on how this report will affect the status of the landmark or the potential landmark.~~

~~The Code Enforcement Officers of the Town of Palm Beach should be educated in the landmark process, and integrated into the Landmark Preservation Commission system for the purpose of monitoring the conditions at landmarked sites.~~

~~The Code Enforcement Officers should monitor the conditions at landmarked sites during their regular inspections, and report any violations or potential violations directly to the Landmarks Commission Staff immediately. If a serious problem is detected, the Landmarks Commission Staff would then add the violation to the next month's Landmarks Preservation Commission agenda for inclusion under the heading "Other Business." The Code Enforcement Officer will appear to directly relay his/her evaluation of the violation and recommendation, and the Landmarks Preservation Commission will vote to sustain or deny the recommendation.~~

~~If by the determination of an Historic Structures Report, or by the observations of a Code Enforcement Officer and the Building Official, a landmarked property is considered structurally deficient by the Landmarks Preservation Commission, the Commission may vote to enact Section 54-3 in Chapter 54 (Historic Preservation) of the Town's Code of Ordinances.~~

~~If enacted, this section allows the Commission to notify the owner that his/her building has become structurally deficient due to neglect, and that he/she has 30 days to commence any work that would rectify the situation. If the property owner fails to comply with the request, and the Commission believes that the structure is being allowed to deteriorate intentionally, the Commission will inform the Town Council of the violation of Ordinance #2-84. The Town Council may choose to repair the structure at its own expense, and lawfully place a lien against the property for the cost of the repairs expended.~~

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.

Early 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,



Contemporary Photo of the Breakers, Palm Beach, FL



Historic Photo of the Breakers, Palm Beach, circa 1896

the Coconut 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

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, with the goal of preserving 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.

The Town of Palm Beach Historic Preservation Element formally states Town policy with regard to the protection of its historic and archaeological resources. This element is optional per sections 163.3177, Fla. Stat., but serves as a tool for coordinating the actions and policies of the Town of Palm Beach. Florida's 1975 Local Government Comprehensive Planning Act laid the foundation for local preservation planning in the State.

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.

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 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 to increase 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) with the purpose 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 a number of 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.
- ❖ 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 (7) members, six (6) 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 or not 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 in order 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 a ten-year period. The Abatement is conveyed through a covenant that accompanies the deed to the property and may be transferred to future owners

during the Abatement time period.

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, local 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 in fact a catalyst in creating it and to the resulting book, *Landmark Architecture of Palm Beach* (1974). There were three (3) Editions to the book. The First Edition was written in 1974, the Second Edition is 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 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

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 northend 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, that 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,” as long as the permit otherwise complies with applicable building code requirements. Therefore, a property can be landmarked against an owners wishes, the owner just retains the right to apply for demolition of the structure if they objected to its landmarking after January 1, 2022.

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

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 prior to 1979. Historic and current USGS maps 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

⁵ Ibid

runoff 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.

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 Florida Department of Transportation, the Town of Palm Beach and the City of West Palm Beach. The bridge was completed in 1938 under the 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 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.

Archeological Sites

The Town of Palm Beach has maintained 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. 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 29 known archaeological sites, at least six have historic 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; however, there are at least nine sites 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.

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 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.

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
& POLICIES

GOAL

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

~~PRESERVE, PROTECT AND ENHANCE THE HISTORIC AND PREHISTORIC RESOURCES OF THE TOWN. THE TOWN SHALL PROTECT THE VISUAL APPEARANCE OF PALM BEACH THROUGH THE PERPETUATION OF PROPERTIES OF SPECIAL NOTABLE AESTHETIC, ARCHITECTURAL AND HISTORICAL SIGNIFICANCE.~~

OBJECTIVE 1

The Town shall protect and preserve its ~~prehistoric~~, **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 ~~historic structures~~ **existing landmarked properties and those under consideration.**

POLICY 1.2

The Town shall ~~c~~Continue to designate structures, sites, and districts considered worthy of Landmarking in accordance with Chapter 16, Article III 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.

POLICY 1.3

The Town shall ~~p~~Prevent destruction of Historic Landmark Structures through provisions in Chapter 16, Article III of the Town's Code of Ordinances.

POLICY 1.4

The Town shall continue to follow and enforce the Archaeological Ordinance within the Town's Code of Ordinances in preserving and protecting archaeologically sensitive sites **and coordinate with the appropriate state and county agencies.**

POLICY 1.5

The Town shall continue to ~~encourage~~ **coordinate** a **the** Historic Marker Program and **encourage** ~~other such~~ 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.).

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 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.

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.

Public Safety Element

DATA & ANALYSIS

EXECUTIVE SUMMARY

The Town of Palm Beach shares the role of public safety under the auspices of the Police Department and the Fire Department in concert. Both serve the public and work together. However, their roles are independent. As such, the distinctions are being recognized with the subject Comprehensive Plan Amendment. Since the adoption of the current 2017 Comprehensive Plan, the Public Safety Director position was eliminated. This change has been reflected in the corresponding Goals, Objectives, and Policies for the Public Safety Element.

History of the Palm Beach Fire Rescue Department

In the late 1800s, fire protection for the Town of Palm Beach was initially provided by a volunteer group of fire fighters known as the “Flagler Alerts”. This group of volunteers were organized and equipped by Henry Morrison Flagler in 1894 for the purpose of protecting his properties and local interests. The Flagler Alerts were housed in the City of West Palm Beach on the mainland. At that time, no bridges existed, which meant the Flagler Alerts could only respond by ferry in the event of a fire. Given that firefighting equipment and fire personnel were not present on the island, Palm Beach was completely dependent upon outside assistance.

In 1911, the official name of this volunteer fire department was changed from the Flagler Alerts to the City of West Palm Beach Fire Department. The West Palm Beach Fire Department continued to provide fire protection to Palm Beach until the Town of Palm Beach founding fathers were concerned about delayed response times and high fire insurance rates. In December 1921, the Town Council established a localized fire protection plan with the creation of the Palm Beach Fire Department. In early 1922, Elmer Schultz was appointed as the first Fire Chief.



Historic Photo of Fire Station and Firefighters late 1800s

By 1982, the Fire Department's name was officially changed to the Palm Beach Fire Rescue Department to emphasize the increased effort and workload in emergency medical services. In May 1987, renovation work was completed on the North Fire Station (Station 2) at 300 North County Road and the Administrative Offices for the Department were moved from Station 1 to the third floor of Station 2. In 2004, a new Central Fire Station (Station 1) was constructed at 355 South County Road across from the old central fire station.

Fire Rescue as a Component to the Public Safety Element

The scope of the fire-rescue industry has grown dramatically over the last century, evolving from solely a fire department to an all-hazards department. In Florida, there is no state requirement for fire department staffing. In fact, fire departments are not mandatory. At present, many areas of the state of Florida provide fire rescue through a volunteer department, as the Town originally had.

The closest state "staffing" requirement for fire service is the requirement that when entering an atmosphere considered "Immediately Dangerous to Life and Health" (IDLH), such as a structure fire, firefighters operate in teams of two as a minimum and that before firefighters enter the IDLH, there must be two firefighters outside who are capable of a rescue should the two (or more) firefighters in the IDLH need rescuing. This is commonly referred to as the "two-in, two-out" rule.

For Emergency Medical Services (EMS), the only EMS staffing rule in Florida is that an Advanced Life Support (ALS) vehicle must be staffed by at least one paramedic and one Emergency Medical Technician (EMT). The Fire Rescue Department staffing, and distribution of personnel are based upon the Town's expectations for service, which includes the ability to get to any emergency within eight minutes and to initiate effective emergency services upon arrival. On average, the Fire Rescue Department responds to an average of 2,600 calls per year.

Today, there are three fire-rescue stations, north, central, and south station to minimize response time and provide maximum coverage to all areas of the island. Each station contains at least one rescue unit and one suppression unit. The Central Fire Station and the South Fire Station both house aerial ladder trucks. The mission of the Town of Palm Beach Fire Rescue Department is to continue to deliver the very best, cutting-edge services to all well into the future. As displayed on Exhibit 5-1, the Town is divided into three zones that correspond to each of the fire station locations.



Exhibit 5-1 Fire Rescue Zones

Ocean Rescue

As a barrier island with over 12 miles of beachfront within the Town of Palm Beach corporate limits, the relationship between the Fire Department and Ocean Rescue (lifeguards) is critical. The Town of Palm Beach Ocean Rescue Unit operates under the Town of Palm Beach Fire Rescue Department. The Ocean Rescue Unit is responsible for the protection of life and property on the Town's public beaches and surrounding waterways.

The Town of Palm Beach employs six full-time lifeguards and seven part-time lifeguards, who are responsible for providing public safety and initial emergency medical service seven days a week, 365 days per year on the Town's two public beaches. Those Town operated beaches include the Mid-Town Municipal Beach and Phipps Ocean Park, that are both equipped with Automated External Defibrillators (AEDs), rescue paddle boards, rescue boats, response ATVs and state of the art lifeguard towers. Those within the Phipps Ocean Park have been approved for renovation in 2023.



Town of Palm Beach Ocean Rescue

All Ocean Rescue personnel are trained at first responder level for emergency medical care. Additionally, all lifeguards must complete an annual USLA re-certification that requires a 500-meter swim test. The Ocean Rescue staff are also encouraged, and several employees have obtained supplemental advanced training, as paramedics and Emergency Medical Technician (EMTs). An EMT or Paramedic is generally assigned to each beach. In addition to providing service on the two public beaches, Ocean Rescue responds to aquatic emergencies throughout the Town. Lifeguards are also assigned to the Town's Rescue Dive Team. The Unit is accredited by the United States Lifesaving Association and is recognized as a State of Florida Certified First Responder Agency.

Police Department as a Component to the Public Safety Element

The year 1911 also witnessed the establishment of the Town's Office of the Town Marshal. Through its first Town Charter, Joseph Borman was elected to the office and the first appropriation from the Town Council was \$1 for a "proper marshal's badge." Borman became the first Police Chief when the Palm Beach Police Department was formed on October 17, 1922. Chief Borman, known as "Mr. Palm Beach", served the Town from 1911 until his retirement in 1946. In addition to his duties as chief law enforcement officer, Chief Borman also served as tax collector, tax assessor, fire chief, voter registrar, code enforcement officer and building official, mosquito control officer, and secretary of the Town Caucus.

Today, the Town of Palm Beach Police Department Officers are a group of law enforcement officials who carry out the law in the Town. More specifically, Town of Palm Beach Police Officers are Town employees who are certified as sworn law enforcement officers by the State of Florida. Along with the state certification comes regular training requirements and a myriad of other rules and regulations in addition to anything internal to the Town. The Town of Palm Beach Police Officers are licensed to carry firearms and other weapons used in the field. Police Officers also can be one of the first responders to an emergency, such as a car accident or fire.



Town of Palm Beach Police Department -345 S. County Road

The Palm Beach Police Department is organized into components which are grouped according to the functions they are designed to carry out. Levels of authority and responsibility within these components are established by rank and position. The order of command for sworn personnel is provided below.

The Police Department is divided into the Law Enforcement and Support Services components. Law Enforcement is commanded by the rank of Major and Support Services is managed by a civilian Support Services Manager. Currently, the Town of Palm Beach is staffed with sworn officers-and non-sworn employees.

The Chief of Police is the Chief Executive Officer of the Department. The Chief of Police develops, organizes, coordinates, and directs all functions within the organization in the absence of the Chief of Police, the Major assumes the duties of the Chief of Police. The Major and Support Services Manager report directly to the Chief of Police. Each component is divided into units which are grouped according to the functions for which they are responsible.

Additionally, the Code and Parking Enforcement Unit is under the management of the Police Department. The primary responsibility of the Code Enforcement function is to ensure the highest possible quality of life is enjoyed by all residents of the Town of Palm Beach through enforcement of Town codes and ordinances. The Parking Enforcement function also regulates the use of all parking in the Town of Palm Beach by enforcement of parking ordinances and regulations in order to create an adequate turnover of the limited number of parking spaces available and to ensure compliance with residential permit parking programs. Both officers are dispatched through the Police Department's Communications Unit. Additionally, within the Code and Parking Enforcement Unit is sea turtle protection.

Currently, the Code Enforcement Unit maintains one Parking Unit, that is led by one Lead Parking Officer, two Parking Officers, with two new officers budgeted for fiscal year 2023. The officers operate marked vehicles with license plate reader cameras that run tags and indicate expired tags, stolen vehicles, and expired parking sessions. The Parking Officers also serve as the Town's school crossing guards, which average about 240 hours yearly. These officers also direct traffic at vehicle crash scenes.

The primary goal for code enforcement is voluntary compliance. However, if that is not achieved, compliance is obtained through the Code Enforcement Board. The Code Enforcement Board hears cases involving violations of the Town Code and imposes administrative fines and other noncriminal penalties where a pending or repeated violation exists.

As displayed on the Parking Inventory Exhibit 5-2, the Town currently has an inventory of 1,897 on-street parking spaces generally located centrally in the Midtown area that contains a mixed of commercial, civic, and residential uses.

Currently, the Town of Palm Beach provides a variety of programs for on-street and municipal lot parking for residents, visitors, contractors, and service companies. The Town's parking regulations, residential permits, placard parking, and paid parking opportunities are provided by the Police Department.

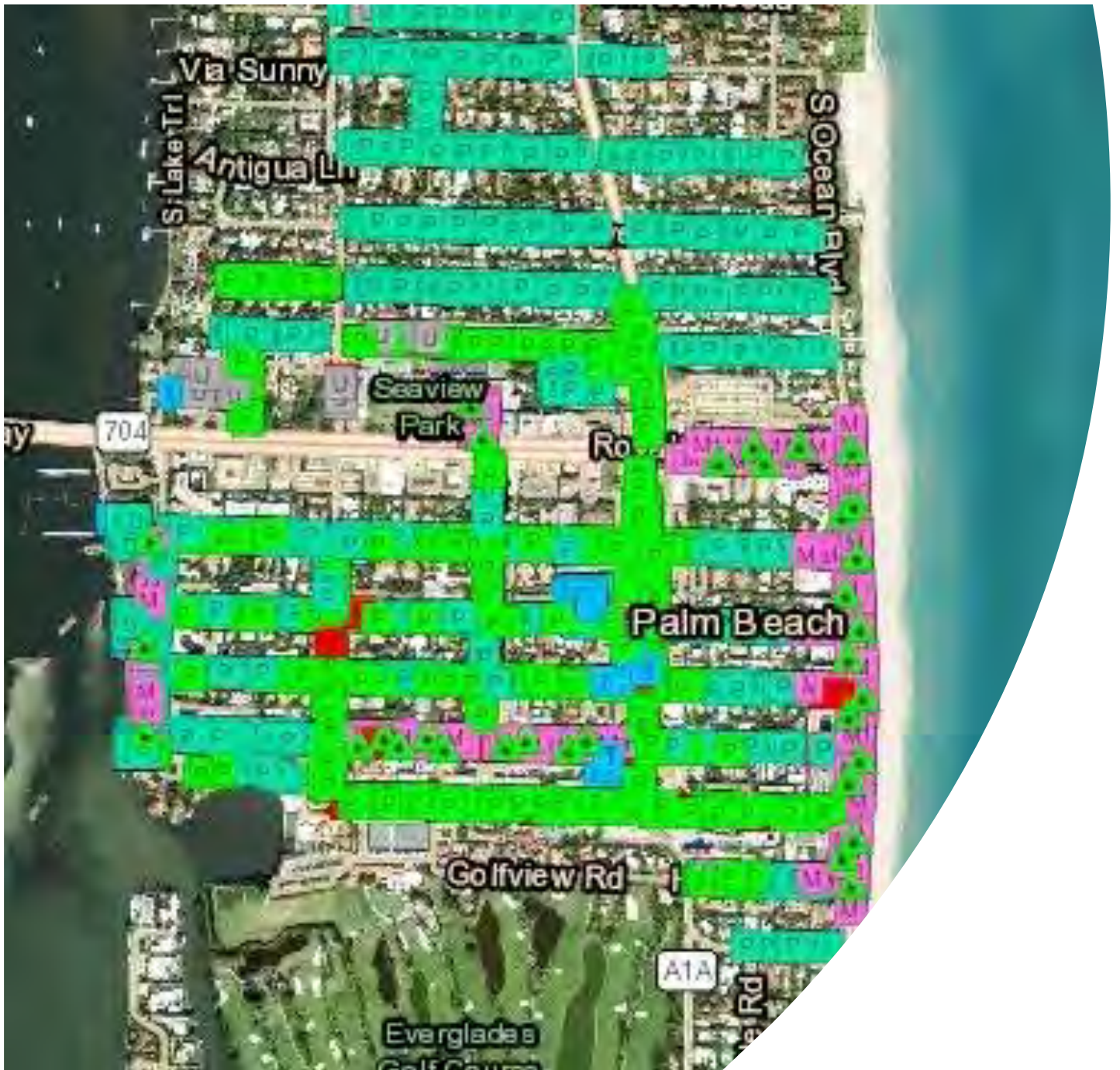
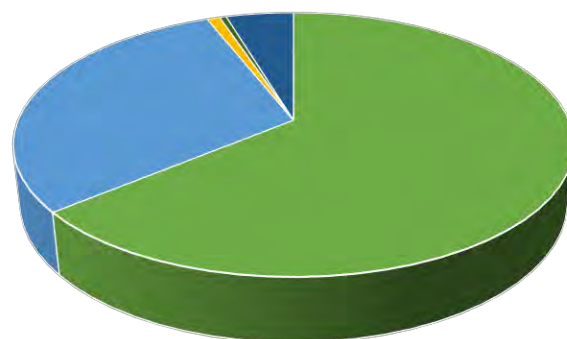


Exhibit 5-2 Palm Beach Parking Inventory

Within the on-street parking managed area, currently varying rates and policies apply often along a short section of a roadway. The parking time limitations and number of spaces are provided in the following Figure 5-1.



- 2-Hour
- 1-Hour
- 30-Minute
- 15-Minute
- Unregulated

Figure 5-1 – Parking Rates
Two (2)-hour limit – 716 spaces
One (1)-hour limit – 336 spaces
30-minute limit – 10 spaces
15-minute limit- 5 spaces

Due to the inconsistencies in parking regulations, the Police Department in conjunction with the Business and Administration Committee (BAC), is transitioning to an app-based parking program. The system tracks transactions, revenue, historical trends, and performance for individual zones. Reports can be generated in multiple formats and emailed to key personnel.

Data generated by the app-based system can be used to determine best practices and manage the Town's parking inventory effectively and efficiently. The apps can display parking availability in real time, making it easier to find a space. The system provides simple touch-free payment options (through the app, the web, text, or phone). Drivers are alerted when their time is running low, and they can extend their parking session without returning to the vehicle.

Sea Turtle Protection

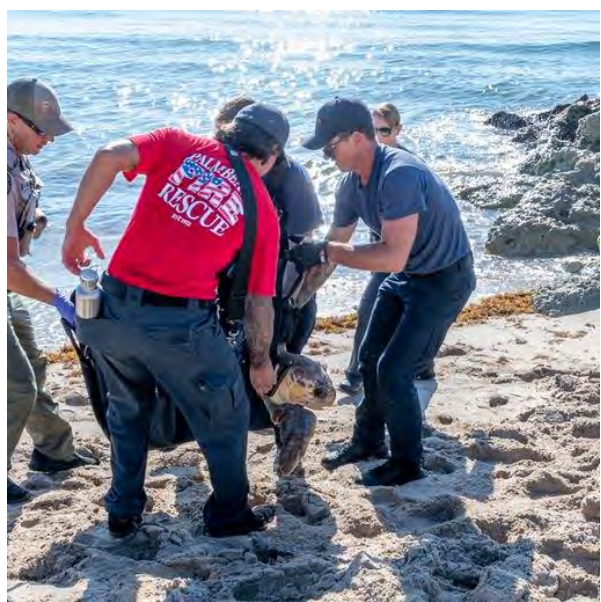
Sea turtles are marine reptiles with streamlined bodies and large flippers that are well-adapted to life in the ocean. Six species are found in U.S. waters, all of which are listed and protected under the Federal Endangered Species Act. Although sea turtles live most of their lives in the ocean, adult females lay their eggs on land. They migrate hundreds to thousands of miles every year between feeding grounds and nesting beaches. Leatherback turtles are among the most highly migratory animals on earth, traveling as many as 10,000 miles or more each year. Unfortunately, sea turtles face significant threats around the world that have led to these species remaining on the endangered species list.

The most common risks include the following.

- By-catch in commercial and recreational fisheries
- Loss and degradation of nesting and foraging habitats due to coastal development, pollution, and climate change
- Killing of turtles and collection of eggs for consumption
- Entanglement in marine debris
- Vessel strikes

In the United States, NOAA Fisheries and the U.S. Fish and Wildlife Service have shared jurisdiction for recovery and conservation of threatened and endangered sea turtles. We lead the conservation and recovery of sea turtles in the marine environment, while the U.S. FWS has the lead for the conservation and recovery of these animals on nesting beaches.¹

Pursuant to Code Section 74-228, *Enforcement of federal, state laws*, the Town Police Department, through the Code Enforcement Unit, is the enforcement agency for applicable federal and state laws related to sea turtle protection. Should damage to sea turtles, or sea turtle nests or hatchlings be observed, the notification to the Florida Department of Environmental Protection is required. Pursuant to Code Section, 74-225, the Town Code Enforcement issues citations for violations due to failure to comply with any provision of the subject Code Section.



Palm Beach Fire Rescue

¹ National Oceanic and Atmospheric Administration (NOAA) Fisheries website

Activity and Personnel Allocation Study

It is the policy of the Palm Beach Police Department that every year a “Activity and Personnel Allocation Study” is performed to assign personnel according to service demands. In accordance with General Order I-24, an activity allocation and personnel assessment for Patrol Unit Officers and Criminal Investigation Unit (CIU) Detectives are conducted to address community needs. The study is used as a tool to ensure the proper allocation of Patrol Officers during peak demand times.

As displayed on Table 5-1, the Police Department operates four patrol zones, several overlapping cover zones, and a number of mini zones in the commercial districts. Due to operational security risks, the details are not published with any specific information regarding the exact locations of the zones on a map.

Map Ref. Area	NORTH	SOUTH	EAST	WEST
1	Lake Worth Road	South Town Limit	Atlantic Ocean	Lake Worth
2	Old South Ocean	Lake Worth Road	Atlantic Ocean	Lake Worth
3	Kreusler Park			
4	Ibis Island			
5	Sloan's Curve	Old South Ocean	Atlantic Ocean	Lake Worth
6	Ocean View	Sloan's Curve	Atlantic Ocean	Lake Worth
7	Southern Blvd	Ocean View	Atlantic Ocean	Lake Worth
8	Southern Boulevard Causeway			
9	Banyan Road	Southern Blvd	Atlantic Ocean	Lake Worth
10	Worth Avenue	Banyan Road	Atlantic Ocean	Lake Worth
11	Everglades Island and Tarpon Island			
12	Worth Avenue			
13	Royal Palm Way	Worth Avenue	Cocoanut Row	Lake Worth
14	Royal Palm Way	Worth Avenue	Atlantic Ocean	Cocoanut Row
15	Barton Avenue	Royal Palm Way	Cocoanut Row	Lake Worth
16	Barton Avenue	Royal Palm Way	Atlantic Ocean	Cocoanut Row
17	44 Cocoanut	Barton Avenue	Cocoanut Row	Lake Worth
18	Royal Poinciana	Barton Avenue	Atlantic Ocean	Cocoanut Row
19	Royal Poinciana Plaza Complex			
20	Wells Road	Royal Poinciana	Atlantic Ocean	Lake Worth
21	Tangier Avenue	Wells Road	Atlantic Ocean	Lake Worth
22	Country Club	Tangier Avenue	Atlantic Ocean	Lake Worth
23	Colonial Lane	Country Club	Atlantic Ocean	Lake Worth
24	Reef Road	Colonial Lane	Atlantic Ocean	Lake Worth
25	North Town Limit	Reef Road	Atlantic Ocean	Lake Worth

Table 5-1 Geographic Distribution Locations

The following Table 5-2 displays the Calls for Service over the last 10 years. The Calls for Service include both officer-initiated calls such as traffic stops, business and house checks, traffic incidents, etc., to more accurately reflect patrol officer activity demand levels. Priority 1 calls require immediate response. The Percentages Comparison Chart within the graphic

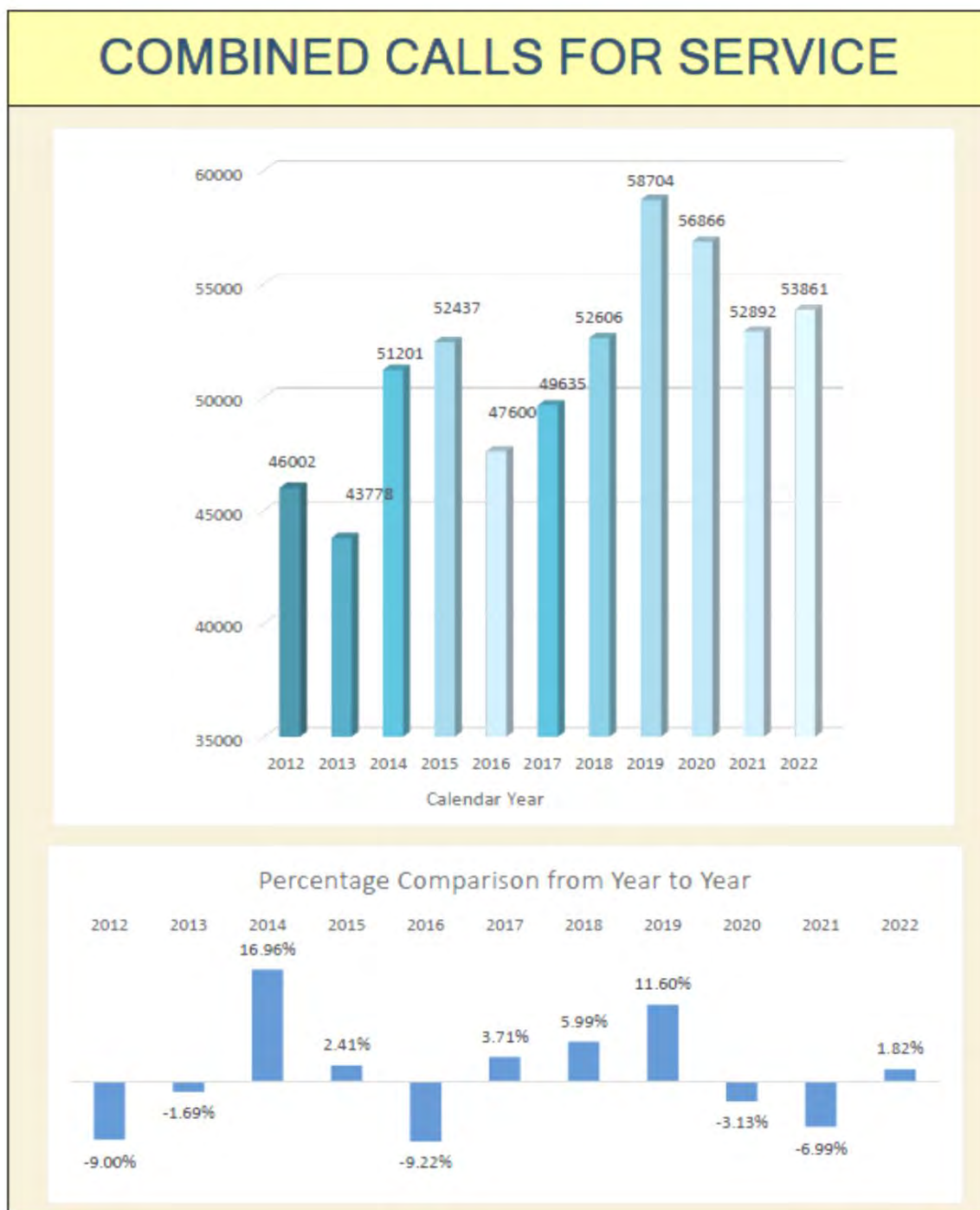


Table 5-2 Police Department Calls for Service

below is used to show how much one year has increased or decreased compared to the previous year. For 2022, the average response time for Patrol Officers to response to all Priority 1 calls was four minutes and twenty-five seconds. A Priority 1 police call is an emergency that requires an immediate response and may pose a threat to life. Call-takers prioritize calls based on the information they receive from the caller, such as whether the situation is in progress, just occurred, or is life threatening.

Table 5-3 below shows a comparison of the years 2021 and 2022 showing the percentage of 911 calls (emergency) and those citizen calls for service, which include all calls to the department including complaints related to code, parking and sea turtle incidents. As demonstrated, the majority of the calls are non-emergency calls.

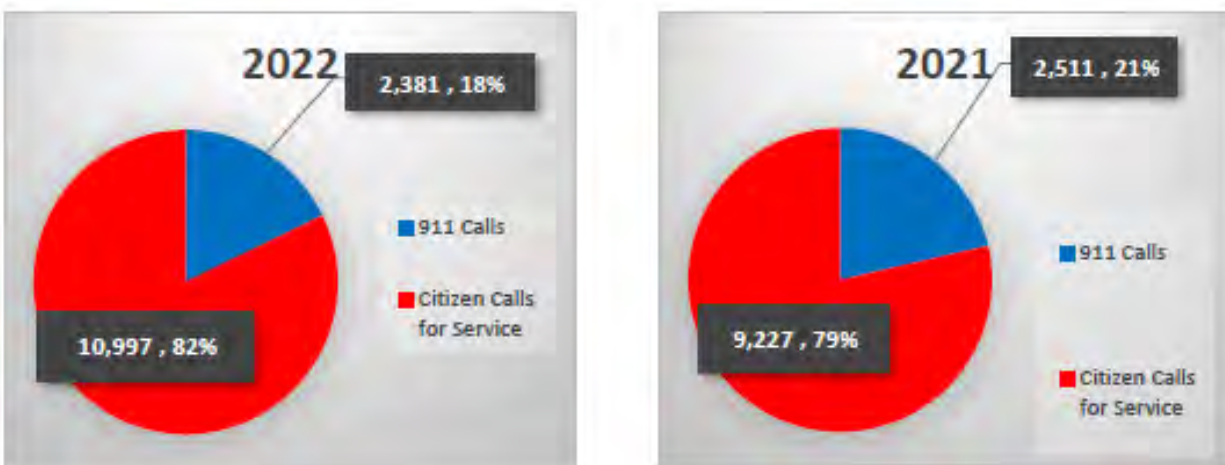


Table 5-3 2021-2022 911 and Citizen Calls

On Table 5-4, accidents in the Town for the last three years are shown, distinguished by those with and without injuries.

Accidents in the Town of Palm Beach 2021-2023

Police Zones

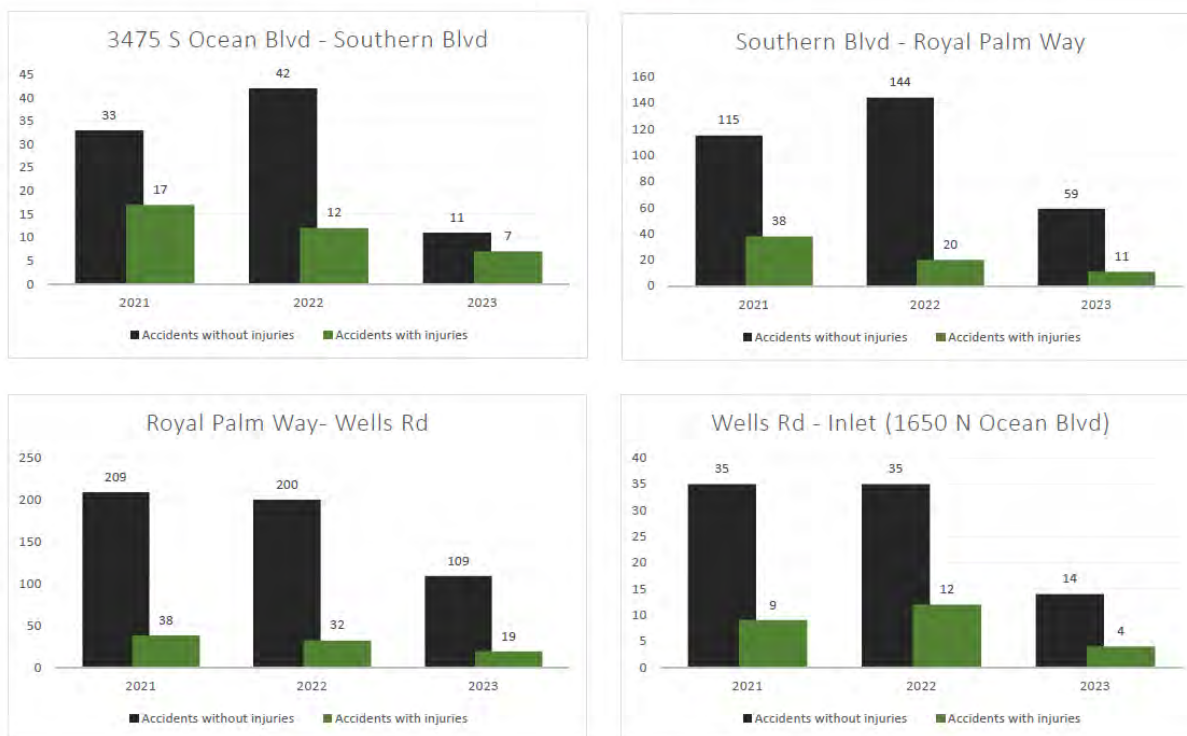


Table 5-4 Accidents 2021-2023

Emergency Management in the Town of Palm Beach

The Office of Emergency Management, which operates the Town’s Emergency Operations Center (EOC), is located in the Fire-Rescue Department’s Central Station.

As graphically presented below in Exhibit 5-3, emergency management incorporates four specific phases.

Emergency Management planning is guided through the Comprehensive Emergency Management Plan (CEMP). The CEMP provides the basic strategies, assumptions, and mechanisms through which the Town of Palm Beach will mobilize resources and conduct activities to guide, coordinate,

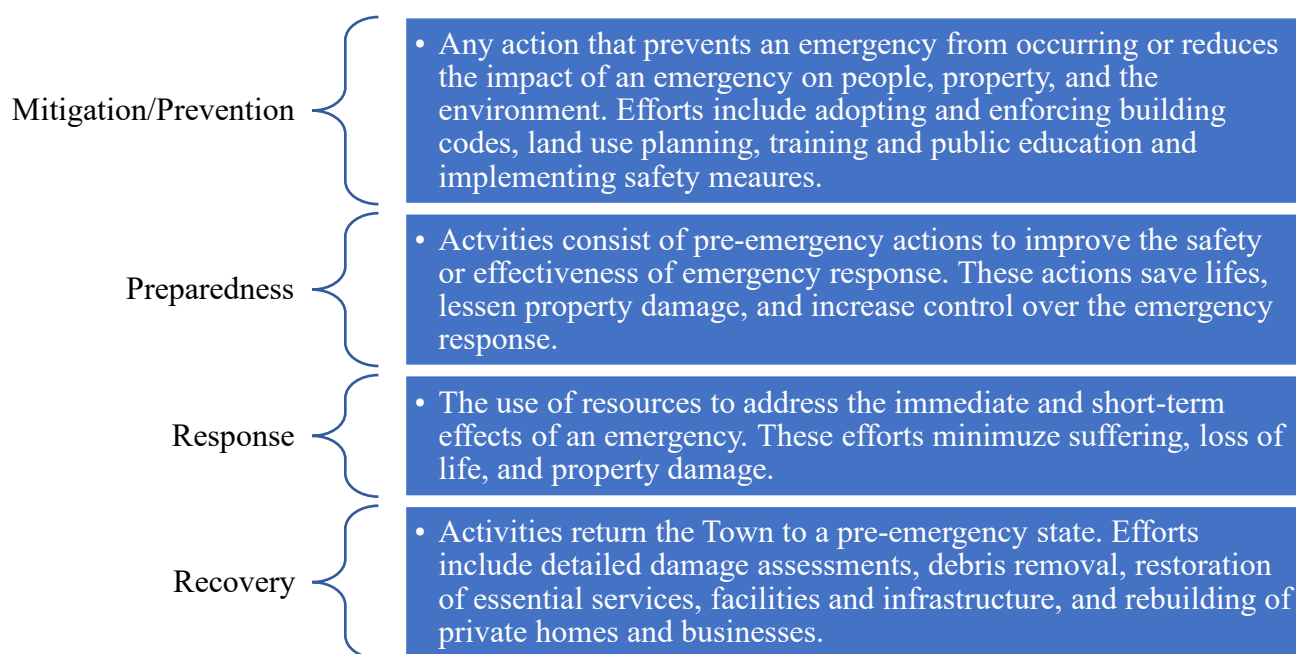


Exhibit 5-3 Emergency Management Phase

and support local emergency management efforts. Emergency management is an ongoing process even when there are no emergencies. The Town continually strives to prevent and diminish future emergencies through experiences and training.

The CEMP was developed by a planning process coordinated by the Town’s Office of Emergency Management. It was promulgated by administrative procedures pursuant to the Town Code of Ordinances. The Town's Office of Emergency Management ensures that necessary changes and revisions to the plan are prepared, coordinated, published, and distributed. The Town Manager has the ultimate authority for disaster preparedness and response and the Emergency Management Director has the responsibility for coordinating the entire emergency management program on behalf of the Town Manager. The Town

Manager has been delegated as the executive authority for all emergency operations and powers of Emergency Management.

The plan will undergo revisions for the following reasons.

- ✓ Information errors or omissions have been identified.
- ✓ New issues, requirements, or supplementary material have been identified which are not adequately addressed.
- ✓ There has been a change in information, data, or assumptions from those on which the Plan was based.
- ✓ The nature or magnitude of identified risks have changed.
- ✓ There are implementation problems, such as technical, political, legal or coordination issues with other agencies.
- ✓ Legislative changes have affected the organizational structure of some local or State agencies.
- ✓ There is a need to incorporate new State or Federal guidelines or directives and /or to address significant operational issues.
- ✓ Exercises reveal deficiencies or shortfalls.

The CEMP establishes the Town of Palm Beach's comprehensive emergency management program. The plan authorizes all officers and employees of the Town to be a part of the emergency preparedness and response organization. The CEMP is always in effect and available for implementation and works to ensure the Town is continually ready to coordinate response activities, including everyday incidents, without formal activation. However, it should be recognized that an order or proclamation of a local State of Emergency or disaster by the Town Manager or designee may activate special components of the emergency management plan when deemed necessary. By Municipal Ordinance the Town Manager is delegated executive authority for all emergency operations and powers of Emergency Management.

As a part of the emergency management plan, the Town of Palm Beach has formally adopted and uses the National Incident Management System (NIMS). NIMS provides a consistent national approach for Federal, State, and local governments and non-governmental organizations to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. To provide for interoperability and compatibility among Federal, State, and local capabilities, NIMS includes a core set of concepts, principles, terminology, and technologies covering the incident command system; multi-agency coordination systems; unified command; training; identification and management of resources (including systems for classifying types of resources); qualifications and certification; and the collection, tracking, and reporting of incident information and incident resources.

SUMMARY

Since the Town's inception, public safety has been at the forefront. In fact, incorporation of the Town coincided with the establishment of Police and Fire Rescue services in 1911 as a necessity. To ensure the Town residents, visitors and resources are protected, it is recommended that the Town continue to ensure Police and Fire Rescue Department personnel is adequately staffed based upon the Town's expectations for service and the ability to get to any emergency and initiate effective emergency services upon arrival. Additionally, The Town of Palm Beach Fire Rescue Department should seek ocean rescue personnel who are trained at first responder level emergency medical care and are United States Lifesaving Association (USLA) certified.

Further, the Town should include the Police and Fire Rescue services in the building permit review process to require the "Town of Palm Beach Exterior Lighting Requirements" for sea turtle protection. With regard to development, the Town will designate Police Service personnel to participate in the site plan review process administered through the Planning, Zoning and Building Department for consideration of "Crime Prevention Through Environmental Design" (CPTED) concepts and techniques for multifamily and commercial development and redevelopment.

Lastly, with regard to Emergency Management, the Town of Palm Beach will continue to coordinate with adjacent municipalities, Palm Beach County, the Florida Department of Transportation and other responsible agencies, to ensure that the regional transportation network provides for the safe and timely evacuation of residents in a hurricane or other emergency event.

Public Safety Element

GOALS, OBJECTIVES
& POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS THROUGH THE PROTECTION OF THE HEALTH, SAFETY AND SECURITY OF TOWN RESIDENTS.

~~Promote the health, safety, and security of the City's residents and visitors, including in times of disasters and other emergencies.~~

OBJECTIVE 1

The Town of Palm Beach shall continue to maintain and enhance a high level of safety and security for residents ~~and visitors~~ of the Town.

POLICY 1.1

~~Provide~~ **The Town shall maintain** a coordinated and proactive public safety program through the ~~Public Safety Director~~ **coordinated roles of the Police and Fire Rescue Departments.**

POLICY 1.2

The Town shall maintain a well-trained and adequately staffed **sworn law enforcement officers within the** Police Department dedicated to **state certified regular training** to **ensure the protection of Town residents.** ~~law enforcement activities within the Town.~~

POLICY 1.3

The Town shall ~~Continue~~ **to ensure Fire Rescue Department staffing and distribution of personnel based upon the Town's expectations for service and the ability to get to any emergency and initiate effective emergency services upon arrival** ~~that excellent professionally maintained fire rescue services are provided within the Town.~~

POLICY 1.4

The Town shall continue to comply with the Emergency Medical Services (EMS) rule that all Advanced Life Support (ALS) vehicles be staffed with at least one paramedic and one Emergency Medical Technician (EMT).

POLICY 1.5

The Town of Palm Beach Fire Rescue Department shall continue to ensure adequate staffing of Ocean Rescue personnel who are trained on first responder level emergency medical care and are United States Lifesaving Association (USLA) certified.

POLICY 1.6

The Town of Palm Beach Fire Rescue Department shall encourage Ocean Rescue staff to obtain supplemental advance training as paramedics and Emergency Medical Technicians (EMTs).

POLICY 1.7

The Town of Palm Beach Police Department shall maintain adequate staffing of code enforcement officers to ensure the Town codes and ordinances are adhered to in order to protect property and resources within the Town.

POLICY 1.8

The Town shall continue to function as the local enforcement agency of sea turtle protection through the regulations provided in Division 4, Code of Ordinances.

POLICY 1.9

The Town through the building permit review process shall require the “Town of Palm Beach Exterior Lighting Requirements” form to be signed and notarized by contractors.

OBJECTIVE 2

The Town will continue to implement innovative and state of the art law enforcement techniques and technologies to ensure the health, safety and welfare of residents-and-businesses,~~and visitors.~~

POLICY 2.1

The Town Police Department shall participate in the site plan review process administered through the Planning, Zoning and Building Department for consideration ~~Incorporate of~~ “Crime Prevention Through Environmental Design” (CPTED) concepts and techniques **for multifamily and commercial development and redevelopment.** ~~to the maximum extent feasible during site planning for new development and redevelopment.~~

POLICY 2.2

The Town Police Department shall **continue to implement high-profile enforcement of all vehicular and non-vehicular all traffic laws.**

POLICY 2.3

The Town of Palm Beach shall explore incorporating state of the art technologies in crime prevention, police response, and crime solving.

OBJECTIVE 3

The Town shall seek to reduce the exposure of life and property to hurricanes and other disasters through the planning and implementation of emergency preparedness, response, and recovery plans.

POLICY 3.1

The Town's Comprehensive Emergency Management Plan (CEMP), which includes the Storm Emergency Response Plan (SERP) and Continuity of Operations Plan (COOP), **will** be reviewed and updated as needed.

POLICY 3.2

Due to the Town's location within the Coastal High Hazard Area and general vulnerability to hurricane events, the Town shall ensure that future development or redevelopment maintains or reduces hurricane evacuation times through land use controls.

POLICY 3.3

The Town of Palm Beach shall continue to ~~Coordinate~~ with adjacent municipalities, Palm Beach County, the Florida Department of Transportation and other responsible agencies, to ensure that the regional transportation network provides for the safe and timely evacuation of residents in a hurricane or other emergency event **and** is not degraded as a result of ~~Transportation Concurrence Exemption Areas (TCEA)~~ **of increased development and related population in the West Palm Beach area.**

POLICY 11.13.4 (Moved from Coastal Management/Conservation Element)

The Town, ~~o~~Once a hurricane watch has been declared, the Town shall coordinate with the Florida Division of Emergency Management and the County Emergency Management officials to facilitate orderly and timely evacuation of residents and visitors in the Town.

POLICY 11.23.5

The Town shall annually review Palm Beach County's Hurricane Evacuation Plan to identify any changes that may affect the evacuation of Town residents during a storm event and shall ensure that the Town's Hurricane Evacuation Plan remains integrated with the County's Plan by amending the Town's Plan, as necessary.

POLICY 3.6

As the CEMP states that all officers and employees of the Town to be a part of the emergency preparedness and response organization, the Town of Palm Beach shall ensure Town Department staff are educated on emergency preparedness and response for those essential employees that they are trained in emergency preparedness and response.

POLICY 12 3.7 Moved from the Future Land Use Element

The Town shall expand the Town's education and notification process to emphasize the unpredictability of the power of an approaching storm and the need to evacuate early upon an evacuation warning.

Infrastructure Element

DATA & ANALYSIS

INTRODUCTION

The purpose of the Infrastructure Element is to provide for necessary public facilities and services related to future land use projections. It includes plans for sanitary sewer, solid waste, potable water and drainage facilities. Palm Beach contains no significant recharge area; still, specific standards and governmental actions geared to stabilizing water table levels in surficial deposits are addressed in this Element.

This Element of the Plan has been developed based upon:

1. Identification and analysis of the appropriate public facilities and their service areas, design capacities, and levels of service provided by each;
2. Analysis of existing conditions, problems and opportunities, and existing and projected needs for each facility; and,
3. Analysis of major natural drainage features and natural groundwater aquifer recharge areas.

While this Element is not an engineering study, it provides information essential for engineering analysis and design. Its major orientation is toward reasonable determination of existing, and future supply and demand relationships for each of the major facility areas.

EXECUTIVE SUMMARY

EXISTING AND FUTURE LAND USES

The geographic area served by the infrastructure facilities is the Town of Palm Beach, an urban, built-up area approaching saturation. These public facilities, providing service in and to the Town of Palm Beach, predominantly serve the following uses in the Town: residential, commercial, public, private group use, recreational and conservation uses. There are no agricultural or industrial uses in the Town. More detailed discussion of the patterns, and extent of land uses and land use maps, are provided in the Future Land Use Element. Because of the very limited amount of vacant land in the Town, the pattern of land uses in the future will remain essentially the same as now existing in the Town.

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

Reordered Sub-Elements and Updated Data

DRAINAGE

~~Prior to development, the Palm Beach coastal barrier was characterized by a high coastal ridge along the Atlantic, and a low, swampy shoreline along Lake Worth. A marshy slough separated the beach ridge and lake hammocks. Surface accumulation either percolated to the surficial aquifer through permeable soils on the ridges, collected in the slough, or ran through poorly drained tidal swamps into Lake Worth.~~

~~Extensive shoreline and surface water changes have occurred since 1883. The slough and low lake shorelines have been filled for urban development, and the Atlantic shoreline has receded due to beach erosion. The urbanization of the Town has reduced the amount of water infiltrating to the surficial aquifer, and has increased runoff from impermeable surfaces. The coastal ridge still dominates the island's topography, acting as a seaward barrier to surface drainage. In addition, remnants of slough areas are prone to flooding.~~

~~In order 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.~~

~~The Town's drainage system consists of a combination of pumping stations and gravity outfalls. Pumping stations are necessary because areas of the Town are below Lake Worth's high tide level, causing backflow through stormwater outfalls when above normal tides are experienced in the~~

Lake.

The Town's code supports the South Florida Water Management District's stormwater retention requirements for new development and redevelopment. All new development and redevelopment must provide minimum retention of the first two inches of rainwater prior to 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.

Consulting engineers have extensively studied the storm drainage situation in the Town. The Town's engineering design criteria are meant to ensure that 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 would be carried off within sixty minutes. Accumulated runoff from a fifty-year storm would require only ninety minutes for removal. These standards supersede the less restrictive three-year/one-hour design requirements of the Water Management District.

Demand upon drainage systems is related to the area and amount of water to be drained. As the Town is virtually "built-out", the area to be drained will remain essentially constant, with most increases in impervious surfaces being addressed by retention requirements. The amount of water to be drained remains variable, depending upon the actual storm events. Therefore, the demand on the Town's system is primarily based on the intensity and duration of storm events.

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 and undersized components.

No water quality data is available for areas within the Town, consequently, the quantity, quality and effects of stormwater runoff originating in the Town are unknown. However, it is generally recognized that stormwater may contaminate surface waters with sediments, nutrients, heavy metals, oils, grease and pathogens.

Unfortunately, the Town is limited in its ability to improve discharge quality through stormwater management, because of the following:

1. The water table on the island is very high. Some areas in the Town are below the high tide line of Lake Worth. Retention or detention areas would, therefore, have to be shallow and wide, requiring large surface areas.
2. There are no large undeveloped land areas which could realistically provide retention or detention of stormwater, and real estate prices for purchase or condemnation of land are prohibitively high.
3. Most soils in the Town are poorly drained, resulting in slow infiltration rates, and complicating the use of exfiltration systems.

4. ~~The Town is almost entirely developed. Therefore, the existing drainage system will not be affected significantly by new stormwater regulations. In addition, the Town's existing drainage system was installed many years ago, prior to the development of best management practices.~~

~~The Town recognizes the importance of improved water quality in Lake Worth, but also realizes that any major retrofitting of the system will require study and time. The National Pollutant Discharge Elimination System Permit establishes, on a countywide basis, the best management practices (BMP's) and goals concerning the quality of stormwater runoff.~~

~~The Town has been making steady progress toward decreasing the quantity and improving the quality of stormwater runoff by requiring a minimum of one inch of stormwater retention on all new and redeveloped areas of one-half acres or more. All parking lot areas being built or reconstructed are required to provide one inch water quality retention, where water table and soil conditions permit.~~

~~In addition to the stormwater management practices, the Town is proposing restoration of native shoreline habitat along Lake Worth which would provide natural water purification. Restoration plans are described in more detail in the Coastal Zone Management/Conservation Element under "Restoration of Native Habitat." The Town has also identified the need for an intergovernmental Lake Worth Management Committee, which would facilitate water quality management on a regional scale.~~

~~Previous text and illustrations indicate that the Town's natural drainage features have already experienced the major changes which accompany urban development.~~

~~In a continuous pursuit to address infrastructure problems in the Town, from March 2001 to April 2003 the Palm Beach Town Council empowered the Strategic Planning Board to create a long-range (10+ years) Strategic Plan. In their study the Strategic Planning Board studied current drainage problems and the status of stormwater runoff handling and retention systems, improvements and components. The Strategic Planning Board also worked to enhance and improve the runoff collection and retention system as set out below.~~

~~During the mid-1970's, 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. Flooding throughout the Town has been greatly reduced by these improvements.~~

~~However, some of the residential neighborhoods of the North End experienced severe flooding of homes during heavy rainfalls in 2000 and 2001, and less severe flooding (still resulting in private property damage) on other occasions between the late 1990s and 2001. In response, the Town staff improved its procedures for the field operations involved in preparing for and responding to storms that pose a threat of flooding. The Town also undertook a new study of the drainage system~~

throughout the affected area (five drainage basins covering the area from Wells Road north to the Lake Worth Inlet), and developed an ambitious multi-year plan to increase the capacity of the storm drainage system. The Town's retention design flood protection parameter in the Zoning Code is 2".

On September 10, 2002, the Town Council approved a 10-year, \$23.7 million pay-as-you-go program to provide new pump stations, new and larger pipes along the "trunk lines" connecting smaller pipes to the trunk lines, and new and larger pipes along some of the residential side streets.

Permits to implement this program were obtained and the first five years of the program were constructed.

While developing this program for improving the public infrastructure necessary to better protect against flooding, the Town's elected officials, staff, and consultants also developed strategies for reducing the impacts of storm water run-off from private properties into the public drainage system. Town regulations were substantially strengthened in this regard in 2001 and 2002. Additional measures will be considered in the future.

In addition to considering what regulations and storm drainage improvements are needed to prevent future flooding, the Strategic Planning Board considered how system improvements will be made. Specifically, the Strategic Planning Board explored whether or not changes are needed in Town policy governing construction contracts and construction project management to ensure that these major projects are completed successfully.

Engineering analyses have indicated that construction of the foregoing improvements will protect all but the 14 lowest elevation homes (some of which have a first floor elevation almost 3 feet lower than the Town's current flood prevention standard of 7.5 feet above sea level) from being flooded during a storm of such intensity that it is expected to occur once every 100 years. Street flooding and some garage flooding are expected, not only during a "100-year storm" but also during less intense storms.

Starting in 2009 as part of the Accelerated Capital Improvements Program (ACIP) the Town has upgraded multiple stormwater pump stations and replaced, lined or abandoned corrugated metal pipes. The ACIP is currently ongoing and is expected to be completed by the end of 2018.

Resulting Problems or Opportunities:

While developing this program for improving the public infrastructure is necessary to better protect against flooding, the Town's elected officials, staff, and consultants also have been developing strategies for reducing the impacts of storm water run-off from private properties into the public drainage system. Town regulations were substantially strengthened in this regard in 2001 and 2002. Additional measures are also being considered.

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**
- **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 Floridian 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

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.

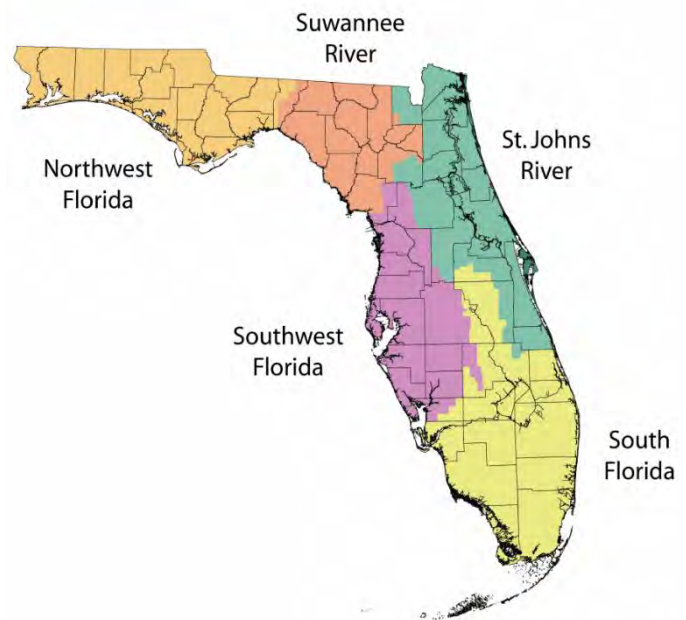


Exhibit 6-1 Water Management Districts in Florida

Town of Palm Beach Drainage System

The Town of Palm Beach is a member of the Palm Beach County NPDES 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.

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

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

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.

Palm Beach County Website, Lake Worth Lagoon

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



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

traffic to transport guests from the Lake Trail to the clubhouse, plans for the yacht basin were apparently tabled.²

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

During the mid-1970s, the Town commissioned an engineering report to recommend infrastructure



The Coral Cut on Country Club Road Today

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

³ Ibid

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 purposes 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 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. The Town's stormwater system is unique for the east coast of Palm Beach County as it is a mostly



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

“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:
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

• 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



Exhibit 6-2 Pump Station Locations

• 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 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 who 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 adoption of a

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

design storm would only be feasible if implementation is reasonable for the various property sizes and types within the Town while also being congruent with existing Town infrastructure.

TABLE 5-1
CURRENT TOWN LEVEL OF SERVICE (LOS) STANDARDS FOR PUBLIC
STORMWATER INFRASTRUCTURE

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

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 equating to 7.0-ft above sea level for much of the Town. The Town’s Comprehensive Plan references the current flood prevention standard as 7.5-ft above sea level which makes the Town compliant with the FBC.⁷

The Town is in compliance 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 prior to 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

⁷ Ibid

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

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 will provide 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 that 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 below, 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.

TABLE 5-2
Pay-as-you-go Capital Improvement Plan FY2024 - Drainage System - Estimated

Location	Accumulated Project Budget through FY23	FY2023 Available Balance as of 6/16/23	FY2024	FY2025	FY2026	FY2027	FY2028	FY2024-2028 Total
Drainage System	\$5,549,386	\$868,446	\$350,000	\$2,050,000	\$515,000	\$1,440,000	\$175,000	\$4,530,000
D-2 Palmo Way	\$396,370	\$350,000	-	-	\$200,000	\$1,000,000	-	\$1,200,000
D-3 Tangier Ave	-	-	\$200,000	\$1,400,000	-	-	-	\$1,600,000
D-6 Royal Palm Way	-	-	-	-	\$140,000	-	-	\$140,000
D-7 Australian Ave	\$20,000	\$-	-	-	-	\$140,000	-	\$140,000
D-8 Country Club Rd	\$1,675,683	\$193,057	-	-	-	-	-	\$-
D-12 Everglade Ave	\$1,345,832	\$160,152	-	-	-	-	-	\$-
D-14 Four Arts	-	-	-	-	-	\$125,000	-	\$125,000

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

D-17 Clarendon Ave	-	-	\$125,000	\$475,000	-	-	-	\$600,000
D-18 El Brillo Way	\$1,898,405	\$-	-	-	-	-	-	\$-
Stormwater Pumpstation Condition Assessment	\$100,000	\$100,000	-	-	-	-	-	\$-
Resiliency Implementation	-	-	-	\$100,000	\$100,000	\$100,000	\$100,000	\$400,000
Seagrass Surveys – Stormwater	\$20,000	\$-	-	-	-	-	-	\$-
Stormwater Pump/R&R	\$25,000	\$11,390	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$125,000
Minor Drainage Improvements	\$68,096	\$53,847	-	\$50,000	\$50,000	\$50,000	\$50,000	\$200,000

POTABLE WATER

~~The City of West Palm Beach owns and operates the water system providing potable water to the Town of Palm Beach, City of West Palm Beach and Town of South Palm Beach. The City of West Palm Beach Potable Water Utility Service Area exceeds 120,000 residents and covers 61 square miles of area. Since the system serves primarily urbanized areas, the predominant land uses in the service area are residential, commercial, industrial, recreational, and public and semi public uses. The system consists of a raw water supply, water treatment plant, storage reservoirs and distribution system. 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 on June 16, 1999 and is effective until 2029. It should also be noted that the City of West Palm Beach is currently expanding and improving their water infrastructure.~~

~~The City of West Palm Beach collects its raw water from Clear Lake, a surface water source. The South Florida Water Management District granted the City a water use permit on February 14, 2013 for 67 MGD. See the City of West Palm Beach Comprehensive Plan for more information on their consumptive use permit and yearly allocations and sources.~~

~~The capacity of the water treatment plant is 47.3 MGD. The plant's pumping system can provide maximum hour demand and fire flow demand pumping capacity throughout the distribution system. West Palm Beach has 18 million gallons of storage capacity in its distribution system and water treatment plant, including a one million gallon ground reservoir located at the Palm Beach Country Club.~~

~~The City allocates no specific portion of its treatment capacity to individual users or municipalities. See the City of West Palm Beach Comprehensive Plan for more information on its entire system, historic water use, and projected water use.~~

~~Raw water reaches Clear Lake through a system of canals and water catchment areas. Water travels~~

from Lake Okeechobee through the L-8 canal to Canal M-1, and then to a naturally vegetated water catchment area. The catchment area serves as an initial water purifier; wetland plants provide nutrient uptake, and sediments settle out of the water column. After leaving the catchment area, the water travels to Lake Mangonia and then to Clear Lake. A diking system around Clear Lake, Canal M, and the catchment area prevent degradation of the surface water from stormwater or irrigation runoff. Water quality in Clear Lake has been consistently good.

Raw water is treated by West Palm Beach according to FDEP water quality standards. Potable water emerging from the plant is tested daily for quality. Monthly reports, including tabulations of daily testing, are sent to the FDEP for review. The City prepares an annual Water Quality Report which can be reviewed on the City's website. Potable water quality has been consistently good, winning awards in recent years for its outstanding taste.

According to West Palm Beach sources, water quality is expected to remain good, and no measures for further protection of quality are necessary.

The Palm Beach/South Palm Beach service area is fed by five mains crossing Lake Worth from West Palm Beach, four of which connect directly into the Town. These crossings are located at the Flagler Bridge, Island Road, Southern Boulevard, and Sloan's Curve. The fifth is at Orange Grove Road. In addition, there are water meters, private fire lines, and fire hydrants located in Palm Beach.

The City of West Palm Beach has established 243.3 gallons per capita per day (gpcpd), based upon the 2020 Capacity Analysis Report (CAR), submitted in January 2020, as the level of service standard for provision of potable water to the entire Potable Water Utility Service Area which includes the Town of Palm Beach.

In order to reduce potable water consumption, the Town has pursued a water conservation program. The Town supports the City of West Palm Beach, its water provider, in its efforts to conserve water and expand alternative water supply projects and reuse initiatives. See the City of West Palm Beach Comprehensive Plan for more detail on conservation, alternative water supply, and reuse.

AQUIFER RECHARGE

The Town of Palm Beach is underlain by two aquifer systems; the surficial aquifer and the more deeply located Floridan aquifer. These 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.

Urban development in the Town, including the placement of poorly drained urban fill, has affected the quantity of recharge to the surficial 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.~~

~~Fresh water is less molecularly dense than salt water. Therefore it tends to "float" on top of salt water forming a fresh water lens. Often this lens can supply usable water so long as it is sufficiently replenished by infiltration. The extent and quality of the fresh water lens under the Town has not been determined, however, the SFWMD is testing the surficial aquifer in a comparable location in West Palm Beach.~~

~~The Biltmore condominium has a consumptive use permit from the South Florida Water Management District (SFWMD) for groundwater to cool its air conditioning system. The Breakers has received SFWMD permitting for use of a non-potable shallow water well for its golf course irrigation system. Small cooling or irrigation wells exist which did not require a SFWMD permit. Such wells, however, do require a permit by the Town. There is no evidence to suggest that the existing limited use of the aquifer has caused, or will cause, degradation of the aquifer.~~

~~The Town protects recharge through its storm water retention requirements and its minimum landscaped area requirements, which ensure pervious areas for water percolation to the aquifer. In addition, there are few septic tanks in the Town; 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.~~

~~The Town has reduced density in some residential districts over primary recharge areas, and will continue as Town policy to reduce redevelopment densities in the Town as a whole. Existing land uses in primary recharge areas will be maintained, and beaches and dunes will be protected, as described in the "Protection and Restoration of Beaches and Dunes" section of the Coastal Zone Management/Conservation Element of this Plan. The Town will also continue to prohibit industry and hazardous waste storage within its limits.~~

~~The Town further improves aquifer recharge by requiring new development and redevelopment in primary aquifer recharge areas to run storm water through vegetated areas prior to discharge into the Town's drainage system. No further programs or regulations are deemed necessary, unless future use of the aquifer necessitates further measures.~~

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 Chapter 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 the 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 availability of adequate water supplies and public facilities and services.**
- 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.**

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

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.

The 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.



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

The City of West Palm Beach purchased the Grassy Waters property, along with the Water Treatment Plant in 1955 and later in 1964, the 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

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.



Grassy Waters Watershed – M-Canal

Town of Palm Beach 10-Year Water Supply Facility Work Plan

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 of the City of West Palm Beach's Work Plan as the Town's water supplier. The Town's 10-Year Water Supply Facility Work Plan was approved in August 2020.

¹² Ibid

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 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. The Town's population figures have been included in the City of West Palm Beach's 10-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-Year Water Supply Facility Work Plan in the City's Comprehensive Plan.

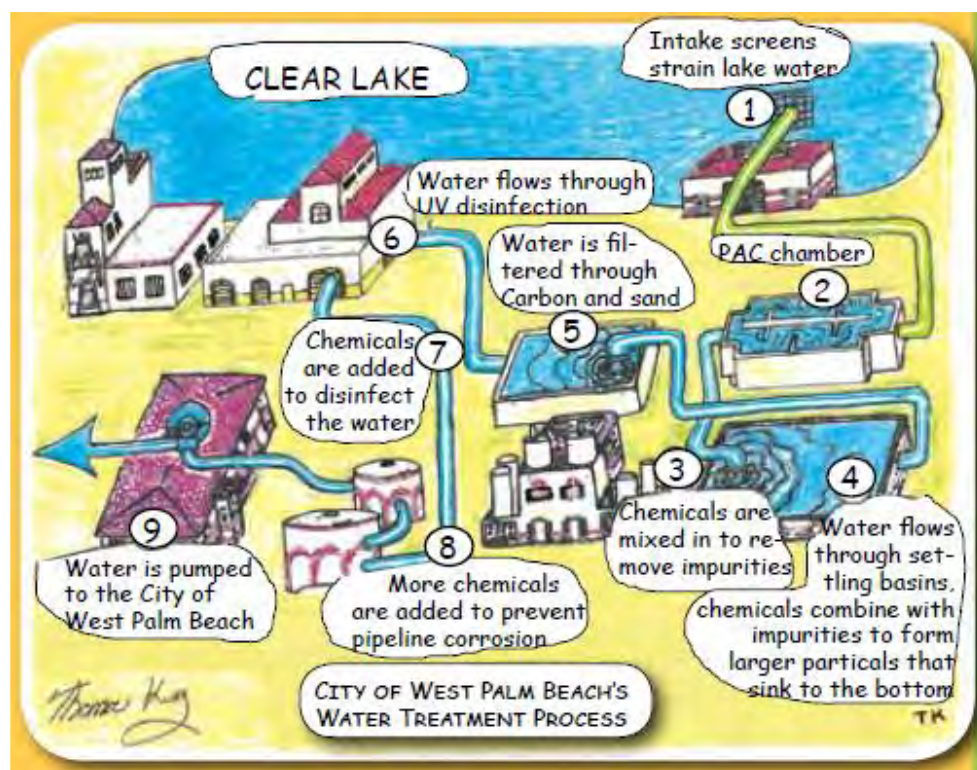


Exhibit 6-3 Clear Lake Plant Treatment Process

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), and includes information on source water, treatment

processes, detected contaminants, and their meaning. 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 ground water 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

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

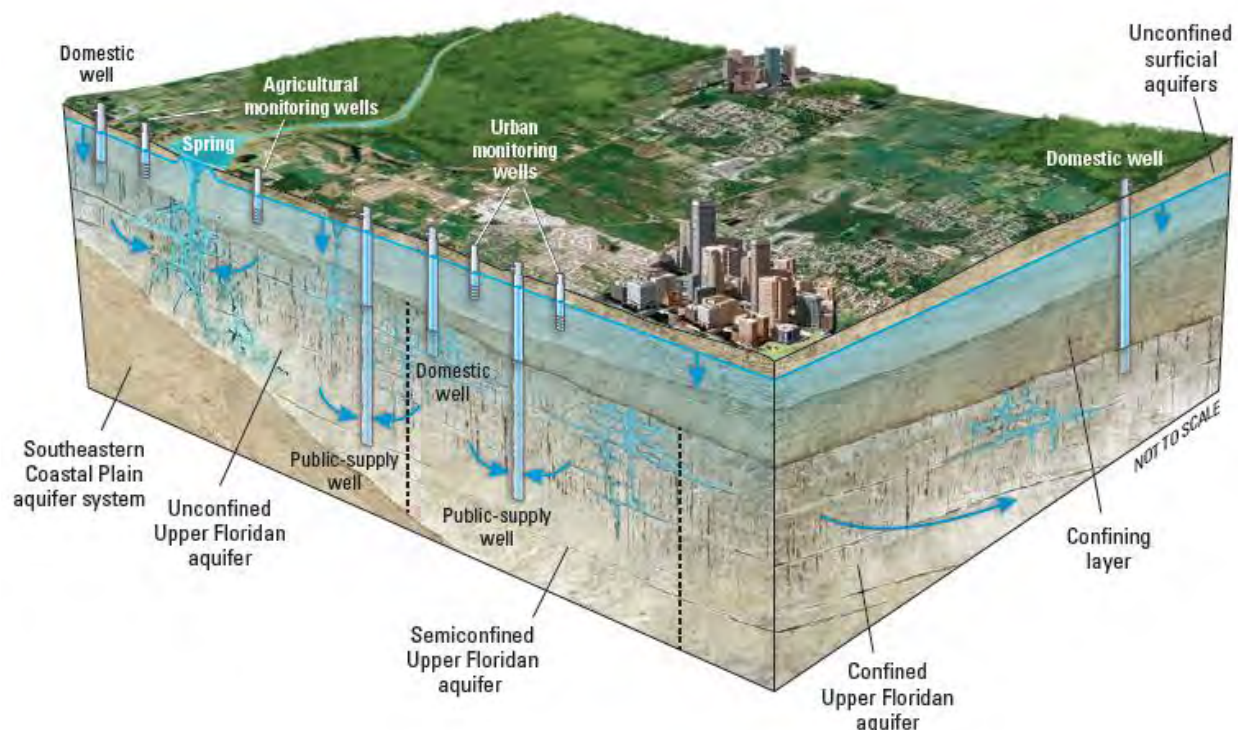


Exhibit 6-4 Groundwater Modeling

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 Aquifer. Pomello

¹³ Ibid

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.

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 SERVICES

~~Sewage is collected by typical gravity sanitary sewers. Many small pumping and relay stations are required because of flat terrain and the 12-mile length of the Town. Sewage leaves the Town by means of three force mains, one each in the northern, central and southern parts of Town to treatment facilities at the East Central Regional Wastewater Reclamation Facility (ECRWRF) on the mainland.~~

~~The northern force main, a 30-inch subaqueous line with a capacity of five million gallons per day (MGD), runs along Tangier Avenue and then under Lake Worth to connect to the regional plant. This force main was the primary effluent route until the new central force main was constructed which is a 24-inch subaqueous line from the Town's master pump station, that transitions to a 24-inch line along Flagler Drive that ties into the existing joint transmission force main there in West Palm Beach. The new central force main system was placed in operation in 2014. The southern main is a 16-inch subaqueous line with a capacity of 0.94 MGD connecting to the City of Lake Worth transmission system, which then connects to the regional plant. As of 2013, that southern force main is no longer used on a daily basis but is only used for emergencies or when it is necessary to bypass flow from the City of West Palm Beach system. When those situations arise, the Town has a short-term capability to send 1.7 MGD (1300 gpm) through the City of Lake Worth system. A new bulk user agreement was signed with the City of Lake Worth for those occasions~~

~~when it is necessary to send flow through their subregional system.~~

~~The East Central Regional Wastewater Reclamation Facility uses secondary treatment involving a complete mix activated sludge system. Effluent is disposed through deep well injection, and sludge is transported for disposal at the Palm Beach County Solid Waste Authority compost facility. The plant, which is owned in common by the cities of Lake Worth, Riviera Beach, West Palm Beach, Palm Beach County and the Town of Palm Beach, is operated and maintained by the City of West Palm Beach. The Town, and the four other owners of the plant, have "Large User Agreements" for treatment capacity. The Town's agreement calls for a 5 MGD allocation of plant capacity. The Town's capacity share increased to 6 MGD, based on the reallocation due to flows no longer passing through the City of Lake Worth system.~~

~~The plant underwent an expansion which raised capacity from 55 MGD to 64 MGD. The current rated capacity is now 70 MGD. There are no deficiencies in the sanitary sewer treatment plant facilities now serving the Town.~~

~~Analysis of Town per capita wastewater flows between 2000 and 2007 indicated that total wastewater flows have decreased due primarily to rehabilitation of the gravity sewer line. With this reduction, the Town will continue to be within its 6 MGD allocation and contract.~~

~~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, and 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 East Central Regional Wastewater Reclamation Facility 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.~~

~~The developer for each individual project is responsible for providing the Town with an estimate of the population for the project and the Town engineer determines the adequacy of available capacity of the force mains to handle the flow generated by the project.~~

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 for ultimate pumping to, and

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

The ECRWF is funded and governed by a board comprised of a representative member from each of the entities it serves. The ECRWF 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 ECRWF, 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

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

¹⁵ Ibid

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 provide 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.

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.

Below is the adopted level-of-service standard or solid waste 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

Table 6-3 provides the estimated budget for the Town's Sanitary Sewer System through year 2028.

TABLE 6-3
Pay-as-you-go Capital Improvement Plan FY2024 - Estimated
Sanitary Sewer System

<u>Location</u>	<u>Accumulated Project Budget through FY23</u>	<u>FY2023 Available Balance as of 6/16/23</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2024- 2028 Total</u>
<u>Sanitary Sewer System</u>	<u>\$10,911,136</u>	<u>\$4,233,363</u>	<u>\$1,235,000</u>	<u>\$2,795,000</u>	<u>\$905,000</u>	<u>\$235,000</u>	<u>\$235,000</u>	<u>\$5,405,000</u>
<u>A-4 The Breakers</u>	<u>\$912,000</u>	<u>\$158,600</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$-</u>
<u>A-5 Royal Poinciana Way (S of S-2)</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$2,000,000</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$2,000,000</u>
<u>A-6 Royal Palm Way/ Intercoastal</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$-</u>
<u>A-7 Island Road/S County Road</u>	<u>\$484,576</u>	<u>\$10,447</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$-</u>
<u>A-39 Phipps Park</u>	<u>\$847,112</u>	<u>\$34,850</u>	<u>\$1,100,000</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$1,100,000</u>
<u>A-41 Palm Beach Par 3 Golf Course</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$-</u>
<u>A-42 Bellaria Condominium</u>	<u>\$80,000</u>	<u>\$80,000</u>	<u>=</u>	<u>\$560,000</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$560,000</u>
<u>A-43 Atriums of Palm Beach</u>	<u>\$90,000</u>	<u>\$90,000</u>	<u>=</u>	<u>=</u>	<u>\$550,000</u>	<u>=</u>	<u>=</u>	<u>\$550,000</u>
<u>E-1 Mediterranean Road</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$-</u>

<u>E-2 Mockingbird Trail</u>	=	=	=	=	=	=	=	<u>\$-</u>
<u>E-3 Garden Road (trail)</u>	=	=	=	=	=	=	=	<u>\$-</u>
<u>E-5 Country Club Drive</u>	<u>\$1,400,715</u>	<u>\$375,111</u>	=	=	=	=	=	<u>\$-</u>
<u>E-6 Tangier Avenue</u>	<u>\$2,277,063</u>	<u>\$945,996</u>	=	=	=	=	=	<u>\$-</u>
<u>E-11 El Vedado Way</u>	=	=	=	=	<u>\$120,000</u>	=	=	<u>\$120,000</u>
<u>S-2 Royal Poinciana Way (N of A-5)</u>	<u>\$50,000</u>	<u>\$16,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$250,000</u>
<u>Ejector Stations – 21 in Total</u>	=	=	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$250,000</u>
<u>I and I Implementation</u>	<u>\$4,505,508</u>	<u>\$2,258,198</u>	=	=	=	=	=	<u>\$-</u>
<u>Wastewater Pumpstation Condition Assessment</u>	<u>\$180,000</u>	<u>\$180,000</u>	=	=	=	=	=	<u>\$-</u>
<u>Resiliency Implementation</u>	=	=	=	<u>\$100,000</u>	<u>\$100,000</u>	<u>\$100,000</u>	<u>\$100,000</u>	<u>\$400,000</u>
<u>Wastewater Pump/R&R</u>	=	=	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$125,000</u>
<u>Sanitary Sewer Air Release Valve R&R</u>	<u>\$84,162</u>	<u>\$84,162</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$50,000</u>

SOLID WASTE

~~Solid waste pick-up and disposal service, including garbage, trash and vegetative yard trash, is provided by the Town to both residential and commercial areas.~~

GARBAGE

The Town provides garbage pick up Monday through Friday. Weekend pick up is provided to commercial establishments, such as restaurants, upon arrangement with the Town.

Commercial garbage is collected in 20-cubic yard packers, while six-cubic yard packers are used for collecting residential garbage. 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 PUD. If the Pinewalk area is 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 10-year planning period.

Waste material is taken from the station in tractor trailers to the County's North County Regional Resource Recovery facility (or SWA directed facility), operated by the Palm Beach County Solid Waste Authority (SWA) under a County-wide solid waste plan.

The SWA's North County Regional Resource Recovery Facility (NCRRRF), located on Jog Road, replaced the Dyer Boulevard Landfill in 1989 and handles both sludge, from the East Central Wastewater Treatment Facility, 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. In 2015, SWA opened a second unit, also at a capacity of 3,000 tons per day. Since 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 Palm Beach Solid Waste Authority, which operates the NCRRRF, does not allocate any particular share of its capacity to individual users or municipalities. However, in 2006, the Town's contribution of garbage to the Jog Road landfill comprised less than 1% of the total garbage generated countywide, and will certainly not exceed this proportion during the planning period.

The NCRRRF site also contains a 350-acre landfill which is estimated to have an expected life to the year 2043 due to the opening of REF#2 in 2015. The Solid Waste Authority performs an annual review and analysis of the remaining capacity of the landfill based on the University of Florida Bureau of Economic and Business Research population projections, current waste generation rates, and the volume of landfill capacity available.

According to the County's Plan, the current Level of Service (LOS) averaged 4.28 pounds per day/capita for garbage, 2.26 for trash, and .59 pounds of recyclables for a total of 7.13 pounds per day per capita in 2006. The 2006 plan is still in place.

Florida Power and Light Company has agreed to purchase electricity produced by the plant, and the remaining ash residue will be placed in an adjacent landfill. The Town, as part of the North

County Service Area, transports its garbage directly to the resource recovery plant. The Town's collection and disposal equipment are compatible with the requirements of the plant.

The SWA has implemented a public education program designed to encourage the public to separate garbage prior to pick-up. The Town implemented a separation and recycle program in 1990. Curbside collection may not be possible due to the Town's tradition of backyard pick-up.

The Town of Palm Beach's total projected volumes of garbage for an average day, and the average day during the peak month using the 1990-1994 average figures of 2.09 and 2.89 pounds per day per capita, indicate the Town should have no trouble meeting capacity demands for the duration of the planning period, and remain within its adopted level of service of 2.55 pounds per day per capita.

Discussion with the Town Public Works Department and representatives of the 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.

In September of each year the Town obtains a letter from the Palm Beach County Solid Waste Authority certifying that the North County Regional Resource Recovery Facility has the capacity to treat the amount of garbage projected to be generated in the Town during the peak season at the Town's adopted level of service.

Also during September, the Town Public Works Department certifies that the Town maintains adequate capacity to dispose of the amount of vegetative trash associated with the projected population. Unless annual determinations identify unexpected capacity problems, it is assumed there is adequate capacity to accommodate vegetative trash disposal associated with new development.

VEGETATIVE YARD TRASH

Vegetative yard trash is collected by the Town using twelve 30-cubic yard scow body trash trucks and three cranes. Trash is hauled directly to the Skees Road or the Okeechobee Boulevard sites in West Palm Beach, and is decomposed naturally. The Town owns and operates both sites, and neither serve any other local government jurisdictions. Predominant types of land uses served by these facilities are the residential, commercial, recreational, public and private group uses located in the Town. Pick-up service is provided once per week on a regular schedule. The Town restricts collection to vegetative matter only. Size and placement of trash on right-of-ways are also regulated. The Skees Road site encompasses about 28 acres and is the main site for disposal of the Town's vegetative refuse. It operates under permit from the Florida Department of Environmental Protection (FDEP). The permit is renewed each December.

The Okeechobee Boulevard site encompasses about 28 acres, but only about nine (9) acres are occasionally used by the Town for the vegetative landfill purpose. This site also operates under an annual permit issued by the FDEP. Because of the rate of decomposition of the organic matter, both sites are expected to have a useful life of between 16 and 25 years. While the Town has not

estimated a capacity for each remaining individual site, at the volumes of vegetative trash expected to be generated during the planning period, this would indicate that these two sites have a combined capacity of at least 475,000 cubic yards of vegetative trash. A preliminary study is underway to evaluate the options for volume reduction of existing vegetative debris cells at these landfills to determine if material can be segregated and disposed of off-site (top soil, mulch, etc.) to increase the long term capacity and life span of the landfills.

Seasonal growth conditions, storm events, and development site clearing are the primary factors affecting vegetative trash production. Site clearing has only a minimal influence as very little undeveloped land remains. Seasonal growth patterns are fairly predictable, coinciding with the warm weather rainy season between May and October. Storm events can occur at any time. Tropical storms and hurricanes usually form between June and November, while northeasters are the product of winter cold fronts.

The current level of vegetative trash generation is 152,000 cubic yards per year, representing a LOS of 0.0416 cubic yards per person per day, or 0.021 cubic yards per peak season person per day. There is a clearly defined upward trend in vegetative trash generation in the Town. July typically represents the peak month during which the total volume generated approximates 1.52 times that of the average month.

There appears to be no relationship between population and the volume of vegetative trash generated in the Town. However, because of the clear 1988 to 1994 trend of increasing vegetative trash generation, a least squares methodology has been used to project future volumes for the planning period, indicating a LOS of .025 cubic yards per peak season person per day generation of vegetative trash at the end of the 10-year planning period. Town collection equipment and crews are capable of meeting the projected demands.

SPECIAL SOLID WASTE

The Town provides pick-up of appliances, discarded furniture, large packing boxes, and similar household goods for a minimum charge.

Special collection services must be scheduled with the Town in advance. These wastes will continue to be taken to the Resource Recovery Plant/Landfill at Jog Road. This service is available Tuesdays and Thursdays all year long.

A truck, with a crew of two, is provided by the Town's Streets Division. The truck's maximum carrying capacity is three tons. During peak demand periods, the truck can carry up to six loads per day, resulting in a maximum capacity of 18 tons/day, 144 tons/month and 1,872 tons/year.

The total yearly capacity of the Special pick-up service has exceeded actual demand for the last five years, although peak monthly demands have historically exceeded capacity. Peak demand generally occurs in the winter.

A review of annual demand for collection of Special Solid Wastes reveals a steady increase since 1990. Population has increased modestly during the same time period, indicating that demand is

not directly related to population levels. Although future demand cannot be accurately projected, the Town has the capacity to meet a maximum yearly demand of 1,872 tons, which has proven adequate since 1983. This capability provides the required level of service through the 10 year planning period.

RECYCLING

The Town began its solid waste recycle program in July, 1990 with pickup at single family residences. In 1992, the program was expanded to multi family residential pickup, in 1993 to commercial locations, and in 1995 to office locations for paper pickup. Recycling collection is set up to provide pick-up on a weekly basis.

Residential collection encompasses five routes that cover the entire Town from the inlet to 2300 South Ocean Blvd. There are no residential homes south of 2300 South Ocean Boulevard.

Multi-family collection is also set up to provide collection on a weekly basis, with additional pick-ups conducted on an as needed basis. Multi-family units are serviced on Wednesday, Thursday and Friday. Service days are determined by location of condos or apartments.

Commercial collection and additional multi-family pick-ups are done on Tuesdays. The collection options available for residential, commercial and multi-family units are the same. Material collected is co-mingled glass, aluminum and grades 1 and 2 plastic. Newsprint is also collected but separated.

Participation rate fluctuates because the majority of residents are seasonal, however, heaviest participation occurs between December and May. Process costs and labor factors dictate the method of collection.

The latest three year average for recycling tonnage totaled 1,650 tons/year using 2014 figures. Public education efforts help to increase awareness of meeting future goals.

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 the Palm Beach County's North County Regional Resource Recovery facility (NCRRRF), through an agreement with the Palm Beach Solid Waste Authority (SWA) that 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 year 2043.

The Palm Beach SWA, which operates the 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 has the capacity to treat the amount of garbage projected to be generated in the Town during the peak season at the Town's adopted level of service.

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

Table 6-4
Pay-as-you-go Capital Improvement Plan FY2024 - Estimated
Solid Waste/Vegetation Disposal

<u>Location</u>	<u>Accumulated Project Budget through FY23</u>	<u>FY2023 Available Balance as of 6/16/23</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY2024-2028 Total</u>
<u>Solid Waste/Vegetation Disposal</u>	<u>\$30,000</u>	<u>\$30,000</u>	<u>\$-</u>	<u>\$200, 000</u>	<u>\$-</u>	<u>\$-</u>	<u>\$-</u>	<u>\$200,000</u>
<u>Skees / Okeechobee Landfill</u>	<u>\$30,000</u>	<u>\$30,000</u>	<u>=</u>	<u>\$200, 000</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>\$200,000</u>

UNDERGROUND UTILITIES

The conversion of the overhead utilities to underground locations will be one of the most ambitious infrastructure projects ever undertaken by the Town of Palm Beach. 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 electric, telephone, and cable communications to the Town.

Impacts of the Issue

The impacts of the Town-wide underground utilities conversion project include installing underground utilities for all areas of the Town that presently has overhead utilities. There are some areas within the Town that have already converted their utilities to underground. Those areas include: Everglades Island; Via Fontana; Lake Towers; 300 block of Dunbar Road (summer of 2016); and Nightingale and LaPuerta (started summer of 2016). The conversion will include locating most of the utilities in the Town's road right-of-ways wherever possible. The utilities will be located in alley ways in those neighborhoods which have rear access alleys wide enough for truck access.

The construction is anticipated to take 6 to 10 years. The most disruptive construction will take place during the summer months with the actual utility connections to take place during the winter months. The last step of removing poles and equipment primarily from rear yards will take place the following spring. The undergrounding conversion construction will be coordinated with other Capital Improvement Projects as identified in the Capital Improvements Section of the Comprehensive Plan.

Resulting Problems or Opportunities

Problems associated with the underground utilities project include:

- ~~Easements will be required for transformers and other above ground equipment. There is a potential that eminent domain will be required for some easements.~~
- ~~Disruption to the community, including noise and traffic congestion is anticipated.~~
- ~~Project cost may exceed the approved referendum amount.~~
- ~~Removal of equipment from poles has been a challenge in similar communities.~~

Opportunities include:

- ~~Increased reliability for all utilities.~~
- ~~Improved aesthetics for the entire community due to removal of wood and concrete poles.~~
- ~~Potential for improved broadband and wireless services.~~

Needed Actions to Address the Issue

- ~~Complete Master Plan which includes construction sequencing and project estimate of cost.~~

~~*Timeframe: Master Plan for first assessment phase of the Town will be completed in 2017.*~~

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.

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.



Workers Installing Underground Utilities

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.**

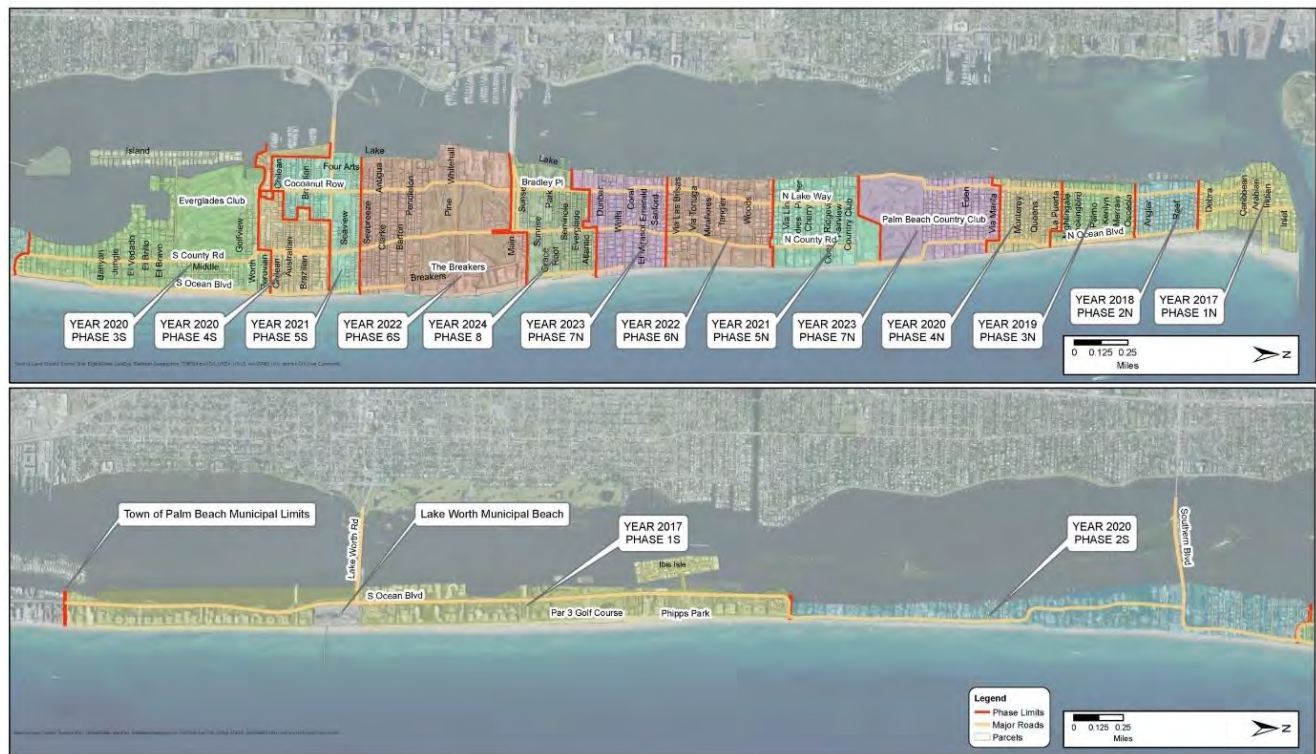


Exhibit 6-5 Sequence of Phases for Undergrounding

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
& POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HEALTHY A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS AND BUSINESSES, THROUGH THE MAINTENANCE AND UTILIZATION OF PUBLIC SERVICES AND FACILITIES FOR THE EXISTING AND FUTURE RESIDENTS. MAINTAIN ADEQUATE LEVELS OF UTILITY SERVICES FOR EXISTING AND FUTURE POPULATIONS AND MAXIMIZE UTILIZATION OF EXISTING INVESTMENT AND FACILITIES.

DRAINAGE SUB-ELEMENT

OBJECTIVE ~~7~~1

The Town shall maintain its existing drainage facilities ~~by correcting drainage problems~~ in 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. ~~degree to which the following policies are implemented.~~

POLICY 7.1

~~The Town shall incorporate the funding of drainage improvements in its Capital Improvements Element with first priority to be given to actions that will protect the natural functions of Lake Worth.~~

POLICY ~~7.2~~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 is being completed in 2024. This assessment will be integrated into the Capital Improvement Program and the Lucity program to track life cycle maintenance.
~~The Town shall implement trunk lines and pump stations as set forth in the Town's adopted drainage improvement program.~~

POLICY ~~7.3~~

~~Following the implementation of Policy 7.2, the Town shall re-evaluate needs, priorities, and financing of future storm drainage improvements on residential side streets.~~

POLICY ~~7.4~~1.2

The Town shall ~~maintain its Long Range Public Works Plan (Storm Drainage Chapter)~~ to continue to comply with the following items and actions:

~~7.4a The Environmental Protection Agency NPDES Program with respect to methods for instituting water quality analysis of the Town's stormwater discharge into the Lake Worth Lagoon.~~

~~7.4b~~1.2a The current FEMA Flood Mapping Data

~~7.4c~~ 1.2b Update existing stormwater system information, as needed

~~7.4d~~1.2c Determine “hot spots” where pollutant loadings and water quality problems are severe, if they exist

~~7.4e~~1.2d Implement NPDES Permit requirement

POLICY ~~7.5~~1.3

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

OBJECTIVE ~~8-2~~

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

POLICY ~~8-1~~2.1

The Town shall establish the following level of service ~~standards~~ goals:

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.

POLICY ~~8.2~~ 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.

For all commercial or residential development or redevelopment, where the proposed work falls into one of the following categories:

- ~~8.2a~~ **2.2a** The proposed work exceeds 25% of the market value of the property;
- ~~8.2b~~ **2.2b** The proposed work includes the construction of a new swimming pool;
- ~~8.2c~~ **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%;
- ~~8.2d~~ **2.2d** The proposed work includes new driveways or parking areas;
- ~~8.2e~~ **2.2e** The proposed work includes replacement or reconstruction of parking areas other than parking areas designed for less than three residential units; or
- ~~8.2f~~ **2.2f**— Other development as may be deemed appropriate by the Town Engineer.

POLICY ~~8.3~~ 2.3

The Town shall encourage the installation of upgraded storm drainage systems to meet current or new storm water standards on properties which are ~~not otherwise being redeveloped~~ **proposed for redevelopment.**

~~OBJECTIVES AND POLICIES NOT INCLUDED~~

~~Other than dunes and coastal wetlands, no natural drainage features remain in the Town. Objectives and policies for protecting dunes and wetlands are included in the Coastal Zone Management/Conservation Element, specifically, dunes in Objective 5 and Policies 5.1 through 5.8, and wetlands in Objective 2 and Policy 2.7. Further policies relating to restoration of wetlands are described in Policies 2.1 and 2.3.~~

POTABLE WATER SUB-ELEMENT

OBJECTIVE ~~9~~ 3

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

POLICY ~~9-1~~ 3.1

The Town shall ~~establish~~ **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 Town's water provider~~. The City **of West Palm Beach's** current Potable Water LOS is 243.3 gallons per capita per day (**gpcpd**), based upon the 2020 CAR submitted in January 2020.

POLICY ~~9-2~~ 3.2

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

POLICY ~~9-3~~ 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.

OBJECTIVE ~~10-4~~

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 ~~10-1~~ 4.1

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

POLICY ~~10.2~~ **4.2**

The Town ~~has adopted~~ shall continue to ~~and implemented regulations that includes a~~ the water conserving landscape design (Florida Friendly) **outlined in Code Section 66-286, ordinance** applicable to new development and redevelopment.

POLICY ~~10.3~~ **4.3**

The Town shall continue to ~~modify~~ **enforce through the Florida Building Code** its ~~land development regulations and other Town codes to require~~ 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 ~~10.4~~ **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 ~~10.5~~ **4.5**

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

OBJECTIVE ~~11~~ 5

The Town ~~will~~ **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 facilities or to~~ meet future needs. ~~Town shall also ensure that the water quality shall and~~ meet all federal, state, and county standards. 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~~ **policies** ~~is~~ **are** implemented.

POLICY ~~11.1~~ **5.1**

~~A representative of the~~ **Should the City of West Palm Beach remain the Town's potable water service provider past 2029, the** Town ~~will~~ shall ~~meet~~ **work** with representatives of the City of ~~West Palm Beach~~ 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 ~~11.2~~ **5.2**

The Town ~~will~~ **shall** continue to support, ~~coordinating~~ the City of West Palm Beach, as the ~~Town's current potable water provider,~~ with ~~the following as they relate to the~~ **implementation of the City's 10 Year Water Supply Facility Work Plan** ~~SFWMD, that~~

~~was originally created a 10-Year Water Supply Facility Work Plan in 2010, and amended it in 2020 (incorporated and adopted herein by reference as Appendix “A”), that takes into account the 2018 Lower East Coast (LEC) Regional Water Supply Plan. The Town~~ **City of West Palm Beach** ~~shall send a letter to SFWMD with identified projects for future water supply needs of the Town~~ **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 ~~its current water supplier, i.e. the City of West Palm Beach, in this regard. The Town shall address future updates by SFWMD’s~~ **adoption** ~~within 18 months of adoption by SFWMD of a new LEC Regional Water Supply Plan, and~~ **subsequent update to the** ~~by revising the Town’s~~ **City of West Palm Beach 10-Year Water Supply Facility Work Plan by updating the Town’s 10-Year Water Supply Facility Work Plan.**

~~POLICY 11.3~~

~~The Town may explore future options for water service following the termination or expiration of the current potable water contract with the City of West Palm Beach.~~

~~POLICY 11.4~~

~~The City of West Palm Beach, the Town’s water provider, has updated their 10 Year Water Supply Facility Work Plan and their Comprehensive Plan to identify and incorporate their alternative water supply projects, either identified in the updated regional water supply plan, or identified and proposed by the City of West Palm Beach under s. 373.709(8)(b) and 373.709(2) (a) F.S.; identified 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 City of West Palm Beach’s water use area; and included a water supply facility work plan for at least a 10 year planning period for constructing any water supply facility identified as necessary to serve existing and new development.~~

AQUIFER RECHARGE

GOAL

~~MAINTAIN AND IMPROVE THE NATURAL DRAINAGE FUNCTIONS AND QUALITY OF THE SURFICIAL AQUIFER~~

OBJECTIVE ~~12~~ 6

The Town shall protect, and maintain ~~and improve~~ 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 ~~12.1~~ 6.1

The Town shall ~~amend its~~ **continue to enforce** the land development regulations **through Chapter 86 of its Code of Ordinances that** ~~to requires that~~ 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.

POLICY ~~12.2~~ 6.2

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

POLICY ~~12.3~~ 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 ~~12.4~~ 6.4

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

POLICY ~~12.5~~ 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.

~~OBJECTIVES AND POLICIES NOT INCLUDED~~

~~No objectives or policies pertaining to discouraging the proliferation of urban sprawl are necessary or applicable in the Town of Palm Beach, because it is virtually fully developed and the only areas for potential development are and the only areas for potential development are located on "in-fill" parcels.~~

SANITARY SEWER SERVICES SUB-ELEMENT

~~OBJECTIVE 17~~

The Town shall assure that all existing and future residents, and businesses in the Town, will have access to sanitary sewer facilities ~~maximize~~ **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 4-17.1

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.

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 4-27.3

The Town shall, through its concurrency management system ~~the Town will~~ 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 2-8

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

POLICY 2-18.1

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

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

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

POLICY ~~2-2~~ 8.2

The Town shall, ~~p~~Prior to the issuance of a development order or permit, ~~the Town shall~~ 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 ~~3-2~~ 9

The Town ~~will~~ **shall** coordinate with the ~~City of West Palm Beach~~ **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 ~~3-1~~ 9.1

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

~~OBJECTIVES AND POLICIES NOT INCLUDED~~

~~No objective for correcting existing sanitary sewer treatment facility deficiencies is necessary or applicable, since the data and analysis provided in the supporting documentation identify that no such deficiencies exist.~~

~~No objectives or policies pertaining to discouraging the proliferation of urban sprawl are necessary or applicable in the Town, because the Town is virtually fully developed and the only areas for potential development are located on "in-fill" parcels.~~

~~No objectives or policies are necessary with regard to protecting the functions of natural groundwater recharge areas, since the only such areas are the surficial aquifer, and these areas are developed with single family homes. Further, no objectives or policies are necessary with regard to protecting natural drainage features, since these have already been largely altered by urban~~

~~development and the Town has no sanitary sewer treatment facilities, but provides only local collection lines which have no effect upon the area's natural drainage features.~~

SOLID WASTE DISPOSAL SUB-ELEMENT

OBJECTIVE 4 10

The Town shall maximize utilization of its capital facilities, and work with the Palm Beach County's 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 4-~~1~~ 10.1

~~The Town shall, p~~Prior to any development of the Pinewalk area and loss of use of the Pinewalk Transfer Station, ~~the Town shall~~ 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 5 11

The Town shall issue d~~Development orders and permits for new development or redevelopment shall be issued~~ 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 impacts of the development.

POLICY 5-~~1~~ 11.1

The Town's level of service for garbage collection and disposal shall be 2.55 ~~pounds/person/day~~ tons per year.

POLICY ~~5.2~~

~~Prior to the issuance of a development order or permit, the Town shall make and record a determination that the Town has adequate capacity to collect, and the County's Solid Waste Authority has adequate capacity to dispose of, garbage generated in the Town, at the average rate of 2.55 pounds per person per day; 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 6

~~The Town will coordinate with the Palm Beach County Solid Waste Authority in its efforts to extend or increase the capacity of its solid waste disposal facilities to meet future needs. The~~

~~measurement of this objective is whether or not the Town coordinates with the Water and Sewer Authority in its efforts, and the extent to which the following policy is implemented.~~

~~POLICY 6.4~~ **11.2**

~~A representative of the~~ The Town will **shall** ~~meet with representatives of~~ **coordinate with** the Solid Waste Authority **SWA**, upon request, to ~~coordinate and~~ assist in its efforts to establish priorities for replacement of, or corrections of deficiencies to, solid waste disposal facilities, as well as provision for future solid waste disposal needs.

OBJECTIVES AND POLICIES NOT INCLUDED

~~No objectives or policies are necessary with regard to correcting existing solid waste disposal facility deficiencies, since the information contained in the supporting documentation indicates there are no such deficiencies.~~

~~No objectives or policies pertaining to discouraging the proliferation of urban sprawl are necessary or applicable in the Town of Palm Beach, because it is virtually fully developed and the only areas for potential development are located on "in-fill" parcels.~~

~~No objectives or policies are necessary with regard to protecting the functions of natural groundwater recharge areas, since the only such areas are to the surficial aquifer, and these areas are developed with single family homes. Further, no objectives or policies are necessary with regard to protecting natural drainage features, since these have already been largely altered by urban development, and the Town has no solid waste disposal facilities, but provides only local collection and transfer which have no effect upon the area's natural drainage features.~~

Recreation and Open Space Element

DATA & ANALYSIS

INTRODUCTION

The purpose of this Element is to plan for a comprehensive system of public and private recreation and open space sites which are available to the public.

This Element of the Plan has been developed based upon:

1. Inventory and analysis of existing public and private recreation sites, and open spaces available to the public;
2. Analysis of current need for recreation sites;
3. Analysis of projected future needs for recreation sites, open space and recreation facilities

EXECUTIVE SUMMARY

RECREATION INVENTORY

Town of Palm Beach residents enjoy the opportunity to participate in a wide variety of recreational pursuits provided by several local, State and national resources, and facilities located in the general vicinity.

Parks, Open Space and Water Access

Only two of the four major recreation areas within the Town are fully under the jurisdiction of the Town itself. The Casino Complex is located in and owned by the City of Lake Worth. Kreusler Park is a Palm Beach County Park, although it is located within the Town's corporate limits.

Table VI-1 provides a summary of all recreation and park areas of the Town. Table VI-2 provides a summary of the cultural and school facilities within the Town that are counted at 50% for the Town's recreation Level of Service. Table VI-3 provides a summary of private clubs and recreation facilities within the Town. Please refer to the Supporting Documents for a map identifying the locations of these recreational facilities.

TABLE VI-1

Town Recreation, Park, and Open Space Facilities

Town of Palm Beach

PARK FACILITY	APPROX. ACREAGE
Major Recreation Areas	
Phipps Ocean Park	20.59
Lake Worth Casino and Beach Complex ¹	8.30
Kreusler Park ²	4.23
Seaview Park	4.57
Neighborhood / Mini / Other Parks	
Boyd Park	0.16
Bradley Park	3.70
Ibis Isle Road Park	1.09
Lake Drive Park	2.53
Midtown Beach	12.80
Palm Beach Par 3 Golf Course	31.60
Palmway Park	2.56
Park Avenue Park	0.12
Peruvian Park	0.44
Phipps Plaza Park	0.50
Southern Causeway	9.60
Town Square	0.39
Wrightsmen Estate Park (Tangier/Miraflores Drive)	1.49
Total Town Park Acreages	104.67

Other Town Park Facilities	
Lake Trail	4.7 miles
Palm Beach Inlet Dock	1 dock
Southern Pedestrian Bicycle Path	3.5 miles
Town Docks	83 slips

¹ Owned and Operated by the City of Lake Worth

² Owned and Operated by Palm Beach County Park & Recreation

Note: Lake Worth Casino and Beach Complex and Kreusler Park have always be included as part of the Town's Recreation LOS

TABLE VI-2

Town Cultural and School Facilities and Private Parks

Town of Palm Beach

FACILITY	APPROX. ACREAGE
Cultural Facilities	
Flagler Museum	2.80
Kaplan Park (Public Access)	0.30
Palm Beach Preservation Foundation — Ambassador Earl T. Smith Memorial Park and Foundation	0.24
Palm Beach Preservation Foundation — Pan's Garden	0.43
Preservation Park (Public Access)	0.24
Royal Poinciana Playhouse	0.30
Society of the Four Arts	3.75
School Facilities	
Palm Beach Elementary School	1.60

Palm Beach Day Academy	1.50
Total Cultural and School Facilities Acreage	11.16
Acreage towards Town Park LOS (50%)	5.58

Note: Cultural Facilities have previously been utilized at 50% to meet the Town's Recreation LOS.

TABLE VI-3

Private Clubs and Facilities

Town of Palm Beach

FACILITY	APPROX. ACREAGE
Mar-a-Lago	17.51
Bath and Tennis Club	11.69
Palm Beach Country Club	84.01
Breakers	140.00
Everglades Club	91.43

Bicycle Paths

Lake Trail: This 4.7 walk and bicycle path includes the original Lake Trail which parallels Lake Worth from approximately Worth Avenue to the Palm Beach Inlet area. The original Lake Trail is a beautiful setting, offering residents not only a transportation route, but a recreational experience as well.

County Road Pedestrian Path/Bicycle Lane: This 1.1 mile general path and bicycle lane extends from Kawama Lane to Bahama Lane and provides a more tranquil travel route from the heavily traveled North County Road. It is Town maintained.

Southern Pedestrian/Bicycle Path: This 3.5 mile path runs from the southern Town limits to Sloan's Curve on the west side of A1A. Although allowing access to Phipps Park, it borders the heavily traveled A1A, and thus lacks the beauty and tranquility of Lake Trail. It is maintained by the Town.

Lake Worth and Public Beach Access

Public access to Lake Worth is provided from the Town's municipal docks. Additionally, the numerous private docks located within the Town provide access for certain private property owners. The Town also has numerous public beach access points throughout the Town and within the Town's beachfront parks.

Fishing

Although favorite fishing locations have not been documented as part of this planning study, fishing is available from many locations along the Atlantic Ocean and on Lake Worth.

Natural Islands

This series of islands, totaling approximately 39 acres, stretches from Everglades Island south to Ibis Isle, and is strictly limited in use. Deed restrictions, designating the islands for public or bird sanctuary use, are placed on the islands owned by the State of Florida (Trustees of the Internal Improvement Fund). Other islands are leased to the National Audubon Society for 99 years and serve as bird sanctuaries.

Cultural Facilities

Royal Poinciana Playhouse: Located on 0.30 acres, at Cocoanut Row and Royal Poinciana Way, the Playhouse in the past offered ballet, opera, Broadway plays, and cultural events from January until April, and during the off season, the theater conducted children's events, workshops, artist's recitals and concerts. The venue has been closed but is still structurally sound and may be re-utilized as a theatre in the future.

Henry Morrison Flagler Museum: Located on Whitehall Way, this restored 1901 home was built by oil and railroad tycoon, H.M. Flagler. The entire complex of "Whitehall", encompassing 2.80 acres, is included in the National Register of Historic Places, the Historical Buildings Survey of the Department of the Interior, and the "Florida Trail of History."

In addition to the period rooms, the mansion displays collections of porcelain, silver, glass, lace, dolls, costumes, and paintings acquired by the family. Local historical exhibits, accented by Florida East Coast Railroad background, including Mr. Flagler's private rail car, are also available for viewing. A library, of the Post Times issues from 1916-1956 is maintained within the home. Charitable events, concerts, lectures, special exhibitions, and school proms often take place at "Whitehall".

Society of the Four Arts: Occupying 3.75 acres, located in the Four Arts Plaza and founded in 1936, the Society has as its objective the encouragement of an appreciation of art, music, drama, and literature. The Society accomplishes its objectives through the maintenance of a sculpture garden and library, and sponsorship of programs, including: exhibitions, lectures, concerts, and films.

~~Programs sponsored by the Society of the Four Arts are available from December through mid-April. The library and gardens are open to the public year-round. The Town supports the operations of the Library through an annual contribution.~~

~~**Palm Beach Preservation Foundation — Ambassador Earl T. Smith Memorial Park and Fountain:** Occupying 0.24 acres, this small pedestrian-oriented park facility is open to the public year-round, 24 hours. The park features lush landscaping and a fountain with casual seating.~~

~~**Palm Beach Preservation Foundation — Pan's Garden:** Occupying 0.43 acres, this facility includes a demonstration of native plant species and small office and lecture facilities for public viewing, school lectures on native habitat, and private functions. The park is generally open to the public at limited, variable hours and may be closed for private functions, lectures or limited public ceremonies.~~

~~NOTE: For recreation inventory calculation purposes, cultural facilities have been credited at 3.76 acres, 50% of actual acreage, and are used by the Town to meet its recreation standard.~~

Civic Clubs/Associations

~~The key role which private clubs play in the Town of Palm Beach recreational scene is very apparent in their relations with the civic clubs/associations' activities.~~

Private Facilities

~~Private clubs and golf courses represent a very real and active sector of the recreation scene in the Town of Palm Beach. In combination, these clubs and courses provide 18-hole golf courses, tennis courts, and boat slips. In addition, several thousand linear feet of beach frontage is under private/club ownership. In total these uses provide 352.22 acres of recreational facilities in the Town. These facilities are not used by the Town in meeting its recreation standard.~~

Handicapped Facilities

~~Restroom facilities at all public recreation areas are accessible to the handicapped.~~

RECREATION STANDARDS

EXECUTIVE SUMMARY

The Town of Palm Beach is uniquely characterized by a number of factors, including: its linear configuration, a predominately older population, a scarcity of available vacant land, and the presence of a community whose "plan" was well thought out and executed. The Town's natural resources, beach-oriented parks, municipal docks, public golf course, and Seaview Park complex are adequate to provide both the community and neighborhood recreation needs of Town residents. Consequently, it has been the Town's policy to provide a variety of community serving facilities and activities along its beachfront, and a limited number and scope of neighborhood parks and facilities.

The Town has developed a cohesive recreation and open space plan. To ensure the continuation, the Recreation and Open Space Element ~~must~~ reflects the existing and future population, the location and condition of existing facilities, ~~as well as~~ and the supporting role ~~which~~ the private sector plays in the recreational network.

The Town of Palm Beach has been able to provide sufficient recreation acreage to meet ~~or~~ exceed its recreation and open space level of service standard of six acres per one thousand population. This has been accomplished for its population through the Town's a long and consistent dedication to recreational planning, and the private sector's support through provision of cultural facilities. The Town currently has ~~104.67~~ 99.72 acres of park land and open space including the Kreusler Park, which is owned and managed by (Palm Beach County) but located in the Town's municipal boundaries, and Lake Worth Casino and Beach Complex (City of Lake Worth) both of which have always been counted towards the Town's recreation Level of Service (LOS).

EXISTING AND FUTURE RECREATION NEEDS

The development of a cohesive recreation plan for the Town ~~must~~ reflects those factors which affect the optimum size, type and distribution of recreation facilities. Such factors include the size, age and distribution of the existing and future populations, and the location and condition of existing facilities, as well as the supporting role which the private sector plays in the recreation network.

Table VI-4
Level of Service for Recreation and Open Space Acreage 2010 – 2025
Town of Palm Beach

Year	Population	Park Acres	Demand	Surplus
2010 ¹	8,161	110.25	48.97	+61.28
2015 ²	8,227	110.25	49.36	+60.89
2020 ²	8,234	110.25	49.40	+60.85
2025 ²	8,425	110.25	50.55	+59.70

¹ 2010 U.S. Census; ² Palm Beach County, 2016

As stated in the preceding sections, the Town of Palm Beach is not a typical community. Town residents place great emphasis on private golf courses, clubs, and cultural enrichment. To a

significant extent, these activities add to the Town's public recreational facilities by providing for more personalized, service-oriented, recreation. In 2016, the Town conducted an extensive community survey regarding the Town's park and recreation facilities and opportunities. The survey lead to a needs assessment and master plan for the Town's Seaview Park and Recreation Center. Other park and recreation improvements were also identified.

In summation, the Town of Palm Beach, at present and into the future, has an excellent cultural/recreational mixture of public parks and facilities, supported by private golf courses and clubs

RECREATION AND OPEN SPACE IN AMERICA

Parks are a tangible reflection of the quality of life in a community. Parks and recreation services are often cited as one of the most important factors in surveys of livable communities. Parks serve a social cause, provide gathering places for families and social groups, as well as for individuals of all ages.¹

Communities that pride themselves on their quality of life are described as those that are environmental stewards. That stewardship extends to a community's built environment to capture the housing styles and architecture that define them, the surrounding natural landscapes and resources, social gathering spaces, and supportive commercial uses. What ties all these unique elements of a community together is a healthy, active system of parks and recreation programs and open space for public use and enjoyment.

An ongoing study by the Trust for Public Land shows that over the past decade, voter approval rates for bond measures to acquire parks and conserve open space exceeds 75%. Clearly, the majority of the public views parks as an essential priority for government spending.

National Recreation and Park Association

RECREATION AND OPEN SPACE PLANNING IN THE TOWN OF PALM BEACH

The Town has developed an integrated recreation and open space program that meets the needs of the existing and future population and is supported by the private sector. The two components of recreation and open space both speak to quality of life, but they produce different benefits and meet distinct needs. The recreation component relates to recreation sites, facilities, and programming to meet the needs of the Town's permanent and seasonal population. The open space component is oriented to enhancing the Town's aesthetic and environmental quality. As the grounds management and maintenance of the Town's passive parks and open space falls under the supervision of the Public Works Department, the responsibility of maintaining superior recreation and open space is a function of both the Town's Recreation Department as well as Public Works Department.

¹ National Recreation and Park Association "Parks-Recreation – Essential Public Services – January 2020

The Town's Recreation and Open Space Element maintains a Level of Service Standard (LOS) of six acres of recreational land per one thousand population. The Town currently has 92.47 acres of park land and open space. This acreage includes Kreusler Park, that is owned and operated by Palm Beach County but is located within the Town's jurisdiction.

As shown in Table 7-1, the Town has counted 50% of the acreage of the cultural and school facilities within the Town which represents an additional 7.25 acres, resulting in a total of 99.72 acres of park land and open space. Based on the United States Census, the 2020 population estimate for the Town is 9,245 residents. Based upon the LOS standard, the Town is required to maintain a minimum of 50.47 acres of recreation and open space. Therefore, the Town is exceeding the minimum required LOS standard for recreation and open space. Furthermore, the Town is expected to continue to meet the LOS for recreation through the year 2044.

TABLE 7-1
RECREATION AND OPEN SPACE ACREAGE

<u>MAJOR RECREATIONAL FACILITIES</u>	<u>APPROXIMATE ACREAGE</u>
<u>Palm Beach Par 3 Golf Course</u>	<u>31.60</u>
<u>Phipps Ocean Park</u>	<u>20.59</u>
<u>Kreusler Park</u>	<u>4.23</u>
<u>Seaview Park</u>	<u>4.57</u>
<u>SUBTOTAL</u>	<u>60.99</u>

MINI PARKS AND PASSIVE OPEN SPACE FACILITIES

<u>Boyd Park</u>	<u>0.14</u>
<u>Bradley Park</u>	<u>4.20</u>
<u>Ibis Isle Road Park</u>	<u>0.96</u>
<u>Lakeside Park</u>	<u>2.53</u>
<u>Midtown Beach</u>	<u>12.80</u>
<u>Palmo Way Park</u>	<u>2.10</u>
<u>Park Avenue Park</u>	<u>0.22</u>
<u>Peruvian Park</u>	<u>0.25</u>
<u>Phipps Plaza Park</u>	<u>0.56</u>
<u>Southern Causeway (Bingham Island)</u>	<u>5.70</u>
<u>Town Hall Square</u>	<u>0.49</u>
<u>Wells Mini Park</u>	<u>0.04</u>
<u>Wrightsman Estate Park (Tangier/Miraflores Drive)</u>	<u>1.49</u>
<u>SUBTOTAL</u>	<u>31.48</u>
<u>Total Town Park Acreages</u>	<u>92.47</u>

OTHER TOWN PARK FACILITIES

<u>Lake Trail</u>	<u>4.7 miles</u>
<u>Midtown Linear Park</u>	<u>2,715 feet</u>
<u>Annie's Dock (Palm Beach Inlet Dock)</u>	<u>1 dock</u>
<u>Southern Pedestrian Bicycle Path</u>	<u>3.5 miles</u>
<u>Town Marina</u>	<u>84 slips</u>

CULTURAL FACILITIES

<u>Flagler Museum</u>	<u>2.80</u>
<u>Palm Beach Preservation Foundation – Ambassador Earl T. Smith Memorial Park and Foundation</u>	<u>0.24</u>
<u>Palm Beach Preservation Foundation – Pan's Garden</u>	<u>0.43</u>
<u>Preservation Park (Public Access)</u>	<u>0.24</u>
<u>Society of the Four Arts</u>	<u>7.68</u>

<u>SCHOOL FACILITIES</u>	
<u>Palm Beach Elementary School</u>	<u>1.60</u>
<u>Palm Beach Day Academy</u>	<u>1.50</u>
<u>Total Cultural and School Facilities Acreage</u>	<u>14.49</u>
<u>Acreage Towards Town Park LOS (50%)</u>	<u>7.25</u>
<u>CLUB FACILITIES</u>	
<u>Mar a Lago</u>	<u>17.51</u>
<u>Bath and Tennis Club</u>	<u>11.69</u>
<u>Palm Beach Country Club</u>	<u>84.01</u>
<u>The Breakers Palm Beach</u>	<u>140.00</u>
<u>Everglades Club</u>	<u>91.43</u>
<u>Sailfish Club of Florida</u>	<u>3.02</u>
<u>Beach Club</u>	<u>1.28</u>
<u>Total Private Clubs and Facilities</u>	<u>348.94</u>
<u>TOTAL RECREATION AND OPEN SPACE LOS</u>	<u>99.72</u>
<u>ACREAGE</u>	

OPEN SPACE

As stated, the maintenance of the Town's parks and open space is managed by both the Town of Palm Beach Public Works Department and the Recreation Department. The division of labor is separated by passive parks and open space and by those that have recreational programming. As such, the Recreation Department oversees landscape maintenance of the fields, playgrounds, golf course, and tennis courts while the Public Works Department, through the Facilities Division, manages passive parks and public spaces.

The Facilities Division's main function is to ensure a clean, safe, and positive work environment for staff and visitors. The Facilities Division sets and follows a general maintenance schedule for grounds. In addition, the Facilities Division follows a preventative maintenance program that involves regular inspections and needed repairs.

Passive Parks and Open Space Area

Below is the complete list of passive parks and open space areas maintained by Public Works for the benefit of Town residents, employees, and guests.



Annie's Dock

Annie's Dock– 5,406 square feet (0.12 acres). Located north of East Inlet Drive and North Ocean Boulevard

Bingham Island– 249,879 square feet (5.7 acres). Located on the Southern Boulevard bridge area.

Boyd Park– 6,106 square feet (0.14 acres). Located on the southwest corner of Bahama Lane and North Ocean Boulevard

Bradley Park– 182,534 square feet (4.2 acres). Located on the northwest corner of Royal Poinciana Way and Bradley Place

Crescent Park– 4,310 square feet (0.10 acres). Located on the Northwest corner of Crescent Drive and North County Road

Dean Park– 20,944 square feet (0.48 acres). Located on the northwest corner of Tangier Avenue and North County Road

Ibis Isle– 41,780 square feet (0.96 acres). Located on the southwest corner of Ibis Way and Ibis Isle Road East.

Lake Trail Linear Park– 5.5 miles long. Extending from South Lake Drive near Peruvian Avenue north to its terminus just north of the Sailfish Club.

Lakeside Park– 282,859 square feet (6.49 acres). Located on the west side of South Lake Drive in between Peruvian Avenue and Royal Palm Way

Midtown Beach Linear Park– 2,715 linear feet. Extending from just south of Gulfstream Road to Chilean Avenue along South Ocean Boulevard.



Lake Drive Linear Park

Palmo Park– 90,739 square feet (2.1 acres). Located on the north side of Palmo Way in between North Lake Way and North Ocean Way

Park Avenue Mini Park– 9,637 square feet (0.22 acres). Located on the south side of Park Avenue in between Bradley Place and North County Road

Peruvian Mini Park– 11,049 square feet (0.25 acres). Located on the southwest corner of Peruvian Avenue and South County Road.

Phipps Plaza Mini Park– 24,275 square feet (.56 acres). Located on South County Road in between Royal Palm Way and Seaview Avenue.

Town Hall Square– 21,271 square feet (0.49 acres) Located on South County Road in between Australian Avenue and Brazilian Avenue.



Town Hall Square

Wells Mini Park–1,876 square feet (.04 acres). Located on either side of Crescent Drive at the intersection with North County Road, across from the North Fire Station.

Wrightsman Estate Park– 33,521 square feet (0.77 acres) Located on the southwest corner of Tangier Avenue and North County Road.

Cultural Facilities

Below is the list of cultural facilities that contribute to the overall LOS for recreation and open space for the Town of Palm Beach. Although these facilities are privately owned and operated, they are iconic spaces that represent the history and beauty of the Town.

Henry Morrison Flagler Museum– Located on Whitehall Way, the Flagler Museum is the restored 1901 home that was built by oil and railroad tycoon, H.M. Flagler. The entire complex of “Whitehall”, encompassing 2.80 acres, is included in the National Register of Historic Places, the Historical Buildings Survey of the Department of the Interior, and the “Florida Trail of History.” **Charitable events, concerts, lectures, special exhibitions, and school proms often take place at “Whitehall”.**

~~In addition to the period rooms, the mansion displays collections of porcelain, silver, glass, lace, dolls, costumes, and paintings acquired by the family. Local historical exhibits, accented by Florida East Coast Railroad background, including Mr. Flagler’s private rail car, are also available for viewing. A library, of the Post Times issues from 1916-1956 is maintained within the home.~~

Society of the Four Arts– Occupying 3.75 acres, the **Society of the Four Arts is a nonprofit cultural organization that was** founded in 1936, with the objective of encouraging the appreciation of art, music, drama, and literature. The Society accomplishes its objectives through the maintenance of **the Phillip Hulitar Sculpture Garden, a sculpture garden the Gioconda and**

Joseph King Library library, and sponsorship of programs, including exhibitions, lectures, concerts, and films. Programs sponsored by the Society of the Four Arts are available from December through mid-April. The library and gardens are open to the public year-round. The Town supports the operations of the library through an annual contribution. **The Society of the Four Arts relies on the philanthropic support of donors, members and volunteers.**

Palm Beach Preservation Foundation's Ambassador Earl T. Smith Memorial Park— Occupying 0.24 acres, this small pedestrian-oriented park facility is open to the public year-round, 24-hours. The park features lush landscaping and a fountain with casual seating.

Palm Beach Preservation Foundation's Pan's Garden— Occupying 0.43 acres, this facility includes a demonstration of native plant species and small office and lecture facilities for public viewing, school lectures on native habitat, and private functions. The park is generally open to the public at limited, variable hours and may be closed for private functions, lectures or limited public ceremonies.

RECREATION

The mission of the Recreation Department is to provide outstanding recreation programs, facilities, and services to enrich and enhance the lives of Town residents and visitors.

Recreational programs managed by the Recreation Department are located at the following locations:

Palm Beach Par 3 Golf Course— Acquired in 1973 and renovated through the support of Raymond Floyd and the Par 3 Foundation, the Par 3 Golf Course, situated between the Intracoastal Waterway and the Atlantic Ocean, offers a spectacular view and a great challenge to all skill levels. The Par 3 Golf Course offers clinics, private lessons, tournaments, and walk-on play. A beautiful clubhouse, which opened in January 2014, offers a full-service pro shop and restaurant with ocean view dining.



Par 3

Seaview Park and Phipps Ocean Park Tennis Centers— Seaview Park and Phipps Ocean Park Tennis Centers offer programs, drop-in play, lessons, clinics, mixers, tournaments, special events, and league play for children and adults throughout the year.

Phipps Ocean Park Tennis Center features six (6) clay tennis courts with shade shelters, a pro shop and a decorative gated entrance plaza with a player/spectator pavilion. Seaview Park Tennis Center features seven lit clay courts with shade shelters. The pro shop offers apparel, accessories, and racket stringing.



Phipps Ocean Park Tennis Center

Town of Palm Beach Marina

Pursuant to §342.07, Fla. Stat., the Legislature recognizes that there is an important state interest in facilitating boating and other recreational access to the state's navigable waters. The Legislature further recognizes that the waterways of the state are important for engaging in commerce and the transportation of goods and people upon such waterways and that such commerce and transportation is not feasible unless there is access to and from the navigable waters of the state through recreational and commercial working waterfronts.

For the purposes of this legislation, the term "recreational and commercial working waterfront" means a parcel or parcels of real property which provide access for water-dependent commercial activities, including hotels and motels as defined in §509.242(1), Fla. Stats., or provide access for the public to the navigable waters of the state. Recreational and commercial working waterfronts require direct access to or a location on, over, or adjacent to a navigable body of water.

The term includes water-dependent facilities that are open to the public and offer public access by vessels to the waters of the state or that support facilities for recreational, commercial, research, or governmental vessels. These facilities include public lodging establishments, docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over the water.

On the island of Palm Beach, the Town operates a public marina, providing berthing for power and sail yachts since the 1940s. In 2021, a \$38 million reconstruction project of the marina was completed remaking the old 'town docks' into a world-class yachting destination along four docks— Brazilian, Australian, Peruvian, and Royal Palm. The marina features an improved layout with Bellingham concrete floating docks and upgraded shore power. The



Town of Palm Beach Marina

marina is connected to the 6.49-acre Lake Drive Park that has some of the largest specimen trees and provides sitting areas and parking. The park is an essential part of the marina experience. Management of the marina facility is overseen by the Town Manager's Office and the Marina Manager, with administrative staff housed on-site.

The Town of Palm Beach is currently pursuing the Florida Clean Marina Program designation. The Clean Marina Program designation is administered through the Florida Department of Environmental Protection. The goal of the designation program is a proactive approach to environmental stewardship. Participants receive help in implementing Best Management Practices through on-site and distance technical assistance, mentoring by other Clean Marinas and continuing education. To become designated as a Clean Marina, facilities must implement a set of environmental Best Management Practices (BMPs) designed to protect Florida's waterways. These BMPs address critical environmental issues such as sensitive habitats, waste management, storm water control, spill prevention and emergency preparedness. Designated facilities and those facilities seeking designation receive ongoing technical support from the Florida Clean Marina Program and the Clean Boating Partnership.

Mandel Recreation Center

In December 2019, the new and improved Morton & Barbara Mandel Recreation Center opened to serve the community of Palm Beach. The Mandel Recreation Center improvements were made possible through a two year fundraising campaign spearheaded by Friends of Recreation Inc., a generous donation by the Morton and Barbara Mandel



Mandel Recreation Center

Family Foundation, and the Town of Palm Beach. The new facility marked the beginning of an exciting new era in health, wellness, recreation, education, and fitness facilities.

The Mandel Recreation Center serves as a center of community activity. A variety of youth and adult classes, programs and special events are held at the Mandel Recreation Center including wellness, art, language, exercise, technology, preschool programs, after school program, camps, and holiday workshops.

Provided in the following tables are statistics for the last seven years on recreational programming at the various facilities managed by the Town of Palm Beach Recreation Department staff. As noted, the year 2019 was impacted due to construction and 2020 was affected due to COVID-19. Data is collected annually as to the percentage of resident and

non-resident recreational users. As evidenced in Tables 7-2 through 7-6, the majority of those involved in both youth activities and those for all ages are residents of the Town. It is foreseen that the Town of Palm Beach will continue to provide this level of recreational programming comparable to the percentage breakdown through the next planning horizon.

Table 7-2
Youth Enrichment/Youth Athletics

<u>Fiscal Year</u>	<u>Resident</u>	<u>Non-Resident</u>	<u>% of Resident</u>
<u>2013</u>	<u>330</u>	<u>248</u>	<u>57%</u>
<u>2014</u>	<u>298</u>	<u>191</u>	<u>61%</u>
<u>2015</u>	<u>254</u>	<u>170</u>	<u>60%</u>
<u>2016</u>	<u>203</u>	<u>233</u>	<u>47%</u>
<u>2017</u>	<u>236</u>	<u>218</u>	<u>52%</u>
<u>2018</u>	<u>223</u>	<u>133</u>	<u>66%</u>
<u>2019*</u>	<u>37</u>	<u>22</u>	<u>63%</u>
<u>2020**</u>	<u>74</u>	<u>38</u>	<u>66%</u>
<u>2021</u>	<u>327</u>	<u>193</u>	<u>63%</u>
<u>2022</u>	<u>437</u>	<u>401</u>	<u>52%</u>

* Construction on new Mandel Recreational Building

** Covid-19

Table 7-3
After School Program

<u>Fiscal Year</u>	<u>Resident</u>	<u>Non-Resident</u>	<u>% of Resident</u>
<u>2013</u>	<u>174</u>	<u>187</u>	<u>48%</u>
<u>2014</u>	<u>187</u>	<u>185</u>	<u>50%</u>
<u>2015</u>	<u>140</u>	<u>202</u>	<u>41%</u>
<u>2016</u>	<u>111</u>	<u>211</u>	<u>34%</u>
<u>2017</u>	<u>134</u>	<u>214</u>	<u>39%</u>
<u>2018</u>	<u>122</u>	<u>142</u>	<u>46%</u>
<u>2019*</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>2020**</u>	<u>34</u>	<u>40</u>	<u>46%</u>
<u>2021</u>	<u>108</u>	<u>99</u>	<u>52%</u>
<u>2022</u>	<u>99</u>	<u>133</u>	<u>43%</u>

* Construction on new Mandel Recreational Building

** Covid-19

Table 7-4
Tennis (Seaview & Phipps)

<u>Fiscal Year</u>	<u>Resident</u>	<u>Non-Resident</u>	<u>% of Resident</u>
<u>2018</u>	<u>10,350</u>	<u>8,204</u>	<u>56%</u>
<u>2019</u>	<u>11,211</u>	<u>6,345</u>	<u>64%</u>
<u>2020*</u>	<u>12,306</u>	<u>5,943</u>	<u>67%</u>
<u>2021</u>	<u>15,172</u>	<u>5,950</u>	<u>72%</u>
<u>2022</u>	<u>15,896</u>	<u>6,128</u>	<u>72%</u>

Table 7-5
Par 3 Golf Course

<u>Fiscal Year</u>	<u>Rounds Played</u>
2018	38,089
2019	39,114
2020*	38,157
2021	52,462
2022	54,896

Table 7-6
Mandel Fitness Center

<u>Fiscal Year</u>	<u>Check-Ins</u>
2020	4,342
2021	5,945
2022	9,098

*2020 – Closed 41 days due to Covid-19

SUMMARY

The Town has developed a cohesive recreation and open space plan. To ensure the continuation, the Recreation and Open Space Element must reflect the existing and future population, the location and condition of existing facilities, as well as the supporting role which the private sector plays in the recreational network. Recommended is the recognition of the exceptional recreational programming the Recreation Department manages. As such, a new Sub-Element has been established that pertains exclusively to programming with associated corresponding Goals, Objectives, and Policies. Recreational programming will continue to play a critical role in the Town as younger families with children move to Palm Beach. That trend is expected to continue, impacting programs, sports and enrichment programs in the future. Priority will be given to Town residents.

Recreation and Open Space Element

GOALS, OBJECTIVES
& POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE PROVIDE RECREATIONAL PROGRAMMING AND WELL-MAINTAINED OPEN SPACE THAT SUPPORT A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS.

ENSURE THE PROVISION OF LOW-INTENSITY RECREATIONAL USES, WHILE PRESERVING, TO THE MAXIMUM EXTENT POSSIBLE, THE RESIDENTIAL CHARACTER OF THE TOWN OF PALM BEACH.

OBJECTIVE ~~3-1~~

The Town will continue to maintain its system of parks and recreational facilities to meet the needs of the current and future resident population.

POLICY ~~3-1~~ 1.1

The Town of Palm Beach adopts a minimum recreation standard of six acres per one thousand population. Acreage to be used in calculations to meet this standard shall include all public parks and recreation facilities in the Town, the Lake Worth Casino, and 50% of land associated with school facilities and private cultural facilities open to the public.

POLICY ~~3-2~~ 1.2

Through the use of adequate operating budgets and proper management techniques, the Town will preserve and maintain existing parks and recreational facilities. The Town will review its operating budgets and management techniques as needed to ensure continued high-level performance.

POLICY ~~3-3~~ 1.3

The Town shall require aAll acquisitions of, and physical improvements to, park and recreation facilities costing greater than \$25,000 each, included in this Element, shall to be scheduled in the Capital Improvements Element of this Comprehensive Plan. Capital items shall be prioritized and included on an as needed basis.

POLICY ~~3-4~~ 1.4

The Town of Palm Beach shall review ~~with~~ its park and recreational facilities- for deficiency identification as needed.

POLICY ~~3.5~~ 1.5

~~The Town of Palm Beach shall develop a master plan for maintaining, improving or redeveloping Seaview Park and Recreation Center.~~

POLICY ~~3.6~~ 1.6

The Town of ~~Palm Beach~~ shall prioritize **and implement** potential future improvements to Town parks and recreational facilities.

OBJECTIVE ~~4~~ 2

Public access shall be maintained 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 ~~4.1~~ 2.1

The Town of Palm Beach shall ~~identify~~ **continue to provide** ~~inadequate~~ **acceptable** access to its recreational facilities ~~within one year of the adoption of this Comprehensive Plan.~~

POLICY ~~4.2~~ 2.2

The Town of Palm Beach shall continue to implement corrective measures ~~on~~ **to** all access points **if** identified as inadequate.

POLICY ~~4.3~~ 2.3

The Town will, as needed, inspect public access points at public facilities located within the Town, but not under the Town's jurisdiction, to identify any impediments to access. The Town will notify respective governing agencies of identified impediments within three **(3)** months of their identification.

POLICY ~~4.4~~ 2.4

Pursuant to ~~F.S.~~ **§163.3177, Fla. Stat. and 163.3178, Fla. Stat.** the Town shall devise regulatory incentives and criteria that encourage the preservation of “recreational and commercial working waterfronts” as defined in **§342.07, Fla. Stat.**

OBJECTIVE 2 ~~3~~

The Town will ensure the continued mutual relationship ~~between it the Town and~~ **with** public and private sector ventures ~~in~~ providing recreational **programming and** amenities., ~~the Town will ensure.~~

POLICY ~~2.1~~ **3.1**

The Town will ~~offer regulatory assistance to~~ **continue to serve the public through contracting with** ~~protect private sector recreational providers which do not employ membership, employment, or usage policies that~~ **do not** discriminate on the basis of race, color, sex, religion, or marital status: ~~The Town will schedule, as needed, a staff workshop targeted at identifying and resolving private sector recreational issues.~~

POLICY ~~2.2~~ **3.2**

The Town recognizes the importance of the present informal mutual use agreement for the public and private school sites. The Town shall continue to maintain formal agreements with the Palm Beach County School Board and the Palm Beach Day Academy to ensure continued **agreed upon** joint use.

POLICY ~~2.3~~ **3.3**

The Town shall periodically review recreational programming at the Mandel Recreation Center.

POLICY **3.4**

The Town shall continue to have oversight of all Vendors to Recreation Department activities, including, but not limited to, sports, enrichment and educational programs.

OBJECTIVE 4 ~~5~~

The Town shall continue to protect ~~lands~~ designated as open space ~~will be protected~~ **to remain functionally intact**, as provided in this **the subject Element** and the Coastal Management/Conservation Element ~~and will remain functionally intact.~~

POLICY ~~4.1~~

~~Article 6, Section 21, of the Town's Zoning Ordinance, which requires that buffering be provided between parking lots and non-compatible adjacent uses (e.g. residential adjoining commercial), shall be maintained or strengthened during the Town's periodic update of its land development regulations.~~

POLICY 4.2

~~Article 4 of the Town's Zoning Ordinance provides, through its PUD provisions, for additional building height in exchange for decreased impervious ground coverage. This provision shall be maintained in the Town's land development regulations.~~

POLICY 4.35.1

The Town shall continue to maintain written agreements with the State of Florida Trustees of the Internal Improvement Fund and the Audubon Society that ensure the designation of the 39-acre natural islands for conservation use.

POLICY 5.2

The Town shall continue to provide landscape maintenance through either Town staff or contracted vendors to ensure high quality grounds for all Town parks and recreational facilities.

POLICY 5.3

The Town shall prepare a Parks Guidebook that provides a complete list of active and passive parks and public open space within one (1) year of adoption of the subject comprehensive plan update.

POLICY 5.4

The Town shall continue to participate in the Florida Clean Marina Program for the Town Marina.

Coastal Management Element

DATA & ANALYSIS

INTRODUCTION

~~The Town of Palm Beach lies entirely within the coastal zone. Consequently, this Element incorporates the Coastal Management and Conservation Elements into one comprehensive inventory, and analysis of the Town's coastal and natural resources.~~

~~The purposes of this Element are to plan for and, where appropriate, restrict development activities where such activities would damage or destroy coastal resources; to protect human life; to limit public expenditures in areas subject to destruction by natural disaster; and to promote the conservation, use, and protection of natural resources.~~

~~This Element of the Plan has been updated based upon:~~

- ~~1. Analysis of existing land uses in the coastal area as of April 2016; conflicts among shoreline uses; need for water dependent and water related uses; areas in need of redevelopment; and, the economic base of the coastal area;~~
- ~~2. Analysis of the effect of future land uses on natural resources;~~
- ~~3. Analysis of the impacts of development on historic resources and sites;~~
- ~~4. Analysis of estuarine pollution conditions;~~
- ~~5. Analysis of natural disaster planning concerns;~~
- ~~6. Analysis of beach and dune conditions;~~
- ~~7. Analysis of public access facilities;~~
- ~~8. Analysis of existing infrastructure;~~
- ~~9. Analysis of pertinent natural resources in the community;~~
- ~~10. Analysis of existing commercial, recreational, and conservation uses of these natural resources; potential for their conservation, use, or protection; and, known pollution problems;~~
- ~~11. Analysis of current and projected water needs and sources.~~

EXECUTIVE SUMMARY

~~While all of the comprehensive plan elements required by F.S. 163 have been inventoried and analyzed, the built-out landscape of Palm Beach limits concern to but a few specific issues and~~

problems. These are chiefly associated with natural resource protection.

HAZARDOUS WASTES

The Town will continue to protect its soils and groundwater through existing prohibitions on industry, standard operating procedures, and intergovernmental coordination with appropriate agencies.

DRAINAGE

The natural drainage patterns of the Town have been altered by urban development. Stormwater is either held in retention areas or routed to Lake Worth. In 1986, all new construction and major renovations have been required to retain the first inch of rainfall per the Town's code in conformance with requirements of the South Florida Water Management District. However, this requirement was increased to two inches in 1992. More detailed inventory and analysis of drainage and related infrastructure are contained in the Infrastructure Element.

FLOODPLAINS

The Town of Palm Beach can experience flooding from Lake Worth, the Atlantic Ocean, or from surface accumulation of rainwater. Map V-2, in the companion volume *Supporting Documentation*, shows areas in the Town which are subject to flooding during a "one hundred-year storm", as identified on the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA). Land along the Atlantic is also subject to tidal surge and wave velocity in the event of a major storm, although no structures lie within the velocity zone. Nearly all of the flood prone area is already developed.

GROUNDWATER

The Town promotes recharge through its stormwater retention requirements, and through minimum landscaped area requirements, which ensure pervious areas for water percolation into the aquifer. In addition, there are few septic tanks in the Town, no existing or known potential problems with hazardous waste contamination, and no known sources of potential aquifer contamination or depletion. In the event that the Town chooses to use the surficial aquifer more extensively, measures should be taken to protect the aquifer from salt water intrusion.

POTABLE WATER

Potable water resources, needs, and conservation methods are explored in the Potable Water sub-element of the Infrastructure Element. Specifically, water sources are discussed under the heading "Facilities, Treatment, and Capacity"; needs and water quantity under "Present and Future Needs"; water quality under "Potable Water Quality"; and, conservation under "Water Conservation."

NATURAL RESOURCES

Vegetation and Wildlife

A variety of mammals, reptiles, birds, aquatic species, and other animals live in and around Palm Beach. These are generally attracted to specific vegetational and aquatic communities. The Atlantic Ocean and its associated beaches, dunes and nearshore reef outcrops support a variety of animal life and marine species. Chart V-1 summarizes and describes the various ecological communities in terms of their vegetation, wildlife and ecological needs.

Most native wildlife in Palm Beach is centered around remaining natural communities. However, there are also a variety of species which have adapted to the urban environment. Among these are the red fox, possum, raccoon, squirrel, rat, mouse, songbirds (including a flock of wild parrots), and shore birds. The Town is a dedicated Bird Sanctuary.

A patchy series of nearshore and offshore reefs or rock outcrops lies parallel to the Town's Atlantic coastline. Offshore areas are subject to variability. Some nearshore areas can have a very limited diversity or density of species due to naturally high sedimentation rates and low rock relief. Others may support relatively rich populations of plant and animal life. As a rule, diversity and abundance of species increase with greater water depth and distance from the shore. However, site specific studies need to be conducted to determine the ecological value of any given offshore environment.

The Lake Worth Lagoon supports a rich variety of wildlife. The spoil islands in the Lagoon serve as bird rookeries for ibis, reddish and snowy egrets, anhingas, great blue herons, night herons, and tricolor herons, many of which are listed as threatened or endangered species by State or Federal agencies. Fisherman's Island, Hunter's Island, John's Island, and Bingham Island are leased by the Audubon Society specifically as rookeries and bird sanctuaries. Native wetland areas along the shore of the Lake Worth Lagoon serve as roosting areas for these birds, and also provide food and shelter for a variety of small mammals.

Although the Florida Department of Environmental Protection (FDEP) has prohibited shellfishing in the Lake due to its poor water quality, shellfish beds are located on tidal flats and around the periphery of spoil islands. One species of oysters live on the prop roots of red mangroves. A unique sub-specie of clam, native to the area, lives in the sand of the Lagoon.

Air and Other Physical Conditions

The Town of Palm Beach has very good air quality. There are no point sources of pollution within the Town. Increased mobile pollution sources, including automobiles and air traffic, will continue to cause a concern. Air quality is enhanced by the Town's location on the coast, where it benefits from regular sea breezes. Air quality is also improved by the profuse vegetation in the Town, which naturally purifies the air.

The Town should continue to maintain its good air quality by preventing industries from operation

~~in the Town; discouraging increased commercialism; and, maintaining and encouraging rich vegetation on both public and private properties.~~

~~The Florida Mining Atlas identifies two potentially valuable mineral resources in Palm Beach: coquina and sand. However, the exclusive residential nature of the Town and subsequent high real estate values preclude any mining of these resources, either presently or in the future.~~

~~The Town addresses wind-borne soil erosion due to demolition or construction through its Fugitive Dust and Blowing Sand Ordinance, which requires exposed soils and fill to be stabilized with webbing. In addition, the Town requires unvegetated vacant areas to be sodded.~~

COMMUNITY	ATLANTIC OCEAN	ATLANTIC BEACH & DUNES	BARRIER ISLAND INTERIOR	LAGOONAL WATER'S EDGE	LAGOON	MANGROVE ISLAND
DESCRIPTION	Zone begins 3 miles east of the MHW line & extends west through the breaking surf to the MHW lines.	Area extends from the MHW line of the beach to the trough behind the dune zone.	West of dunes to the edge of the Lake Worth Lagoon.	Wetland Bordering Lake Worth Lagoon	Lake Worth	Various natural and spoil islands in Lake Worth
SOILS	Submerged, unconsolidated sand; coquina outcroppings from reefs.	Well-drained sand and shells.	Moderately drained sand, and urban fill.	Well-drained sand and shells overlying organic layer of poorly drained peat.	Submerged, unconsolidated sand	Composition ranges from mixed sand and shells to organic materials
VEGETATION	Plankton, sarragassum, seaweed, red and brown algae.	Salt-tolerant dune grasses, herbaceous plants, vines, shrubs, and stunted trees.	Live oak, slash pine, cabbage palm, saw palmetto; invasion by Australian pine, Brazilian pepper.	Black, red & white mangroves, salt marsh grass; invasion of Brazilian pepper & Australian pine.	Sea-grass beds	Red and black mangroves, Australian pine and Brazilian pepper on upland spoil areas; some hardwoods on native island uplands

LISTED SPECIES	Brown pelican. Sea turtles (see Beach and Dunes). Sea Gulls.	Atlantic loggerhead turtle Atlantic green turtle Leatherback turtle Atlantic hawksbill turtle Atlantic Kipp Ridley turtle Sea lavender Prickly pear Roseate tern Least tern Osprey Sea Oats Sea Grape		Roseate tern Least tern Atlantic saltmarsh snake Snowy egret, reddish egret Southern Kestrel Southern bald eagle Great Blue heron, Little Blue heron, other herons Other shorebirds Anhingas Cormorant Osprey	West Indian Manatee	Roseate tern Least tern Atlantic saltmarsh snake Snowy egret Southern Kestrel Southern bald eagle Great Blue and other herons Limpkin White ibis Osprey
NATURAL FUNCTION	-Marine habitat - Moderation of climate	-Wind & wave protection for -island -Shoreline maintenance -Interface between marine & terrestrial wildlife -Shallow aquifer recharge (dunes)	-Wildlife habitat -Shallow aquifer recharge in elevated areas -Vegetation purifies air	-Shoreline stability -Maintenance of water quality -Wildlife habitat -Detrital source -Important nursery area for marine wildlife	-Feeding area for manatees -Source of detrital food web -Vital nursery habitat for larval & juvenile stages -of marine life -Maintenance water quality	-Habitat, rookeries for birds -Maintenance of water quality -Maintenance of marine life -Detrital source

ELEMENTS ESSENTIAL TO NATURAL FUNCTION	<ul style="list-style-type: none"> -Good water quality 	<ul style="list-style-type: none"> -Natural beach profile - Uninterrupted littoral drift -Natural dune form -Hardy vegetation -Good water quality 	<ul style="list-style-type: none"> -Vegetation -Good water quality 	<ul style="list-style-type: none"> -Healthy and profuse vegetation -Good water quality 	<ul style="list-style-type: none"> -Good water quality -Natural circulation -Undisturbed bottom 	<ul style="list-style-type: none"> -Healthy vegetation -Good water quality -Minimal disturbance by man
POST DEVELOPMENT CHARACTER	<ul style="list-style-type: none"> -Water pollution (oil residue & garbage) 	<ul style="list-style-type: none"> -Intense development of primary dune area -Removal of foredune & replacement with bulkhead -Breaches of dune due to Pedestrian and vehicular activity 	<ul style="list-style-type: none"> -Most of area heavily urbanized. Native vegetation replaced with exotic landscaping 	<ul style="list-style-type: none"> -Most of wetland edge filled and elevated for residential development and cleared of natural vegetation -Shoreline hardened -Invasion of exotic vegetation 	<ul style="list-style-type: none"> -Some areas dredged for boat channels -Seagrass loss due to poor water quality, dredge and fill -Habitat loss for marine organisms 	<ul style="list-style-type: none"> -Invasion of exotic vegetation -Litter -Disturbance by boaters, trespassers

Moved to Conservation Element

EXECUTIVE SUMMARY

Coastal Management is a Federal, State and local requirement of coastal communities. The fundamental goals are to preserve, protect, enhance and restore the coastal resources of the nation's coastal zone. In the Town of Palm Beach, a barrier island, coastal management has broad implications for the community's social, economic, and environmental welfare.

Recognizing the importance of managing its beach resources, in 1986, the Town of Palm Beach prepared an initial Comprehensive Coastal Management Plan (CCMP). The Town updated the CCMP in 1998 to identify the sequencing and requisite actions needed by the Town and the neighboring municipalities to effectively manage the shoreline of Palm Beach. Proper sand management practices at the inlet which separates Palm Beach from the neighboring shorelines were identified as critical to ensure that the Town's beaches were provided the proper level of upland storm protection. Additionally, the CCMP identified and located suitable sand resources to conduct beach restoration and renourishment activities within the Town essential for the long-term success of the plan.

In 2018, the Town of Palm Beach entered into a Beach Management Agreement (BMA) with the DEP, in conjunction with the Florida Fish and Wildlife Conservation Commission (FWC) to coordinate beach management activities. Annual BMA stakeholder meetings are held at Town Hall to make any necessary updates to programming and/ processes. The BMA was last updated in 2021 and a public hearing on the agreement was held in August 2023, which resulted in no changes being made to the BMA. The BMA process establishes the regulatory responsibilities of the DEP with other state and federal agencies, and the public to create a streamlined program to protect the environment and to provide net ecosystem benefits.

In July 2019, a Coastal Flood Vulnerability Assessment was conducted to provide guidance for prioritizing and planning future flood mitigation projects and adaptations to improve coastal resilience now and into the future. The recommendations provided a methodology to ensure that public infrastructure projects are designed to last decades or more, factoring future risk into design criteria. Ultimately, the assessment has assisted the Town to improve coastal resilience while also aiding in minimizing costly flood damage and future repairs of infrastructure.

COASTAL MANAGEMENT IN THE UNITED STATES

In 1972, U.S. Congress recognized the importance of meeting the challenge of continued growth in the coastal zone by passing the Coastal Zone Management Act (CZMA). This act, administered by NOAA, provides for the management of the nation's coastal resources, including the Great Lakes. The goal is to "preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone." The term "coastal zone" means the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other

and in proximity to the shorelines of the several coastal states, and includes islands, transitional and intertidal areas, salt marshes, wetlands, and beaches.¹

The CZMA outlines three national programs, the National Coastal Zone Management Program, the National Estuarine Research Reserve System, and the Coastal and Estuarine Land Conservation Program (CELCP). The National Coastal Zone Management Program aims to balance competing land and water issues through state and territorial coastal management programs, the reserves serve as field laboratories that provide a greater understanding of estuaries and how humans impact them, and CELCP provides matching funds to state and local governments to purchase threatened coastal and estuarine lands or obtain conservation easements.²

STATE REQUIREMENTS FOR THE COASTAL MANAGEMENT ELEMENT

Pursuant to §163.3177(b)(g), Fla. Stat. for those units of local government that are abutting the Gulf of Mexico or the Atlantic Ocean, the preparation of a Coastal Management Element is required. In addition to the requirements of §163.3177(b)(g), Fla. Stat. the Coastal Management Element must also meet the requirements of §163.3178, Fla. Stat., which is solely dedicated to coastal management.

The Coastal Management Element objectives set forth in §163.3177(b)(g), Fla. Stat. provides the principles, guidelines, standards, and strategies to guide the local government's decisions and program implementation. The objectives include the following:

1. Maintain, restore, and enhance the overall quality of the coastal zone environment, including, but not limited to, its amenities and aesthetic values.
2. Preserve the continued existence of viable populations of all species of wildlife and marine life.
3. Protect the orderly and balanced utilization and preservation, consistent with sound conservation principles, of all living and nonliving coastal zone resources.
4. Avoid irreversible and irretrievable loss of coastal zone resources.
5. Use ecological planning principles and assumptions in the determination of the suitability of permitted development.
- ~~6. Limit public expenditures that subsidize development in coastal high-hazard areas.~~
7. 6. Protect human life against the effects of natural disasters.

¹ <https://coast.noaa.gov/czm/act>

² Ibid

7. Direct the orderly development, maintenance, and use of ports identified to facilitate deep-water commercial navigation and other related activities.
8. Preserve historic and archaeological resources, which include the sensitive adaptive use of these resources.
9. At the option of the local government, develop an adaptation action area designation for those low-lying coastal zones that are experiencing coastal flooding due to extreme high tides and storm surge, and are vulnerable to the impacts of rising sea level.

As stated, the Florida Statutes contains specific regulations that only pertain to coastal management in §163.3178, Fla. Stat. Within this statute, the Florida Legislature recognized there is significant interest in the resources of the coastal zone of the State. Further, the Legislature recognized that, in the event of a natural disaster, the State may provide financial assistance to local governments for the reconstruction of roads, sewer systems, and other public facilities. Therefore, it is the intent of the Legislature that local government comprehensive plans restrict development activities where such activities would damage or destroy coastal resources, and that such plans protect human life and limit public expenditures in areas that are subject to destruction by natural disaster.

Pursuant to §163.3178(2), each Coastal Management Element is required to be based on studies, surveys, and data that are consistent with coastal resource plans prepared and adopted pursuant to general or special law and contain the following:

- (a) A land use and inventory map of existing coastal uses, wildlife habitat, wetland and other vegetative communities, undeveloped areas, areas subject to coastal flooding, public access routes to beach and shore resources, historic preservation areas, and other areas of special concern to local government.
- (b) An analysis of the environmental, socioeconomic, and fiscal impact of development and redevelopment proposed in the future land use plan, with required infrastructure to support this development or redevelopment, on the natural and historical resources of the coast and the plans and principles to be used to control development and redevelopment to eliminate or mitigate the adverse impacts on coastal wetlands, living marine resources, barrier islands, including beach and dune systems, unique wildlife habitat, historical and archaeological sites, and other fragile coastal resources.
- (c) An analysis of the effects of existing drainage systems and the impact of point source and nonpoint source pollution on estuarine water quality and the plans and principles, including existing state and regional regulatory programs, which shall be used to maintain or upgrade water quality while maintaining sufficient quantities of water flow.
- (d) A component which outlines principles for hazard mitigation and protection of human

life against the effects of natural disaster, including population evacuation, which take into consideration the capability to safely evacuate the density of coastal population proposed in the Future Land Use Plan Element in the event of an impending natural disaster. The Division of Emergency Management shall manage the update of the regional hurricane evacuation studies, ensure such studies are done in a consistent manner, and ensure that the methodology used for modeling storm surge is that used by the National Hurricane Center.

- (e) A component which outlines principles for protecting existing beach and dune systems from human-induced erosion and for restoring altered beach and dune systems.
- (f) A redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise.

In 2015, §163.3178(20(f), Fla. Stat. was adopted via Florida Senate Bill 1094 (S.B. 1094) that recognized the priority to integrate sea level rise into local government planning. Florida former-Governor Rick Scott signed S.B. 1094 in May 2015, amending §163.3178(2), F.S. to include subsection (f). The law stipulated local governments that are required to have a Coastal Management Element in their comprehensive plan include a redevelopment component to “eliminate inappropriate and unsafe development in coastal areas”.

The 2015 Bill became effective on July 1, 2015, and required coastal management plans to include the reduction of flood risks and losses. The law also created new requirements related to redevelopment to include flood elevation certificates and revised requirements related to flood insurance. The specific principles include the following:

- Development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
- Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
- Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this State.
- Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

- Establish minimum standards for construction activities seaward of the Coastal Construction Control Line.
- Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents

PALM BEACH COUNTY COASTAL MANAGEMENT PROGRAM

The major forces in the shaping of the Palm Beach County (PBC) coastline are the combined effects of the wind, waves, tides, and sea level rise. During storm conditions, these forces increase and pose a threat to structures and property bordering beaches of insufficient width and slope to provide natural protection. In addition, coastal currents and inlet dynamics exacerbate the erosion problem.

Comparison of Palm Beach County beach and offshore surveys between the years 1929 and 1977 showed substantial recession and advance of the shoreline, with erosion occurring primarily as a result of impoundment north of the county's four inlets and as a result of local beach nourishment projects. In 1986, in an attempt to address growing concerns of beach erosion throughout the State, the Florida Department of Environmental Protection (FDEP), Division of Water Resource Management, was charged with the responsibility to identify those beaches of the State which were critically eroding and to develop and maintain a comprehensive long-term management plan for their restoration. An initial list of erosion areas was developed and continues to be updated and maintained, as necessary.³

Palm Beach County has adopted a Local Mitigation Strategy (LMS). The LMS is a unified, coordinated effort among County and municipal governments to reduce the county's vulnerability to the impacts of identified natural and man-made hazards. Among its primary missions, the Strategy serves as a basis for comprehensive mitigation planning, project identification and prioritization, and provides assistance to project sponsors in securing and allocating available federal, state, local, and other disaster mitigation assistance funds. The revised Palm Beach County Local Mitigation Strategy Plan (LMS) was adopted in 2019, by unanimous vote of the Town Council of the Town of Palm Beach.

According to PBC's Comprehensive Emergency Management Plan updated in 2020, 60 storms of hurricane intensity have passed within 125 miles of the County since 1886. Hurricanes and tropical storms directly impacted Palm Beach County and Palm Beach's shoreline protection and erosion control, among other impacts. Today, various plans are in place in Palm Beach County to manage coastal areas and protect dunes and beaches, including the Palm Beach County Shoreline Protection Plan, FDEP's Strategic Beach Management Plan, PBC's Shoreline Enhancement and Restoration Programs. These

³ Palm Beach County Emergency Management Plan 2020

initiatives identify critical areas and prioritize and develop action plans to enhance and restore areas that are at risk.

Many storms have impacted Palm Beach County's coastline since the late seventies. Most of these storms resulted in significant increases in the amount of critically eroded beaches in PBC and surrounding coastal counties.

TOWN OF PALM BEACH COASTAL MANAGEMENT ELEMENT

Beach and Dune Conditions

Beach erosion has been a continuing problem for the Town since 1924 when the Lake Worth Inlet was deepened and stabilized with jetties on either side. Sand immediately began to build up in the north jetty as the southerly littoral drift was interrupted. The beaches on the north side of the Inlet began to experience accretion, while those to the south, where the Town is located, suffered from erosion. Sand starvation caused by the Inlet has combined with other factors, such as the rising sea level and numerous storm events, resulting in a dramatic and continuing loss of beach. Through the years the Town has responded to beach erosion with shore protection structures, artificial beach nourishment, and a sand bypass program at the Inlet.

The Town has carefully controlled beach protection through a beach management plan, passed in 1935, which designates the locations, dimensions, and lengths of bulkheads and groins within the municipal limits of the Town. Since ~~1935~~ **that time**, protective structures have generally been placed in accordance with this Plan. Recognizing the importance of managing its beach resources, in 1986, the Town of Palm Beach commissioned a consultant, Cubit Engineering, to prepare a initial Comprehensive Coastal Management Plan (CCMP). The report contained eight (8) major objectives.

1. Replace the sand bypass plant at Lake Worth Inlet.

~~The Sand Transfer Plant ceased operation in May, 1990. The County, who operated the plant under an interlocal agreement, reported that its condition was beyond normal maintenance repair. The Town has funded the restoration of the Sand Transfer Plant which should provide enhanced transfer capability. Two new discharge pipes under the inlet, a new pump, motor and electrical system were installed in November, 1995.~~

~~The Town began a study of the Lake Worth inlet through the initiation of the Lake Worth Inlet Management Plan. The Plan, with 75% State funding, will explore the optimal way to move sand past the Lake Worth Inlet. The Plan has already recommended replacement of the transfer station with upgraded bypass capabilities. It is anticipated that the Plan will be completed in the near future. Upon completion, the Town will implement it with the assistance of the U.S. Corps of Engineers and Florida Department of Environmental Protection.~~

~~The Sand Transfer Plant was structurally and mechanically rehabilitated by the Town in~~

~~late 2009 and early 2010. Following rehabilitation, the plant successfully bypassed sand until impacts from Hurricane Sandy damaged the plant's infrastructure in October 2012. The plant was operational again in mid-2013 and regularly bypassed sand until electrical connection issues persisted in 2015. The electrical connections were replaced and the Sand Transfer Plant has been in continual operation through much of 2016.~~

~~In June 2016, by Resolution No. 94-2016, Town Council approved an interlocal agreement with Palm Beach County that details responsibilities for operation and maintenance of the Sand Transfer Plant until September 2035. The interlocal agreement obligates the County to operate and maintain the plant and obligates the Town to be responsible for repairs. This agreement was approved by the Palm Beach County Board of County Commissioners in August 2016.~~

2. Require all sand bypass plant discharge and beach quality maintenance dredge spoil to be placed south of Onondaga Avenue so that it will be of greatest benefit.
~~The Town manages the Sand Transfer Plant consistent with the FDEP adopted Lake Worth Inlet Management Plan (IMP) of 1995, the FDEP Palm Beach Island Beach Management Agreement (BMA) of 2013, and the FDEP Strategic Beach Management Plan updated in 2015. Both the IMP and BMA recommend lengthening the discharge pipelines and to allow for multiple discharge points to be located as far as 2,500 feet south of the south jetty. The State's strategy for inlet bypassing, which includes the combination of the operation of the sand transfer plant and beach placement of maintenance dredge material from the federally authorized navigation channel, to place all beach compatible material on the downdrift beaches of Reach 1 and in an extended beach placement in Reach 2. The FDEP Strategic Beach Management Plan details that an extension of the plant's discharge pipeline can be sited as far as 3,600 feet south of the south jetty.~~
3. Renourish the Mid-Town Public Beach to enhance that area and provide downcoast property protection.
~~The Town's Mid-Town Beach Restoration project, with the construction of groins to stabilize the beach, began in October 1995, and was completed in March, 1996. Following the project, a dune vegetation project was initiated for approximately 4,000 feet of the project. Mid-Town Beach was renourished in 2003 and 2006 following hurricanes Frances and Jeanne. A Mid-Town Beach Renourishment Project was constructed in 2015.~~
4. Endorse the Department of Transportation revetment at Widener's Curve to Sloan's Curve.
~~The revetment is in place.~~
5. Maintain the seawalls to ensure that storm protection to upland property and infrastructure is provided.
~~Seawalls are maintained on an "as needed" basis. Construction of a replacement seawall fronting North Ocean Boulevard across from the Palm Beach Country Club in Reach 2 was completed in 2016.~~
6. Maintain the seawalls to ensure that storm protection to upland property and infrastructure is provided.

7. Maintain and/or modify only those groins that are presently effective; abandon and remove all others as may be physically and financially practical.

The Phipps Ocean Park Beach Restoration was undertaken and completed in 2006 between Phipps Park and the Ambassador Hotel. A dune vegetation restoration project was also completed there in 2007. Nourishment of Phipps Ocean Park and Reach 7 was completed in 2016. This project extended beach nourishment from the Ambassador Hotel to Kreusler Park. Following the nourishment of sand, dune vegetation was planted along the entire Town portion of Reach 7, which extends from Sloan's Curve to Kreusler Park.

8. Monitor the Town's beach to develop a better data base of information concerning beach characteristics so that future planning decisions can be made."

The Town performs a yearly shoreline survey to design and monitor beach restoration and renourishment activities.

UPDATED AND PROVIDED BELOW

~~The Comprehensive Coastal Management Program (CCMP) includes a detailed schedule and budget. The scope and cost of the CCMP is reviewed annually by Town staff, the Shore Protection Board, and Town Council. The Town continues to implement the CCMP objectives.~~

~~The Town Council appointed a Shore Protection Board on July 11, 1995, to investigate and evaluate the Town's beaches and develop a plan to address the erosion of this piece of the Town's infrastructure. The Board met regularly for over three years. After investigating the broadest array of beach management options, the Board oversaw the production of the (CCMP) Update, dated September 1997, by Applied Technology & Management, Inc. Thereafter the Board oversaw a separate Peer Review of the CCMP. The Peer Review emphasized that uncertainty exists in the science of managing our coastal resources, and therefore recommended that the CCMP by Aubrey Consulting, Inc. (later referred to as Woods Hole Group, Inc.) be implemented in phases, thereby allowing for flexibility and adjustments through a process called "adaptive management." This process involves incorporating specific, measurable goals in each beach nourishment project and learning from the observed successes and failures, or outcomes of those projects when compared against the projects original expectations. Summarizing the process below:~~

- ~~(1) — Monitoring the implementation of each project in a manner meant to reveal any critical knowledge that was lacking in the project's original design,~~
- ~~(2) — Analyzing the outcome of each project against its original objectives, and~~
- ~~(3) — Incorporating these results into future decisions regarding the projects included in the adopted CCMP by means of appropriate mid-course corrections.~~

~~In January of 1999, the Shore Protection Board issued its final report, making a number of recommendations to the Mayor and Town Council, including the implementation of the CCMP through adaptive management.~~

~~The Town Council reviewed the CCMP, and held three public meetings throughout the Town to receive input into the decision making process. The CCMP was further discussed at Town Council meetings over a number of months where public debate continued. Some citizens raised concerns~~

about the environmental damage that might be caused by the projects, the method of apportioning the costs of the projects (having them spread among all property owners in the Town in contrast to just beachfront property owners), and the potential effects of creating the Erosion Control line on the privacy and property rights of the Town's residents. The Town Council adopted a scaled-back Coastal Management Plan on December 1, 1999. That action and the Town Council's subsequent actions on these projects substantially outweigh the potential negative impacts. The prevailing opinion expressed by the residents at the Community Forums in November 2001 strongly supported this determination.

The CCMP update of 1999 summarized the 1986 CCMP objectives and included the following key action elements:

- Implement the Lake Worth Inlet Management Plan;
- Construct sand retention structures and restore and maintain beaches along the designated Reaches;
- Implement a comprehensive coastal monitoring and modeling program;
- Maintain, restore and/or replace existing coastal structures; and
- Renourish restored reaches periodically to sustain project benefits.

With the above listed elements identified to be implemented over a 10-year period, the Shore Protection Board was sunset by Town Council in 1999.

Per Ordinance No. 1-08, on July 8, 2008, the Town Council established that the Shore Protection Board "act in an advisory capacity to the Town Council and shall make recommendations to the Town Council on all matters relating to shore protection in the Town of Palm Beach." On December 9, 2008, Town Council appointed seven (7) members who held their first meeting on December 17, 2008. During their first year, the board developed goals and objectives. With eight (8) objectives identified, the board prepared an Objectives Plan which included data collection, fact finding, short term shore protection actions, and long term coastal management solutions. While assessing the Town's coastal program through their Objectives Plan, the board also applied the twelve (12) conclusions, recommendations, and comments from the previous Shore Protection Board. Projects were prioritized and the Shore Protection Board concluded their first year of meetings with nine (9) specific recommendations to Town Council on November 10, 2009. In addition to the recommendations, the Shore Protection Board provided Town Council with a 10-Year Coastal Management Plan. Although the 10-Year plan was not adopted by Town Council, the document served as the framework for a plan later adopted by Town Council.

In June 2013, following more than one (1) year of peer review performed by Woods Hole Group, Town Council adopted a long-term 10-Year Plan for the Town's Coastal Management Program. The plan called for implementation of specific projects and monitoring to occur between fiscal years 2014 and 2023.

The Shore Protection Board continues to meet at least four (4) times per year and reports to the Town Council annually. To facilitate civic involvement by its citizens the Town Council adopted Ordinance No. 06-2017 which will impose term limits for the Shore Protection Board members and add three (3) alternate members.

Following the initial CCMP, the Town updated the CCMP in 1998, which was prepared by Applied Technology & Management, Inc. (ATM). The purpose of the updated CCMP was to identify the necessity, sequencing and requisite actions by the Town and the neighboring municipalities to effectively manage the shoreline of Palm Beach. Proper sand management practices at the inlets which separate Palm Beach from the neighboring shorelines were identified as critical to ensure that the Town's beaches were afforded the proper level of storm protection. Additionally, the CCMP identified and located the suitable sand resources to conduct beach restoration and renourishment activities within the Town essential for the long-term success of the plan.

The updated CCMP provided a comprehensive conditions report and assessment of necessary implementation strategies to sustain a beach and shoreline for the long term. The Town has continued to implement the recommendations of the Plan that include the following:

- ✓ Acquiring and evaluating aerial photography, beach profiling, sand source and environmental resource data for the Town to perform beach profiles.
- ✓ Updating the coastal structures inventory along the shoreline and identifying structures on the Island.
- ✓ Revising the sediment budget for the Town to reflect existing management practices.
- ✓ Identifying distinct shoreline segments from Lake Worth Inlet to the Boynton Beach Inlet according to dominant coastal processes, upland development and environmental resources in order to develop improvement and management plan concepts and prioritize shoreline segments.
- ✓ Determining the location, comparative quality, and environmental constraints associated with existing sand sources for immediate and long-term requirements.
- ✓ Providing probable costs to construct the identified shore protection improvements.
- ✓ Evaluating regulatory requirements for beach management activities.
- ✓ Examining alternative beach-fill improvements.

- ✓ Developing and managing a coastal monitoring program and implementing a schedule for field investigations, permitting, funding, construction, and monitoring.

The Town of Palm Beach CCMPs of 1986 and 1998, segmented the Town's shoreline into "Reaches" to examine erosion problems and develop engineering plans for areas with similar coastal processes. For aid of understanding, a Reach is a longshore segment of a shoreline where influences and impacts, such as wind direction, wave energy, littoral transport, etc. mutually interact.⁴ The Town has divided its shoreline into eight distinct Reaches. The Reaches have remained consistent for the past 25 years, with slight revisions.

The 1998 revision expanded the Reach concept from the southern limits of the Town to the southern limits of Palm Beach Island. More recently, the Town extended Reach 7 into the northern section of Reach 8, and now includes the Lake Worth Pier. As illustrated on Exhibit 8-1.

The Comprehensive Coastal Management Program (CCMP) includes a detailed schedule and budget. The scope and cost of the CCMP is reviewed annually by Town staff, the Shore Protection Board, and Town Council. The Town continues to implement the CCMP objectives.

The Town Council appointed a Shore Protection Board on July 11, 1995, to investigate and evaluate the Town's beaches and develop a plan to address the erosion of this piece of the Town's infrastructure. The Board met regularly for over three years. After investigating the broadest array of beach management options, the Board oversaw the production of the (CCMP) Update, dated September 1997, by Applied Technology & Management, Inc. Thereafter the Board oversaw a separate Peer Review of the CCMP. The Peer Review emphasized that uncertainty exists in the science of managing our coastal resources, and therefore recommended that the CCMP by Aubrey Consulting, Inc. (later referred to as Woods Hole Group, Inc.) be implemented in phases, thereby allowing for flexibility and adjustments through a process called "adaptive management." This process involves incorporating specific, measurable goals in each beach nourishment project and learning from the observed successes

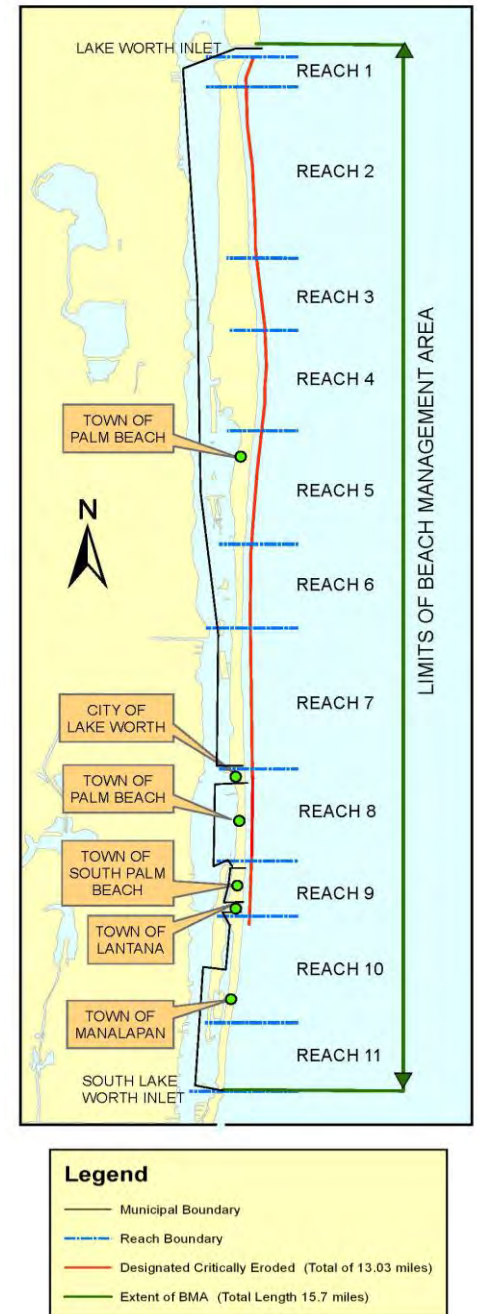


Exhibit 8-1 Reach Zones

4 Natural and Structural Measures for Shoreline Stabilization, NOAA Office for Coastal Management

and failures, or outcomes of those projects when compared against the projects original expectations. Summarizing the process below:

- (1) — Monitoring the implementation of each project in a manner meant to reveal any critical knowledge that was lacking in the project's original design;
- (2) — Analyzing the outcome of each project against its original objectives, and
- (3) — Incorporating these results into future decisions regarding the projects included in the adopted CCMP by means of appropriate mid-course corrections.

In January of 1999, the Shore Protection Board issued its final report, making a number of recommendations to the Mayor and Town Council, including the implementation of the CCMP through adaptive management.

The Town Council reviewed the CCMP, and held three public meetings throughout the Town to receive input into the decision making process. The CCMP was further discussed at Town Council meetings over a number of months where public debate continued. Some citizens raised concerns about the environmental damage that might be caused by the projects, the method of apportioning the costs of the projects (having them spread among all property owners in the Town in contrast to just beachfront property owners), and the potential effects of creating the Erosion Control line on the privacy and property rights of the Town's residents. The Town Council adopted a scaled-back Coastal Management Plan on December 1, 1999. That action and the Town Council's subsequent actions on these projects substantially outweigh the potential negative impacts. The prevailing opinion expressed by the residents at the Community Forums in November 2001 strongly supported this determination.

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~~fact finding, short term shore protection actions, and long term coastal management solutions. While assessing the Town's coastal program through their Objectives Plan, the board also applied the twelve (12) conclusions, recommendations, and comments from the previous Shore Protection Board. Projects were prioritized and the Shore Protection Board concluded their first year of meetings with nine (9) specific recommendations to Town Council on November 10, 2009. In addition to the recommendations, the Shore Protection Board provided Town Council with a 10-Year Coastal Management Plan. Although the 10 Year plan was not adopted by Town Council, the document served as the framework for a plan later adopted by Town Council.~~

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~~The Shore Protection Board continues to meet at least four (4) times per year and reports to the Town Council annually. To facilitate civic involvement by its citizens the Town Council adopted Ordinance No. 06-2017 which will impose term limits for the Shore Protection Board members and add three (3) alternate members.~~

~~Impacts of the Issue~~ **Coastal Management Issues**

The protection of shoreline and submerged lands is paramount to the continued quality of life of Palm Beach. ~~and perhaps even the survival of Palm Beach.~~ This ~~topic~~ has broad ~~implications from social, economic, and environmental points of view~~ **implications**. The issue is not new to Palm Beach since the Town has been dealing with beach nourishment and environmental protection issues for years. ~~Additionally, the~~ **The** recreational opportunities provided by the Town's beaches and natural areas constitute the economic foundation for the living environment. It is anticipated that the issues outlined in this section of coastal management and shoreline protection will continue to receive the highest level of priority from the Town Council.

~~The Town's Comprehensive Plan and Zoning Code provide guidance as to the status of submerged lands located within the Town limits. Submerged land beyond the physical shoreline of Lake Worth and the Palm Beach Inlet within the Town's corporate limits has a future land use designation of Conservation and no land development or redevelopment is allowed. This prohibition does not preclude Palm Beach County, Florida Inland Navigation District or the Army Corp of Engineers from creating spoil islands that would be designated Conservation on the Town's Future Land Use Map. Historically, since 1960 (Ordinance No. 3-60, prior to the Comprehensive Plan, as defined by the 1975 Growth Management Act, the Town's land development regulations have not allowed structures, other than docks, to be constructed over the waters of Lake Worth. The Town continue to vigorously enforce these regulations.~~

DISCUSS IN ANOTHER SECTION

~~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 island, and is delineated in the future land use map series. Future infrastructure and public and private development within the CHHA will be restricted except when doing so is not feasible. 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 the patterns of density wherever legally and practically possible.

Unanticipated Changes in Circumstances

Although this high priority issue is ongoing, many unanticipated changes in circumstances routinely evolve throughout the implementation process. Funding, availability of federal, state and other revenue sources as well as multi-jurisdictional regulatory review processes affect the timing, scale and scope of these types of projects.

Resulting Problems or Opportunities

Policy 5.6 in the The Town’s Coastal Management Element currently identifies the bulkhead line in Lake Worth as the mean high-water line (MHWL). The Town believes that in order to prevent future attempts at development of submerged lands in Lake Worth (with the exception of docks), lands west of the mean high-water line shall always be Conservation on the Future Land Use Map.

Dunes are created when onshore winds move sand inland from the beach, forming mounds of sand which are trapped and stabilized by specially adapted grasses and herbaceous vines. Dunes are easily disturbed by pedestrian and vehicular traffic, which has the potential to destroy the delicate ~~vegetative fabric~~ vegetation holding the sand in place. Small disturbances often develop into large barren areas, or "blowouts", which can be self-perpetuating, ultimately resulting in gaps in the dunes that provide ~~which diminish landward property protection~~ to properties landward of the shoreline. Many of the dunes in Palm Beach have been built upon, landscaped as part of residential yards, or used as a roadbed. With a seawall fronting the dune, and its other surfaces covered by man-made improvements, the dune has often been transformed from a natural and dynamic element of the shoreline ecology to an essentially stable, topographic feature.

In some areas of the Town, construction has been limited to the top of the foredune (part of a sand dunes on the side nearest to the ocean) leaving the seaward slope of the dune principally unaltered. Because these dunes cannot migrate away from the eroding beach, they often experience severe erosion. Examples are scattered throughout the Town but are most evident south of the Lake Worth Municipal Park. These 20' high dunes are experiencing erosion along nearly the entire stretch of beach. As erosion increases, dunes backed by a shore protection structure are likely to begin experiencing erosion as well.–Phipps Ocean Park has a healthy foredune slope, but is ~~similarly~~ stabilized on and behind the ridge by old State Road A1A, and picnic and parking areas. This dune is mainly vegetated by sea oats, with seagrasses growing on the upper part. Seedlings and pines are removed by the Town's Public Works Department before they damage the native dune vegetation.

Several dynamic dune systems remain. The Town-owned Par Three Golf Course fronts an undulating series of 15-to-20-foot dunes mainly vegetated by sea oats with scattered growths of low-lying herbaceous plants. The northern part of the Town, near the Lake Worth Inlet jetties, has a very low series of moderately vegetated dunes. This area receives the benefits of the Inlet sand transfer plant, and thus has a wide, gently sloping beach. Dunes are protected by Chapter 55, Natural Resource Protection, of the Code of Ordinances, which prohibits disturbance of dunes or dune vegetation without a special permit from the Town. The ordinance includes strict vegetation planting and trimming controls and includes a dune maintenance program.

Utilization of Natural Resources

MOVED TO THE CONSERVATION ELEMENT

~~The natural environment in the Town of Palm Beach is almost exclusively used for recreation and aesthetic enjoyment. No commercial fishing industries operate from Palm Beach. The Town is a dedicated bird sanctuary.~~

~~The majority of the Town's natural resources are concentrated along shoreline areas. The beaches are the focus of swimming, walking, snorkeling and surfing activities. Vistas to the Ocean and Lake Worth Lagoon are a valued accommodation. Lake Worth Lagoon is also used to moor boats and to obtain access to the Intracoastal Waterway.~~

~~Much of the Town's unique beauty arises from the prolific, lush vegetation growing around homes and along roads. This vegetation also improves air quality, reduces noise, and moderates the climate. Native species receive additional benefits, such as habitat for endangered wildlife, shoreline stabilization, and protection for coastal areas. Estuarine shoreline vegetation, such as mangroves and salt marsh, can also improve water quality.~~

~~The Town protects its unique vegetative environment with an ordinance requiring Town Council approval for trimming and removal of designated historic trees; another ordinance that prevents removal, and strictly controls trimming of mangroves; and, a general policy that discourages the removal of trees unprotected by these ordinances. The Town will be updating their regulations in 2017/2018 to further clarify tree removal and landscaping standards, prohibiting planting of pestilent exotics, and outlining ways in which ecologically beneficial communities could be created as part of revegetation projects.~~

~~The elimination of pestilent exotics is a major environmental concern. Gradual removal would prevent shock to surrounding native vegetation. Dead vegetation decomposes, becoming part of the natural system. This is an excellent, inexpensive method for isolated areas, such as spoil islands, where the cost and labor of removing exotic vegetation is prohibitive. Herbicide should be applied by professionals under advisement of a qualified biologist, and should not be applied during nesting season, as the birds are easily frightened by human disturbances. The Town requires removal of Brazilian Pepper and Australian Pine during site development.~~

EXISTING LAND USE AND RELATED LAND USE ISSUES

~~The Town Beach lies entirely within the coastal zone and is an urban, built-up area approaching~~

saturation. Land uses are primarily in the form of residential, commercial, public, private group use, and conservation uses. There are no agricultural or industrial uses in the Town. More detailed discussion of land use patterns is provided in the Land Use Element.

Water dependent and water related uses in the Town are identified and described on the map and table provided in the supporting documentation to the Plan.

Of the Town's twelve miles of shoreline, approximately 4,760 linear feet, or approximately 8%, is accessible for public bathing beach use and recreational purposes. Of this, about 4,245 linear feet is are in Town ownership, while 515 linear feet is are owned by the County. The City of Lake Worth's "Casino Complex" includes an additional 1,300 linear feet of public beach which is are actually located between Kreusler Park and the southernmost 1.2 miles of the Town. There are also several street ends that provide public access to the beach in the northern part of Town.

~~FUTURE LAND USE AND DEVELOPMENT IMPACTS~~ **RELOCATED TO CONSERVATION ELEMENT AND EDITED**

~~Little or no affect is expected upon estuarine conditions as a result of development or redevelopment. The Town is essentially built out, and future development is limited. Redevelopment is possible in certain areas where, consistent with the Town's comprehensive plan and zoning regulations, The previous update to the comprehensive plan identified that estates could be subdivided into smaller parcels, however the recent trend has been combining lots to create larger parcels as opposed to subdividing.~~

~~While the Town generally considers any loss of remaining areas of estate character or increase in density to be undesirable, it is possible that new development or redevelopment could improve water quality, due to the requirement that such developments provide for on-site retention of the first two inches of rainfall.~~

~~The majority of remaining native shoreline vegetation is located on narrow undevelopable strips along State Road A1A, or on spoil islands in the Lagoon. Mangroves are protected by a Town ordinance, and by State and County regulations. The Army Corps of Engineers and the State Department of Environmental Protection also have authority if dredge and fill activity is involved. In June of 2015, the Florida Department of Environmental Protection (FDEP) released a study, Critically Eroded Beaches, and noted the "area extending south of Lake Worth Inlet along the Town of Palm Beach (R76-R128) as 10.9 miles of critical erosion threatening private development, local parks, and State Road A1A.~~

~~As a result of that study a new policy has been added to explore the possibility of designating the Town as an Area of Critical Concern pursuant to Florida Statutes 380.05(3). The Areas of Critical State Concern Program was created by the "Florida Environmental Land and Water Management Act of 1972." According to the State of Florida Department of Economic Opportunity (DEO), the program is "intended to protect resources and public facilities of major statewide significance, within designated geographic areas, from uncontrolled development that would cause substantial deterioration of such resources." Based on the need to protect the Town's shoreline, natural and historic resources coupled with sea level rise and development impacts from adjacent municipalities and agencies, this designation should at least be explored as a way to protect and~~

~~preserve the community.~~

REMEDIES FOR EXISTING POLLUTION

~~Stormwater discharge is a major water quality problem for the Town. Drainage improvements have focused on eliminating flood-prone pockets on the Island rather than on improving water requirements. New developments must retain the first two inches of rainfall to prevent any further degradation of water quality from this source. It is more difficult, however, to remedy existing sources of stormwater runoff since the high water table would require large surface areas for retention. Given the fact that the Town is virtually fully developed, there is little or no opportunity to create new upland retention areas which would allow infiltration and settling prior to discharge into the Lake. Exfiltration drainage systems, which operate underground, are also limited by the highwater table.~~

~~The Town recognizes the importance of improved water quality in Lake Worth, but also realizes that any major retrofitting of the system will require study and time. The Town's National Pollutant Discharge Elimination System (NPDES) permit will require a number of preventative methods and techniques, structural controls, and public education to improve the quality of stormwater runoff from upland properties.~~

~~Water quality can be improved by revegetating shorelines, as described earlier in this Element. Shoreline vegetation would supply nutrient absorption and moderate sediment stabilization. In addition, using County funds to place rip-rap along bulkhead shores would reduce wave energies, and encourage new mangroves and seagrasses in those areas shallow enough to promote such growth. The Town and the County have entered into an Inter-Local Agreement to provide environmental enhancement to Town-owned properties along the Lake Worth Lagoon. Projects are to include capping mud sediments, placement of hard structures to encourage oyster growth and planting grasses and mangroves.~~

INFRASTRUCTURE AND NATURAL DISASTER PLANNING

~~Since the Town is located entirely within the coastal zone, inventory and analyses of existing and needed public infrastructure are covered in detail in other Elements of this Plan.~~

~~All of Palm Beach is within the hurricane vulnerability zone; therefore, there are no suitable evacuation shelters within the Town. Consequently, Town residents must rely upon public or private shelters located in inland areas of the County. However, in 2012 Palm Beach County updated its mandatory evacuation maps whereby the Town is not under a mandatory evacuation.~~

~~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 island, and is delineated in the future land use map series. Future infrastructure and public and private development within the CHHA will be is restricted in this area, except when doing so is not feasible. 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 the patterns of density wherever legally and practically possible.~~

The area seaward of the Coastal Construction Control Line (CCCL) is the area of most significant exposure to natural disasters. The development history of Palm Beach is punctuated by the occurrence of two types of severe storms: hurricanes and northeasters. The Town recognizes that rebuilding of privately owned structures which are located outside of the areas of major exposure to natural disasters must be permitted. Areas located seaward of the CCCL are those with greatest exposure to natural disasters. Therefore, following damage from a major storm, local governments ~~has~~ **have** a number of alternatives:

- The first is to decide the level of damage beyond which the Town will consider alternatives to reconstruction of the structure to its pre-storm state. The threshold most commonly used is 50% of the value of the structure. This is also the standard used in the National Flood Insurance Program.
- An alternative is to require reconstruction landward of the CCCL only if there is sufficient land to accommodate reconstruction in this area, or to allow reconstruction seaward of the CCCL if Florida Department of Environmental Protection (FDEP) standards are met.

Moved to Public Safety Element

~~In addition, it would be beneficial to require that all post-disaster redevelopment of properties, damaged greater than 50% of their pre-storm value, provide for on-site drainage retention. The Town implemented a reverse 911 system several years ago but decided to eliminate the service due to high cost and little use. Instead, the Town has access to Palm Beach County's Reverse 911 program to make calls directly to Town residents in the event of an emergency situation. Other notification services, such as electronic alerts sent via email and text messages have been added over the last few years as a part of the Town's efforts to improve communications to its residents and business community.~~

~~The Town's Comprehensive Emergency Management Plan (CEMP) was re-written in 2012. The CEMP, which includes the Storm Emergency Response Plan (SERP) and Continuity of Operations Plan (COOP) is reviewed and updated annually (as needed). The Town's Emergency Planning Team (EPT) includes representatives from each department and is responsible for year round planning efforts to ensure the Town is properly prepared to respond to emergency situations.~~

The Beach Management Agreement

In 2018, the Town of Palm Beach entered into a Beach Management Agreement (BMA) with the DEP, in conjunction with the Florida Fish and Wildlife Conservation Commission (FWC) to coordinate beach management activities. Annual BMA stakeholder meetings are held at Town Hall to report and make any necessary updates to programming and processes. The BMA was last updated in 2021. A public hearing on the agreement was last held in

August 2023. No changes were made to the BMA. The BMA process establishes the regulatory responsibilities of the DEP with other state and federal agencies, and the public to create a streamlined program to protect the environment and to provide net ecosystem benefits pursuant to §403.0752(2)(a), Fla. Stat ⁵

The BMA purpose is to coordinate and facilitate flexible permitting for beach management, to achieve net ecosystem benefits, and related public objectives for the Town and affected areas. The BMA's approach to authorizing projects and activities is centered on regional management of the coastal system rather than the conventional project-by-project permitting process. For this reason, the BMA improves comprehensive coastal management and results in a net ecosystem benefit to the coastal system through cell-wide monitoring of resources, improved inlet bypassing, and efficient use of beach quality sand.⁶

The primary goal of the BMA is to define mutually agreeable methods among the DEP, local municipalities, and stakeholders for coastal erosion control, natural community protection, and monitoring protocols in pursuit of regional management of Palm Beach Island's coastal system, while providing net ecosystem benefits to the "cell", which encompasses all of the eight Reaches. ⁷ Prior to the BMA, beach erosion control and inlet management activities were regulated, project by project, through the DEP's Joint Coastal Permitting (JCP) Program. Beach erosion control activities, such as beach restoration and nourishment projects, required three forms of authorization: coastal construction permits (Chapter 161, F.S.), environmental resource permits (Part IV Chapter 373, F.S.), and proprietary authorization to use sovereign submerged lands (Chapters 253 and 258, F.S.). The JCP consolidates these authorizations into one (1) permit and serves as the final determination of consistency with Florida's Coastal Zone Management Program (CZM) and water quality certification under the Clean Water Act. The BMA seeks to improve techniques for managing the sand resources and beach erosion within Palm Beach Island.⁸

The BMA addresses State regulatory and proprietary approvals for managing sand resources and beach erosion within the BMA Area. It sets forth the procedures and criteria to be followed by the DEP, the FWC, and the BMA stakeholders for pre-application meetings and application submittal. The BMA also requires review and approval for individual projects within the Agreement Area, as well as coordination with federal agencies and notice to the public. The BMA ultimately sets forth annual cell-wide requirements to monitor the movement of sand, sea turtle nesting, shorebird nesting, and exposure and burial of hardbottom and to perform aerial surveys. ⁹

The DEP staff reviews the projects specifically described in the BMA to determine consistency with the substantive requirements of Chapter 161, Chapter 253, Part IV Chapter

⁵ Ibid

⁶ Ibid

⁷ Ibid

⁸ Ibid

⁹ Ibid

373, and Chapter 403, F.S., and their implementing rules, and for dune restoration, Chapter 161, F.S., and its implementing rules. This review must determine that cell-wide management of sand resources and beach erosion would result in net ecosystem benefits.¹⁰

Prior to construction, individual projects must demonstrate compliance with the conditions of the BMA. The BMA then constitutes a certification of compliance with State water quality standards under Section 401 of the Clean Water Act, 33 U.S.C., and a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act (CZMA).¹¹

A significant component of the BMA is the constant monitoring. The BMA includes requirements for physical monitoring of projects and coastal system conditions. The BMA covers the coastal shoreline from Lake Worth Inlet to South Lake Worth Inlet, which extends approximately 15 miles. The area is sub-divided into 10 Reaches. However, for the Town of Palm Beach, the activity and annual monitoring is limited to the northern eight (8) Reaches, as illustrated in the Town of Palm Beach Reach Zones Map and consists of approximately 12.2 miles.¹² The adopted BMA has been incorporated into the Coastal Management Element by reference.

The Woods Hole Group Study – Coastal Flood Vulnerability Assessment

In July 2019, the Woods Hole Group completed a Coastal Flood Vulnerability Assessment. The assessment was intended to provide guidance to the Town for prioritizing and planning future flood mitigation projects and adaptations to improve coastal resilience now and into the future. As stated in the assessment public infrastructure projects designed to last decades or more, need to factor future risk into design criteria where coastal flooding. Ultimately, the assessment was intended to assist the Town to improve coastal resilience while also aiding in minimizing costly flood damage and future repairs of infrastructure.¹³

The methods applied are based on an award-winning, innovative and quantitatively advanced probabilistic vulnerability model. The methodology was developed by Woods Hole Group, in collaboration with more than 20 partners and peer reviewers, including Federal Highway Administration, Massachusetts Department of Transportation (Mass DOT), University of Massachusetts - Boston (UMass Boston), US Army Corps of Engineers (USACE), US Environmental Protection Agency (USEPA), U.S. Geological Survey (USGS), National Oceanic and Atmospheric Administration (NOAA), Woods Hole Oceanographic Institution (WHOI), and others. The team received a 2017 Federal Highway Administration Environmental Excellence Award, which recognized the method as “a gold standard for coastal resiliency work,” and “a blueprint that national and international agencies can mirror to better assess and design resiliency options”. In its vision within the ongoing 10-

¹⁰ Ibid

¹¹ Ibid

¹² DEP presentation August 24, 2023, at the Town of Palm Beach

¹³ Woods Hole Study – Coastal Flood Vulnerability Assessment 2020

year coastal management program, the Town is proactively planning to protect the citizens and community infrastructure.¹⁴

As stated in the Vulnerability Assessment, coastal storms threaten infrastructure in the Town of Palm Beach, a risk expected to increase in the future with changing sea levels and increasing storm intensities. Interruptions in community services are an inconvenience and impact the health and safety of the citizens. Predicting the most vulnerable assets under different future scenarios offers the opportunity to develop adaptations now to minimize damage and build coastal resilience against disruption in services that may occur in the future. Additionally, completing a vulnerability assessment meets the statutory requirement for designating Adaptation Action Areas, and forms the basis for complying with the “Peril of Flood” comprehensive plan requirements as found in Section 163.3178(2)(f)(1-6), Florida Statutes (Florida Coastal Management Program, Florida DEP, NOAA, 2018).¹⁵

The Town worked with Woods Hole Group to complete a vulnerability assessment for Town-owned assets, specifically addressing Step 2 and key parts of Steps 1 and 3, displayed in Figure 8-1. The vulnerability assessment also provides the Town of Palm Beach with the data and tools necessary to complete the remaining steps efficiently and effectively.¹⁶

In 2021, the Woods Hole Group was commissioned to prepare a Coastal Resilience Implementation Plan, “Level-Up” (Level-Up Plan). The Implementation Plan provided recommended changes to the Coastal and Conservation Elements Goals, Objectives and Policies. With regard to the Coastal Management Element, the Level-Up Plan recommended the following amended and added Policies to the Coastal Management Element, shown below.

Amended Policy 1.3 The Town shall require that all new development and redevelopment on the Atlantic shore restore dunes, where restoration potential exists and is appropriate, as determined by the Town and FDEP. Primary dune restoration to a higher crest elevation and sediment volume along Reach 4 is a high priority for coastal flood control.

14 Ibid

15 Ibid

16 Ibid

Added Objective 5: The Town shall adopt and implement policies that limit development and public expenditure within the Coastal High Hazard Area (CHHA).



Figure 8-1 Florida Adaptation Planning Guidebook 2018 Four-Step process

National Flood Insurance Program (NFIP)

The United States Congress established a National Flood Insurance Program (NFIP) with the passage of the National Flood Insurance Act of 1968. The NFIP is a federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the Federal government. Should a community adopt and enforce a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal government makes flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods.

The NFIP provides federally backed flood insurance within communities that enact and enforce floodplain regulations. The Community Rating System (CRS) is a national program developed by the Federal Emergency Management Agency (FEMA). To be covered by a flood insurance policy a property must be in a community that participates in the NFIP. To

qualify for the NFIP, a community adopts and enforces a floodplain management ordinance to regulate development in flood hazard areas.

In developing zone maps, FEMA focuses primarily on identifying the 1-percent annual chance floodplain (also known as the 100-year floodplain, Special Flood Hazard Area (SFHA). As a result, FEMA maps the areas with a 1% annual chance of flooding. The SFHA designation is important as it is the basis for floodplain management regulations for communities and because it decides whether a home is required to have flood insurance.

FEMA's high-risk flood zones are those that make up the SFHA and are those that begin with the letters "A" or "V." Homeowners located in A or V zones are required to purchase flood insurance if they have a mortgage from a federally-backed or federally-regulated lender. FEMA's low and moderate-risk flood zones are those outside the SFHA and begin with the letters "X," "B," or "C." Flood insurance is not required within these zones. These zones could still have flood risk as historically more than 20% of NFIP claims are made by policyholders in an X, B, or C zone.¹⁷

The CRS Program recognizes, encourages and rewards communities that go beyond the minimum required by the NFIP. Under the CRS, the flood insurance premiums of a community's residents and businesses are discounted. A community receives a CRS classification based upon the total credit for activities such as Public Information, Mapping and Regulations, Flood Damage Reduction and Warning and Response. The Town of Palm Beach is part of the CRS Program, "Class 6" rating which allows residents to receive a discount of their flood insurance.

The NFIP's CRS was implemented in 1990 as a program for recognizing and encouraging community floodplain management activities that exceed the minimum NFIP standards. Palm Beach County joined the National Flood Insurance Program's (NFIP) Community Rating System (CRS) in 1991. The CRS is the County's primary floodplain management program. It is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed minimum NFIP requirements.

Under the CRS, flood insurance premium rates are adjusted to reflect the reduced flood risk resulting from community activities that meet the three goals of the CRS:

- 1) Reduce flood losses.
- 2) Facilitate accurate insurance rating.
- 3) Promote awareness of flood insurance.

The Town of Palm Beach participates in the NFIP and as stated, it affords Town property owners flood insurance. As a participant, the Town is required to adopt ordinances to manage development within 100-year floodplains to prevent increased flooding and

¹⁷ <https://help.riskfactor.com/hc/en-us/articles/360048256493-Understand-the-differences-between-FEMA-flood-zones>

minimize future flood damage. Flood Insurance Rate Maps, published by the FEMA, are used as the basis for delineating the 100-year floodplain and identifying regulated land. These maps have been made a part of the Map Series. To this end, the Town adopted two ordinances in 2017 related to FEMA's updated flood insurance maps and flood hazard prevention. An update is anticipated in 2024, as such the FEMA Map will be adopted by reference in order to allow for the updated map immediately.

Development in flood zone areas must also meet the requirements of the NFIP. The Town contains various flood-prone areas (Zones A and V) located along the Atlantic Ocean and the ICWW. There are 10 CRS classes that allows flood insurance premium discounts in CRS communities. They range from 5% to 45% and are discounted in increments of 5%. A Class 10 community is not participating in the CRS and receives no discount. A Class 9 community receives a 5% discount for all policies, a Class 8 community receives a 10% discount, all the way to a Class 1 community, which receives a 45% premium discount.

Classifications are based on the community's CRS credit points obtained in 19 creditable activities. The CRS activities are organized into the following four categories.¹⁸

- Public Information
- Mapping and Regulations
- Flood Damage Reduction
- Warning and Response

In addition to State agencies, the Town's Planning, Zoning and Building Department regulates the building of structures in flood-prone areas so that flood damage can be minimized or avoided. The Town has continued to support these programs and work with residents and businesses in regard to program requirements. Moreover, the Town is considering an ordinance related to flood hazard prevention techniques that could increase the "freeboard" height requirements. The Town of Palm Beach participates in the NFIP and the Town Council will continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for participation.

As illustrated in Figure 8-2, freeboard refers to the height of a building above the Base Flood Elevation for a specific site. Florida regulations often require at least one foot of freeboard for elevated buildings. Each foot of freeboard (up to a maximum of three feet), lowers flood insurance rates significantly. Since elevations on FIRMs do not include sea level rise, freeboard will help keep structures above floodwaters as storm surge elevations increase, thus reducing flood insurance premiums. The graphic below shows an example of the Town's current freeboard requirement.

¹⁸ <http://fema.gov/floodplain-management/community-rating-system>

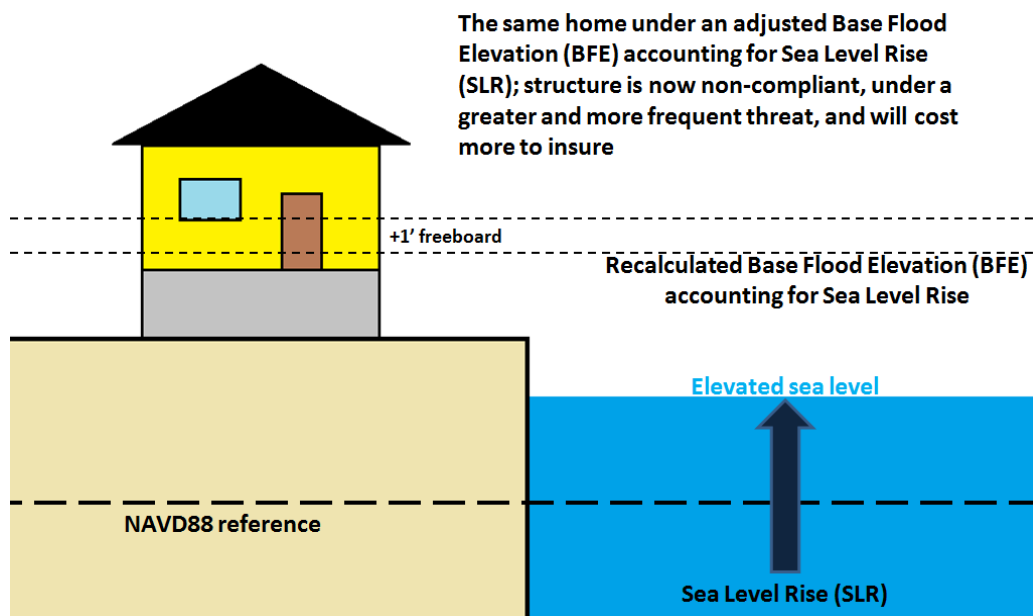


Figure 8-2 Adjusted Base Flood Elevation Accounting for Sea Level Rise

Future Land Use and Zoning Designations

Further protection is also granted to designated submerged land beyond the physical shoreline of Lake Worth Lagoon, the Lake Worth Inlet, and the Atlantic Ocean within the Town's corporate limits through the designation of a Future Land Use designation of Conservation. The corresponding Zoning District has also been established as Conservation. Pursuant to Code Section 134.1352, the Conservation Zoning District category does not permit any uses, with the exception of essential services and municipally owned and operated parks.

FUTURE LAND USE AND DEVELOPMENT IMPACTS **MOVED TO CONSERVATION AND REWORDED**

~~Little or no affect is expected upon estuarine conditions as a result of development or redevelopment. The Town is essentially built out, and future development is limited. Redevelopment is possible in certain areas where, consistent with the Town's comprehensive plan and zoning regulations, The previous update to the comprehensive plan identified that estates could be subdivided into smaller parcels, however the recent trend has been combining lots to create larger parcels as opposed to subdividing.~~

~~While the Town generally considers any loss of remaining areas of estate character or increase in density to be undesirable, it is possible that new development or redevelopment could improve water quality, due to the requirement that such developments provide for on-site retention of the first two inches of rainfall.~~

~~The majority of remaining native shoreline vegetation is located on narrow undevelopable strips~~

along State Road A1A, or on spoil islands in the Lagoon. Mangroves are protected by a Town ordinance, and by State and County regulations. The Army Corps of Engineers and the State Department of Environmental Protection also have authority if dredge and fill activity is involved. In June of 2015, the Florida Department of Environmental Protection (FDEP) released a study, Critically Eroded Beaches, and noted the “area extending south of Lake Worth Inlet along the Town of Palm Beach (R76-R128) as 10.9 miles of critical erosion threatening private development, local parks, and State Road A1A.

As a result of that study a new policy has been added to explore the possibility of designating the Town as an Area of Critical Concern pursuant to Florida Statutes 380.05(3). The Areas of Critical State Concern Program was created by the "Florida Environmental Land and Water Management Act of 1972." According to the State of Florida Department of Economic Opportunity (DEO), the program is “intended to protect resources and public facilities of major statewide significance, within designated geographic areas, from uncontrolled development that would cause substantial deterioration of such resources.” Based on the need to protect the Town’s shoreline, natural and historic resources coupled with sea level rise and development impacts from adjacent municipalities and agencies, this designation should at least be explored as a way to protect and preserve the community.

Shore Protection Board

As stated, the importance of monitoring and active participation in the protection of the Town’s shoreline and coastal resources is paramount. As such, pursuant to Section 2-636, Town of Palm Beach Code of Ordinances, the Shore Protection Board was created to act in an advisory capacity to the Town Council and make recommendations to the Town Council on all matters relating to shore protection in the Town. These responsibilities include, but are not limited to, issues relating to the beaches and specific resiliency matters along the Town's Lake Worth Lagoon shoreline as directed by Town Council. In addressing these matters, the scope of the Shore Protection Board's duties includes monitoring shoreline conditions, sand transfer plant operations, Lake Worth Inlet maintenance dredging, beach nourishment, dune restoration, long-term planning, and public education.

HURRICANE PREPAREDNESS IN THE TOWN OF PALM BEACH

Moved to Public Safety Element

With regard to response procedures for hurricanes and other natural disasters, Palm Beach County and the Town of Palm Beach coordinate in hurricane and disaster planning and management efforts. In addition, the ongoing management and coordination efforts continue to be redefined, as necessary, and have been implemented several times in recent years.

The official warning process for an approaching hurricane begins with issuance of a hurricane watch by the National Hurricane Center. A hurricane watch alerts residents of a specified area to the potential of a hurricane and advises them to monitor hurricane advisories, which are issued every six hours. A hurricane watch suggests that residents begin preparations for a possible evacuation.

The legal authority for ordering and coordinating evacuations in the State of Florida resides with

the Governor. The Governor has delegated this authority to local governments. Thus, an evacuation order may be issued by a municipality in the absence or an order by a higher level of government. However, an order issued by a higher level of government takes precedence. As stated in the Public Safety Element, Chapter 18-33 of the Town Code of Ordinances designates the Fire Chief as the Emergency Management Director. The Town of Palm Beach will support the County and the Red Cross by assigning security and emergency medical personnel, if needed, to shelters as they are opened by the County. The Town of Palm beach Emergency Operations Center will serve as the nerve center for the coordination and control of the Town's response and recovery efforts. The EOC will be activated by the Emergency Management Director upon determination of a significant and immediate threat to life and property. Evacuation order time is the time in hours prior to hurricane eye landfall by which an evacuation order must be issued in order to allow all evacuees to reach their chosen destinations. Determining the appropriate time to issue an evacuation order involves not only calculation of total evacuation time, or clearance time, but also consideration of the following: According to the Town of Palm Beach's Comprehensive Emergency Management Plan (CEMP), the Town uses a graduated response approach in responding to and managing emergencies and disasters such as hurricanes and tropical storms. As the potential severity of the emergency or the demand on local resources grow, there will be an increase in emergency response and coordination activities to meet increasing emergency demands. Readiness Levels will be determined by the Town Manager or Emergency Management.

SUMMARY

Due to its location along the coast, the Town and its resources are vulnerable to various natural disasters. The Coastal Management Element provides insight into the Town's coastal resources and emphasizes the importance of maintaining a resilient community to preserve and protect these upland structures, natural resources and associated areas.

Increasing sea levels are expected to significantly challenge regional long-term planning for coastal communities in South Florida, including Palm Beach. In order to minimize the threat imposed by these challenges, it is imperative that the Town engages in adaptive planning and work to develop a policy framework that is integrated into its local planning process.

Necessary steps to take include the following best management practices:

- **Address adaptation and sea level mitigation strategies.**
- **Ensure consistency across all municipal operations and their guiding plans and programs.**
- **Educate residents on the challenges posed by storm surge and flooding from rising sea levels.**

These steps lay the foundation toward building a more resilient community. Together with an informed public and committed elected officials, the goals and strategies are achievable.

Coastal Management Element

GOALS, OBJECTIVES
& POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENHANCE ENSURE A QUALITY OF LIFE FOR TOWN RESIDENTS THROUGH THE PROTECTION OF NATURAL AND HISTORIC RESOURCES OF THE TOWN, AND LIMIT PUBLIC EXPENDITURES IN AREAS SUBJECT TO DESTRUCTION BY NATURAL DISASTERS, WHILE ENSURING MAXIMUM ENJOYMENT AND WHILE MINIMIZING EXPOSURE OF THE IMPACTS OF NATURAL AND MANMADE IMPACTS ALONG THE OF HUMAN LIFE IN THE COASTAL ZONE.

OBJECTIVE 1

~~The Town shall protect the quality of its air from degradation. The measurement of this objective is the extent to which air quality is protected, and the degree to which the following policies are implemented.~~

POLICY 1.1

~~Continue to prohibit industry within the Town through existing restraints in the Zoning Code.~~

POLICY 1.2

~~Continue to prohibit commercial development from spreading beyond commercial areas as designated in the Zoning Code.~~

POLICY 1.3

~~Maintain lush, vegetated strips, along roadways and in high density areas, through enforcement of the Historic and Specimen Tree Ordinance, landscaping ordinance, and through Town initiated landscaping projects.~~

POLICY 1.4

~~The Town will annually review the Palm Beach County Air Quality Report. Should this report cite the Town for air quality degradation, the Town shall develop methods for addressing the problems within one year of the report date. Implementation of proposed methods will ensue within an additional year. (relocated to the Conservation Element)~~

OBJECTIVE 2 (relocated entire objective and its policies to the Conservation Element)

~~The Town shall protect native vegetational communities and their associated wildlife. The measurement of this objective is the extent to which native vegetation is protected and restored, and the degree to which the following policies are implemented.~~

POLICY 2.1

~~Modify the Town's Landscape Ordinance to:~~

- ~~a — Incorporate standards for tree removal, landscaping aesthetics, and minimum native vegetation requirements;~~
- ~~b — Prohibit planting of pestilent exotics; and require removal of pestilent exotic species from sites of new construction or development.~~
- ~~c — Prohibit removal of vegetation species listed as endangered or threatened by State or Federal agencies on publicly owned property and new private development.~~
- ~~d — Allow very limited trimming of shoreline vegetation for visual access, upon the approval of the Town and any other government agencies having jurisdiction.~~

POLICY 2.2

~~The Town will continue to serve as coordinator in support of efforts to revegetate, and remove exotic vegetation from, the Lake Worth shoreline.~~

POLICY 2.3

~~The Town will continue to use native or drought resistant vegetation in all public landscaping projects.~~

POLICY 2.4

~~The Town shall change its land redevelopment regulations to stipulate that no development or construction which destroys wetland vegetation, including seagrass beds, shall be permitted in the Town unless the loss is 100% mitigated, and unless the applicant has received the approval of any other governmental agency having jurisdiction.~~

OBJECTIVE 3 (relocated entire objective and its policies to the Conservation Element)

~~Protect and preserve, native vegetated areas, wildlife and its habitats, especially those species listed by State and Federal agencies as threatened or endangered. The measurement of this objective shall be the extent to which wildlife is protected and preserved, and the degree to which the following policies are implemented.~~

POLICY 3.1

~~Continue assisting with sea turtle nesting studies each year for the duration of the planning period.~~

POLICY 3.2

~~The Town will continue to cooperate with the appropriate local, state and federal agencies for the protection of wildlife, endangered and threatened species and significant plant, flora, fauna and animal habitats.~~

POLICY 3.3

~~The Town will protect and conserve the natural functions of existing soils, fisheries, rivers, lakes, floodplains, estuarine marshes, native habitats/plant materials/ecosystems and marine habitats through enforcement of existing local, state, and federal regulations designed to protect and conserve these functions.~~

POLICY 3.4

~~The Town will continue to enforce landscaping standards that require the preservation of existing natural growth where practical, and the removal of invasive, exotic plant species.~~

OBJECTIVE 4 ~~(relocated entire objective and its policies to the Conservation Element)~~

~~The Town shall pProtect and restore wetland habitat and estuarine water quality the Town, thereby protecting fisheries and marine habitat. The measurement of this objective is the extent to which wetland habitat and estuarine quality are protected, and the degree to which the following policies are implemented.~~

POLICY 4.1

~~The Town shall update its Long Range Public Works Plan (Storm Drainage Chapter) regularly to meet the requirements of the EPA NPDES Program, when necessary.~~

POLICY 4.2

~~Ensure that the negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two (2) inches of rainfall prior to discharge into the Town system, or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater.~~

OBJECTIVE 51

The Town shall protect and restore its beaches and dunes. The measurement of this objective is the extent to which beaches and shores are protected and restored, and the degree to which the following policies are implemented.

POLICY 5.1.1

The Town ~~will~~ **shall** manage its beach resources through **continued implementation of the 1998 Comprehensive Coastal Management Plan (CCMP)**.~~and the scope and cost of the CCMP will be reviewed annually by Town staff, the Shore Protection Board, and Town Council.~~

POLICY 5.1.2

The Town shall **continue to implement the mission of the Beach Management Agreement (BMA) with the Florida Department of Environment Protection** ~~to regulate~~ **using** all possible structural or non-structural alternatives for beach protection and beach erosion prevention, consistent with the Town's Comprehensive Coastal Management Plan.

POLICY 5.1.3

The Town shall require ~~that~~ all new development and redevelopment on the Atlantic shore to restore dunes, where restoration potential exists and is ~~necessary~~ **appropriate**, as determined by the Town and FDEP. **Primary dune restoration to a higher crest elevation and sediment volume along Reach 1 is a high priority for coastal flood control.**

POLICY 5.1.4

The Town shall **evaluate the utility of maintaining** its **1931** bulkhead lines **along the Atlantic Ocean and the Lake Worth Lagoon shore as** ~~at~~ the mean high-water line.

POLICY 5.1.5

The Town shall continue to enforce Land Development on which minimize the impact of man-made structures on beach and dune systems, as well as specific measures and guidelines for dune protection, restoration, and maintenance.

POLICY 5.1.6

The Town shall ~~evaluate opportunities to~~ protect coastal investments and infrastructure, as necessary and feasible, from the impacts of climate change. Specifically, the Town ~~will~~ **shall** maintain shoreline protection and erosion control **by the following.**

- a) Continuing the appropriate use of beach renourishment **and dune restoration.**

- b) Facilitating the installation and maintenance of native beach dune vegetation along appropriate areas of beach.
- c) Continuing to implement the Comprehensive Coastal Management Plan through 2023 **2044** with input from the Shore Protection Board.
- d) ~~Establishing the bulkhead line in Lake Worth as the Mean High Water Line (MHWL).~~ **Maintaining identified protocols with (United States Army Corps of Engineers (USACOE) related to sand placement, renourishment, and funding.**

~~POLICY 5.7~~

~~Explore the possibility with the Treasure Coast Regional Planning Council, pursuant to Florida Statutes 380.05(3) of designating the Town as an Area of Critical Concern as it relates to the shoreline, natural and historic resources and sea level rise. The basis for seeking this designation is the Florida Department of Environmental Protection (FDEP) June 2015 Study, Critically Eroded Beaches, noted the “area extending south of Lake Worth Inlet along the town of Palm Beach (R76-R128) are 10.9 miles of critical erosion threatening private development, local parks, and State Road A1A.~~

OBJECTIVE 6 (Relocated to Conservation Element)

~~Protect soils and groundwater by establishing standards which will minimize the impacts of construction, and by preventing hazardous wastes contamination. The measurement of this objective is the extent to which soils and groundwater are protected, and the degree to which the following policies are implemented.~~

~~POLICY 6.1~~

~~The Town will require soil erosion control techniques be used during construction.~~

~~POLICY 6.2~~

~~The Town will regulate the installation of underground storage tanks for petroleum products in a manner consistent with the regulations of the Florida Department of Environmental Protection.~~

~~POLICY 6.3~~

~~The Town will continue mutual aid agreements with West Palm Beach and Palm Beach County for hazardous materials removal and storage.~~

OBJECTIVE 7

~~The Town will continue to enforce Land Development Regulations which establish priorities for shoreline uses.~~

POLICY 8.22.2

The Town ~~will~~ **shall** ~~In order to~~ maintain visual access to ~~the~~ Lake Worth **Lagoon and the Atlantic Ocean**, the Town shall ~~to~~ by allow selective trimming of vegetated areas along the shoreline when such trimming is accompanied by measures to improve the natural resources of the shoreline.

OBJECTIVE 83

The Town ~~will~~ **shall** provide and maintain existing public access to beach areas, ~~which have been renourished at public expense~~, publicly-owned beachfront parks, and the Municipal Docks on Lake Worth. The measurability of this objective is the extent to which public access is provided and maintained, and the degree to which the following policies are implemented.

POLICY 7.13.1

The Town shall ~~continue to implement priorities for the~~ **utilize the** remaining limited opportunities for shoreline land uses **for essential services provided for protection of upland properties and natural resources and ultimately the residents in of** the Town.

POLICY 8.3.2

The Town ~~will~~ **shall** inspect public access facilities on an annual basis for impediments or structural damage. The Town will eliminate any impediments to public access on a priority basis.

POLICY 8.23.3

~~The Town will shall In order to~~ maintain visual access to ~~the~~ Lake Worth **Lagoon and the Atlantic Ocean** by allowing selective trimming of vegetated areas along the shoreline when such trimming is accompanied by measures to improve the natural resources of the shoreline.

POLICY 8.33.4

The Town shall provide public access to beach areas nourished at public expense unless otherwise exempted by the Florida Department of Environmental Protection.

POLICY 8.43.5

The Town ~~will~~ **shall** enforce the public access requirements of the 1985 Coastal Zone Protection Act.

POLICY 8.53.6

The Town shall continue to provide and maintain existing on-street parking facilities near beach access points.

OBJECTIVE 9. (moved to the Historic Preservation Element)

~~Town shall protect and preserve its prehistoric and historic 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 9.1

~~The Town will update its list of historic structures as needed.~~

POLICY 9.2

~~Continue to designate structures, sites, and districts considered worthy of Landmarking in accordance with the Town's Code of Ordinances.~~

POLICY 9.3

~~Prevent destruction of Historic Landmark Structures through provisions in the Town's Code of Ordinances.~~

POLICY 9.4

~~The Town will address preservation of prehistoric resources in its optional Historic Preservation Element~~

OBJECTIVE 10-REWORDED AND MOVED TO OBJECTIVE 3 OF PUBLIC SAFETY

~~The Town shall increase public awareness of the coastal management benefits to upland private properties and resident quality of life and community resiliency. and Town resources potential hazards to human life in the event of a natural disaster. The measurement of this objective is the extent to which public awareness is increased, and the degree which the following policy is implemented.~~

POLICY 10.14.1

~~The Town shall annually prior to the start of hurricane season, aAt least once per year during the hurricane season, publish on the Town website basic hurricane evacuation precautionary information.~~

OBJECTIVE 11

~~When an emergency evacuation is necessary, protect, within the Town's ability, residents and visitors, and maintain or reduce evacuation times. The measurement of this objective is the extent~~

~~which population exodus evacuation is provided, and the degree which the following policies are implemented. Confusing language. Similar and concise language related to same is Objective 3 of the Public Safety Element.~~

~~POLICY 11.1~~

~~Once a hurricane watch has been declared, the Town shall coordinate with the Florida Division of Emergency Management and the County Emergency Management officials to facilitate orderly and timely evacuation of residents and visitors in the Town.~~ Moved to Public Safety Element Policy 3.4

~~POLICY 11.2~~

~~The Town shall annually review Palm Beach County's Hurricane Evacuation Plan to identify any changes that may affect the evacuation of Town residents during a storm event and shall ensure that the Town's Hurricane Evacuation Plan remains integrated with the County's Plan by amending the Town's Plan, as necessary.~~ Moved to Public Safety Element Policy 3.4

~~POLICY 11.3~~ moved to Transportation Element Policy 4.3

~~Through the Treasure Coast Regional Planning Council (TCRPC) and their Hurricane Evacuation Model, ensure traffic impacts of proposed development in adjacent municipalities within concurrency exemption zones address all factors including, but not limited~~

- ~~a. Increased development~~
- ~~b. Bridge crossing and times~~
- ~~c. Increased passenger rail traffic~~
- ~~d. Increased freight rail~~
- ~~e. Hurricane sheltering~~

OBJECTIVE 12 Moved to Objective 3 of Public Safety Element and please note, the Town maintains their own CEMP that includes the SERP and COOP.

~~foster post disaster redevelopment activities that will reduce or minimize exposure of human life and public or private property to the effects of natural disasters, particularly hurricanes. The measurement of this objective is the extent which exposure of life and property is reduced, and the degree which the following policies are implemented.~~

~~POLICY 12.1~~

~~The Town will continue to support and use the post disaster redevelopment plan sponsored and published by the Countywide Issues Forum.~~

OBJECTIVE 13-Moved to Conservation Element

~~The Town shall continue to employ its criteria for marina siting.~~

~~POLICY 13.1~~

~~The Town shall continue to require, as part of its building permitting process, that:~~

- ~~a. All new marinas, docks, and boat ramps will be located and designed in accordance with the Manatee Protection Plan, published by the FDEP and Palm Beach County.~~
- ~~b. Marinas are situated adjacent to recreational or commercial land uses, and have adequate upland support services.~~
- ~~c. Marinas do not adversely affect environmental quality of Lake Worth.~~
- ~~d. Marinas are economically feasible as established by a feasibility study.~~

OBJECTIVE 14-4

The Town shall ensure pPublic access ~~shall be~~ **is** maintained to all recreational facilities, including recreational and commercial working waterfronts consistent with Florida Statutes, under the jurisdiction of the Town of Palm Beach.

POLICY 14.1 4.1

The Town ~~will~~ **shall**, on a continuing basis, inspect public access points at public facilities located within the Town of Palm Beach, but 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.

OBJECTIVE 15-5

The Town shall adopt and implement policies that limit development and public expenditure within the Coastal High Hazard Area (CHHA) to increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.

POLICY ~~15.1~~5.1

The Town ~~will~~ **shall** continue to participate in the National Flood Insurance Program Community Rating System (CRS) and strive to maintain or improve its current CRS rating.

POLICY ~~15.2~~5.2

The Town ~~will~~ **shall** require that the impact of sea level rise be addressed in all Future Land Use Map amendments.

POLICY ~~15.3~~5.3

The Town shall not permit pPublicly funded facilities that subsidize development ~~will not~~ **to** be built in the Coastal High Hazard Area. However, this limitation does not apply to such facilities necessary to serve projects approved under prior development orders but not yet built, or to such facilities necessary to maintain adequate levels of public facilities and services to existing residents. Nor does it apply to publicly funded projects associated with providing beach **nourishment, dune** restoration, public access, recreation, resource restoration, or the rehabilitation, maintenance or construction of shore protection structures such as groins, revetments or seawalls.

~~POLICY 15.2~~

~~The Town shall not expand utility systems or public services that would be necessitated by increased development within the Coastal High Hazard Area.~~

POLICY ~~15.3~~5.4

The Town ~~will~~ **shall** continue to enforce its building code and drainage requirements.

POLICY 5.5

The Town ~~will~~ **shall** coordinate with, and will rely on, the Florida Department of Environmental Protection to enforce building limitations seaward of the Coastal Construction Control Line.

POLICY ~~15.4~~5.6

The Town shall continue to prohibit the use of septic tanks.

POLICY ~~45.5~~5.7

The Town ~~will~~ **shall** mitigate hazards through building practices and implementation of FEMA requirements, stormwater retention requirements, and other restrictions within the Coastal High Hazard Area.

POLICY ~~45.6~~5.8

The Town ~~will~~ **shall** limit residential development within the Coastal High Hazard Area (CHHA).

POLICY ~~45.7~~5.9

The Town ~~will~~ **shall** limit public building and infrastructure investment in the CHHA.

POLICY ~~45.8~~ 5.10

The Town shall not permit Town-funded public facilities ~~shall not to~~ be built in the coastal high hazard area, except for purposes of public safety and/or access, **required public utilities or services,** enhancement of water-related activities or significant resource protection.

POLICY ~~45.9~~5.11

The Town ~~will~~ **shall** not permit density increases in the CHHA for redevelopment and new development unless such requests are consistent with this Comprehensive Plan.

POLICY ~~45.10~~5.12

The Town shall continue to examine community-wide strategies to increase the resiliency of the Town to address future effects of coastal storms, sea level rise, and climate change on the community.

POLICY ~~45.11~~ 5.13

The Town shall collaborate with Palm Beach County to increase regional resilience by sharing technical expertise, assessing local vulnerabilities, advancing agreed upon mitigation and adaptation strategies, and developing joint state and federal legislation policies and programs.

POLICY 45.12-5.14

The Town shall ~~continue to~~ utilize **the new statutory requirements** for best **management** practices and initiate mitigation strategies to reduce the risk of flooding in coastal areas that may result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.

POLICY 5.15

The Town shall incorporate Federal Emergency Management Agency (FEMA) Floodplain Management Regulations or higher regulatory standards to guide development and redevelopment activities where applicable.

POLICY 5.16

The Town shall support the implementation of engineering solutions to prevent flooding including retaining walls, elevation of seawalls, and property elevations.

POLICY 5.17

The Town shall prioritize public outreach and education to residents and the business and development community on the importance and benefits of coastal and beach management, mitigation of flood risk, and how the Town's participation in these efforts results in reduced flood insurance premiums.

POLICY 5.18

The Town shall increase public awareness of the coastal management benefits to upland private properties and resident quality of life and community resiliency.

OBJECTIVE 16 (Objective and policies relocated to Conservation Element)

~~The Town will continue to promote ways to reduce Greenhouse Gas Emissions and become more Energy Efficient.~~

~~POLICY 16.1~~

~~As provided in the Town's Energy Efficiency and Conservation Strategy (EECS) the Town will help the community take advantage of technologies, incentives, and knowledge to conserve energy use in homes and businesses.~~

~~POLICY 16.2~~

~~The Town will use the EECS to optimize the way energy is consumed within municipal operations and identify ways to use renewable energy and offset energy use.~~

Conservation Element

DATA & ANALYSIS

INTRODUCTION

~~The Town of Palm Beach lies entirely within the coastal zone. Consequently, this Element incorporates the Coastal Management and Conservation Elements into one comprehensive inventory, and analysis of the Town's coastal and natural resources.~~

~~+~~

~~The purposes of this Element are to plan for and, where appropriate, restrict development activities where such activities would damage or destroy coastal resources; to protect human life; to limit public expenditures in areas subject to destruction by natural disaster; and to promote the conservation, use, and protection of natural resources.~~

~~This Element of the Plan has been updated based upon:~~

- ~~1. Analysis of existing land uses in the coastal area as of April 2016; conflicts among shoreline uses; need for water dependent and water related uses; areas in need of redevelopment; and, the economic base of the coastal area;~~
- ~~2. Analysis of the effect of future land uses on natural resources;~~
- ~~3. Analysis of the impacts of development on historic resources and sites;~~
- ~~4. Analysis of estuarine pollution conditions;~~
- ~~5. Analysis of natural disaster planning concerns;~~
- ~~6. Analysis of beach and dune conditions;~~
- ~~7. Analysis of public access facilities;~~
- ~~8. Analysis of existing infrastructure;~~
- ~~9. Analysis of pertinent natural resources in the community;~~
- ~~10. Analysis of existing commercial, recreational, and conservation uses of these natural resources; potential for their conservation, use, or protection; and, known pollution problems;~~
- ~~11. Analysis of current and projected water needs and sources.~~

EXECUTIVE SUMMARY

Florida's land conservation movement rose from the realization that as Florida's population continues to grow, increasing demands would be placed on the State's natural resources. For over 50 years the State of Florida has continued to execute substantial land acquisition programs to save native landscape from development, including the following: ²

- ✓ 1968: Established a \$20 million bond program to acquire outdoor recreation lands.
- ✓ 1972: Allocated an additional \$40 million for an outdoor recreation bond and established a \$200 million Environmentally Endangered Lands (EEL) program.
- ✓ 1979: Established the Conservation and Recreation Lands (CARL) program.
- ✓ 1981: Developed Save Our Coast (SOC) and Save Our Rivers (SOR) programs.
- ✓ 1990: Established the Florida Preservation 2000 (P2000) program.
- ✓ 2000: Started the Florida Forever program.

Pursuant to §163.3177(6)a Fla. Stat., a Conservation Element is required for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources, including factors that affect energy conservation.

The Town of Palm Beach implements the policies of the Conservation Element through the enforcement of the regulations pertaining to conservation and protection of natural resources and wildlife found in Chapter 66. Additionally, the Town instituted several conservation policies to prevent habitat loss through the provision of ecofriendly alternatives, referred to as the Town's "Green Initiative" also provided within Chapter 66. The Conservation Element provides an inventory of ecological communities that were inventoried in 1996. As almost 30 years have passed, the Town should consider updating the inventory and continue to monitor it in order to ensure the continued success of the Town's natural resources and wildlife.

While all of the comprehensive plan elements required by F.S. 163 have been inventoried and analyzed, the built-out landscape of Palm Beach limits concern to but a few specific issues and problems. These are chiefly associated with natural resource protection.——

² [History of State Lands | Florida Department of Environmental Protection](#)

HAZARDOUS WASTES

Moved and reworted later in Element under Town of Palm Beach Conservation Element

~~The Town will continue to protect its soils and groundwater through existing prohibitions on industry, standard operating procedures, and intergovernmental coordination with appropriate agencies.~~

DRAINAGE

~~The natural drainage patterns of the Town have been altered by urban development. Stormwater is either held in retention areas or routed to Lake Worth. In 1986, all new construction and major renovations have been required to retain the first inch of rainfall per the Town's code in conformance with requirements of the South Florida Water Management District. However, this requirement was increased to two inches in 1992. More detailed inventory and analysis of drainage and related infrastructure are contained in the Infrastructure Element.~~

FLOODPLAINS

~~The Town of Palm Beach can experience flooding from Lake Worth, the Atlantic Ocean, or from surface accumulation of rainwater. Map V-2, in the companion volume *Supporting Documentation*, shows areas in the Town which are subject to flooding during a "one hundred-year storm", as identified on the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA). Land along the Atlantic is also subject to tidal surge and wave velocity in the event of a major storm, although no structures lie within the velocity zone. Nearly all of the flood prone area is already developed.~~

GROUNDWATER

~~The Town promotes recharge through its stormwater retention requirements, and through minimum landscaped area requirements, which ensure pervious areas for water percolation into the aquifer. In addition, there are few septic tanks in the Town, no existing or known potential problems with hazardous waste contamination, and no known sources of potential aquifer contamination or depletion. In the event that the Town chooses to use the surficial aquifer more extensively, measures should be taken to protect the aquifer from salt water intrusion.~~

POTABLE WATER

~~Potable water resources, needs, and conservation methods are explored in the Potable Water sub-element of the Infrastructure Element. Specifically, water sources are discussed under the heading "Facilities, Treatment, and Capacity"; needs and water quantity under "Present and Future Needs"; water quality under "Potable Water Quality"; and, conservation under "Water Conservation."~~

NATURAL RESOURCES

Vegetation and Wildlife

A variety of mammals, reptiles, birds, aquatic species, and other animals live in and around Palm Beach. These are generally attracted to specific vegetational and aquatic communities. The Atlantic Ocean and its associated beaches, dunes and nearshore reef outcrops support a variety of animal life and marine species. Chart V-1 summarizes and describes the various ecological communities in terms of their vegetation, wildlife and ecological needs.

Most native wildlife in Palm Beach is centered around remaining natural communities. However, there are also a variety of species which have adapted to the urban environment. Among these are the red fox, possum, raccoon, squirrel, rat, mouse, songbirds (including a flock of wild parrots), and shore birds. The Town is a dedicated Bird Sanctuary.

A patchy series of nearshore and offshore reefs or rock outcrops lies parallel to the Town's Atlantic coastline. Offshore areas are subject to variability. Some nearshore areas can have a very limited diversity or density of species due to naturally high sedimentation rates and low rock relief. Others may support relatively rich populations of plant and animal life. As a rule, diversity and abundance of species increase with greater water depth and distance from the shore. However, site specific studies need to be conducted to determine the ecological value of any given offshore environment.

The Lake Worth Lagoon supports a rich variety of wildlife. The spoil islands in the Lagoon serve as bird rookeries for ibis, reddish and snowy egrets, anhingas, great blue herons, night herons, and tricolor herons, many of which are listed as threatened or endangered species by State or Federal agencies. Fisherman's Island, Hunter's Island, John's Island, and Bingham Island are leased by the Audubon Society specifically as rookeries and bird sanctuaries. Native wetland areas along the shore of the Lake Worth Lagoon serve as roosting areas for these birds, and also provide food and shelter for a variety of small mammals.

Although the Florida Department of Environmental Protection (FDEP) has prohibited shellfishing in the Lake due to its poor water quality, shellfish beds are located on tidal flats and around the periphery of spoil islands. One species of oysters live on the prop roots of red mangroves. A unique sub-specie of clam, native to the area, lives in the sand of the Lagoon.

Air and Other Physical Conditions

The Town of Palm Beach has very good air quality. There are no point sources of pollution within the Town. Increased mobile pollution sources, including automobiles and air traffic, will continue to cause a concern. Air quality is enhanced by the Town's location on the coast, where it benefits from regular sea breezes. Air quality is also improved by the profuse vegetation in the

~~Town, which naturally purifies the air.~~

~~The Town should continue to maintain its good air quality by preventing industries from operation in the Town; discouraging increased commercialism; and, maintaining and encouraging rich vegetation on both public and private properties.~~

~~The Florida Mining Atlas identifies two potentially valuable mineral resources in Palm Beach: coquina and sand. However, the exclusive residential nature of the Town and subsequent high real estate values preclude any mining of these resources, either presently or in the future.~~

~~The Town addresses wind borne soil erosion due to demolition or construction through its Fugitive Dust and Blowing Sand Ordinance, which requires exposed soils and fill to be stabilized with webbing. In addition, the Town requires unvegetated.~~

HISTORY OF FLORIDA'S CONSERVATION EFFORTS

Florida is one of the few states in the eastern United States with large natural areas remaining. With most of Florida relatively isolated as a peninsula, ecological connectivity is at a premium and more of an issue in Florida than elsewhere in the country. Protection of such connections requires careful analysis and planning. In addition, Florida has a combination of unique and highly diverse ecosystems, prized by both residents and Florida's many visitors. ³ Acquisition of land by the State takes into consideration the proximity of land for purchase to promote interconnectivity of ecosystems to promote biodiversity and wildlife corridors throughout the State.

³ https://floridawildlifecorridor.org/wp-content/uploads/2011/12/FWC_History_11_09_2015.pdf

The draining of the Everglades in the 1930s began an era of rampant growth in Florida. By the 1950s, Florida's population had risen at an annual rate of approximately four (4) percent. Since then, more than eight (8) million acres of forest and wetland habitats (about 24% of the State) have been eliminated for development, thereby, threatening Florida's ecosystems.⁴



The Homestead Canal joining Lake Ingraham in the far distance.
Everglades National Park

In 1964, the State first began setting aside money to purchase public land with the Land Acquisition Trust Fund (LATF). This fund focused on buying properties for outdoor recreation and conservation. Starting in the 1970s, Florida legislators began a series of initiatives to attempt to better balance burgeoning development with natural resource conservation. The State passed legislation to manage water resources more effectively through the creation of the Water Management Districts. In addition, Florida began to fund land conservation efforts, and through landmark growth management legislation, new laws were put in place to reduce the impacts of new growth on the environment.

The State of Florida's environmental efforts to buy tracts of land for protection increased with the passage of the Environmental Land and Water Management Act of 1972. This action also led to the Land Conservation Act, which allotted \$200 million to buy environmentally endangered lands (EEL) and another \$40 million to enhance outdoor recreation lands. The Conservation and Recreational Lands (CARL) program was

⁴ <https://floridadep.gov/lands/lands-director/content/history-state-lands>

established by the Florida legislature in 1979 to acquire lands of environmental and cultural significance.⁵

The history of Florida's land conservation movement rose from the realization that as Florida's population continues to grow, increasing demands would be placed on the State's natural resources. As a result, then Governor Bob Martinez created a Blue-Ribbon Commission in 1990 to evaluate the State of Florida's environment. The Commission conducted its work and issued a report that stated, "at the 1990 rate of development, about three (3) million acres of wetlands and forests would be converted to other uses by the year 2020". The report also predicted the decline of much of Florida's freshwater aquifer recharge areas, unique ecological diversity, open space, recreation lands and many of the state's 548 species of endangered and threatened plants and animals.

The Commission concluded that "the single most effective way to accomplish large-scale gains in our environmental well-being is to substantially increase the level of funding for the State's land acquisition programs". As a result of the report, the CARL program was replaced by Preservation 2000 and the funding increased to \$3 billion for conservation land purchases.⁶

Preservation 2000 preserved more than 1.8 million acres of conservation land throughout Florida. These lands have helped preserve Florida's biological heritage and ensure that future generations will be able to experience the remaining remnants of natural Florida. The program was successful in saving many of Florida's fragile environmental habitats and spawning local community conservation efforts. More than 20 local governments in Florida matched state funds to purchase environmentally sensitive lands to fulfill their conservation needs.⁷

On June 7, 1999, then Governor Jeb Bush signed a bill creating a land conservation initiative called "Florida Forever," which succeeded the Preservation 2000 program. Florida Forever became effective in 2000.

As Florida's estuaries and offshore waters support one of the largest commercial and recreation marine fishing industries in the nation, it relies on undisturbed estuarine and coastal systems. Preservation 2000 and Florida Forever helped save many of Florida's beaches, rivers, bays, forests, coral reefs, and estuaries that provide the foundation for the State's \$3 billion tourism industry, which attracts more than 70 million visitors each year.⁸

⁵ <https://dos.myflorida.com/historical/archaeology/public-lands/program-history/>

⁶ <https://floridadep.gov/lands/lands-director/content/history-state-lands>

⁷ Ibid

⁸ <https://floridadep.gov/lands/lands-director/content/history-state-lands>

STATE REQUIREMENTS FOR THE CONSERVATION ELEMENT

Pursuant to §163.3177(6)(d), Fla. Stats., a Conservation Element is required for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources, including factors that affect energy conservation.

The following natural resources, if present within a local government's boundaries, are required to be identified and analyzed if any known pollution problems, including hazardous waste are present.

- **Rivers, bays, lakes, wetlands including estuarine marshes, groundwaters, and springs, including information on quality of the resource available.**
- **Floodplains.**
- **Known sources of commercially valuable minerals.**
- **Areas known to have experienced soil erosion problems.**
- **Areas that are the location of recreationally and commercially important fish or shellfish, wildlife, marine habitats, and vegetative communities, including forests, indicating known dominant species present and species listed by federal, state, or local government agencies as endangered, threatened, or species of special concern.**

Additionally, the Conservation Element is required to contain principles, guidelines, and standards for conservation that provide long-term goals that address the following.

- **Protects air quality.**
- **Provides for the emergency conservation of water sources in accordance with the plans of the Regional Water Management District.**
- **Conserves and protects minerals, soils, and native vegetative communities, including forests, from destruction by development activities.**
- **Conserves and protects fisheries, wildlife, wildlife habitat, and marine habitat and restricts activities known to adversely affect the survival of endangered and threatened wildlife.**
- **Maintains cooperation with adjacent local governments to conserve, appropriately use, or protect unique vegetative communities located within more than one local jurisdiction.**
- **Designates environmentally sensitive lands for protection based on locally determined criteria which further the goals and objectives of the conservation element.**
- **Protects and conserves wetlands and the natural functions of wetlands.**

TOWN OF PALM BEACH CONSERVATION ELEMENT

The Town of Palm Beach lies entirely within the coastal zone. By definition, a coastal zone includes beaches, islands, salt marshes, wetlands, and some adjacent inlands.⁹ Accordingly, the Town's Conservation Element serves to promote the conservation and protection of natural and wildlife coastal resources that are prevalent in the Town and in compliance with §163.3177, Fla. Stat.

NATURAL RESOURCES

A variety of mammals, reptiles, birds, aquatic species, and other animals live in and around the Town of Palm Beach as listed in ~~Chart V-1~~ **Table 9-1**. These animals are generally attracted to specific vegetation and aquatic habitats. The Atlantic Ocean and its associated beaches, dunes and nearshore reef outcrops support a variety of animal life and marine species. The Summary of Ecological Communities provided below describes the various ecological communities in terms of their vegetation, wildlife, and ecological needs.

**Table 9-1
SUMMARY OF ECOLOGICAL COMMUNITIES IN THE TOWN OF PALM BEACH**

COMMUNITY	ATLANTIC OCEAN	ATLANTIC BEACH & DUNES	BARRIER ISLAND INTERIOR	LAGOONAL WATER'S EDGE	LAGOON	MANGROVE ISLAND
DESCRIPTION	Zone begins 3 miles east of the MHW line & extends west through the breaking surf to the MHW lines.	Area extends from the MHW line of the beach to the trough behind the dune zone.	West of dunes to the edge of the Lake Worth Lagoon.	Wetland Bordering Lake Worth Lagoon	Lake Worth	Various natural and spoil islands in Lake Worth
SOILS	Submerged, unconsolidated sand; coquina outcroppings from reefs.	Well drained sand and shells.	Moderately drained sand, and urban fill.	Well drained sand and shells overlying organic layer of poorly drained peat.	Submerged , unconsolidated sand	Composition ranges from mixed sand and shells to organic materials
VEGETATION	Plankton, sarragussum, seaweed, red and brown algae.	Salt tolerant dune grasses, herbaceous plants, vines, shrubs, and	Live oak, slash pine, cabbage palm, saw palmetto; invasion by	Black, red & white mangroves, salt marsh grass; invasion of	Sea grass beds	Red and black mangroves, Australian pine and Brazilian pepper on upland

⁹ https://www.fema.gov/pdf/plan/chp/final_f.pdf

		stunted trees.	Australian pine, Brazilian pepper.	Brazilian pepper & Australian pine.		spoil areas; some hardwoods on native island uplands
LISTED SPECIES	Brown pelican. Sea turtles (see Beach and Dunes). Sea Gulls.	Atlantic loggerhead turtle Atlantic green turtle Leatherback turtle Atlantic hawksbill turtle Atlantic Kipp Ridley turtle Sea lavender Prickly pear, Roseate tern, Least tern, Osprey, Sea Oats, Sea Grape		Roseate tern, Least tern, Atlantic saltmarsh snake Snowy egret, reddish egret, Southern Kestrel, Southern bald eagle, Great Blue heron, Little Blue heron, other herons, Other shorebirds, Anhingas, Cormorant Osprey	West Indian Manatee	Roseate tern, Least tern, Atlantic saltmarsh snake, Snowy egret, Southern Kestrel, Southern bald eagle, Great Blue and other herons, Limpkin White Ibis Osprey
NATURAL FUNCTION	-Marine habitat - Moderation of climate	-Wind & wave protection for island -Shoreline maintenance - Interface between marine & terrestrial wildlife -Shallow aquifer recharge (dunes)	-Wildlife habitat -Shallow aquifer recharge in elevated areas - Vegetation purifies air	-Shoreline stability - Maintenance of water quality - Wildlife habitat -Detrital source -Important nursery area for marine wildlife	-Feeding area for manatees - Source of detrital food web - Vital nursery habitat for larval & juvenile stages of marine life -Maintain water quality	-Habitat, rookeries for birds -Maintenance of water quality - Maintenance of marine life - Detrital source
ELEMENTS ESSENTIAL TO NATURAL FUNCTION	-Good water quality	-Natural beach profile -Uninterrupted littoral drift - Natural dune form -Hardy vegetation -Good water quality	-Vegetation - Good water quality	-Healthy and prolific vegetation - Good water quality	-Good water quality - Natural circulation - Undisturbe d bottom	-Healthy vegetation -Good water quality - Minimal disturbance by man

POST DEVELOPMENT CHARACTER	-Water pollution (oil from residue and garbage)	-Intense development of primary dune area -Removal of foredune and replacement with bulkhead -Breaches of dune due to pedestrian and vehicular activity	-Most of area heavily urbanized. Native vegetation replaced with exotic landscaping	-Most of wetland edge filled and elevated for residential development and cleared of natural vegetation - Shoreline hardened - Invasion of exotic vegetation	-Some areas dredged for boat channels -Seagrass loss due to poor water quality, dredge and fill - Habitat loss for marine organisms	-Invasion of exotic vegetation - Litter - Disturbance by boaters, trespassers
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Most native wildlife in the Town of Palm Beach is centered around remaining natural communities. However, there are also a variety of species which have adapted to the urban environment. Among these are the red fox, possum, raccoon, squirrel, rat, mouse, songbirds, including a flock of wild parrots, and shore birds. ¹⁰

A patchy series of nearshore and offshore reefs or rock outcrops lies parallel to the Town's Atlantic coastline. Offshore areas are subject to variability. Some nearshore areas can have a very limited diversity or density of species due to naturally high sedimentation rates and low rock relief. Others may support relatively rich populations of plant and animal life. As a rule, diversity and abundance of species increase with greater water depth and distance from the shore. However, site specific studies need to be conducted to determine the ecological value of any given offshore environment.



Red Mangrove Forest

With regard to coral reefs, Florida is the only state in the continental United States with extensive shallow coral reef formations near its coasts. Coral reefs create specialized habitats

¹⁰ Ibid

that provide shelter, food and breeding sites for numerous plants and animals. Coral reefs lay the foundation of a dynamic ecosystem with tremendous biodiversity. Florida's Coral Reef stretches approximately 360 linear miles from Dry Tortugas National Park west of the Florida Keys to the St. Lucie Inlet in Martin County. The reefs stretching north of Biscayne National Park and the marine sanctuary are managed by the Florida Department of Environmental Protection's Coral Reef Conservation Program (CRCP) with insight from the Southeast Florida Coral Reef Initiative, which is one of several programs administered by the CRCP. ¹¹

An artificial reef is a manmade structure that mimics some of the characteristics of a natural reef. Florida has one of the most active artificial reef programs in the country, with more than 3,800 deployed since the 1940s. ¹² For the past 40 years, Palm Beach County has created reef areas using various materials including limestone, concrete, and decommissioned ships that have become marine habitats for algae, corals and other marine life. Off the coast of the Town of Palm Beach extending three (3) miles out lies 29 artificial reefs. (See Map 9.3)

Seagrasses are grass-like flowering plants that live completely submerged in marine and estuarine waters. Seagrass provides food and habitat to numerous species, stabilizes the ocean bottom, maintain water quality, and help support local economies. ¹³ Palm Beach County Environmental Resource Management Department oversees the implementation of the Lake Worth Lagoon Management Plan that contains achievable goals and actions for improving water quality, enhancing habitat, protecting fish and wildlife, preparing for a changing climate, and fostering public awareness and responsible enjoyment of the Lagoon over the next decade.

¹¹ floridadep.gov/rcp/rcp/content/floridas-coral-reefs#

¹² flseagrant.org/fisheries/artificial-reef-deployment-and-monitoring

¹³ Florida Department of Environmental Protection (DEP), Florida Seagrass,

Researchers believe that the majority of seagrass loss can be primarily attributed to reduced availability of light, which often coincides with blooms of phytoplankton. Intense blooms increase the amount of shading and result in the loss of seagrasses. Blooms occur in waters that have high concentrations of nutrients, particularly nitrogen and phosphorus, from



Johnson's Seagrass, Federally Threatened Species

nonpoint source pollution. Common nonpoint source pollution sources include sediment, leaf litter, pet waste, landscape inputs such as fertilizers, herbicides and insecticides, and nutrients from septic systems. Run-off is a major problem because it changes water quality and reduces the amount of light reaching the plants. While salinities and temperature can reach levels that cause stress to the grasses, these effects can be mitigated if enough light is available.

The Town is home to three (3) endangered sea turtles: the loggerhead, green turtle, and leatherback. According to the Sea Turtle Conservancy, the Town of Palm Beach averages more than 20,000 loggerhead nests per year, with upwards of 2,000 green turtle nests and around 100 leatherback nests. Pursuant to Code Section 74-222, all oceanfront property owners are required to ensure that no artificial light shall illuminate any area of the beach or water that may be used by nesting sea turtles and hatchlings. In order to accomplish this, the Town requires that all lighting be positioned or shielded so that light is not visible from the beach or water during the period from March 1 through October 31 of each year.

The Lake Worth Lagoon supports a rich variety of wildlife. In fact, the Town is a dedicated Bird Sanctuary. Along the shore of the Lake Worth Lagoon exist native wetland areas that serve as roosting areas for a number of birds, and also provide food and shelter for a variety of small mammals. The spoil islands in the Lake Worth Lagoon serve as bird rookeries for Ibis, Reddish and Snowy Egrets, Anhingas, Great Blue Herons, Night Herons, and Tricolor Herons, many of which are listed as threatened or endangered species by State or Federal agencies. In fact, 70 years ago, the identification of Herons, Egrets, and Pelican's nestings on several small islands in Lake Worth Lagoon, led the Audubon Society to designate the islands as bird sanctuaries.

Fisherman's Island, Hunter's Island, and Bingham Island, shown on Map 9.1 are leased by the Audubon Society and managed as rookeries and bird sanctuaries. Additionally, shellfish beds are located on tidal flats and around the periphery of spoil islands. One species of oysters live on the prop roots of red mangroves. A unique sub-species of clam, native to the area, also live in the sand of the Lagoon.¹⁴ These unique lagoon islands offer the following amenities:¹⁵



The Bingham Island - Audubon Society Photo

- Meditative respite for connecting with nature.
- Subtropical hardwood hammocks and mangrove forests.
- Nesting and roosting areas for the birds of Lake Worth Lagoon

The Town's Code of Ordinances specifically speaks to the wildlife protection in Chapter 66, Article V. The Code recognizes that various species of animals found in the Town have been classified by the State Game and Freshwater Fish Commission as Endangered, Threatened, or Species of Special Concern, reflecting a depletion in population so critical that extinction is possible. As these species may be of aesthetic, ecological, educational, historical, recreational, economic or scientific value, the Town seeks to preserve a stable ecosystem, which is dependent upon the number and diversity of constituent species. The protection of these species requires preservation of occupied habitat, protective buffers and adequate management measures.



Map 9-1 Spoil Islands of Palm Beach

The majority of the Town's natural resources are concentrated along shoreline

¹⁴ Ibid

¹⁵ Ibid

areas. The beaches are the focus of swimming, walking, snorkeling, and surfing activities. Vistas to the Ocean and Lake Worth Lagoon are valued accommodations. As such, the natural environment in the Town of Palm Beach is almost exclusively used for recreation and aesthetic enjoyment.¹⁶

Lake Worth Lagoon is also used to moor boats and to obtain access to the Intracoastal Waterway. **Code Section 74-268, Mooring in Lake Worth, prohibits anchoring or mooring of any liveaboard vessel in any of the waters of Lake Worth lying within the Town's corporate limits unless it is moored in a marina, designated mooring area, or at a dock located adjacent to a house that has running water, toilet facilities and garbage collection available for use by the vessel.** No commercial fishing industries operate from Palm Beach.

Of the Town's 12 miles of shoreline, approximately 4,760 linear feet, or approximately 8%, are accessible for public ~~use~~ ~~bathing~~ and recreational purposes. Of this, about 4,245 linear feet are in Town ownership, and 515 linear feet is owned by the County. The City of Lake Worth's "Casino Complex" includes an additional 1,300 linear feet of public beach which is located between **Kreusler Park and the southernmost 1.2 miles of the Town. There are also several street ends that provide public access to the beach in the northern part of Town. The majority of remaining native shoreline vegetation is located on narrow undevelopable strips along State Road A1A, or on spoil islands in the Lake Worth Lagoon (Map 9-1). Mangroves are protected by a Town ordinance, and by State and County regulations. The Army Corps of Engineers and the State Department of Environmental Protection also have authority if dredge and fill activity is involved.**¹⁷

Water Quality

Stormwater discharge is a major water quality problem for the Town. Drainage improvements have focused on eliminating flood-prone pockets on the Island rather than on improving water requirements. New developments must retain the first two (2) inches of rainfall to prevent any further degradation of water quality from this source. It is more difficult, however, to remedy existing sources of stormwater runoff since the high-water table would require large surface areas for retention. Given the fact that the Town is virtually fully developed, there is little or no opportunity to create new upland retention areas which would allow infiltration and settling prior to discharge into the Lake. Exfiltration drainage systems, which operate underground, are also limited by the highwater table.¹⁸

The Town of Palm Beach is a participant of the Palm Beach County National Pollutant Discharge Elimination System (NPDES) MS4 Permit. The PBC MS4 NPDES permit is held

¹⁶ Ibid

¹⁷ Ibid

¹⁸ Ibid

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.

Air Quality and Mining

Gases that trap heat in the atmosphere are called greenhouse gases. Carbon dioxide (CO₂) is the primary greenhouse gas emitted through human activities. In 2021, CO₂ accounted for 79% of all U.S. greenhouse gas emissions from human activities. Carbon dioxide is naturally present in the atmosphere as part of the Earth's carbon cycle (the natural circulation of carbon among the atmosphere, oceans, soil, plants, and animals). Human activities are altering the carbon cycle—both by adding more CO₂ to the atmosphere and by influencing the ability of natural sinks, like forests and soils, to remove and store CO₂ from the atmosphere. While CO₂ emissions come from a variety of natural sources, human-related emissions are responsible for the increase that has occurred in the atmosphere since the industrial revolution.¹⁹

The Department of Energy manages an Energy Efficiency Conservation Strategy that consists of four (4) long-term goals that consist of the following: ²⁰

- Reduce energy consumption
- Reduce greenhouse gas (GHG) emissions
- Implement the Electric Vehicle Fleet Plan
- Expand recycling options

The Town of Palm Beach does not identify any point sources of pollution within the Town. However, increased mobile pollution sources, including automobiles and air traffic, will continue to cause a concern. As the Town is a barrier island surrounded by water, air quality is enhanced as the Town benefits from regular sea breezes. Air quality is also improved by the abundance of vegetation in the Town, which naturally purifies the air. Further, the Town's air quality benefits by preventing industrial uses in the Town and maintaining and encouraging rich vegetation on both public and private properties. Although the Town of Palm Beach has good quality air, the reduction of greenhouse gas emissions will further improve the air quality while contributing to broader climate change efforts.

~~Beach and Dune Conditions~~

MOVED TO THE COASTAL MANAGEMENT ELEMENT

¹⁹ <https://www.epa.gov/ghgemissions/overview-greenhouse-gases>

²⁰ Ibid

~~Beach erosion has been a continuing problem for the Town since 1924 when the Lake Worth Inlet was deepened and stabilized with jetties on either side. Sand immediately began to build up in the north jetty as the southerly littoral drift was interrupted. The beaches on the north side of the Inlet began to experience accretion, while those to the south, where the Town is located, suffered from erosion. Sand starvation caused by the Inlet has combined with other factors, such as the rising sea level and numerous storm events, resulting in a dramatic and continuing loss of beach. Through the years the Town has responded to beach erosion with shore protection structures, artificial beach nourishment, and a sand bypass program at the Inlet.~~

~~The Town has carefully controlled beach protection through a beach management plan, passed in 1935, which designates the locations, dimensions, and lengths of bulkheads and groins within the municipal limits of the Town. Since 1935, protective structures have generally been placed in accordance with this Plan.~~

Comprehensive Coastal Management Plan

~~Recognizing the importance of managing its beach resources, the Town commissioned Cubit Engineering to prepare its Comprehensive Coastal Management Plan (CCMP). This report, dated August, 1986, contained the following eight (8) major objectives. The Town's progress towards meeting the original objectives is shown in italics beneath each.~~

~~1. Replace the sand bypass plant at Lake Worth Inlet.~~

~~*The Sand Transfer Plant ceased operation in May, 1990. The County, who operated the plant under an interlocal agreement, reported that its condition was beyond normal maintenance repair. The Town has funded the restoration of the Sand Transfer Plant which should provide enhanced transfer capability. Two new discharge pipes under the inlet, a new pump, motor and electrical system were installed in November, 1995.*~~

~~*The Town began a study of the Lake Worth inlet through the initiation of the Lake Worth Inlet Management Plan. The Plan, with 75% State funding, will explore the optimal way to move sand past the Lake Worth Inlet. The Plan has already recommended replacement of the transfer station with upgraded bypass capabilities. It is anticipated that the Plan will be completed in the near future. Upon completion, the Town will implement it with the assistance of the U.S. Corps of Engineers and Florida Department of Environmental Protection.*~~

~~*The Sand Transfer Plant was structurally and mechanically rehabilitated by the Town in late 2009 and early 2010. Following rehabilitation, the plant successfully bypassed sand until impacts from Hurricane Sandy damaged the*~~

~~plant's infrastructure in October 2012. The plant was operational again in mid-2013 and regularly bypassed sand until electrical connection issues persisted in 2015. The electrical connections were replaced and the Sand Transfer Plant has been in continual operation through much of 2016.~~

~~In June 2016, by Resolution No. 94 2016, Town Council approved an interlocal agreement with Palm Beach County that details responsibilities for operation and maintenance of the Sand Transfer Plant until September 2035. The interlocal agreement obligates the County to operate and maintain the plant and obligates the Town to be responsible for repairs. This agreement was approved by the Palm Beach County Board of County Commissioners in August 2016.~~

- ~~2. Require all sand bypass plant discharge and beach quality maintenance dredge spoil to be placed south of Onondaga Avenue so that it will be of greatest benefit.~~

~~The Town manages the Sand Transfer Plant consistent with the FDEP adopted Lake Worth Inlet Management Plan (IMP) of 1995, the FDEP Palm Beach Island Beach Management Agreement (BMA) of 2013, and the FDEP Strategic Beach Management Plan updated in 2015. Both the IMP and BMA recommend lengthening the discharge pipelines and to allow for multiple discharge points to be located as far as 2,500 feet south of the south jetty. The State's strategy for inlet bypassing, which includes the combination of the operation of the sand transfer plant and beach placement of maintenance dredge material from the federally authorized navigation channel, to place all beach compatible material on the downdrift beaches of Reach 1 and in an extended beach placement in Reach 2. The FDEP Strategic Beach Management Plan details that an extension of the plant's discharge pipeline can be sited as far as 3,600 feet south of the south jetty.~~

- ~~3. Renourish the Mid-Town Public Beach to enhance that area and provide downcoast property protection.~~

~~The Town's Mid-Town Beach Restoration project, with the construction of groins to stabilize the beach, began in October, 1995, and was completed in March, 1996. Following the project, a dune vegetation project was initiated for approximately 4,000 feet of the project. Mid-Town Beach was renourished in 2003 and 2006 following hurricanes Frances and Jeanne. A Mid-Town Beach Renourishment Project was constructed in 2015.~~

- ~~4. Endorse the Department of Transportation revetment at Widener's Curve to Sloan's Curve.~~

~~The revetment is in place.~~

- ~~5. Maintain the seawalls to ensure that storm protection to upland property and infrastructure is provided.~~

~~*Seawalls are maintained on an "as needed" basis. Construction of a replacement seawall fronting North Ocean Boulevard across from the Palm Beach Country Club in Reach 2 was completed in 2016.*~~

- ~~6. Maintain and/or modify only those groins that are presently effective; abandon and remove all others as may be physically and financially practical.~~

~~*The BMA included the repair, rehabilitation, or removal of groins in Reaches 2, 4, 5, and 6 as an authorized activity to maintain sand placement projects. In February 2015, a Town consultant completed a Groin Rehabilitation Execution Plan that outlines a multi-phased long-term effort to maintain, modify, abandon, or remove groins, as necessary. The first phase of implementation may occur following Town Council direction after the federal permitting process has been completed.*~~

- ~~7. Enhance the dune areas with vegetation and sand fence techniques between Sloan's Curve and Kreusler Park.~~

~~*The Phipps Ocean Park Beach Restoration was undertaken and completed in 2006 between Phipps Park and the Ambassador Hotel. A dune vegetation restoration project was also completed there in 2007. Nourishment of Phipps Ocean Park and Reach 7 was completed in 2016. This project extended beach nourishment from the Ambassador Hotel to Kreusler Park. Following the nourishment of sand, dune vegetation was planted along the entire Town portion of Reach 7, which extends from Sloan's Curve to Kreusler Park.*~~

- ~~8. Monitor the Town's beach to develop a better data base of information concerning beach characteristics so that future planning decisions can be made."~~

~~*The Town performs a yearly shoreline survey to design and monitor beach restoration and renourishment activities.*~~

~~The Comprehensive Coastal Management Program (CCMP) includes a detailed schedule and budget. The scope and cost of the CCMP is reviewed annually by Town staff, the Shore Protection Board, and Town Council. The Town continues to implement the CCMP objectives. The Town Council appointed a Shore Protection Board on July 11, 1995, to investigate and evaluate the Town's beaches and develop a plan to address the erosion of this piece of the Town's infrastructure. The Board met regularly for over three years. After investigating the broadest~~

array of beach management options, the Board oversaw the production of the (CCMP) Update, dated September 1997, by Applied Technology & Management, Inc. Thereafter the Board oversaw a separate Peer Review of the CCMP. The Peer Review emphasized that uncertainty exists in the science of managing our coastal resources, and therefore recommended that the CCMP by Aubrey Consulting, Inc. (later referred to as Woods Hole Group, Inc.) be implemented in phases, thereby allowing for flexibility and adjustments through a process called “adaptive management.”. This process involves incorporating specific, measurable goals in each beach nourishment project and learning from the observed successes and failures, or outcomes of those projects when compared against the projects original expectations. Summarizing the process below:

- (1) Monitoring the implementation of each project in a manner meant to reveal any critical knowledge that was lacking in the project’s original design,
- (2) Analyzing the outcome of each project against its original objectives, and
- (3) Incorporating these results into future decisions regarding the projects included in the adopted CCMP by means of appropriate mid-course corrections.

In January of 1999, the Shore Protection Board issued its final report, making a number of recommendations to the Mayor and Town Council, including the implementation of the CCMP through adaptive management.

The Town Council reviewed the CCMP, and held three public meetings throughout the Town to receive input into the decision-making process. The CCMP was further discussed at Town Council meetings over a number of months where public debate continued. Some citizens raised concerns about the environmental damage that might be caused by the projects, the method of apportioning the costs of the projects (having them spread among all property owners in the Town in contrast to just beachfront property owners), and the potential effects of creating the Erosion Control line on the privacy and property rights of the Town’s residents. The Town Council adopted a scaled back Coastal Management Plan on December 1, 1999. That action and the Town Council’s subsequent actions on these projects substantially outweigh the potential negative impacts. The prevailing opinion expressed by the residents at the Community Forums in November 2001 strongly supported this determination.

The CCMP update of 1999 summarized the 1986 CCMP objectives and included the following key action elements:

- Implement the Lake Worth Inlet Management Plan;
- Construct sand retention structures and restore and maintain beaches along the designated Reaches;
- Implement a comprehensive coastal monitoring and modeling program;
- Maintain, restore and/or replace existing coastal structures; and

- ~~Renourish restored reaches periodically to sustain project benefits.~~

~~With the above listed elements identified to be implemented over a 10 year period, the Shore Protection Board was sunset by Town Council in 1999.~~

~~Per Ordinance No. 1-08, on July 8, 2008, the Town Council established that the Shore Protection Board “act in an advisory capacity to the Town Council and shall make recommendations to the Town Council on all matters relating to shore protection in the Town of Palm Beach.” On December 9, 2008, Town Council appointed seven (7) members who held their first meeting on December 17, 2008. During their first year, the board developed goals and objectives. With eight (8) objectives identified, the board prepared an Objectives Plan which included data collection, fact-finding, short term shore protection actions, and long term coastal management solutions. While assessing the Town’s coastal program through their Objectives Plan, the board also applied the twelve (12) conclusions, recommendations, and comments from the previous Shore Protection Board. Projects were prioritized and the Shore Protection Board concluded their first year of meetings with nine (9) specific recommendations to Town Council on November 10, 2009. In addition to the recommendations, the Shore Protection Board provided Town Council with a 10 Year Coastal Management Plan. Although the 10 Year plan was not adopted by Town Council, the document served as the framework for a plan later adopted by Town Council.~~

~~In June 2013, following more than one (1) year of peer review performed by Woods Hole Group, Town Council adopted a long term 10 Year Plan for the Town’s Coastal Management Program. The plan called for implementation of specific projects and monitoring to occur between fiscal years 2014 and 2023.~~

~~The Shore Protection Board continues to meet at least four (4) times per year and reports to the Town Council annually. To facilitate civic involvement by its citizens the Town Council adopted Ordinance No. 06-2017 which will impose term limits for the Shore Protection Board members and add three (3) alternate members.~~

Impacts of the Issue

~~The impact of shoreline protection and the protection of submerged lands is paramount to the continued quality of life, and perhaps even the survival of Palm Beach. This topic has broad implications from social, economic, and environmental points of view. The issue is not new to Palm Beach since the Town has been dealing with beach nourishment and environmental protection issues for years. The recreational opportunities afforded by the Town’s beaches and natural areas constitute the economic foundation for the living environment. It is anticipated that the issues outlined in this section will receive the highest level of priority from the Town Council. The Town’s Comprehensive Plan and Zoning Code provide guidance as to the status of submerged lands located within the Town limits.~~

~~Submerged land beyond the physical shoreline of Lake Worth and the Palm Beach Inlet within the Town's corporate limits has a future land use designation of Conservation and no land development or redevelopment is allowed. This prohibition does not preclude Palm Beach County, Florida Inland Navigation District or the Army Corp. from creating spoil islands that would be designated Conservation on the Town's Future Land Use Map. Historically, since 1960 (Ordinance No. 3-60, prior to the Comprehensive Plan, as defined by the 1975 Growth Management Act, the Town's land development regulations have not allowed structures, other than docks, constructed over the waters of Lake Worth. The Town continues to vigorously enforce these regulations.~~

~~Unanticipated Changes in Circumstances~~

~~Although this high priority issue is ongoing, many unanticipated changes in circumstances routinely evolve throughout the implementation process. Funding, availability of federal, state and other revenue sources as well as multi-jurisdictional regulatory review processes affect the timing, scale and scope of these types of projects.~~

~~Resulting Problems or Opportunities~~

~~Policy 5.6 in the Town's Coastal Management/ Conservation Element identify the bulkhead line in Lake Worth as the mean high water line (MHWL). However, the Town believes that in order to prevent future attempts at development of submerged lands in Lake Worth (with the exception of docks), lands west of the mean high water line shall always be Conservation on the Future Land Use Map.~~

~~Dunes are created when onshore winds move sand inland from the beach, forming mounds of sand which are trapped and stabilized by specially adapted grasses and herbaceous vines.~~

~~Dunes are easily disturbed by pedestrian and vehicular traffic, which destroy the delicate vegetative fabric holding the sand in place. Small disturbances often develop into large barren areas, or "blowouts", which can be self-perpetuating, ultimately resulting in gaps in the dunes which diminish landward property protection. Many of the dunes in Palm Beach have been built upon, landscaped as part of residential yards, or used as a roadbed. With a seawall fronting the dune, and its other surfaces covered by man-made improvements, the dune has often been transformed from a natural and dynamic element of the shoreline ecology to an essentially stable, topographic feature.~~

~~In some areas of the Town, construction has been limited to the top of the foredune, leaving the seaward slope of the dune principally unaltered. Because these dunes cannot migrate away from the eroding beach, they often experience severe erosion. Examples are scattered throughout the Town but are most evident south of the Lake Worth Municipal Park. These 20' high dunes are experiencing erosion along nearly the entire stretch of beach. As erosion increases, dunes backed by a shore protection structure are likely to begin experiencing erosion as well.~~

Phipps Ocean Park has a healthy foredune slope, but is similarly stabilized on and behind the ridge by old State Road A1A, and picnic and parking areas. This dune is mainly vegetated by sea oats, with seagrasses growing on the upper part. Seedlings and pines are removed by the Town's Public Works Department before they damage the native dune vegetation.

Several dynamic dune systems remain. The Town-owned Par Three Golf Course fronts an undulating series of 15' to 20' dunes mainly vegetated by sea oats with scattered growths of low-lying herbaceous plants. The northern part of the Town, near the Lake Worth Inlet jetties, has a very low series of moderately vegetated dunes. This area receives the benefits of the Inlet sand transfer plant, and thus has a wide, gently sloping beach.

Dunes are protected by Town Ordinance, which prohibits disturbance of dunes or dune vegetation without a special permit from the Town. The ordinance includes strict vegetation planting and trimming controls, and includes a dune maintenance program.

RELOCATED TO THE COASTAL MANAGEMENT AND EDITED

Displayed in Table 9-2, the following soils have been identified in the Town of Palm Beach and illustrated on Map 8-6 of the Map Series.

Table 9-2 Glossary of Soil Science Terms²¹

<u>Type</u>	<u>Description</u>
<u>Arents</u>	<u>Arents is a soil classification that describes manmade land created by earthmovers including areas where fill has been placed, areas where dredging has occurred, and areas where leveling activities have modified the original soils. This classification consists of all soil types, colors and textures, but is dominated by sandy soils. Based on the manmade nature of this category permeability and depth to seasonal high groundwater cannot be determined.</u>
<u>Beaches</u>	<u>The Beach series comprises very shallow and shallow, well drained, moderately permeable soils that formed in residuum from hard, very fine grained, metamorphic sandstone. These sloping to steep soils are on sandstone hills and in valleys. Slopes range from 1 to about 70 percent.</u>
<u>Canaveral-Urban land complex, 0 to 5 percent slopes</u>	<u>The Canaveral series consists of very deep, somewhat poorly to moderately well drained, very rapidly permeable soils on side slopes of dune-like ridges bordering depressions and sloughs along the coast in Peninsular Florida. They formed in thick marine deposits of sand and shell fragments. The mean annual temperature is about 73 degrees Fahrenheit, and the mean annual precipitation is about 55 inches. Slopes are dominantly less than 3 percent but range up to 5 percent.</u>

²¹ US Soil Conservation Services <https://soilseries.sc.egov.usda.gov/>

Cocoa-Urban
land complex, 0
to 5 percent
slopes

The Cocoa series consists of moderately deep, well drained, rapidly permeable soils on upland coastal ridges. They formed in sandy marine or eolian sediments deposited over coquina limestone. Near the type location, the mean annual temperature is about 74 degrees F., and the mean annual precipitation is about 55 inches. Slopes range from 0 to 8 percent.

Kesson mucky
sand, tidal

The Kesson series consists of deep, very poorly drained, rapid to moderately rapid permeable soils that formed in thick marine deposits of sand and shell fragments in tidal swamps and marshes along the Gulf Coast of Peninsular Florida. Slopes range from 0 to 1 percent.

Palm Beach-
Urban land
complex, 0 to 8
percent slopes

The Palm Beach series consists of very deep, well to excessively drained, very rapidly permeable soils on dune-like ridges that are generally parallel to the coast. They formed in thick deposits of sand and shell fragments. Near the type location, the mean annual temperature is about 72 degrees F., and the mean annual precipitation is about 60 inches. Slopes range from 0 to 17 percent.

Pomello fine
sand, 0 to 5
percent slopes

The Pomello series consists of very deep, moderately well to somewhat poorly drained soils that formed in sandy marine sediments. Pomello soils are on ridges, hills, and knolls in the flatwoods on marine terraces. Slopes range from 0 to 5 percent. Mean annual precipitation is about 1397 millimeters (55 inches) and mean annual temperature is about 23 degrees C (72 degrees F).

Urban land, 0 to
2 percent slopes

Urban land consists of areas that are more than 70 percent covered by shopping centers, parking lots, roadways, buildings, etc. and has no parent material.

Regarding mining, the Florida Mining Atlas identifies two (2) potentially valuable mineral resources in Palm Beach, being coquina and sand. However, the exclusive residential nature of the Town and subsequent high real estate values preclude any mining of these resources, either presently or in the future. Further, the Town addresses wind-borne soil erosion associated with the demolition or construction associated with redevelopment through Chapter 42, Environment, Code of Ordinances, which requires exposed soils and fill to be stabilized with webbing and requires unvegetated vacant areas to be sodded.²²

Town of Palm Beach Conservation Policies – “The Green Initiative”

The Town of Palm Beach has instituted several conservation policies to prevent habitat loss through the provision of ecofriendly alternatives, referred to as the Town’s “Green Initiative”. As early as 1982, pursuant to Chapter 66, Article II, the Town recognized the

²² Ibid

environmental values of native wetland shoreline habitat along Lake Worth Lagoon as they provide habitat for a diverse community of plants and animals; play a fundamental role in estuarine nutrition; provide a nesting and resting ground for species of migratory birds; and are aesthetically appealing and can be reasonably incorporated as an asset into the landscaping of waterfront residences. Code Section 66-38 requires applications for Future Land Use Map amendments and rezonings, to provide a shoreline management plan whenever alterations or removal of mangroves is requested, or mangroves have been altered or removed in violation. Additionally, Code Section 66-336 provides policy that the Town shall provide for the restoration of native dune systems wherever such opportunities exist as they provide the first defense against wind and waves.

In 2018, the Town of Palm Beach instituted a Fertilizer-Friendly Use Ordinance with the adoption of Chapter 42, Article IX, Code of Ordinances. The Ordinance regulates the proper use of fertilizers by any applicator, requires proper training of commercial and institutional fertilizer applicators, establishes training and licensing requirements, establishes a prohibited application period, and specifies allowable fertilizer application rates and methods, fertilizer-free zones, and exemptions.

The Fertilizer-Friendly-Use Ordinance requires the use of best management practices to minimize negative environmental effects associated with excessive nutrients in our waterbodies. These environmental effects have been observed in and on Palm Beach County's natural and constructed stormwater conveyances, rivers, creeks, canals, lakes, estuaries, and other waterbodies. Collectively, these waterbodies are an asset important to the environmental, recreational, cultural, and economic well-being of Palm Beach County residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, is anticipated to help improve and maintain water and habitat quality.

Pursuant to Code Section, 42-376, which applies to the timing of fertilizer applications, the following restrictions apply.

1. No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the prohibited application period or to saturated soils. No fertilizer containing nitrogen or phosphorus shall be applied between June 1 and September 30 as well as any other prohibited application period.
2. Fertilizer containing nitrogen and/or phosphorus shall not be applied before seeding or sodding a site and shall not be applied for the first 30 days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the stormwater pollution prevent plan for that site.

In 2019, the Town passed a law banning the distribution of plastic straws. Plastic straws are detrimental to the environment as they do not fully degrade; overburden landfills; introduce unsafe chemicals into the environment; become litter and create hazards for land and aquatic animals due to ingestion; and create impediments to waste reduction and recycling goals.

Code Section 42-601 states that single-use plastic straws or stirrers shall not be used, sold, distributed in any commercial establishment located within the corporate limits of the Town of Palm Beach, at any town facility or town property or by any special event permittee. Additionally, Town contractors and special event permittees cannot sell, use, provide beverages with, or offer the use of single-use plastic beverage straws or single-use plastic stirrers in Town facilities or on Town property.

With regard to water conservation, the Town adopted Chapter 66, Natural Resource Protection that applies to all new construction and substantial improvements. The regulations establish the nine (9) principles of Florida friendly landscaping. Those guiding principles are as follows:

1. Right plant
2. Right place
3. Water Efficiently
4. Fertilize appropriately
5. Mulch
6. Attract wildlife
7. Manage yard pests responsibly
8. Recycle
9. Reduce stormwater runoff
10. Protect the waterfront

Section 66-286 provides specific regulations pertaining to irrigation standards and encouraging the use of drought tolerant grasses.

As explained in the Recreation and Open Space Element, the Town of Palm Beach is currently pursuing the Florida Clean Marina Program designation. The Clean Marina Program designation is administered through the Florida Department of Environmental Protection. The goal of the designation program is a proactive approach to environmental stewardship. Participants receive assistance in implementing Best Management Practices through on-site and distance technical assistance, mentoring by other Clean Marinas and continuing education. To become designated as a Clean Marina, facilities must implement a set of environmental Best Management Practices (BMPs) designed to protect Florida's waterways. These BMPs address critical environmental issues such as sensitive habitats, waste management, storm water control, spill prevention and emergency preparedness.

Designated facilities and those facilities seeking designation receive ongoing technical support from the Florida Clean Marina Program and the Clean Boating Partnership.

The Town began requiring a percentage of plant material to be native in 2018 and most recently updated the plant list in 2023. Code Section 66-285 stipulates that for new development and redevelopment projects which modify 50 percent or more of the existing landscape/greenspace, the following regulations are required:

- (a) Tree category - at least 30 percent of all trees shall be native trees, as listed on 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. The tree category percentage is calculated on the number of trees.
- (b) Shrub and vine category - at least 30 percent of all shrubs and vines shall be native shrubs and vines as listed on 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. The shrub and vine category percentage is calculated on the number of shrubs and vines.
- (c) Groundcover category - at least 30 percent of the groundcover area shall be native groundcover, as listed on 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. The groundcover category percentage is calculated based on the area.

Additionally, all site plans for new development and redevelopment which modify 50 percent or more of the existing landscape/greenspace shall be required to submit a landscape plan and irrigation plan to the architectural commission, or landmarks commission, as applicable. The Code requires a minimum landscape open space and maximum lot coverage per zoning district.

SUMMARY

It is recommended that the Town continue to enforce the regulations pertaining to conservation and protection of natural resources and wildlife. Further, the Conservation Element provides an inventory of ecological communities that were inventoried in 1996. As almost 30 years have passed, a policy is proposed to update the inventory and continue to monitor in order to ensure the continued success of the Town's natural resources and wildlife. The Town should continue to enforce best management practices related to lawn maintenance and native landscaping. Additionally, the Town should maintain consistency with the 2023 Palm Beach Strategic Plan, which consists of six focus areas, one of which speaks to conservation and environmental protection.

Conservation Element

GOALS, OBJECTIVES & POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE THE HIGH QUALITY OF LIFE FOR TOWN RESIDENTS BY PRESERVEING, AND PROTECTING AND ENHANCE THE NATURAL AND HISTORIC RESOURCES AND WILDLIFE OF THE TOWN, AND LIMITING PUBLIC EXPENDITURES IN AREAS SUBJECT TO DESTRUCTION BY NATURAL DISASTERS, WHILE BY PROMOTING ENVIRONMENTAL CONSERVATION EFFORTS. ENSURING MAXIMUM ENJOYMENT AND MINIMUM EXPOSURE OF HUMAN LIFE IN THE COASTAL ZONE.

OBJECTIVE 1 (relocated from the former Coastal/Conservation Element)

The Town shall protect the quality of its air from degradation. The measurement of this objective is the extent to which air quality is protected, and the degree to which the following policies are implemented.

POLICY 1.1

The Town shall cContinue to prohibit industry within the Town through ~~existing restraints prohibiting an Industrial Future Land Use designation on the Future Land Use Map.~~
in the Zoning Code.

POLICY 1.2

The Town shall cContinue to prohibit new commercial development from spreading beyond commercial areas as designated on the Future Land Use Map and corresponding in the Zoning Code Map.

POLICY 1.3

The Town shall continue to mMaintain lush-vegetated strips medians and existing plantings along the roadways within the Town and in high density areas, through enforcement by adhering to Chapter 126, Article II, Town's Code of Ordinances including the Historic and Specimen Tree Ordinance, and Chapter 66, Division 3, Plans related to the Town's landscaping and irrigation plans, and through Town initiated landscaping projects.

POLICY 1.4

The Town ~~will~~ **shall continue to** annually review the Palm Beach County Air Quality Report. Should this report cite the Town for air quality degradation, the Town shall develop methods for addressing the problems within one year of the report date. Implementation of proposed methods will ensue within an additional year.

OBJECTIVE 2 (relocated from the former Coastal/Conservation Element)

The Town shall protect native vegetational communities and their associated wildlife. The measurement of this objective is the extent to which native vegetation is protected and restored, and the degree to which the following policies are implemented.

POLICY 2.1

~~Modify~~ **The Town shall continue to** ~~Enforce~~ the regulations adopted in Chapter 66 Article IV, Vegetation ~~Town's Landscape Ordinance to~~ **that include the following regulations:**

2.1a Incorporates standards for tree removal, landscaping aesthetics, and minimum native vegetation **planting** requirements.

2.1b Prohibits planting of ~~pestilent exotics~~ **invasive non-native species**, and

2.1c ~~R~~requires removal of pestilent exotic species from sites of new construction or redevelopment.

2.1~~d~~ Prohibits removal of vegetation species listed as endangered or threatened by State or Federal agencies on publicly owned property and new private development.

2.1~~e~~ Allows ~~very limited~~ trimming of shoreline vegetation for visual access, under limited conditions upon the approval of the Town and any other government agencies having jurisdiction.

POLICY 2.2

The Town ~~will~~ **shall** continue to ~~serve as coordinator in~~ support of efforts to revegetate and remove ~~exotic~~ **non-native** vegetation from the Lake Worth **Lagoon** shoreline.

POLICY 2.3

The Town shall support the goals and related actions of the Lake Worth Management Plan to improve water and sediment quality to provide habitat enhancement and protection of marine ecosystems and increase seagrass coverage.

POLICY 2.34

The Town ~~will~~ **shall** continue to use native or drought resistant vegetation in all public landscaping projects.

POLICY 3.42.5

The Town will shall continue to enforce landscaping standards that require the preservation of existing natural growth where practical, and the removal of invasive, exotic plant species.

POLICY 2.46

The Town shall ~~change it's~~ **consider modifying the** land redevelopment regulations to stipulate that no development or construction which destroys wetland vegetation, including seagrass beds, shall be permitted in the Town unless the loss is 100% mitigated, and unless the applicant has received the approval of any other governmental agency having jurisdiction.

OBJECTIVE 3 (relocated from the former Coastal/Conservation Element)

The Town shall continue to pProtect and preserve native vegetated areas, wildlife and its habitats, especially those species listed by State and Federal agencies as threatened or endangered. The measurement of this objective shall be the extent to which wildlife is protected and preserved, and the degree to which the following policies are implemented.

POLICY 3.1

The Town shall cContinue assisting with sea turtle nesting studies each year for the duration of the planning period.

POLICY 3.2

The Town ~~will~~ **shall** continue to cooperate with the appropriate local, state and federal agencies for the protection of wildlife, endangered and threatened species and significant plant, flora, fauna and animal habitats.

POLICY 3.3

The Town ~~will~~ **shall continue to** protect and conserve the natural functions of existing soils, fisheries, rivers, lakes, floodplains, estuarine marshes, native habitats/plant materials/ecosystems and marine habitats through enforcement of existing local, state, and federal regulations designed to protect and conserve these functions.

~~POLICY 3.4~~

~~The Town will shall continue to enforce landscaping standards that require the preservation of existing natural growth where practical, and the removal of invasive, exotic plant species.~~

OBJECTIVE 4 ~~(relocated from the former Coastal/Conservation Element)~~

The Town shall Pprotect and restore wetland habitat and estuarine water quality in the Town, thereby protecting fisheries and marine habitat. The measurement of this objective is the extent to which wetland habitat and estuarine quality are protected, and the degree to which the following policies are implemented.

POLICY 4.1

The Town shall ~~update its Long Range Public Works Plan (Storm Drainage Chapter)~~ **regularly continue** to meet the requirements of the EPA NPDES Program, ~~when necessary.~~

POLICY 4.2

The Town shall eEnsure that the negative impacts of stormwater discharge upon water quality in **the** Lake Worth **Lagoon** are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town **drainage** system, or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater.

OBJECTIVE 5 (relocated to the Coastal Management Element)

~~The Town shall protect and restore its beaches and dunes. The measurement of this objective is the extent to which beaches and shores are protected and restored, and the degree to which the following policies are implemented.~~

POLICY 5.1

~~The Town will manage its beach resources through the Comprehensive Coastal Management Plan (CCMP) and the scope and cost of the CCMP will be reviewed annually by Town staff, the Shore Protection Board, and Town Council.~~

POLICY 5.2

~~The Town shall consider all possible structural or non-structural alternatives for beach protection and beach erosion prevention, consistent with the Town's Comprehensive Coastal Management Plan.~~

POLICY 5.3

~~The Town shall require that all new development and redevelopment on the Atlantic shore restore dunes, where restoration potential exists and is necessary, as determined by the Town and FDEP.~~

POLICY 5.4

~~The Town shall maintain its bulkhead line along Lake Worth at the mean high water line.~~

POLICY 5.5

~~The Town shall continue to enforce Land Development Regulations which minimize the impact of man-made structures on beach and dune systems, as well as specific measures and guidelines for dune protection, restoration and maintenance.~~

POLICY 5.6

~~The Town shall evaluate opportunities to protect coastal investments and infrastructure, as necessary and feasible, from the impacts of climate change. Specifically, the Town will maintain shoreline protection and erosion control by:~~

- ~~a) Continuing the appropriate use of beach nourishment;~~
- ~~b) Facilitating the installation and maintenance of native beach dune vegetation along appropriate areas of beach;~~
- ~~c) Continuing to implement the Comprehensive Coastal Management Plan through 2023 with input from the Shore Protection Board.—~~
- ~~d) Establishing the bulkhead line in Lake Worth as the Mean High Water Line (MHWL).~~

POLICY 5.7

~~Explore the possibility with the Treasure Coast Regional Planning Council, pursuant to Florida Statutes 380.05(3) of designating the Town as an Area of Critical Concern as it relates to the shoreline, natural and historic resources and sea level rise. The basis for seeking this designation is the Florida Department of Environmental Protection (FDEP) June 2015 Study, Critically Eroded Beaches, noted the “area extending south of Lake Worth Inlet along the town of Palm Beach (R76-R128) are 10.9 miles of critical erosion threatening private development, local parks, and State Road A1A.~~

OBJECTIVE 65 (relocated from the former Coastal/Conservation Element)

The Town shall protect soils and groundwater by establishing standards which will minimize the impacts of construction, and by preventing hazardous wastes contamination. The measurement of this objective is the extent to which soils and groundwater are protected, and the degree to which the following policies are implemented.

POLICY 6.15.1

The Town ~~will~~ **shall** require soil erosion control techniques be used during construction.

POLICY 6.25.2

The Town ~~will~~ **shall** regulate the installation of underground storage tanks for petroleum products in a manner consistent with the regulations of the Florida Department of Environmental Protection.

POLICY 6.25.3

The Town ~~will~~ **shall** continue mutual aid agreements with West Palm Beach and Palm Beach County for hazardous materials removal and storage.

OBJECTIVE 7 (relocated to the Coastal Management Element)

~~The Town will continue to enforce Land Development Regulations which establish priorities for shoreline uses.~~

POLICY 7.1

~~The Town shall continue to implement priorities for the remaining limited opportunities for shoreline land uses in the Town.~~

OBJECTIVE 8 (relocated to the Coastal Management Element)

~~The Town will provide and maintain existing public access to beach areas which have been nourished at public expense, publicly owned beachfront parks, and the Municipal Docks on Lake Worth. The measurability of this objective is the extent to which public access is provided and maintained, and the degree to which the following policies are implemented.~~

POLICY 8.1

~~The Town will inspect public access facilities on an annual basis for impediments or structural damage.~~
The Town will eliminate any impediments to public access on a priority basis.

POLICY 8.2

~~In order to maintain visual access to Lake Worth, the Town shall allow selective trimming of vegetated areas along the shoreline when such trimming is accompanied by measures to improve the natural resources of the shoreline.~~

POLICY 8.3

~~The Town shall provide public access to beach areas nourished at public expense unless otherwise exempted by the Florida Department of Environmental Protection.~~

POLICY 8.4

~~The Town will enforce the public access requirements of the 1985 Coastal Zone Protection Act.~~

POLICY 8.5

~~The Town shall continue to provide and maintain existing on-street parking facilities near beach access points.~~

OBJECTIVE 9 (relocated to the Historic Preservation Element)

~~The Town shall protect and preserve its prehistoric and historic 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 9.1

~~The Town will update its list of historic structures as needed.~~

POLICY 9.2

~~Continue to designate structures, sites, and districts considered worthy of Landmarking in accordance with the Town's Code of Ordinances.~~

POLICY 9.3

~~Prevent destruction of Historic Landmark Structures through provisions in the Town's Code of Ordinances.~~

POLICY 9.4

~~The Town will address preservation of prehistoric resources in its optional Historic Preservation Element.~~

OBJECTIVE 10 (relocated to the Coastal Management Element)

~~The Town shall increase public awareness of potential hazards to human life in the event of a natural disaster. The measurement of this objective is the extent which public awareness is increased, and the degree which the following policy is implemented.~~

POLICY 10.1

~~At least once per year during the hurricane season, publish basic hurricane evacuation precautionary information.~~

OBJECTIVE 11 (relocated to the Coastal Management Element)

~~When an emergency evacuation is necessary, protect, within the Town's ability, residents and visitors, and maintain or reduce evacuation times. The measurement of this objective is the extent which population exodus is provided, and the degree which the following policies are implemented.~~

POLICY 11.1

~~Once a hurricane watch has been declared, the Town shall coordinate with the County Emergency Management officials to facilitate orderly and timely evacuation of residents and visitors in the Town.~~

POLICY 11.2

~~The Town shall annually review Palm Beach County's Hurricane Evacuation Plan to identify any changes that may affect the evacuation of Town residents during a storm event, and shall ensure that the Town's Hurricane Evacuation Plan remains integrated with the County's Plan by amending the Town's Plan, as necessary.~~

POLICY 11.3

~~Through the Treasure Coast Regional Planning Council (TCRPC) and their Hurricane Evacuation Model, ensure traffic impacts of proposed development in adjacent municipalities within concurrency exemption zones address all factors including, but not~~

limited to:

- a. ~~Increased development~~
- b. ~~Bridge crossing and times~~
- c. ~~Increased passenger rail traffic~~
- d. ~~Increased freight rail~~
- e. ~~Hurricane sheltering~~

OBJECTIVE 12 (relocated to the Coastal Management Element)

~~Foster post-disaster redevelopment that will reduce or minimize exposure of human life and public or private property to the effects of natural disasters, particularly hurricanes. The measurement of this objective is the extent which exposure of life and property is reduced, and the degree which the following policies are implemented.~~

POLICY 12.1

~~The Town will continue to support and use the post-disaster redevelopment plan sponsored and published by the Countywide Issues Forum.~~

OBJECTIVE 13 (relocated to the Coastal Management Element)

~~The Town shall continue to employ its criteria for marina siting.~~

POLICY 1613.1

~~The Town shall continue to require, as part of its building permitting process, that:~~

~~16.1a All new marinas, docks, and boat ramps will be located and designed in accordance with the Manatee Protection Plan, published by the FDEP and Palm Beach County.~~

~~16.1b Marinas are situated adjacent to recreational or commercial land uses and have adequate upland support services.~~

~~16.1c Marinas do not adversely affect environmental quality of Lake Worth.~~

~~16.1d Marinas are economically feasible as established by a feasibility study.~~

OBJECTIVE 14 (relocated to the Coastal Management Element)

~~Public access shall be maintained to all recreational facilities, including recreational and commercial working waterfronts consistent with Florida Statutes, under the jurisdiction of the~~

~~Town of Palm Beach.~~

~~POLICY 14.1~~

~~The Town will, on continuing basis, inspect public access points at public facilities located within the Town of Palm Beach, but 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.~~

OBJECTIVE 15 (relocated to the Coastal Management Element)

~~The Town shall adopt and implement policies that increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events~~

~~POLICY 15.1~~

~~The Town will continue to participate in the National Flood Insurance Program Community Rating System (CRS) and strive to maintain or improve its current CRS rating.~~

~~POLICY 15.2~~

~~The Town will require that the impact of sea level rise be addressed in all Future Land Use Map amendments~~

~~POLICY 15.1~~

~~Publicly funded facilities that subsidize development will not be built in the Coastal High Hazard Area. However, this limitation does not apply to such facilities necessary to serve projects approved under prior development orders but not yet built, or to such facilities necessary to maintain adequate levels of public facilities and services to existing residents. Nor does it apply to publicly funded projects associated with providing beach restoration, public access, recreation, resource restoration, or the rehabilitation, maintenance or construction of shore protection structures such as groins, revetments or seawalls.~~

~~POLICY 15.2~~

~~The Town shall not expand utility systems or public services that would be necessitated by increased development within the Coastal High Hazard Area.~~

~~POLICY 15.3~~

~~The Town will continue to enforce its building code and drainage requirements. The Town will coordinate with, and will rely on, the Florida Department of~~

~~Environmental Protection to enforce building limitations seaward of the Coastal Construction Control Line.~~

~~POLICY 15.4~~

~~The Town shall continue to prohibit the use of septic tanks.~~

~~POLICY 15.5~~

~~The Town will mitigate hazards through building practices and implementation of FEMA requirements, stormwater retention requirements, and other restrictions within the Coastal High Hazard Area.~~

~~POLICY 15.6~~

~~The Town will limit residential development within the Coastal High Hazard Area (CHHA).~~

~~POLICY 15.7~~

~~The Town will limit public building and infrastructure investment in the CHHA.~~

~~POLICY 15.8~~

~~Town-funded public facilities shall not be built in the coastal high hazard area, except for purposes of public safety and/or access, enhancement of water-related activities or significant resource protection.~~

~~POLICY 15.9~~

~~The Town will not permit density increases in the CHHA for redevelopment and new development unless such requests are consistent with this Comprehensive Plan.~~

~~POLICY 15.10~~

~~Continue to examine community-wide strategies to increase the resiliency of the Town to address future effects of coastal storms and climate change on the community.~~

~~POLICY 15.11~~

~~The Town shall collaborate with Palm Beach County to increase regional resilience by sharing technical expertise, assessing local vulnerabilities, advancing agreed upon mitigation and adaptation strategies, and developing joint state and federal legislation policies and programs.~~

~~POLICY 15.12~~

~~The Town shall continue to utilize best practices and initiate mitigation strategies~~

~~to reduce the risk of flooding in coastal areas that may result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.~~

OBJECTIVE 46.6

The Town ~~will~~ **shall** ~~continue to~~ promote ways to reduce Greenhouse Gas Emissions and become more energy efficient.

POLICY 46.1

The Town shall provide information to the Town residents and businesses on the As provided in the Town's United States Department of Energy Efficiency and Conservation Strategy (EECS) the Town will help the community take to advantage utilize of technologies, incentives, and knowledge grants to conserve energy use in homes and businesses.

POLICY 46.2

The Town ~~will~~ **shall consider the** use the EECS to optimize the way energy is consumed within municipal operations and identify ways to use renewable energy and offset energy use overall.

OBJECTIVE 7

The Town shall proactively manage environmental threats by identifying and planning for immediate and future threats such as climate change impacts, pollution from pesticides and chemicals, invasive species, sewage/stormwater/garbage impacts, and intrusive new technologies.

POLICY 7.1

The Town shall continue making land-related decisions in harmony with the natural environment, always considering green space, beautification, and impacts on habitats and wildlife.

POLICY 7.2

The Town shall identify and implement actions and standards that will be consistent with the Town's Green Initiative program.

POLICY 7.3

Town shall ensure biodiversity including its coastal, marine, terrestrial and water ecosystems is protected and restored through environmental awareness education, promoting healthy landscape practices, encouraging use of native fauna and flora, and reducing use of chemical pesticides.

POLICY 7.4

The Town shall consider optimizing technology and prioritizing digitalization to reduce environmental impact including online recreational registration, permit processing, enterprise resource planning (ERP), and support paperless and cloud-based transactions, activities, and operations.

POLICY 7.5

The Town shall encourage procurement practices that lead to the purchase of green products, modify purchasing requirements to encourage green friendly products, and Green Initiative product sourcing and sustainable purchasing.

POLICY 7.6

The Town shall continue to identify and implement actions and standards that are in keeping with the Town's Green Initiative including 'greener' practices, smart irrigation, energy-efficient equipment, and implementation of Integrated Pest Management (IPM) in Town parks, fields, and golf course.

POLICY 7.7

The Town shall evaluate sister municipalities and trade recommendations as it relates to equipment, industry labor, and standardization of materials.

POLICY 7.8

The Town shall continue to maintain Town grounds and Rights-of-Way in an efficient and cost-effective manner, while striving to improve its appearance, keeping with the Town's Green Initiative Program.

POLICY 7.9

The Town shall seek to earn Clean Marina Designation, through the Department of Environmental Protection.

POLICY 7.10

The Town shall consider establishing new programs in support of the Town's Green Initiatives such as Hole in One Honey and Earth Day education (native plants, environmental best practices list).

POLICY 7.11

The Town shall continue to preserve natural vegetation and trees.

POLICY 7.12

The Town shall coordinate with the Florida Fish and Wildlife Commission (FWC) to develop Sea Turtle Rescue response plans and explore the possibility for Town responders to be certified in.

POLICY 7.13

The Town shall consider optimizing vehicle and equipment replacement with consideration for environmentally friendly options.

POLICY 7.14

The Town shall consider limiting the Town's liability through exploration of Vendor information verification.

POLICY 7.15

The Town shall consider creating opportunities for native plant education and gardening.

POLICY 7.16

The Town shall continue to preserve natural vegetation and trees.

OBJECTIVE 8 (relocated from the Future Land Use Element Objective 4, Policy 4.1)

The Town shall not permit ~~No new development shall be permitted~~ on or over submerged lands or lands predominantly characterized by Tidal Swamp (TM) soils as identified in the Soil Survey of Palm Beach County.

POLICY 4.**8.1**

The Town shall continue to maintain identified area ~~Areas identified as~~ predominantly characterized by Tidal Swamp (TM) soils or identified as submerged lands ~~shall be designated~~ on the Town's Future Land Use Map **Series** for Conservation, and the Town's land development regulations shall prohibit urban development on such lands.

OBJECTIVE 9 (relocated from the Future Land Use Element Objective 8, Policies 8.1 through 8.6)

The Town shall protect its natural resources. The measurement of this objective is the extent to which natural resources are preserved and the degree to which the following policies are implemented.:

POLICY 8.**9.1**

The Town shall protect the quality of its air from degradation by continuing to prohibit industrial uses within the Town.

POLICY 8.**9.2**

The Town shall protect designated native vegetation areas and their associated wildlife by prohibiting removal of vegetative species listed as threatened or endangered by State or Federal agencies on publicly owned property and new private development; and, by prohibiting planting of pestilent exotics and requiring removal of pestilent exotic species from sites of new construction or development.

POLICY 8.**9.3**

The Town shall stipulate that no development or construction which destroys wetland vegetation, including seagrass beds, shall be permitted in the Town unless loss is 100% mitigated.

POLICY 8. 9.4

The Town shall require that all new development and redevelopment on the Atlantic shore restore dunes, where restoration potential exists and is necessary, as determined by the Town and FDEP.

POLICY 8. 9.5

The Town ~~will~~ **shall** require soil erosion control techniques be used during construction.

POLICY 8. 9.6

The Town shall not permit ~~No~~ development or redevelopment to occur on or over submerged land other than docks, essential services or parks owned and operated by the Town.

OBJECTIVE 3 2 (relocated entire objective and its policies from the Coastal Management Element)

The Town shall protect and preserve native vegetated areas, wildlife and its habitats, especially those species listed by State and Federal agencies as threatened or endangered. The measurement of this objective shall be the extent to which wildlife is protected and preserved, and the degree to which the following policies are implemented.

POLICY 3-9.1

The Town shall ~~c~~Continue assisting with sea turtle nesting studies each year for the duration of the planning period.

POLICY 3-9.2

The Town ~~will~~ **shall** continue to cooperate with the appropriate local, state and federal agencies for the protection of wildlife, endangered and threatened species and significant plant, flora, fauna and animal habitats.

POLICY 3-9.3

The Town ~~will~~ **shall** protect and conserve the natural functions of existing soils, fisheries, rivers, lakes, floodplains, estuarine marshes, native habitats/plant materials/ecosystems and marine habitats through enforcement of existing local, state, and federal regulations designed to protect and conserve these functions.

POLICY 3.9.4

The Town ~~will~~ **shall** continue to enforce landscaping standards that require the preservation of existing natural growth where practical, and the removal of invasive, ~~exotic~~ **non-native** plant species.

POLICY 9.5

The Town shall continue to function as the local enforcement agency of sea turtle protection through the regulations provided in Division 4, Code of Ordinances.

POLICY 9.6

The Town shall require the “Town of Palm Beach Exterior Lighting Requirements” form to be signed and notarized by contractors through the building permit review.

OBJECTIVE 4-10 (~~relocated entire objective and its policies from the Coastal Management Element~~)

The Town shall ~~p~~Protect and restore wetland habitat and estuarine water quality ~~the Town,~~ thereby protecting fisheries and marine habitat. The measurement of this objective is the extent to which wetland habitat and estuarine quality are protected, and the degree to which the following policies are implemented.

POLICY 4.10.1

The Town shall update its Long-Range Public Works Plan (Storm Drainage Chapter) regularly to meet the requirements of the **Environmental Protection Agency** (EPA) **National Pollutant Discharge Elimination System** (NPDES) Program, when necessary.

POLICY 4.10.2

The Town shall ~~e~~Ensure that the negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town system, or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater.

Property Rights Element

DATA & ANALYSIS

BACKGROUND FOR PUBLIC RIGHTS ELEMENT IN THE STATE OF FLORIDA

The purpose of the Property Rights Element is to consider property rights in local government decision making and respect the rights of citizens to participate in decisions that affect their lives and property in accordance with the requirements of the Florida Statutes.

Section 70.002, Fla. Stats. Property Owner Bill of Rights. Each county property appraiser office shall provide on its website a Property Owner Bill of Rights. The purpose of the bill of rights is to identify certain existing rights afforded to property owners but is not a comprehensive guide. The Property Owner Bill of Rights does not create a civil cause of action. The Property Owner Bill of Rights must state:

PROPERTY OWNER BILL OF RIGHTS

This Bill of Rights does not represent all of your rights under Florida law regarding your property and should not be viewed as a comprehensive guide to property rights. This document does not create a civil cause of action and neither expands nor limits any rights or remedies provided under any other law. This document does not replace the need to seek legal advice in matters relating to property law. Laws relating to your rights are found in the State Constitution, Florida Statutes, local ordinances, and court decisions. Your rights and protections include:

- 1. The right to acquire, possess, and protect your property.*
- 2. The right to use and enjoy your property.*
- 3. The right to exclude others from your property.*
- 4. The right to dispose of your property.*
- 5. The right to due process.*
- 6. The right to just compensation for property taken for a public purpose.*
- 7. The right to relief, or payment of compensation, when a new law, rule, regulation, or ordinance of the state or a political entity unfairly affects your property.*

Local government rules generally create value in property and bring stability to real estate markets. Rules that benefit the public also protect property rights. However, a local government's process for regulating land greatly impacts real estate markets and property rights. Transparency, predictability, and reliability are three (3) strategies for implementing land use policies in a way that benefits the public and respects property rights. The Private Property Rights Element provides a policy framework in support of these strategies.

TOWN OF PALM BEACH COMPREHENSIVE PLAN PROPERTY RIGHTS ELEMENT

Effective June 29, 2021, the State of Florida amended the requirements for comprehensive plan elements in §163.3177(6), Fla. Stat., to require a Property Rights Element. The statutory requirement stipulated that the Property Rights Element must be adopted by the earlier of the adoption of the next proposed plan amendment initiated after July 1, 2021, or the date of the next scheduled evaluation and appraisal of the Comprehensive Plan pursuant to §163.3191, Fla. Stat. In accordance with the legislative intent expressed in §163.3161(10), and §187.101(3), Fla. Stat., governmental entities must respect judicially acknowledged and constitutionally protected private property rights. As such, the Property Rights Element is intended to ensure that private property rights are considered in local decision-making.

~~Citizens rely on local government plans in general, r~~Residents choose to live in a community based upon factors that local governments provide, such as the quality of housing, the condition of streets and parks, the proximity to daily needs, and community safety. Businesses locate in a community for its resources, for such assets as consumers and the labor force but also public infrastructure and the environment. Businesses rely on local government plans to ensure these resources will be available. Lastly, real estate investors study local government regulations to make financial plans and accurately evaluate investment opportunities. For investments in real estate to have low risk, local governments need to protect and improve the quality of a community over time.

Land values reflect how desirable a community is in many ways. Regulating land use and protecting property rights are not conflicting goals. Rather, local government rules generally create value in property and bring stability to real estate markets. Rules that benefit the public also protect property rights. A local government's process for regulating land greatly impacts real estate markets and property rights.

Specific to the Town of Palm Beach, the Florida Mining Atlas identifies two (2) potentially valuable mineral resources in Palm Beach: coquina and sand. However, the exclusive residential nature of the Town and subsequent high real estate values preclude any mining of these resources, either presently or in the future.

Transparency, predictability, and reliability are three (3) strategies for implementing land use regulations in a way that benefits the public and respects property rights.

1. *Transparency* means people can see and participate in processes for developing rules.
2. *Predictability* means a local government follows rules that are clear and unambiguous. **Purchasers or** real estate investors should be able to read rules and know whether local

government will permit a development proposal. Residents should be able to read rules and then know what kind of development will occur in their community.

3. *Reliability* means a local government follows through on its commitments. Cities and counties should make realistic plans and should follow them. Local governments should only change their plans after thorough consideration leads to strong support. When a government is reliable, people can make long-term investments in the community, which is one (1) key to a successful local economy.

SUMMARY

Following the adoption of the Property Rights Element in 2022, the Element was reviewed pursuant to the Evaluation and Appraisal Review for the updated 2024 Comprehensive Plan. Minor adjustments were made to remove mineral rights from consideration as mining is not permitted in the Town. Additionally, this Element has incorporated the Strategic Priorities related to the citizenry contained within the Town of Palm Beach Strategic Plan. Those objectives and policies have been incorporated into the Goals, Objectives, and Policies of the Property Rights Element. Additionally, this Element recognizes the collaborative efforts of the Town through this planning process and Code Review. As such, an Objective and Policies are included to establish a formal comprehensive communications program about emerging topics within the Town, County, and State.

Property Rights Element

GOALS, OBJECTIVES
& POLICIES

GOAL

THE TOWN OF PALM BEACH SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS BY RESPECTING THE JUDICIALLY ACKNOWLEDGED AND CONSTITUTIONALLY PROTECTED PRIVATE PROPERTY RIGHTS, AND IN ADDITION MAINTAINING LOCAL TRANSPARENCY IN ITS LOCAL DECISION-MAKING PROCESSES. TO MAINTAIN.

OBJECTIVE 1

The Town shall ensure that private property rights are considered in local decision-making to the extent that they are protected through the legal system and the law and order of the government in accordance with the legislative intent expressed in §163.3161(10) and §187.101(3), Fla. Stat. **The Goal and Objective 1 shall be met through the following policies:**

POLICY 1.1

The Town shall consider rights of a property owner to physically possess and control his or her interests in the property, including easements, and leases, ~~or mineral rights.~~

POLICY 1.2

The Town shall consider rights of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

POLICY 1.3

The Town shall consider rights of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

POLICY 1.4

The Town shall consider rights of a property owner to dispose of his or her property through sale or gift.

OBJECTIVE 2

The Town shall maintain collaborative Town government among elected officials, Town staff, volunteers, residents, and businesses to work together to respond positively and proactively to the needs of residents, and businesses.

POLICY 2.1

The Town shall develop a comprehensive formal communications program and provide appropriate resources to address information expectations for community residents and Town employees and emerging topics within the Town, County, and State.

POLICY 2.2

The Town shall support and enhance open, two-way communication between the Town employees, residents and businesses.

Capital Improvement Element

DATA & ANALYSIS

INTRODUCTION

This Element of the Plan has been developed based upon:

1. ~~Public facility needs identified in other Plan Elements;~~
2. ~~Identification and analysis of revenue sources and funding mechanisms available for capital improvement financing;~~
3. ~~Analysis of local practices guiding the timing and location, extension, or increase in capacity of local public facilities;~~
4. ~~Analysis of the general fiscal implications of current deficiencies and future needs for each type of public facility;~~
5. ~~Analysis of the costs of capital improvements for mitigation of existing deficiencies, replacement, and new growth needs;~~
6. ~~Analysis of the impact of new or improved public educational and health care systems and facilities on provision of infrastructure;~~
7. ~~Analysis of the timing and location of capital improvements to public facilities to support efficient land development and the goals, objectives, and policies in the Future Land Use Element; and~~
8. ~~An assessment of the Town's ability to finance capital improvements based upon anticipated population and revenues.~~
9. ~~Analysis of quality of life and timing issues—balancing public improvement needs with general welfare and inconvenience.~~

EXECUTIVE SUMMARY

The purpose of this the Capital Improvement Element is to evaluate the need for public facilities, as identified in the other Plan Infrastructure Elements; and to estimate the cost, of improvements for which the Town of Palm Beach has fiscal responsibility; to analyze the Town's and fiscal capability to finance and ability to construct such improvements. ; ~~and to adopt financial policies to guide funding and construction of capital improvements when required, based on needs identified in the other Plan Elements.~~

The Capital Improvements Element commencesd in Fiscal Year 2016 2024, and identifies potential projects by year for a five-year period. The primary thrust purpose of the Element is to present generalized needs and funding of projects—the major capital projects outlined for the next five years.

DEFINITIONS

The following definitions apply within this Element:

Capital Improvements are any major non-recurring expenditure, or any expenditure for physical facilities having an estimated useful life in excess of ten years and an acquisition cost of \$10,000 or more.

Schedule of Capital Improvements (SCI) is a schedule of approved projects and equipment to be built or purchased by the local government during a specified multi-year period.

A five-year programming period has been chosen to correspond to the requirements in Florida Statutes, Section 163. Long-term needs have also generally been identified to allow a data base for future programs. The program is revised annually in light of changed conditions and past accomplishments.

LOCAL POLICIES AND PRACTICES

Local practices to guide the timing and location of capital improvement projects weigh needs against projected revenue sources, including the availability of grants. ~~The Town does not have a formalized procedure for prioritizing capital improvements.~~ **The Town prepares a rolling five-year Capital Improvement Project Plan that is presented to the Town Council every budget cycle. Some of the considerations for projects in the five-year plan are as follows:** However, it does use the following set of considerations in balancing project needs with available funds:

- Public health, safety, and welfare benefits of the facility
- Degree of public benefit
- Maintenance of established levels of service, including prevention of future capital costs
- Critical nature of facility need
- Financial feasibility
- Overall distribution of projects between facility types and geographical location
- Quality of life and timing issues – balancing public improvement needs with general welfare and inconvenience

~~This informal process has proven very effective for the Town which, because of its small size and nearly fully developed state, is able to keep close tabs on the nature of its facility needs. However, the Town should consider establishing a more formal ranking system for use in the future.~~

EXISTING AND FUTURE PUBLIC EDUCATION FACILITIES

~~Educational facilities in Palm Beach are located on Seaview Avenue and Coconut Row (Palm Beach Public School and Palm Beach Day Academy) adjacent to Seaview Park. The Palm Beach Public School and the Palm Beach Day Academy are directly adjacent to each other; the Public School is owned and operated by the Palm Beach County School Board, and the Day Academy privately owned and operated. The public school serves kindergarten through fifth grade classes and the Palm Beach Day Academy serves Pre-K through ninth grade classes.~~

~~The Town of Palm Beach maintains a minimum level of service for transportation, potable water and sanitary sewer, recreation and open space, and fire rescue.~~

EXISTING AND FUTURE HEALTH CARE FACILITIES

~~There are no health care facilities located in the Town of Palm Beach. Good Samaritan Hospital is located in the City of West Palm Beach in the near vicinity of the Flagler Memorial Bridge which is a major access point at the north central portion of the Town. St. Mary's Hospital and JFK Hospital are also both located within fifteen minutes driving time from most parts of the Town.~~

~~The Town of Palm Beach will not need to provide any services should any of these health care facilities need to expand in the future.~~

SUMMARY OF BUDGETED CAPITAL ITEMS

~~The Town's proposed Schedule of Capital Improvements (SCI) and budget for FY 2016 (carry-over) through FY 2021 are provided as appendices to this Element. Appendix A includes the "Pay as you Go" schedule of improvements and Appendix B includes the "Accelerated Capital Improvement Projects" schedule. Appendix C is Recreation Fund capital improvements for FY2017 through FY2021. These programs and budgets reflect the needs identified in the various Elements of the Comprehensive Plan as well as other capital needs identified by the Town. No projects or needs have been identified that are necessary to maintain the Town's various levels of service. The Town also has no level of service deficiencies. Because of the very limited anticipated growth in the Town over the next five to ten years (as shown in the population projections found in the Future Land Use Element), most of the existing infrastructure can continue to support the needs of the Town's residents. Many of the projects identified in the Schedule of Capital Improvements are those needed for maintenance of the infrastructure to further ensure that the adopted LOS standards are met or exceeded, and the Town is taking a proactive approach to address these matters rather than waiting until the infrastructure maintenance becomes critical.~~

~~Other activities that will be undertaken within the next five years are not listed because they are subject to funding from other sources (such as the Florida Department of Transportation) or because their costs do not qualify as capital expenditures.~~

CAPITAL IMPROVEMENT PROGRAM PROJECT DESCRIPTION

Wastewater Pump Station Improvement

~~A Town Wide assessment of existing wastewater pump stations was completed March 2016. Through the Accelerated Capital Improvements Program, the majority of the critical deficiencies were addressed. This assessment identified the remaining deficiencies and prioritized improvements along with providing budgetary estimates for addressing the deficiency. Priorities have been identified for the next 5 years.~~

~~**Project Budget** ————— **\$5,955,000**~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

Stormwater Pump Station Improvement

~~A Town Wide assessment of existing stormwater pump stations was completed December 2015. Through the Accelerated Capital Improvements Program, the majority of the critical deficiencies were addressed. The one stormwater pump station that still needs significant upgrades is the D-14 Stormwater Pump Station which is addressed as an individual project within this section. The remaining deficiencies have been identified for the next 5 years.~~

~~**Project Budget** ————— **\$3,995,000**~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

Undergrounding Utility Lines Town Wide

~~The residents of the Town of Palm Beach passed a referendum in March 2016 to fund the Town Wide Undergrounding of all utilities. The Town expects to move forward on the first phase of construction in May 2017. The overall project will take 6 to 10 years to complete.~~

~~**Project Budget** ————— **\$90,000,000 (estimated)**~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

D-14 Stormwater Pump Station — \$5,065,000

The D-14 Stormwater Pump Station is located adjacent to the Intracoastal Waterway in the north west corner of the Society of the Four Arts parking lot next to the Lake Trail. A number of the station's mechanical, electrical, and structural components are showing signs that they are approaching the end of their life expectancy. Major mechanical components that have been identified for replacement include the main pumps, duty pump, pump cans, discharge pipe, valves, blower, and generator. Major electrical components that have been identified for replacement include the service to the station, motor control center, control panels, panel boards, disconnect, automatic transfer switch, conduit, wiring, site lights, and interior lights. Major structural components that have been identified for replacement include the access ladders, access grating, door frames, and modifications to the wetwell access. The improvements to the mechanical and electrical components of the project will also necessitate structural modifications to accommodate the new mechanical and electrical components. Replacement of these major

components that are approaching their life expectancy will increase the reliability of the station and allow the station to continue to provide stormwater protection for its surrounding area.

Project Budget ~~————— \$5,065,000~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

Bradley Place Roadway Improvements

~~Accelerated Capital Improvements Program, 2013 Bond, funds were allocated to correct roadway drivability issues, drainage, curbing sidewalk and update curb ramps to ADA standards where possible. Improvements also include replacing the existing street lights along the corridor and “trombone” style mast arms at Sunrise Avenue with a decorative mast arm that meets the current State windload criteria~~

Project Budget ~~————— \$2,095,000~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

Street Lighting Upgrade, South Ocean Boulevard, Sloan’s Curve to Lake Worth Road

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated to replace the existing FPL owned cobra head lighting system on the existing power line poles and replace them with decorative street light poles and fixtures. A new underground conduit and wire system will need to be installed. The poles and fixtures will match those along SR A1A south of Lake Worth Road.~~

Project Budget ~~————— \$2,500,000.00~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

Landfill Improvements

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for improvements at the Town owned and operated landfills. The landfills are in need of some general upgrades and improvements. These improvements include: replacement of the existing structure at the Skees Road site, new access roads at the Okeechobee site, and landscaping at both.~~

Project Budget ~~————— \$435,000~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

Mast Arm Replacement/Upgrades

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for the replacement and/or upgrade to the Town owned and operated traffic signals. The majority of the traffic signal poles in the Town were installed in the early 1970’s. The poles do not meet the current wind load standards. Some of these 1970’s era poles have been replaced by FDOT with upgraded poles along South County Road at Hammon Avenue, Worth Avenue, and Peruvian Avenue. The~~

town has requested FDOT upgrade their poles at other locations in the Town. The existing “trombone” style poles will be replaced with a decorative pole that meets the current State windload criteria.

Project Budget ~~————— \$2,362,500~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

Mid-Town Drainage Improvements

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for the replacement and/or upgrade of drainage improvements in the 400 block of Worth Avenue, a collection of small undersized pipes pieced together to drain puddles. This project will consist of construction of a proper drainage collection system and rebuilding the roadway surface. Drainage improvements also include the D-6 and D-7 basins with the possibility to make multiple interconnects between the basins to equalize storm water flows when one basin has greater flows than the other or if pumps in one station were to fail.~~

Project Budget ~~————— \$2,797,000~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

Lake Trail Paving and Drainage Improvements

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for improvements on the Town-maintained Lake Trail pedestrian path. Pavement and drainage along Lake Trail from Royal Palm Way to Reef Road are in need of significant improvements. These improvements also include the Lake Trail access paths.~~

Project Budget ~~————— \$2,300,000~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$5,000 annually.)~~

North County Road Drainage Improvements (from Wells Rd. to Miraflores Dr.)

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for improvements to develop alternatives for protecting the grass medians and improving drainage along North County Road from Wells Road to Miraflores Drive. The budget shown below excludes construction costs and is only for design and bid phase services.~~

Project Budget ~~————— \$690,000~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$3,000 annually.)~~

Ocean Outfall Abandonment

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for the abandonment/ elimination of all stormwater discharge to the beach. This effort will include the rerouting of the stormwater at each of the identified locations.~~

~~Project Budget~~ ~~_____~~ ~~\$1,192,500~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$3,000 annually.)~~

~~Drainage Basins D-2 and D-9 Interconnect~~

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for the analysis of the efficiency of the D-2 and D-9 Stormwater Drainage Basins and to improve the basins' efficiency through the installation of an interconnect.~~

~~Project Budget~~ ~~_____~~ ~~\$1,000,000~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$3,000 annually.)~~

~~Queens Lane, Monterey Road, Onondaga Avenue, and Orange Grove Road Drainage Improvements~~

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for improvements that include roadway regrading, curb replacement, and catch basin upgrades. Construction for this project is to be coordinated with the utility undergrounding conversion effort.~~

~~Project Budget~~ ~~_____~~ ~~\$2,060,780~~

~~Operating Budget Impact: There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$5,000 annually.)~~

~~Joint Wastewater Transmission Pipeline (Interlocal Agreement with the City of West Palm Beach)~~

~~Accelerated Capital Improvements Program, 2013 Bond funds were allocated for improvements to the City of West Palm Beach/Town of Palm Beach shared wastewater pipeline. The pipe, which discharges into the East Central Regional Wastewater Treatment Facility, is beginning to fail at the joints. The improvements will consist of lining the existing pre-stressed concrete cylinder pipe.~~

~~Project Budget~~ ~~_____~~ ~~\$3,338,037 (Town of Palm Beach portion)~~

~~Operating Budget Impact (TOPB): There will be no increase to personnel. Operating costs associated with the project should minimally increase. (Repairs and Maintenance < \$7,500 annually.)~~

IMPLEMENTATION

The Town presently employs a five year Schedule of Capital Improvements (SCI) as an integral part of its annual budgeting process. Each year, the Town Manager, the Town Staff, and the Town Council (acting as the LPA) formally, and in a public meeting, will review the Schedule of Capital Improvements (SCI) to ensure its consistency with the Capital Improvements Element.

As a function of this review, the CIE will be examined for:

- ~~Updating revenue sources, unanticipated expenses, and completion of scheduled projects;~~
- ~~Consistency, both internally and with respect to other Plan Elements;~~
- ~~The means for correcting identified deficiencies;~~
- ~~The progress of the Town in securing financing, and other assistance from other agencies, to implement the Town's Program;~~
- ~~Progress of the private development community in meeting the requirements expressed within the individual Plan Elements;~~
- ~~The Town's progress towards meeting, and its ability to maintain, its adopted level of service standards; and~~
- ~~The Town's progress toward implementing its intergovernmental coordination responsibilities.~~
- ~~Quality of life and timing issues—balancing public improvement needs with general welfare and inconvenience.~~

The Schedule of Capital Improvements (SCI) will be amended annually to reflect the above described review.

STATE REQUIREMENTS FOR THE CAPITAL IMPROVEMENT ELEMENT

Per §163.3164 (7), Fla. Stat., “Capital improvement” means physical assets constructed or purchased to provide, improve, or replace a public facility and which are typically large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multiyear financing. For the purposes of this part, physical assets that have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

Pursuant to § 163.3177(3)(a), Fla. Stat., comprehensive plans are required to contain a Capital Improvements Element that is designed to consider the need and location of public facilities. The Capital Improvement Element should be designed to encourage the efficient use of public facilities and contain the following:

- **A component that outlines principles for construction, extension, or increase in capacity of public facilities, and principles for correcting existing public facility deficiencies that are necessary to implement the comprehensive plan. The components must cover at least a five (5)-year planning period.**

- Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.
- Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.

A Schedule of Capital Improvements (SCI) is a schedule of approved projects and equipment to be built or purchased by the local government during a specified multi-year period. Those projects that are necessary to achieve the adopted level-of-service standards for the five (5)-year period must be identified as either funded or unfunded and given a level of priority for funding. The SCI related to transportation planning must address transportation improvements included in the applicable Metropolitan Planning Organization's Transportation Improvement Program adopted pursuant to §§339.175(7) and (8), Fla. Stat., to the extent that such improvements are relied upon to ensure concurrency and financial feasibility.

Where applicable, the Capital Improvement Plan shall also include a list of projects necessary to achieve the pollutant load reductions attributable to the local government, as established in a basin management action plan regarding total maximum daily loads for watersheds and basins tributary to the waterbody, pursuant to §403.067(7), Fla. Stat. Lastly, the Capital Improvements Element must be reviewed by the local government on an annual basis. Modifications to update the five (5)-year capital improvement schedule may be accomplished by ordinance and do not require amendments to the local comprehensive plan.

INTRODUCTION

~~The purpose of this Element is to evaluate the need for public facilities, as identified in the other Plan Elements; to estimate the cost of improvements for which the Town of Palm Beach has fiscal responsibility; to analyze the Town's fiscal capability to finance and construct such improvements; and to adopt financial policies to guide funding and construction of capital improvements when required, based on needs identified in the other Plan Elements.~~

TOWN OF PALM BEACH CAPITAL IMPROVEMENT ELEMENT

In the Town of Palm Beach, the primary purpose of the Capital Improvement Element is the assessment of need for public facilities and the cost estimation of the improvements for which the Town of Palm Beach has fiscal responsibility. ~~to analyze the Town's fiscal capability to finance and construct such improvements; and to adopt financial policies to guide funding and construction of capital improvements when required, based on needs identified in the other Plan Elements.~~ The Capital Improvement Element demonstrates the Town's fiscal capability to finance and construct such improvements. Additionally, the Capital Improvement Element provides financial policies to guide funding and construction of capital improvements when

required, based on needs identified in the other Comprehensive Plan Elements, primarily the Infrastructure Element.

The Capital Improvement Element of the Plan has been developed based upon the following.

1. Public facility needs identified in other Plan Elements.
2. Identification and analysis of revenue sources and funding mechanisms available for capital improvement financing.
3. Analysis of local practices guiding the timing and location, extension, or increase in capacity of local public facilities.
4. Analysis of the general fiscal implications of current deficiencies and future needs for each type of public facility.
5. Analysis of the costs of capital improvements for mitigation of existing deficiencies, replacement, and new growth needs.
6. Analysis of the impact of new or improved public educational and health care systems and facilities on provision of infrastructure.
7. Analysis of the timing and location of capital improvements to public facilities to support efficient land development and the goals, objectives, and policies in the Future Land Use Element.
8. An assessment of the Town's ability to finance capital improvements based upon anticipated population and revenues.
9. Analysis of quality of life and timing issues to balance public improvement needs with general welfare and inconvenience.

The budgeting for the subject Capital Improvements Element commencing in Fiscal Year 2023 and identifies potential projects by year for a rolling five (5) -year period, beginning in 2024 and ending in 2028. The Capital Improvement Element presents a generalized needs analysis and funding mechanism for the list of capital projects. A capital project is a multi-year, large-budget effort that aims to improve existing infrastructure, create new infrastructure, or make some other large change or improvement to public land, property, or equipment.

The Town defines a capital expenditure as the cost(s) associated with the acquisition of land, improvements to land, buildings, vehicles, machinery, equipment, works of art, infrastructure and other tangible or intangible assets that are used in operations and that

have an initial useful life extending beyond a single reporting period, as illustrated in the graphic below.

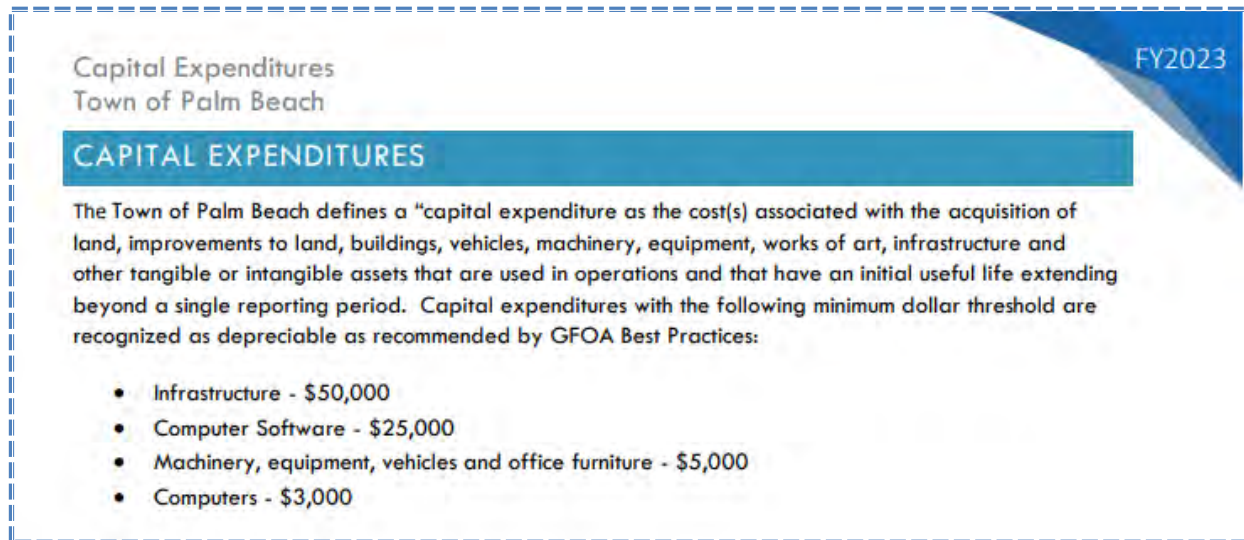


Exhibit 11-1 FY 2023 Capital Expenditures

The Five-Year programming period has been chosen to correspond to the requirements in Chapter 163, Florida Statutes. The long-term needs have also generally been identified to allow a database for future programs. The program is revised annually considering local conditions and past accomplishments.

Local practices to guide the timing and location of capital improvement projects weigh needs against projected revenue sources, including the availability of grants. The Town does not have a formalized procedure for prioritizing capital improvements. However, it does use the following set of considerations in balancing project needs with available funds.

- **Public health, safety, and welfare benefits of the facility.**
- **Degree of public benefit.**
- **Maintenance of established levels of service, including prevention of future capital costs.**
- **The critical nature of facility needs.**
- **Financial feasibility.**
- **Overall distribution of projects between facility types and geographical location.**
- **Quality of life and timing issues to balance public improvement needs with general welfare and inconvenience.**

This informal process has proven very effective for the Town which, due to the limited size that the Town is built out, and has instituted the Lucity software, the Town is able to monitor public facilities and services.

SUMMARY OF BUDGETED CAPITAL ITEMS

The Town's proposed SCI reflects the needs identified in the various Elements of the Comprehensive Plan as well as other capital needs identified by the Town. The Town also has no level of service deficiencies. Due to the limited anticipated growth in the Town over the next five to 10 years (as shown in the population projections found in the Future Land Use Element), most of the existing infrastructure can continue to support the needs of the Town's residents. Many of the projects identified in the Schedule of Capital Improvements are those needed for maintenance of the infrastructure to further ensure that the adopted LOS standards are met or exceeded, and the Town is taking a pro-active approach to address these matters rather than

Other activities that will be undertaken within the next five years are not listed as they are subject to funding from other sources (such as the Florida Department of Transportation) or due to their costs not qualifying as capital expenditures.

Table 11-1 displays the infrastructure capital projects proposed for Fiscal Year 2024.

Table 11-1**Pay-as-you-go Capital Improvement Plan
FY2024 Budget**

Item #	Location	Accumulated Project Budget through FY23	FY2023 Available Balance as of 6/9/23	FY2024 Estimated	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2024- 2028 Total
Pavement Management									
	Town-Wide Paving Program	\$ 6,325,524	\$ 1,699,101		\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 4,000,000
	N County Rd Improvements		\$ 1,600,000						\$ -
	Interconnect Traffic Signals	\$ 1,500,000	\$ 1,435,628						\$ -
	Crosswalk Improvements	\$ 1,000,000	\$ 973,852						\$ -
	Town-wide Sidewalk and Curb				\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,200,000
	Mast Arm Replacements	\$ 116,155	\$ 8,164			\$ 600,000	\$ 600,000		\$ 1,200,000
	Total Pavement Management	\$ 8,941,679	\$ 5,716,745	\$ -	\$ 1,300,000	\$ 1,900,000	\$ 1,900,000	\$ 1,300,000	\$ 6,400,000
Drainage System									
1	D-2 Palmo Way	\$ 396,370	\$ 350,000			\$ 200,000	\$ 1,000,000		\$ 1,200,000
2	D-3 Tangler Avenue			\$ 200,000	\$ 1,400,000				\$ 1,600,000
3	D-6 Royal Palm Way					\$ 140,000			\$ 140,000
4	D-7 Australian Avenue	\$ 20,000	\$ -				\$ 140,000		\$ 140,000
5	D-8 Country Club Road	\$ 1,675,683	\$ 193,057						\$ -
6	D-12 Everglade Avenue	\$ 1,345,832	\$ 160,152						\$ -
7	D-14 Four Arts						\$ 125,000		\$ 125,000
8	D-17 Clarendon Avenue			\$ 125,000	\$ 475,000				\$ 600,000
9	D-18 El Brillo Way	\$ 1,898,405							\$ -
10	Stormwater Pumpstation Condition Assessment	\$ 100,000	\$ 100,000						\$ -
11	Resiliency Implementation				\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 400,000
12	Seagrass Surveys - Stormwater	\$ 20,000							\$ -
13	Stormwater Pump/R&R	\$ 25,000	\$ 11,390	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 125,000
14	Minor Drainage Improvements	\$ 68,096	\$ 7,158		\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 200,000
	Total Drainage System	\$ 5,549,386	\$ 821,757	\$ 350,000	\$ 2,050,000	\$ 515,000	\$ 1,440,000	\$ 175,000	\$ 4,530,000
Sanitary Sewer System									
1	A-4 The Breakers	\$ 912,000	\$ 158,600						\$ -
2	A-5 Royal Poinciana Way (S of S-2)				\$ 2,000,000				\$ 2,000,000
3	A-6 Royal Palm Way/Intracoastal								\$ -
4	A-7 Island Road/S County Road	\$ 484,576	\$ 10,447						\$ -
5	A-39 Phipps Park	\$ 847,112	\$ 34,850	\$ 1,100,000					\$ 1,100,000
6	A-41 Palm Beach Par 3 Golf Course								\$ -
7	A-42 Bellaria Condominium	\$ 80,000	\$ 80,000		\$ 560,000				\$ 560,000
8	A-43 Atriums of Palm Beach	\$ 90,000	\$ 90,000			\$ 550,000			\$ 550,000
9	E-1 Mediterranean Road								\$ -
10	E-2 Mockingbird Trail								\$ -
11	E-3 Garden Road (trail)								\$ -
12	E-5 Country Club Drive	\$ 1,400,715	\$ 375,111						\$ -
13	E-6 Tangler Avenue	\$ 2,277,063	\$ 945,996						\$ -
14	E-11 El Vedado Way					\$ 120,000			\$ 120,000
15	S-2 Royal Poinciana Way (N of A-5)	\$ 50,000	\$ 16,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
16	Ejector Stations - 21 in Total			\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
17	I and I Implementation	\$ 4,505,508	\$ 1,999,848						\$ -
18	Wastewater Pumpstation Condition Assessment	\$ 180,000	\$ 4,900						\$ -
19	Resiliency Implementation				\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 400,000
20	Wastewater Pump/R&R			\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 125,000
21	Sanitary Sewer Air Release Valve R&R	\$ 84,162	\$ 84,162	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
	Total Sanitary Sewer System	\$ 10,911,136	\$ 3,799,913	\$ 1,235,000	\$ 2,795,000	\$ 905,000	\$ 235,000	\$ 235,000	\$ 5,405,000

Pay-as-you-go Capital Improvement Plan (continued)

FY2024 Budget

Item #	Location	Accumulated Project Budget through FY23	FY2023 Available Balance as of 6/9/23	FY2024 Estimated	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2024- 2028 Total
Town Facilities									
1	Bradley Park Restrooms & Tea House							\$ 18,958	\$ 18,958
2	Central Fire Station / EOC	\$ 149,000	\$ 64,206		\$ 209,592	\$ 132,376	\$ 270,416	\$ 280,059	\$ 892,443
3	Maintenance Shop				\$ 10,207	\$ 91,586	\$ 42,322	\$ 94,743	\$ 238,858
4	Mid-Town Lifeguard Station and Restrooms				\$ 5,103	\$ 29,626	\$ 2,581	\$ 32,446	\$ 69,756
5	Phipps Ocean Park Restrooms					\$ 4,897	\$ 5,161	\$ 6,334	\$ 16,392
6	Phipps Ocean Park Tennis Center				\$ 22,976	\$ 6,674	\$ 18,393	\$ 6,228	\$ 54,271
7	Pinewalk Transfer Station							\$ 11,965	\$ 11,965
8	Police Department	\$ 170,000	\$ 158,900		\$ 1,247,310	\$ 107,977	\$ 261,138	\$ 172,037	\$ 1,788,462
9	Public Works Facility	\$ 323,766	\$ 250,306		\$ 526,720	\$ 326,579	\$ 761,648	\$ 261,251	\$ 1,876,198
10	Sikes Road Storage						\$ 25,073		\$ 25,073
11	South Fire Station				\$ 254,270	\$ 215,917	\$ 924,541	\$ 359,403	\$ 1,754,131
12	Town Hall	\$ 133,000	\$ 17,455		\$ 852,315	\$ 141,965	\$ 228,668	\$ 255,755	\$ 1,478,703
13	Security Access Upgrades	\$ 192,669	\$ 4,285						\$ -
14	Royal Poliniana Way Median	\$ 200,000	\$ 56,380						\$ -
15	Phipps Ocean Park Improvements	\$ 249,753	\$ 90,256						\$ -
16	Phipps Ocean Park Lifeguard Building	\$ 150,000	\$ 56,972						\$ -
17	North Fire Station	\$ 6,100,000	\$ 1,111,195	\$ 11,208,604					\$ 11,208,604
18	Midtown Beach Linear Park	\$ 470,000	\$ 80,000			\$ 4,500,000			\$ 4,500,000
19	Phipps Park Tennis Resurface and Fence Replacement			\$ 350,000					\$ 350,000
20	Mandel Rec Center exterior Paint/Seal					\$ 100,000			\$ 100,000
21	Sports Field Renovation						\$ 250,000		\$ 250,000
22	Royal Palm Fence Replacement/ Landscaping						\$ 100,000		\$ 100,000
Total Town Facilities		\$ 8,138,188	\$ 1,889,955	\$ 11,558,604	\$ 3,128,493	\$ 5,657,597	\$ 2,889,941	\$ 1,499,179	\$ 24,733,814
Solid Waste/Vegetation Disposal									
1	Sikes / Okeechobee Landfill	\$ 30,000	\$ 30,000		\$ 200,000				\$ 200,000
Total Solid Waste/Vegetation Disposal		\$ 30,000	\$ 30,000	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
General Engineering Services				\$ 100,000	\$ 200,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 600,000
CIP Expenditures - Subtotal			\$ 12,258,370	\$ 13,143,604	\$ 9,473,493	\$ 8,977,597	\$ 6,464,941	\$ 3,209,179	\$ 41,268,814
Town Wide Undergrounding Transfer - Sales Tax		\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 2,500,000
Water Main Improvements		\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000
Expenditures/Encumbrances to date		\$ 18,783,160							\$ -
Phipps Ocean Park Project				\$ 1,000,000					\$ 1,000,000
Designated Reserves/Contingency				\$ 328,590	\$ 473,675	\$ 448,880	\$ 323,247	\$ 160,459	\$ 1,734,851
CIP Expenditures			\$ 32,541,530	\$ 15,972,194	\$ 11,447,168	\$ 10,926,477	\$ 8,288,188	\$ 4,869,638	\$ 51,503,665
REVENUES									
General Fund Transfer		\$ 9,371,020	\$ 10,308,122	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 50,308,122
Transfer from Building Fund		\$ 688,049							\$ -
Transfer from Debt Service Fund			\$ 1,000,000						\$ 1,000,000
Water Main Improvements		\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000
Donations		\$ 289,095	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest		\$ 1,175,000	\$ 500,000	\$ 150,000	\$ 100,000	\$ 70,000	\$ 70,000	\$ 70,000	\$ 890,000
1 Cent Sales Tax		\$ 700,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 2,500,000
Capital Improvement Program Revenues			\$ 13,223,164	\$ 13,308,122	\$ 11,650,000	\$ 11,600,000	\$ 11,570,000	\$ 11,570,000	\$ 59,698,122

Pay-as-you-go Capital Improvement Plan (continued)

FY2024 Budget

Item #	Location	Accumulated Project Budget through FY23	FY2023 Available Balance as of 6/9/23	FY2024 Estimated	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2024- 2028 Total
	Surplus/(Deficit)		\$ (19,318,366)	\$ (2,664,072)	\$ 202,832	\$ 673,523	\$ 3,281,812	\$ 6,700,362	\$ 8,194,457
	Beginning Reserve Balance		\$ 22,301,367	\$ 2,983,001	\$ 318,929	\$ 521,761	\$ 1,195,284	\$ 4,477,096	
	Ending Reserve Balance		\$ 2,983,001	\$ 318,929	\$ 521,761	\$ 1,195,284	\$ 4,477,096	\$ 11,177,458	

Additionally, the Pay-As-You-Go Capital Improvement Plan Fiscal Year 2024 Budget provides for short term budgeting and five (5) year budget items that focus on pavement management, drainage and sanitary sewer system improvements, and Town facilities. Regarding the budget for Coastal Management, it is consistent with the funding outlook included within the Fiscal Year 2023 budget, and as indicated in the 2015 updated Town Council Adopted Budget 10-year plan. Beach Nourishment at Phipps Ocean Park in Reach 7 and Dune Restoration in Reaches 7 and 8 are pushed out to Fiscal Year 2025. Mid-Town Seawall Replacement is scheduled for Fiscal Year 2027. Expected Fiscal Year 2024 projects include conducting a sand search to identify suitable sand resources to further support future nourishment projects under the Beach Management Agreement. Other notable items within the Fiscal Year 2024 proposed budget include appropriations coastal resiliency, water level monitoring, as well as regulatory required physical, biological, and sea turtle nesting monitoring.

ENTERPRISE FUNDS

The Town manages three Enterprise Funds: the Town Marina, Par 3, and the Building Enterprise Fund. An enterprise fund is a separate accounting and financial reporting mechanism for which revenues and expenditures are segregated into a fund with financial statements separate from all other governmental activities. An enterprise fund identifies the total direct and indirect costs to provide the service and the sources and amounts of revenues that support the service for which a fee is charged in exchange for service. Direct costs generally consist of personnel services, operational expenses, and capital outlay, which are budgeted and accounted for in the enterprise fund. Indirect costs are expenditures budgeted and accounted for in the general fund on behalf of the enterprise fund, which are allocated to the enterprise fund for funding.

The Town Marina reopened after an extensive \$36 million renovation in Fall 2021. It is designed to fit in with the desirable, historic Palm Beach community, with coveted berths ranging in size from 60'-294' for residents and visitors alike. The Marina's location near both the island's fashionable Worth Avenue shopping district and the commercial downtown of West Palm Beach, makes it a perfect boater's destination. The 84-slips are leased annually, monthly or daily. The marina property offers a variety of amenities, that include three dock buildings, electrical service panels for all vessels, freshwater, Wi-Fi, Captain's lounge and showers, sewage pump-out systems, and seven day a week security

with surveillance cameras. The Dockmaster is responsible for daily operations, supervision of employees (Town and contractual), slip assignments, safety, and revenue collection in accordance with established policies, with assistance from the Assistant Dockmaster, Administrative Assistant and Dock Attendants and Dock Hands. A Marina Maintenance worker provides routine maintenance services and in-house repairs.

Fiscal Year 2023 for the Marina Enterprise Fund has been a very successful year, due in part to improvements in branding, marketing, and financial planning. Through May, revenues are at 89.2% of budget estimates. The Fiscal Year 24 revenue budget is projected to be 27% or \$3,352,800 higher than Fiscal Year 23 budget. The expenditure budget has an increase of 24.4%, \$712,376 due to increases in the submerged land lease, which is based on revenues, increases in salaries, employee benefits and electricity.

Table 11-2 Marina Budget Forecast for Business

Marina Budget Forecast for Business Plan FY23 - FY33											
Marina Income	FY2023 Approved	FY2024 Proposed	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033
Annual/Seasonal Lease Revenue	11,000,000	13,262,000	13,659,860	14,069,656	14,491,745	14,926,498	15,374,293	15,835,522	16,310,587	16,799,905	17,303,902
Transient Rental	770,000	1,750,000	1,802,500	1,856,575	1,912,272	1,969,640	2,028,730	2,089,592	2,152,279	2,216,848	2,283,353
Sub-Total Dockage revenues	11,770,000	15,012,000	15,462,360	15,926,231	16,404,017	16,896,138	17,403,023	17,925,114	18,462,866	19,016,753	19,587,255
Tender revenue	5,000	-	-	-	-	-	-	-	-	-	-
Utility Reimbursement	687,700	650,000	663,000	676,260	689,785	703,581	717,653	732,006	746,646	761,579	776,810
Investment Income	50,000	250,000	396,543	458,557	531,305	612,182	783,449	965,016	1,157,396	1,360,916	1,576,115
Merchandise	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Waiting List Fee	40,000	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenue/Deposits	6,500	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUE	12,579,200	15,932,000	16,541,903	17,081,048	17,645,107	18,231,901	18,924,124	19,642,135	20,386,907	21,159,247	21,960,180
Marina Expenses											
Salaries and Wages	373,904	456,924	475,201	494,209	513,977	534,536	555,918	578,155	601,281	625,332	650,345
Employee Benefits	192,889	206,490	240,281	260,935	271,982	283,427	295,400	307,927	321,032	334,745	349,093
Contractual Costs	2,310,700	2,914,704	3,066,008	3,177,814	3,260,102	3,345,182	3,433,174	3,524,200	3,618,394	3,715,896	3,816,856
Commodities	42,200	53,700	55,311	56,970	58,679	60,440	62,253	64,121	66,044	68,026	70,066
Total Marina Operating Expenses	2,919,693	3,631,818	3,836,801	3,989,928	4,104,741	4,223,585	4,346,745	4,474,402	4,606,751	4,743,999	4,886,361
FTE Count	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550
Net Income from Operations	9,659,507	12,300,182	12,705,102	13,091,120	13,540,366	14,008,316	14,577,379	15,167,733	15,780,156	16,415,249	17,073,819

The Par 3 Enterprise Fund is associated with the Town's owned and operated public 18-hole golf course. A full-length driving range, putting green and a practice bunker are available. The site also features a two story Key West style clubhouse with a fully stocked pro-shop on the first floor and the al Fresco Restaurant and Bar on the second level. The Par 3 revenues are projected to increase over end of year estimates during Fiscal Year 24. The various Fiscal Year 24 fee adjustments include strategic increases to green fees and passes which will capitalize on player demand for our unique facility. The Par 3 Golf Course anticipates an operating gross profit of \$1,181,179 prior to depreciation and other below-the-line expenses. The transfer to the reserves for the Golf Course and Clubhouse and the Equipment Replacement Fund total \$227,110. Additional deductions from the operating profit include transfers for debt service (\$188,207), contingency (\$142,022) and the general fund transfer (\$25,000). To date, for Fiscal Year 23, the Par 3 revenues are above estimates at 93.6% of budget and will end the year over the budget estimates. The Par 3 should end

the year with a surplus. The long-term financial plan forecast shows improvement to the net assets of the fund.

Building Enterprise Fund was created in Fiscal Year 2021 to account for all building permit revenue and expenses and allow for greater transparency as required by the State of

Table 11-3 Par 3 Golf Course Five Year Capital Improvement Plan

**Par 3 Golf Course Five Year Capital Improvement Plan
FY2024 Budget**

Description	Location	FY2023 Carryover	FY2024 Estimated	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2024- 2028 Total
Expenditures								
Recreation								
Par 3 Golf Course								
Synthetic Tee Club for Range	Golf Course			22,000			28,000	\$ 50,000
Paint New/Old Clubhouse (interior and exterior)	Clubhouse	53,855		20,000	60,000			\$ 80,000
A/C Replacement	Clubhouse	60,000				90,000		\$ 90,000
Women's/Men's Restroom Refresh	Clubhouse							\$ -
Sealcoat/Stripe Parking Lot	Clubhouse	10,000				25,000		\$ 25,000
New Carpet in Proshop	Clubhouse			20,000				\$ 20,000
Mill/Resurface Parking Lot/repaint parking lot	Clubhouse	15,000						\$ -
Chairlift on Back Stairs	Clubhouse		25,000				150,000	\$ 175,000
Sox Erosion System installed	Clubhouse		60,000					\$ 60,000
Roof replacement-Clubhouse/Maint Bldgs	Clubhouse	23,202						\$ -
expand parking lot, double parking	Golf Course							\$ -
Sod Replacement improvement range	Golf Course	412	21,000	15,000	15,000	15,000	15,000	\$ 81,000
Concrete repair clubhouse and cart paths	Golf Course	6,320	120,000					\$ 120,000
Landscaping improvements	Golf Course	6,997	20,000		20,000		20,000	\$ 60,000
Relevel 9 Tees/enhance	Golf Course	17,194	50,000		60,000		60,000	\$ 170,000
Rebuild/Enlarge Putting Green	Golf Course	134,250						\$ -
Renovate Old Clubhouse Restrooms	Golf Course		250,000					\$ 250,000
Irrigation Pump House Repairs	Golf Course	17,767			30,000			\$ 30,000
Renovate Irrigation System	Golf Course	4,250	40,000					\$ 40,000
Expand Maint. Building. Move Fuel Pumps, Redo Parking Configuration						2,750,000		\$ 2,750,000
Facilities Assessment - Storage Building								\$ -
Facilities Assessment - Par 3 Clubhouse	Clubhouse							\$ -
Facilities Assessment - Old Par 3 Clubhouse	Clubhouse							\$ -
Capital Improvement Program Expenditures		\$ 349,247	\$ 586,000	\$ 77,000	\$ 185,000	\$ 2,880,000	\$ 273,000	\$ 4,001,000
REVENUES								
Source								
M&I Reserve			\$ 586,000	\$ 77,000	\$ 185,000	\$ 2,880,000	\$ 273,000	\$ 4,001,000
Financing								\$ -
Reserves								\$ -
Interest								\$ -
Capital Improvement Program Revenues			\$ 586,000	\$ 77,000	\$ 185,000	\$ 2,880,000	\$ 273,000	\$ 4,001,000
NET COST								
(Surplus / (Deficit))								
Sub-Total - Net Cost			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Florida. During Fiscal Year 2020, a cost allocation study was performed to confirm the appropriate permit fee multiplier to stay consistent with Florida Statutes and to provide the basis for implementing reduced permit fees for owners and contractors that choose to use private providers on their construction projects. Fiscal Year 23 revenues are expected to be higher than the budget and will provide for a higher surplus than anticipated. Total revenues for Fiscal Year 2024 are conservatively estimated to be \$10,009,500 and total operating expenses are \$11,173,552, which includes a transfer to the General Fund of \$6,627,997, which is for the allocated costs that the General Fund provides to the building permit process. Building permit-related revenues have increased by \$53,215 due to the anticipated stabilization of building activity. After depreciation of \$86,897 and a 5% operating expense contingency of \$217,708 there is a projected reduction in reserves of \$1,468,657.

The Building Enterprise Fund identifies, recommends, and implements the vision of the community, as expressed through the policies of the Town Council, relative to the development, redevelopment, and use of real property, to ensure the beauty, quality of life and character of the Town, and the health, safety and welfare of our residents, businesses, and visitors, while providing the highest quality of service to our customers.

SUMMARY

The Town will continue to employ a five-year SCI as an integral part of its annual budgeting process. Each year, the Town Manager, the Town Staff, and the Town Council (acting as the LPA) formally, and in a public meeting, reviews the SCI to ensure its consistency with the Capital Improvements Element. The Town will continue to prioritize capital improvement projects identified as necessary in the various Elements of its Comprehensive Plan. It is suggested that the Town annually update the Data and Analysis Section of the Capital Improvement Element simultaneously as required by state statute.

Capital Improvement Element

GOALS, OBJECTIVES
& POLICIES

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ~~ENHANCE~~ ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS BY ADHERING TO, ~~USING~~ SOUND FISCAL POLICIES, ~~AND PROVIDING~~ PROVIDE ADEQUATE ~~EFFICIENT~~ PUBLIC SERVICES AND FACILITIES IN A TIMELY AND EFFICIENT MANNER.

OBJECTIVE 1

The Town shall coordinate its land use decisions and fiscal resources with its schedule of capital improvements identified as necessary to maintain the Town's adopted Level of Service (LOS) standards and meet existing and future facility needs of public facilities. These capital improvements and facility improvements shall have first priority for allocation of the Town's fiscal resources available for capital expenditures.

OBJECTIVE 1 POLICY 1.1

The Town shall utilize its Capital Improvements Element and five- (5) year Schedule of Capital Improvements (SCI) to provide needed capital facilities, including those needed to overcome any existing deficiencies ~~and those related to growth.~~

POLICY 1.1.2

The Town shall continue to adopt an annual capital budget, which will identify expenditures necessitated by the policies of the various elements of the Comprehensive Plan, as part of its annual budgeting process.

POLICY 1.2.3

The Town shall continue to ~~Appropriate Town departments shall~~ establish and maintain a listing and schedule of capital equipment and facilities showing the expected life and replacement date of each. The schedule is to be integrated into the Schedule of Capital Improvements (SCI) and updated annually.

POLICY 1.3.4

The Town shall identify those projects needing renewal and replacement in its Schedule of Capital Improvements (SCI) and shall give first priority to funding those needed to maintain its adopted levels of service. ~~The Town's current policy is to fund renewal and replacement of existing infrastructure on a cash basis unless the cost of the facilities or improvements are such that bonding would be a more equitable and appropriate method for funding certain facilities or improvements and is deemed by the Town Council as a policy decision to be the most feasible financial alternative.~~

POLICY 1.4.5

The Town shall continue to ~~establish a priority ranking system~~ **prioritize** for capital improvement projects identified as necessary in the various elements of its Comprehensive Plan. This system will include consideration as to whether each project **addresses the following:**

1. **Public health, safety, and welfare benefits of the facility.**
2. **Degree of public benefit.**
3. **Maintenance of established levels of service, including prevention of future capital costs.**
4. **The critical nature of facility needs.**
5. **Financial feasibility.**
6. **Overall distribution of projects between facility types and geographical location.**
7. **Quality of life and timing issues to balance public improvement needs with general welfare and inconvenience.**

- ~~1.4a Is needed to eliminate public hazards;~~
- ~~1.4b Is needed to eliminate existing capacity deficiencies, or other current infrastructure deficiencies;~~
- ~~1.4c Prevents or reduces future capital costs;~~
- ~~1.4d Is located to serve new growth or redevelopment and existing needs for repairs and/or rehabilitation;~~
- ~~1.4e Is financially feasible; and~~
- ~~1.4f Is compatible with facility or acquisition plans of Federal, State, Regional, and local agencies that provide public facilities within the Town.~~

POLICY 1.5.6

The Town's- **shall ensure that the** maximum indebtedness ~~shall~~ **does** not exceed 5% of the assessed value of taxable property in the Town.

POLICY 1.67

The Town shall ensure that the Capital Improvement Element and the entire Comprehensive Plan remains financially feasible.

POLICY 1. 78

The Town shall ensure that capital facilities to be funded by outside sources must be guaranteed by a development agreement, inter-local agreement, or any other enforceable agreement.

OBJECTIVE 2

The Town shall **not** expend ~~no~~ **any** public funds that would subsidize development in the Coastal High Hazard Area, as defined by the Town, except when such expenditures are for restoration/enhancement of natural resources or for shore protection.

POLICY 2.1

The Town **shall not fund allow funding nor construction of** public facilities ~~will not be built~~ **within** the Coastal High Hazard Area, as defined by the Town, **with** the ~~excepting~~ **exception of those** facilities ~~which~~ **that** provide public access, recreation, resource restoration/enhancement or shore protection. ~~nor will the Town expand utility systems or public services that would be necessitated by increased development within the Coastal High Hazard Area.~~

POLICY 2.2

The Town shall not expand utility systems or public services that would be necessitated by increased development within the Coastal High Hazard Area.

OBJECTIVE 3

~~The Town shall coordinate its land use decisions and fiscal resources with its schedule of capital improvements identified as necessary to maintain the Town's adopted Level of Service (LOS) standards and meet existing and future facility needs. These capital improvements and facility improvements shall have first priority for allocation of the Town's fiscal resources available for capital expenditures.~~

POLICY 3.1

~~The Town shall utilize the following Level of Service standards, found in other elements of the Town's Comprehensive Plan, for public facilities in the Town:~~

~~3.1a—Stormwater Discharge or Runoff—~~

- ~~1) —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 would be carried off within sixty minutes.~~

2) ~~Negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town system; or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater.~~

3) ~~For all commercial, multi-family, new residential subdivision, and single family lots of one-half acre or more:~~

a. ~~the impact on the system will not lower the LOS as stated in Policy 3.1a-1 and 2; or,~~

b. ~~the drainage problem area is scheduled and contracted for improvement in the Town's Schedule of Capital Improvements (SCI); or,~~

c. ~~the developer upgrades the drainage system to meet LOS as stated in Policy 3.1a-1 and 2; or,~~

d. ~~the post-development run-off does not exceed pre-development run-off, thereby preventing additional degradation of the system;~~

~~And, for all single-family development of a half-acre or less which is not the result of new subdivision, that one of the four above requirements will be met, when feasible, or that no degradation of existing drainage capacity occurs as the result of development.~~

3.1b ~~Potable Water 272 gallons/person/day;~~

3.1c ~~Recreation 6 acres/1000 population;~~

3.1d ~~Transportation two-way peak hour, peak-season level of service (LOS) standards for facilities and segments listed below, effective one year from adoption of this Element.~~

FACILITY OR SEGMENT		"LOS"
(1)	SR A1A	"E"
(2)	Royal Poinciana Way	"D"

(3)	Cocoanut Row/Bradley Place from Seabreeze to north of Royal Poinciana Way	"E"
(4)	Southern Boulevard	"E"
(5)	All other roadways	"D"

3.1e ~~Waste Water 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~~ ~~AC=aere~~

~~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~~

~~3.1f Solid Waste 2.55 pounds/person/day for garbage and 0.033 cubic yards per person per day for vegetative yard trash.~~

OBJECTIVE 4.3

The Town shall issue development orders and permits for new development or redevelopment, or building permits for developments that have been issued development orders prior to the adoption of the Comprehensive Plan, 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.

POLICY 4.1-3.1

In order to ensure availability of public facilities and services necessary to support development concurrent with its impacts prior to the issuance of a development order or permit, the Town shall make and record the determination that the Level of Service Standards established in Policy 3.1 are met as required and the following:

- a. The project will not increase the time necessary to evacuate the Town, in the event of a hurricane, to greater than twelve hours; or
- b. The development order or permit is specifically conditioned on the availability of the necessary facilities and services as identified in Policy 3.1, and that said facilities are authorized at the time the project is authorized.

POLICY 4.2-3.2

The Town ~~will~~ **shall** continue to set, and maintain, its Level of Service standards such that it will ensure the availability of public facilities and services to serve developments for which development orders were issued prior to the adoption of the Comprehensive Plan.

OBJECTIVE 5.4

The Town shall consider, Since there is little potential for growth in the Town, impact fees for future redevelopment activities as there is the potential for increases in public services ~~are presently considered to be unnecessary and an inefficient~~ as an effective method of distributing the costs of new capital facilities in the Town. The Town will continue to levy ad valorem taxes and user fees as the primary methods for distributing the burden of the cost of capital facilities for both existing and future development.

POLICY 5.14.1

~~Within six months of a project being denied a development order or permit under Objective 4 of this Element, †The Town may elect to undertake and conclude an investigation into the legal and practical implications of the Town's assessing, to private interests, a pro rata share of the costs necessary to fund the facility expansion necessary to grant a development order or permit and adequately maintain the Town's adopted Level of Service Standard(s).~~

OBJECTIVE 6 ~~5~~

The Town shall include in its Schedule of Capital Improvements (SCI) all capital improvements needed within the five-year period covered by its ~~CHP~~ **Capital Improvement Plan**, ~~including replacement of sanitary sewer infrastructure recognized as obsolete or worn out and improvements needed to eliminate recognized deficiencies in its drainage system, as identified in the Comprehensive Plan,~~

POLICY 6.5.1

The Town's annual revision of its Schedule of Capital Improvements (SCI) shall include a finding that the funds available for capital expenditure will be adequate for capital items identified as necessary in the Comprehensive Plan. ~~and included in the Schedule of Capital Improvements (SCI).~~

OBJECTIVE 7 ~~6~~

The Town shall continue to bury its overhead utility systems in a financially feasible manner to improve aesthetics, reliability, and safety throughout the Town and to require future development to place utility lines underground.

POLICY 7~~6~~.1

As approved by Town voters on March 15, 2016, the Town shall continue to develop and implement a Master Plan to place utilities underground.

Intergovernmental Coordination Element

DATA & ANALYSIS

INTRODUCTION

~~The purpose of this Element is to identify and resolve incompatible aspects of proposed comprehensive plans of local governments, and to determine and respond to the needs for coordination processes and procedures with adjacent local governments and regional and state agencies.~~

~~This Element of the Plan has been developed based upon:~~

- ~~1. Identification, analysis, and description of coordination mechanisms with local governments and other agencies with which the Town of Palm Beach coordinates;~~
- ~~2. Analysis of the effectiveness of existing coordination mechanisms;~~
- ~~3. Analysis of specific problems and needs which would benefit from improved intergovernmental coordination;~~
- ~~4. Analysis of growth and development proposed in the local Comprehensive Plan;~~
- ~~5. Analysis pertaining to the relationship of the Plan with a designated Area of Critical State Concern, if applicable.~~

EXECUTIVE SUMMARY

~~This **Intergovernmental** Element is intended to show relationships and identify principles and guidelines to be used to coordinate with, and show consideration of, the effects of the Town's Comprehensive Plan upon the plans of: school boards and other units of local government providing services, but not having regulatory authority over the use of lands in the Town; adjacent municipalities; the County, adjacent counties, or the region; and, the State.~~

~~In order to ensure that the actions of one governmental body do not impair the effectiveness and efficiency of another, a continuing and meaningful dialogue among the various parties is essential. It is the purpose of the Intergovernmental Coordination Element to ensure that the existing machinery of **identify interagency issues and provide the processes for continued** coordination continues and to establish other areas of coordination and cooperation.~~

~~Plans of the County and other local governments have been reviewed to determine impacts upon, or conflicts with, the Town's Plan. The Town will continue to review and evaluate plans of other governmental entities as they become available, while simultaneously submitting its Plan for review by the governing bodies of surrounding areas; regional agencies such as the South Florida Water Management District and the Treasure Coast Regional Planning Council, and the State.~~

The Town's Comprehensive Plan is supportive of the major goals and objectives of the State Comprehensive Plan. The Town's intergovernmental coordination with Federal, State, and regional agencies, and its interlocal agreements and contact with adjacent municipalities, has, ~~unless noted below,~~ **also** proven to be effective.

~~The Town will continue to coordinated the management of the Lake Worth lagoon with Palm Beach County.~~

ANALYSIS

~~There are no land use conflicts between existing or proposed uses in Palm Beach and the adjacent jurisdiction to the south. No conflicts between the goals, objectives or policies of the Town's Plan and the Regional Policy Plan exist.~~ From a regional perspective, however, continued coordination is **will be needed** ~~between~~ **among** the Town, County, region, adjacent municipalities, and other governmental entities, with regard to (1) development and resultant traffic generation on sections of roadways in Palm Beach; (2) coastal zone management issues; and (3) plans for hurricane evacuation.

The individual elements of the Town's Comprehensive Plan have been examined to identify existing mechanisms for intergovernmental coordination, areas involving regional issues, and problem areas which can benefit from additional intergovernmental coordination. This analysis presents methods for identifying potential solutions to problems on an element-by-element basis.

~~Palm Beach is an urban, built-up area approaching saturation, with virtually no land area remaining undeveloped. Therefore, future growth and development will be minimal. A review of the Treasure Coast Regional Policy Plan established that no additional coordination with the region will be necessary to guide growth in the Town.~~

The Town is not in an Area of Critical State Concern, and no coordination is necessary in this regard.

~~The Town's Public School Facilities Element (PSFE) has been eliminated as a result of changes in the Florida Statutes that eliminated requirements for school level of service and school concurrency and the inclusion of a Public School Facilities Element within local Comprehensive Plans. Instead the Town has added goals, objectives and policies to the Intergovernmental Coordination Element with regard to public school siting and development coordination (former Goal 2 and associated objectives and policies of the previous PSFE).~~

~~In order to implement the objectives and intent of the various Elements of the Town's Plan, it will be necessary for the following activities to be undertaken.~~

TRANSPORTATION ELEMENT

- ~~Continue coordination with the Florida Department of Transportation, and other appropriate agencies and local governments, regarding drainage work along State Road A1A; studies for rehabilitation of the Royal Park, Flagler Memorial, and Southern Boulevard Bridges; the possible addition of turning lanes on SR A1A between Lake Worth Road and Sloan's Curve; and the possible provision of bicycle and pedestrian ways in future transportation planning. Coordination will occur through the Town's Public Works Department, as needed, in writing.~~
- ~~Make recommendations to the Metropolitan Planning Organization as needed, based on review of the Transportation Element, and coordinate with the Regional Planning Council, regarding ways in which proposed projects could improve design deficiencies on major thoroughfares in the Town. Recommendations will be presented verbally or in writing to the Technical Advisory Committee by the Town's appointed member. Coordination with the Regional Planning Council will occur verbally and in writing through the Town's Planner/Projects Coordinator.~~
- ~~Contact the Florida DOT for the purpose of determining an appropriate methodology for determining the level of service on roadways in the Town where there are no signals. The purpose of this effort will be to develop a constrained roadway strategy for SR A1A and Southern Boulevard within the Town.~~
- ~~Coordinate the Town's transportation planning efforts with the plans and programs of the Metropolitan Planning Organization and the Florida Department of Transportation's Adopted 5 Year Work Program and take into consideration public transportation and bicycle and pedestrian ways in future transportation planning.~~
- ~~Review the Transportation Element as needed to determine its consistency with the Florida Department of Transportation's Adopted 5 Year Work Program, and plans for the Metropolitan Planning Organization, and make appropriate recommendations to these agencies regarding proposed projects that will improve design deficiencies on major thoroughfares in the Town.~~
- ~~Coordinate with responsible governmental agencies external to the Town to incorporate provisions into their plans, programs and operations and developments within their jurisdictions which will minimize transportation impacts to the Town consistent with the Town's efforts to manage traffic congestion on its roadways. A primary objective is to minimize traffic impacts to SR 80 and other regionally significant roads leading to the Town.~~
- ~~Submit request to Multi-Jurisdictional Coordinating Forum that, when a new development~~

~~is proposed which may increase traffic on regionally significant roadways in the Town, the jurisdiction in which such development is to be located will provide the Town with sufficient data to allow the Town to assess the traffic impact of the proposed development upon regionally significant roadways in the Town and upon the Town's transportation system in general.~~

HOUSING ELEMENT

- ~~• The Town's Planning Administrator shall maintain contact with the Florida Division of Archives in reference to the designation of additional historic or prehistoric sites or structures, through verbal communication, monthly written exchange, data exchange, and through other channels established by the Town's designation as a Certified Local Government.~~
- ~~• The Town's Planning Administrator shall coordinate with Palm Beach County on affordable housing issues through written and verbal contacts on an as needed basis.~~

INFRASTRUCTURE ELEMENT

- ~~• Continue to contract for sanitary sewer capacities and treatment from the City of West Palm Beach. Coordination will occur through the Town Manager's Office and Public Works.~~
- ~~• Continue to receive potable water from the City of West Palm Beach. Cooperate with the City in its efforts to upgrade distribution lines and storage capacity in the Town. Communicate on issues arising from the Town's planned alternative water source studies. Verbal and written contact will occur through the Town's Public Works Department and the Town Manager's Office.~~
- ~~• Explore future options for water service following the expiration of the current potable water contract with the City of West Palm Beach.~~
- ~~• Coordinate with the South Florida Water Management District, the local Soil and Water Conservation District, Palm Beach County, and the City of West Palm Beach concerning possible water conservation programs, and alternative water use studies. Verbal and written communication will occur through the Public Works Department.~~
- ~~• Continue to participate in the areawide solid waste management program, operated by the Palm Beach County Solid Waste Authority, by maintaining written and verbal communication through the Town's Public Works Department.~~
- ~~• Utilize the concurrency management system as a means to coordinate establishment and~~

~~maintenance of levels of service standards for sanitary sewer, potable water, and solid waste facilities provided by entities outside of the Town.~~

~~COASTAL MANAGEMENT/CONSERVATION ELEMENT~~

- ~~• Actively participate in the FDEP Palm Beach Island Beach Management Agreement (BMA) by obtaining Individual Project Approvals for coastal project implementation, constructing projects that provide storm protection and net eco-system benefits, ensuring Town obligations within the BMA are annually met, and assisting FDEP with hosting annual meetings.~~
- ~~• Annually submit Local Government Funding Requests to FDEP for coastal activities eligible for State cost sharing.~~
- ~~• Maintain regular verbal and written communication between U.S. Army Corps of Engineers Civil Works staff, Coastal Program Manager, and other appropriate representatives of the Town, to best encourage dry beach placement of inlet dredged material associated with the Palm Beach Harbor/Lake Worth Inlet Maintenance Dredging project.~~
- ~~• Investigate drainage/water quality improvement possibilities in conjunction with the South Florida Water Management District, Florida Department of Environmental Protection, and other regulatory and permitting agencies. Written and verbal contact will occur through the Public Works Department, the Town's Planning Administrator, and the Town's chosen consultant.~~
- ~~• Participate in the Lake Worth Lagoon Steering Committee on the implementation of the FDEP'S program for the Lake Worth Lagoon Ecosystem Management Area. Verbal and written communication, in addition to meetings, will be conducted in conjunction with the Coastal Program Manager and the Town's Planning Administrator or other appropriate representative of the Town.~~
- ~~• Contact the Palm Beach County Health Department on an annual basis for a copy of its Annual Air Quality Report. In the event the Town is cited for air quality degradation, it will coordinate with the Health Department in determining an appropriate set of actions. The Town's Planning Administrator will coordinate, in writing, with the County.~~
- ~~• Continue mutual aid agreements with Palm Beach County and West Palm Beach regarding hazardous waste materials. Coordination will be maintained through written agreements and regular Fire Chief Association meetings.~~
- ~~• Continue to work closely with the U.S. Army Corps of Engineers, and the Florida~~

~~Department of Environmental Protection, on beach nourishment projects. The Town Manager's Office and the Public Works Department will continue to further the Town's beach nourishment efforts through continual verbal and written contact and meetings with Federal, State and Regional permitting and advising agencies.~~

- ~~• Continue to coordinate hurricane evacuation plans with County and State Offices of Emergency Management, the Treasure Coast Regional Planning Council, Palm Beach County, and the municipalities of West Palm Beach, Lake Worth, and South Palm Beach. The Town Manager's Office will maintain communication with these agencies through written and verbal contacts, including review and modification of hurricane evacuation plans.~~
- ~~• Coordination will be necessary to implement the Post Disaster Redevelopment Plan currently being developed by the Issues Forum. Coordination will take place through the Town Manager's office and the Town Planning Administrator.~~
- ~~• The Coastal Program Manager, or other appropriate representative of the Town shall maintain regular verbal and written communication with non-governmental organizations applicable to the implementation of the Town's Coastal Management Program.~~

RECREATION/OPEN SPACE ELEMENT

- ~~• Investigate the potential continuation of a former informal agreement with the Palm Beach County Public School Board to use school facilities, during non-school hours and in the summer. Coordinate and maintain this agreement through the Town's Recreation Department and the Town Manager's Office for this purpose.~~

CAPITAL IMPROVEMENTS ELEMENT

- ~~• Traffic improvements will require coordination with the Florida Department of Transportation, and any major drainage improvements will be subject to review by the Florida Department of Environmental Protection. Written and verbal coordination will occur through the Public Works Department, as necessary.~~
- ~~• Beach Nourishment Projects, groins alterations, and roadway protective seawall repairs shall be coordinated with the U.S. Army Corps of Engineers, Florida Department of Environmental Protection, Florida Game and Freshwater Fish Commission, and Palm Beach County as needed. The Town Manager's Office, in conjunction with the Public Works Department, will coordinate any future similar projects with the various agencies through meetings and verbal and written communications.~~

IMPLEMENTATION

~~To facilitate intergovernmental coordination, and show subject areas that should be coordinated, and the political bodies with which this coordination should be effected, an Intergovernmental Coordination Matrix is provided as Appendix A to this Element. The dots in the matrix indicate those levels of government, or other entities which have some degree of responsibility in reference to the function addressed. This matrix is an ever-changing table which should be updated each time a new subject or area of concern is developed; when new governmental agencies are activated; or, when old agencies are abolished or altered with new or changed responsibilities.~~

~~The Town's Planning Administrator will be responsible for the review and perpetual implementation of the intergovernmental matrix.~~

INTERGOVERNMENTAL COORDINATION IN THE STATE OF FLORIDA

Pursuant to §163.3177(6)(h), Fla. Stat., the state of Florida requires the adoption of an Intergovernmental Coordination Element within local government comprehensive plans. The purpose of this Element is to ensure that local governments have principles and guidelines for coordinating adopted comprehensive plans with other official plans of local, regional, and state significance.

Such plans include:

- **State Comprehensive Plan**
- **Strategic Regional Policy Plans**
- **Comprehensive Plans of adjacent municipalities and counties**
- **Regional Transportation Plans**
- **Plans of School Districts**
- **Water Management Districts**
- **Other units of local government providing services but not having regulatory authority over the use of land**



The Intergovernmental Coordination Element must describe joint processes for collaborative planning and decision-making on population projections and public-school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement. Additionally, Intergovernmental Coordination Elements must provide the procedure for establishing level of service standards for public facilities with any state, regional, or local entity having operational and maintenance responsibility for such facilities. This Element provide procedures for identifying and implementing interlocal agreements joint planning areas should they be necessary. For example, joint planning area agreements would establish, necessary public facilities and services, including transportation and school facilities and how they will be provided, and natural resources, including surface water and groundwater resources, and how they will be protected.

In 1995, the State of Florida adopted the Strategic Regional Policy Plan designating Florida's 10 Regional Planning Councils as "regional clearinghouses" giving the Regional Planning Councils responsibility for coordinating local reviews of projects. The Treasure Coast Regional Planning Council coordinates its review with the State Clearinghouse located in the Florida Department of Environmental Protection. The Regional Planning Councils assist local governments with planning and technical assistance services to carry out Florida's growth management programs.

As noted in Exhibit 12-1, Treasure Coast Regional Planning Council (TCRPC) was established through an interlocal agreement between Indian River, St. Lucie, Martin, and Palm Beach counties. Membership includes all four counties and 52 municipalities.



Exhibit 12-1 Regional Planning Councils

Unlike local government comprehensive plans, the Strategic Regional Policy Plan (SRPP) is not implemented through a set of land development regulations in order to meet the objectives established in the Plan. Instead, the SRPP is implemented as a result of TCRPC's program activities and through the consensus of local governments in the region. The SRPP focuses on the following.

- ✓ **Intergovernmental coordination and review process (ICR)**
- ✓ **Dispute resolution process**
- ✓ **Economic development planning**
- ✓ **Preparation of special planning and development studies**
- ✓ **Serving on task forces and committees involved in regional planning issues**
- ✓ **Emergency preparedness planning**
- ✓ **Regional transportation planning**

INTERGOVERNMENTAL COORDINATION IN PALM BEACH COUNTY

In 1989, the Countywide Planning Council, which was established by Charter Amendment, was “to coordinate the land use planning process of all governments within the County and to establish a cooperative effort that will resolve or prevent incompatibilities and conflicts among local governments' land use planning efforts”. At that time, Coordination of the 38 land use plans was to have occurred through the Countywide Planning Council. However, in 1991, under provisions within the Charter, the Council was sunsetted by a majority of the municipalities and efforts to reinstate the Council through a ballot measure was not approved by Palm Beach County voters. Following the defeat of the Countywide referendum, the municipal planning directors within the County created a substitute organization with the purpose to establish a countywide comprehensive plan amendment coordinated review process.

In 1993, the Intergovernmental Program was established for addressing intergovernmental conflicts while also serving as a means organizing local governments to address multi-jurisdictional issues. The Comprehensive Plan Amendment Coordinated Review Interlocal Agreement established the Intergovernmental Plan Amendment Review Committee (IPARC), which is comprised of planning directors of the 39 municipalities in Palm Beach County and an Executive Committee comprised of elected officials, including two Palm Beach County Commissioners. IPARC is a countywide comprehensive plan review process.

IPARC responsibilities include the following:

- **A clearinghouse designed to disseminate proposed comprehensive plan amendments to the various local governments**
- **Coordinate fact finding panels to review plan amendments when local governments file formal objections**
- **Conduct conflict resolution panels**

These functions all fall into information dissemination/fact finding and are not subject to the Sunshine Law. The Executive Committee of IPARC is charged with the administrative governance of the IPARC Clearinghouse administrative process and is only subject to the Sunshine Law regarding the supervision and policy decisions regarding the IPARC process.

THE TOWN OF PALM BEACH INTERGOVERNMENTAL COORDINATION ELEMENT

The purpose of the Intergovernmental Coordination Element is to identify and resolve incompatible aspects of proposed comprehensive plans of local governments, and to determine and respond to the needs for coordination processes and procedures with adjacent local governments and regional and state agencies.

The Town's Intergovernmental Coordination Element is intended to show relationships and identify principles and guidelines to be used to coordinate with Federal, State, Regional and local agencies, and other units of local government providing services, but not having regulatory authority over the use of lands in the Town. To ensure that the actions of one governmental body do not impair the effectiveness and efficiency of another, a continuing and meaningful dialogue among the various parties is essential. Plans of the County and other local governments have been reviewed to determine impacts upon, or conflicts with, the Town's Comprehensive Plan. The Town should **will** continue to review and evaluate plans of other governmental entities, including the local, regional and state plans as they become updated through the Evaluation and Review process and through amendments to such plans. The Town's Comprehensive Plan Elements has have been reviewed and unless noted below, continues to be effective **to determine where improvements to intergovernmental coordination are needed.** **It was identified that the need for more active engagement with various bodies is needed.** **Policies have been included in the Intergovernmental Coordination Element for the Town to appoint a representative to attend meetings and prepare reports to the Town Council.**

FUTURE LAND USE ELEMENT

- **Continue to maintain a Future Land Use Map and GIS Map Series that is available on the Planning, Zoning and Building webpage for access by the public, including local, regional, and state agencies. Coordination will occur through the Town's Planning, Zoning and Building and IT Departments.**
- **Continue to attend quarterly meetings with the Intergovernmental Plan Amendment Review Committee (IPARC) to gain knowledge in county planning activities and through the review of local government plan amendments that may impact the Town. Coordination will occur through the Town's Planning, Zoning and Building Department.**
- **Continue to attend Palm Beach TPA meetings to stay engaged with countywide planning and transportation matters. Coordination will occur through the Town's Planning, Zoning and Building Department.**
- **Continue to attend West Palm Beach Mobility Coalition (WPBgo) meetings to support an alternative transportation option between the City of West Palm Beach and the Town.**

Coordination will occur through the Town Manager's Office and the Planning, Zoning and Building Department.

- Continue to coordinate the Federal Emergency Management Agency (FEMA) on flood maps to ensure accuracy with the Future Land Use Map Series and safety for the residents. Coordination will occur through the Town's Planning, Zoning and Building Department.
- Continue to maintain coordination between the Planning, Zoning and Building and Public Works Departments on concurrency management for proposed projects that require a concurrency analysis to be conducted prior to the approval of any application for a development order. Coordination will occur through the Town's Planning, Zoning and Building Department.
- Continue to coordinate the coastal area development with the Regional Hurricane Evacuation Plan. Coordination will occur through the Public Works and the Planning, Zoning and Building Departments.
- Expand the Town's education and notification process to emphasize the unpredictability of the power of an approaching storm and the need to evacuate early upon an evacuation warning. Coordination will occur through the Town Manager's Office, and the Public Works and the Fire Rescue Departments.
- Coordinate with the Florida Building Commission, if necessary, and condominium associations with the implementation of Senate Bill 4-D related to mandatory inspections for affected condominiums that 30 or more years old . Coordination will occur through the Town's Planning, Zoning and Building Department.

TRANSPORTATION ELEMENT

- Continue coordination with the Florida Department of Transportation and the United States Coast Guard, and other appropriate agencies and local governments, regarding drainage work along State Road A1A; studies for maintenance of the Royal Palm, Flagler Memorial, and Southern Boulevard Bridges; the possible addition of turning lanes on SR A1A between Lake Worth Road and Sloan's Curve; and the possible provision of bicycle and pedestrian ways in future transportation planning. Coordination will occur through the Town's Public Works Department.

- Actively participate in Palm Beach TPA committee meetings regarding ways proposed projects could improve design deficiencies on major thoroughfares in the Town. Recommendations will be presented verbally or in writing to the Technical Advisory Committee by the Town's appointed member. Coordination will occur through the Town Manager's Office and the Town's Planning, Zoning and Building Department.
- Coordinate the Town's transportation planning efforts with the plans and programs of the Transportation Planning Agency and the Florida Department of Transportation's Adopted 5-Year Work Program and take into consideration public transportation and bicycle and pedestrian safety improvements in future transportation planning. Coordination will occur through both the Town's Public Works and Planning, Zoning and Building Departments.
- Review the Transportation Element as needed to determine its consistency with the Florida Department of Transportation's (FDOT) Adopted 5-Year Work Program, and plans for the Transportation Planning Agency, and make appropriate recommendations to these agencies regarding proposed projects that will improve design deficiencies on major thoroughfares in the Town. Coordination will occur through the Town's Public Works Department.
- Coordinate with the City of West Palm Beach and the City of Lake Worth Beach to incorporate provisions into their plans, programs, operations and developments within their jurisdictions which will minimize transportation impacts to the Town consistent with the Town's efforts to manage traffic congestion on its roadways. A primary objective is to minimize traffic impacts to SR 80 and other regionally significant roads leading to the Town. Coordination will occur through both the Town's Public Works and Planning, Zoning and Building Departments.
- Coordinate with the Intergovernmental Plan Amendment Review Committee (IPARC) when a new development is proposed which may increase traffic on regionally significant roadways in the Town, the jurisdiction in which such development is to be located will provide the Town with sufficient data to allow the Town to assess the traffic impact of the proposed development upon regionally significant roadways in the Town and upon the Town's transportation system in general. Coordination will occur through the Town's Planning, Zoning and Building Department.
- Continue to coordinate with Palm Beach TPA, FDOT, and PalmTran to evaluate pedestrian, bicycle, and mass transit connections provided within the Town. The Town may also consider enhancement grants through the TPA, FDOT, and other available sources to fund bicycle, pedestrian and other multimodal improvements within the Town, as opportunities arise. Coordination will occur through the Town's Planning, Zoning and Building and Public Works Departments.

HOUSING ELEMENT

- **Coordinate with Palm Beach County on regional affordable housing issues as stipulated in the recently adopted Live Local Act. Coordination will occur through the Town's Planning, Zoning and Building Department.**
- **Continue to Coordinate with the Florida Building Commission to maintain and enforce building standards consistent with the Florida Building Code.**

HISTORIC PRESERVATION ELEMENT

- **Coordinate with the Florida Division of Archives in reference to the designation of additional historic or prehistoric sites or structures established by the Town as a Certified Local Government. Coordination will occur through the Town's Planning, Zoning and Building Department.**
- **Continue to coordinate with the Archeological & Historical Conservancy to maintain an accurate archeological map to improve enforcement of Code Section 18-1020. Coordination will occur through the Town's Planning, Zoning and Building Department.**
- **Continue to protect the Town's historically significant properties and aesthetic character through the active participation of the Landmarks Preservation Commission in the development review and approval process, as authorized by the Town's Code of Ordinances. Coordination will occur through the Town's Planning, Zoning and Building Department.**
- **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. Coordination will occur through the Town's Planning, Zoning and Building Department.**
- **Continue to follow and enforce the Archaeological Ordinance within the Town's Code of Ordinances in preserving and protecting archaeologically sensitive sites and coordinate with the appropriate state and county agencies. Coordination will occur through the Town's Planning, Zoning and Building Department.**

PUBLIC SAFETY ELEMENT

- **Continue mutual aid agreements with Palm Beach County and the City of West Palm Beach regarding hazardous waste materials. Coordination will occur through the Fire Rescue and Public Works Departments.**

- Continue to coordinate with the Florida Department of Environmental Protection through the building permit review process to ensure that the “Town of Palm Beach Exterior Lighting Requirements” are compliant with state standards. Coordination will occur through the Fire Rescue and Planning, Zoning and Building Departments.
- Continue to coordinate with adjacent municipalities, Palm Beach County, the Florida Department of Transportation and other responsible agencies to ensure that the regional transportation network providing for the safe and timely evacuation of residents in a hurricane or other emergency event is not degraded as a result of increased development and related population in the West Palm Beach area. Coordination will occur through the Fire Rescue, the Police, Public Works and Planning, Zoning and Building Departments.

INFRASTRUCTURE ELEMENT

- Continue to contract for sanitary sewer capacities and treatment from the City of West Palm Beach. Coordination will occur through the Town Manager's Office and Public Works Department.
- Continue to receive potable water from the City of West Palm Beach. Cooperate with the City in its efforts to upgrade distribution lines and storage capacity in the Town. Communicate on issues arising from the Town's planned alternative water source studies. Coordination will occur through the Town Manager's Office and Public Works Department.
- Coordinate with the Florida Inland Navigation District, South Florida Water Management District, the local Soil and Water Conservation District, Palm Beach County, the City of West Palm Beach, and any other potential partners concerning possible water conservation programs, and alternative water use studies. Communication will occur through the Public Works Department.
- Continue to participate in the areawide solid waste management program, operated by the Palm Beach County Solid Waste Authority. Communication will occur through the Public Works Department.
- Continue to utilize the concurrency management system in review of development projects as a means to coordinate establishment and maintenance of levels of service standards for sanitary sewer, potable water, and solid waste facilities provided by entities outside of the Town. Coordination will occur through both the Town's Public Works and Planning, Zoning and Building Departments.

RECREATION AND OPEN SPACE ELEMENT

- **Continue to maintain an interlocal agreement with the Palm Beach County Public School Board to use school facilities, during non-school hours and in the summer. Coordinate and maintain this agreement through the Town's Recreation Department and the Town Manager's Office for this purpose.**

COASTAL MANAGEMENT ELEMENT

- **Continue to actively participate in the FDEP Palm Beach Island Beach Management Agreement (BMA) by obtaining Individual Project Approvals for coastal project implementation, constructing projects that provide storm protection and net-eco system benefits, ensuring Town obligations within the BMA are annually met, and assisting FDEP with hosting annual meetings. Coordination will occur through both the Town's Public Works Department.**
- **Continue to annually submit Local Government Funding Requests to FDEP for coastal activities eligible for State cost-sharing. Coordination will occur through both the Town's Public Works Department.**
- **Continue to maintain regular communication among the U.S. Army Corps of Engineers Civil Works, Florida Department of Environmental Protection and with the appropriate Town Departments, to best encourage dry beach placement of inlet dredged material associated with the Palm Beach Harbor/Lake Worth Inlet Maintenance Dredging project associated with the Port of Palm Beach. Communication will occur through the Town's Public Works Department.**

CONSERVATION ELEMENT

- **Continue to investigate drainage/water quality improvement possibilities in conjunction with the Florida Inland Navigation District, South Florida Water Management District, Florida Department of Environmental Protection, and other regulatory and permitting agencies. Coordination will occur through the Public Works and Planning, Zoning and Building Departments.**
- **Continue to participate in the Lake Worth Lagoon Steering Committee on the implementation of the FDEP'S program for the Lake Worth Lagoon Ecosystem Management Area. Communication will occur through the Town's Public Works Department.**
- **Continue to work with the Palm Beach County Health Department on an annual basis for a copy of its Annual Air Quality Report. In the event the Town is cited for air quality**

degradation, it will coordinate with the Health Department in determining an appropriate set of actions. Communication will occur through the Public Works Department.

- Continue to coordinate hurricane evacuation plans with County and State Offices of Emergency Management, the Treasure Coast Regional Planning Council, Palm Beach County, and the municipalities of West Palm Beach, Lake Worth Beach, and South Palm Beach. Coordination will take place through the Town Manager's office.
- Continue to coordinate the implementation of the Post Disaster Redevelopment Plan. Coordination will occur through the Town Manager's Office and the Police and Fire Rescue Departments.
- Continue to maintain written agreements with the State of Florida Trustees of the Internal Improvement Fund and the Audubon Society that ensure the designation of the 39-acre natural islands for conservation use. Coordination will occur through the Town Manager's Office.

PROPERTY RIGHTS ELEMENT

- Continue to maintain an informed community about emerging topics within the Town, County, and State. Coordination will occur through the Town Manager's Office.
- Develop a comprehensive formal communications program and provide appropriate resources to address information expectations for community residents and Town employees. Coordination will occur through the Town Manager's Office.
- Support and enhance open, two-way communication between the Town and its residents and businesses. Coordination will occur through the Town Manager's Office.

CAPITAL IMPROVEMENTS ELEMENT

- Continue to work with the Florida Department of Environmental Protection on any major drainage improvements. Coordination will occur through the Town Manager's Office and the Public Works Department.

- Continue to coordinate Beach Nourishment Projects, groin alterations, and roadway protective seawall repairs with the U.S. Army Corps of Engineers, Florida Department of Environmental Protection, Florida Game and Freshwater Fish Commission, and Palm Beach County. Coordination will occur through the Town Manager's Office and the Public Works Department.

SUMMARY

During the evaluation of the Comprehensive Plan, it was determined that the Town's intergovernmental coordination with Regional and County agencies and adjacent municipalities needs improvement in order to be more effective. The Town, through the appropriate department, will assign staff to attend regular meetings and report back findings to the Town Council. Additionally, the Town shall seek appointment to various boards including but not limited to the Treasure Coast Regional Planning Council, Palm Beach Business Development Board, IPARC Executive Committee Issues Forum, Palm Beach TPA, and the Palm Beach Chamber of Commerce.

Specific areas requiring attention was found in archeological management as redevelopment activity continues in the Town. Additionally, the results of the Traffic and Parking Study performed by the Town's consultant, the Corradino Group, will require multi-department coordination in its implementation. Further, with the requirements of Senate Bill 4-D, will require coordination with the Florida Building Commission and Town condominium associations to properly implement mandatory inspections for affected condominiums.

Intergovernmental Coordination Element

GOALS, OBJECTIVES
& POLICIES

GOAL 4

~~THE TOWN SHALL PROVIDE FOR THE OVERALL~~ **PRESERVE, PROTECT, AND ENSURE THE HIGH QUALITY OF LIFE FOR THE TOWN RESIDENTS THROUGH EFFECTIVE GOVERNMENT OPERATIONS THAT WHICH UTILIZES INTERGOVERNMENTAL COORDINATION TO MAXIMIZE EFFICIENCY IN PROVIDING SERVICES AND FACILITIES; TO AND REDUCE DUPLICATION OF EFFORT; AND, TO SOLVE COMMON PROBLEMS.**

OBJECTIVE 1.4

The Town shall participate in intergovernmental coordination processes to ~~insure full consideration is given to~~ the impacts of proposed comprehensive plan amendments and future developments on the ability of the Town and adjacent local governments to ~~implement their comprehensive plans and to~~ address area wide land use needs and justification for amendments.

POLICY 1.1.4

The Town will maintain ~~an atlas of existing~~ **a Future Land Use Map and GIS Map Series that is available on the Planning, Zoning and Building webpage for access by the public, including local, regional and state agencies.** ~~land use (including land uses adjoining the Town) in the Town Clerk's Office.~~

POLICY 1.2

The Town shall appoint a member of the Town Council to serve on the Executive Committee and Issues Forum of **Intergovernmental Plan Amendment Review Committee (IPARC).**

POLICY 1.4.2

The Town ~~Planning, Zoning and Building Director Administrator~~ shall continue to review the **Intergovernmental Coordination Element Plan** in light of the plans of adjacent local governments. **This process will continue through IPARC which consists of regional and local representation, including** ~~During the review process the Planner will contact representatives of the~~ **Treasure Coast Regional Planning Council, Palm Beach County, Palm Beach County School Board, adjacent municipalities, and other units of local government providing services, but having no regulatory authority within the Town of Palm Beach. The Planning Administrator will continue to review the Intergovernmental Coordination Element will be on an as needed basis for implementation and incompatibilities. Coordination will occur through the Town's Planning, Zoning and Building Department.**

POLICY 1.4.3

The Town shall **continue to** participate in the Palm Beach County **IPARC** pProcess and shall cooperate with the Treasure Coast Regional Planning Council and all other local governments in a voluntary dispute resolution process for the purpose of facilitating intergovernmental coordination, **if needed**. ~~The IPARC process is established pursuant to the Comprehensive Plan Amendment Coordinated Review Inter Local Agreement, effective date October 1, 1993, and shall include results and any written determination from the IPARC Process as data and analysis to DEO with proposed and adopted comprehensive plan amendments.~~

POLICY 1.1.4

~~The Town shall coordinate with those schools in its jurisdiction that are part of the State University System regarding the development of campus master plans or amendments thereto, to be done in accordance with Section 240.155 of the Florida Statutes.~~

POLICY 1.4.5 4

The Town shall ~~utilize~~ **continue to participate in the** Palm Beach Countywide Intergovernmental Coordination Process **IPARC**, as a regular formal forum in which to deal with issues unique to Palm Beach County and the municipalities therein. ~~The Multi-Jurisdictional Issues Coordination Forum~~ **Participation with IPARC** shall be utilized as a means of collaborating planning for matters of inter-jurisdictional significance. ~~including, but not limited to, the siting of facilities with countywide significance and locally unwanted land uses.~~ **Coordination will occur through the Town's Planning, Zoning and Building Department.**

OBJECTIVE ~~1.2~~

The Town shall ~~In order to~~ ensure coordination mechanisms to address impacts of developments proposed in and adjacent to the Town that may affect adjacent local governments, ~~the Town will continue to participate on~~ **through** various intergovernmental advisory committees, boards, commissions or groups serving the Town.

POLICY ~~1.2.1~~

The Town ~~will~~ **shall** request the County to appoint ~~at least two~~ Town representatives to appropriate County advisory committees.

The Town will continue to participate in the Lake Worth Lagoon Steering Committee in relation to the Florida Department of Environmental Protection's program for the Lake Worth Lagoon Ecosystem Management Area.

POLICY 4.2.2

The Town shall continue to cCoordinate with adjacent municipalities and governmental agencies to ensure increased development from those adjacent municipalities and/or entities do not degrade LOS or negatively impact public safety ~~within the Town~~ **and strain on Town resources or services.**

POLICY 4.2.3

The Town shall continue to wWork with the City of West Palm Beach in their review of the City's "Buildable Areas Monitoring Table" that is a projection of how the Downtown Master Plan will be developed to ensure **address the** any impacts to the Town ~~can be addressed.~~

- a. ~~Parks and Recreation LOS for the Town of 4 acres per 1,000 persons should be met within the area defined in the downtown master plan.~~
- b. ~~Ensure spillover of neighboring residents into the Town's Parks and Recreation facilities do not negatively affect LOS.~~

POLICY 4.2.4

The Town shall cContinue and improve coordination **and communication** with adjacent local governments of proposed development adjacent to the borders of the Town of Palm Beach **in order to minimum impacts to the Town.**

POLICY 4.2.5

The Town, tThrough the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) **shall** request that proposed development and/or redevelopment in neighboring municipalities include findings that in relation to levels of service and identified concerns outlined in the Town's comprehensive plan.

POLICY 4.2.6

The Town shall continue to participate in Pursue joint resolution on growth management, development and impact assessment issues **through IPARC, League of Cities, and other similar means** ~~with impacts transcending the Town's political jurisdiction.~~

POLICY 4.2.7

The Town shall address issues of regional and state significance ~~shall be coordinated~~ with the Treasure Coast Regional Planning Council, the South Florida Water Management District, and/or State agencies having jurisdictional authority. Issues to be pursued include but are not limited to the following:

- a. Impacts of land development activities within the Town of Palm Beach on Palm Beach County, the Cities of West Palm Beach, Lake Worth, South Palm Beach and the Port of Palm Beach, the region, the state, and any governmental entity that may be created in the future.
- b. Land development activities adjacent to the Town's corporate limits within Palm Beach County or the Cities of West Palm Beach, Lake Worth, South Palm Beach and the Port of Palm Beach or any other governmental entity created in the future.
- c. Area wide drainage and storm water management master plan, proposed improvements, and implementing programs.
- d. Alternative water supply planning.
- e. Solid waste disposal, including development of new landfill facilities, recycling resources, and other improvements.
- f. Research, engineering, and strategies for managing level of service impacts of new development and tourism on major transportation linkages and critical intersections impacting the Town and adjacent areas.
- g. Transit /multi-modal transportation activities and plans.
- h. Public school facility planning.
- i. Level of service standards for infrastructure system impacting the Town and adjacent areas.
- j. Conservation of natural and historic resources.

POLICY 4.2.8

The Town shall take a leadership role in establishing a process providing for adjoining local governments and the Town to provide opportunities for input to ensure consistency related to planning and zoning matters with the intent of lessening and/or mitigating the potential objectionable impacts of development of the area and the establishment of equitable Level of Service standards for facility and service delivery systems.

- a. Coordination shall be undertaken in the establishment of level of service standards for public facilities with any state, regional or local entity having operational and maintenance responsibility for such facilities.
- b. Coordinate with entities having operational and maintenance responsibility for public facilities for which the Level of Service standards are being established to ensure mutually compatible and equitable standards.
- c. **Actively participating on Palm Beach TPA Governing Board and Committees.**

OBJECTIVE 1.3.3

The Town **shall continue to be a partner with** ~~will submit written comments or recommendations on permitting or planning issues, or on requests for information, to~~ government agencies having operational or maintenance responsibility for facilities that either are located in the Town or have potential impacts upon the Town, prior to taking action that may materially affect such facilities. The Town ~~also~~ will notify representatives of cooperating agencies regarding public hearings or other programs that may affect their facilities.

POLICY 3.1

The Town shall immediately upon adoption of amendments to the Comprehensive Plan, follow the proper prodigal for submittal to the State Department of Commerce for comprehensive plan review. ~~the Town will mail one copy to each required governmental agency.~~

POLICY 3.2

The Town shall continue to request the United States Coast Guard reduce bridge openings during rush hour.

POLICY 3.3

The Town shall pursue appointing a member from the Town Council or a Town Commission member to the Business Development Board of Palm Beach County and the Palm Beach County Chamber of Commerce.

OBJECTIVE 1.4

The Town will ~~maintain~~ **seek** citizen participation in its planning process, including policy development, planning, and operations.

POLICY 1.4.1

The Town shall continue to post notices of upcoming public meetings concerning planning and land development matters **in compliance with the Uniform Development Review Procedures established in Chapter 134.** ~~On the bulletin board in the lobby of Town Hall, and initiate legal advertisements as required.~~

POLICY 4.4.2

The Town shall maintain the Planning, Zoning and Building Department (PZB) website to provide the public all applicable policy documents, zoning regulations and development projects under review and approved. ~~at least two copies of the Town's major land development documents and regulations in the offices of the Town Clerk and the Town's Planning Administrator, and provide updated copies as changes are made.~~

OBJECTIVE 4.5

The Town will coordinate its level of service standards for State roadways with the Florida Department of Transportation's Five-Year Plan, and the plans of the Metropolitan Planning Organization.

POLICY 4.5.1

~~As necessary, the Town,~~ as necessary, will continue to coordinate its level of service standards to the Florida Department of Transportation and the ~~Metropolitan Planning Organization~~ Transportation Planning Agency to ensure continued coordination of levels of service in a manner that will meet or exceed their level of service standards.

POLICY 4.5.2

The Town will ~~continue its~~ participate in the ~~Metropolitan Planning Organization~~ Transportation Planning Agency's Technical Advisory Committee ~~throughout the planning period.~~ Coordination will occur through the Town's Planning, Zoning and Building Department.

POLICY 4.5.3

The Town will ~~Prior to~~ as part of the Evaluation and Appraisal Review and associated ~~required updates of the Town's Comprehensive Plan, the Town will present its draft level of service standards to the Florida Department of Transportation and the Metropolitan Planning Organization~~ Transportation Planning Agency and will request review of these standards by these agencies.

OBJECTIVE 4.6

The Town shall continue to coordinate LOS level of service standards for sanitary sewer, solid waste and potable water with the appropriate entities which have operational responsibility for these facilities.

POLICY ~~4.6.1~~

The Town shall continue to implement its concurrency management system which specifies methods for coordinating LOS between the Town and entities with operational responsibilities for facilities.

POLICY ~~4.6.2~~

The Town shall ~~c~~ontact each entity as specified in the Town's concurrency management system in regards to facility capacity and projected levels of service.

OBJECTIVE ~~4.7~~

The Town ~~will~~ **shall** coordinate with ~~responsible~~ governmental agencies external to the Town to incorporate provisions into their plans, programs and operations and developments within their jurisdictions which will minimize transportation impacts to the Town consistent with the Town's efforts to manage traffic congestion on its roadways. A primary objective is to minimize traffic impacts to **Royal Poinciana Way, Royal Palm Way, Southern Boulevard (SR 80), and South Ocean Boulevard** ~~and other regionally significant roads leading to the Town.~~

POLICY ~~4.7.1~~

The Town will coordinate with the FDOT, Palm Beach County, West Palm Beach and other communities to minimize transportation impacts to the Town through **active** participation in the ~~MPO~~ **Palm Beach TPA Technical Review Committee** and its respective committees.

~~POLICY 4.7.~~

~~The Town will coordinate directly with FDOT to mitigate traffic impacts on SR 80) and other regionally significant roads leading to Palm Beach.~~

~~— GOAL 2: SCHOOL FACILITY SITING AND DEVELOPMENT COORDINATION~~

OBJECTIVE 28

The Town shall coordinate with the Palm Beach School District to ~~It is the goal of the Town of Palm Beach to maintain and enhance joint planning processes and procedures for coordination of public education facilities for planning and decision-making regarding population projections, public school siting, and the development of public education facilities concurrent with residential development and other services.~~

OBJECTIVE 2.1 — ~~School Facility Siting~~ 8

POLICY 2.1.1 ~~8.1~~

The Town will continue ~~Establish~~ a process of coordination and collaboration between Palm Beach County, local governments, and the School District of Palm Beach County in the planning and siting of public school facilities **in Palm Beach County** in coordination with planned infrastructure and public facilities.

POLICY 2.21 ~~8.2~~

~~The Town of Palm Beach shall coordinate and provide for expedited review of development proposals with the School District during the development review process to ensure integration of public school facilities with surrounding land uses and the compatibility of uses with schools.~~

POLICY 2.1.2 ~~8.3~~

The Town shall abide by the school siting development review procedures outlined in the “Interlocal Agreement between the School Board of Palm Beach County, Palm Beach County and Municipalities of Palm Beach County for Coordinated Planning”.

POLICY 2.1.3 ~~8.4~~

The Town shall verify that ~~There shall be no significant environmental conditions and significant historical resources on a proposed site that cannot be mitigated or otherwise preclude development of the site for a public educational facility.~~

POLICY 2.1.4 ~~8.5~~

The Town shall ~~site shall be~~ **insure sites for potential schools are** suitable or adaptable for development in accordance with applicable water management standards, and shall not be in conflict with the adopted or officially accepted plans of the South Florida Water Management District, or any applicable Stormwater Utility or Drainage District.

POLICY 2.1.4 ~~8.6~~

The **Town shall ensure** proposed location(s) shall comply with the provisions of the Coastal Management/Conservation Element of the comprehensive plan, if applicable to the site.

~~POLICY 2.1.6:~~ **8.7**

~~The Town of Palm Beach shall encourage the location of schools proximate to urban residential areas by:~~

- ~~• Assisting the School District in identifying funding and/or construction opportunities (including developer participation or Town of Palm Beach capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements;~~
- ~~• Providing for the review for all school sites as indicated in Policy 2.1.1 above; and,~~
- ~~• Allowing schools as a permitted use within all urban residential land use categories Policy 2.1.7;~~

The Town of Palm Beach shall **continue to** coordinate with the School District for the collocation of public facilities, such as parks, libraries, and community centers with schools, to the extent possible, as sites for these public facilities and schools are chosen and development plans prepared.

OBJECTIVE 2.2 — Intergovernmental Coordination

(Provided in Objective 2)

~~To establish and maintain a cooperative relationship with the School District and municipalities in coordinating land use planning with development of public school facilities that are proximate to existing or proposed residential areas they will serve and that serve as community focal points.~~

~~POLICY 2.2.1:~~ **8.8**

~~As required, the~~ **The** ~~Town of Palm Beach will abide~~ **adopt** ~~by the “Interlocal Agreement between the School District of Palm Beach County, Palm Beach County and the Municipalities of Palm Beach County for Coordinated Planning” (the 2016 Interlocal Agreement), consistent with F.S. §163.3177(6)(h)(1), Fla. Stat., and (2) and F.S. §163.3180 F.S. Fla. Stat.~~

~~POLICY 2.2.2:~~ **8.9**

~~As required, the~~ **The** ~~Town of Palm Beach, in coordination with the School District, the County and other local governments, shall annually accept the updated School District of Palm Beach County Five-Year Capital Improvement Schedule by opting into the annual countywide ordinance. This provision is intended to maintain consistency with the School Board’s adopted Five-Year Plan and to maintain a financially feasible capital improvements program and ensure that level of service standards will continue to be achieved and maintained in each year of the five-year planning period.~~

POLICY ~~2.2.3:~~ **8.10**

~~As required, the~~ **The** Town of ~~Palm Beach~~ will provide the School District with necessary updates of projections of development and redevelopment information generated from the Town's development and approvals needed to maintain school capacity adequacy, including information required for the School District to establish:

1. School siting criteria;
2. School District's Five-Year Capital Facilities Plan;
3. School utilization.

POLICY ~~2.2.4:~~ **8.11**

The Town of ~~Palm Beach~~ shall **continue to** provide the School District with its Comprehensive Plan, along with the ~~five-year Land Use and~~ population projections, to facilitate development of school enrollment projections and shall update this information as needed. The Town of ~~Palm Beach~~ shall coordinate its Comprehensive Plan and the Future Land Use Map with the School District's long-range facilities maps to ensure consistency and compatibility with the provisions of this Element.

POLICY ~~2.2.5:~~ **8.12**

The Town of ~~Palm Beach~~ shall advise the School District of a proposed public school site's consistency with the Town of Palm Beach's Comprehensive Plan and land development regulations, including the availability of necessary public infrastructure to support the development of the site.

POLICY ~~2.2.6:~~ **8.13**

The Town of ~~Palm Beach~~ shall provide **an** opportunity for the School District to comment on comprehensive plan amendments, rezonings, and other land-use decisions that may be projected to impact on the Public Schools Facilities Plan.

POLICY ~~2.2.7:~~ **8.14**

The Town of Palm Beach shall coordinate with local governments and the School District on emergency preparedness issues that may include consideration of:

1. Design and/or retrofit of public schools as emergency shelters;
2. Enhancing public awareness of evacuation zones, shelter locations, and evacuation routes;
3. Designation of sites other than public schools as long term shelters, to allow

schools to resume normal operations following emergency events.

OBJECTIVE 2.3 — ~~Population Projections~~

~~To establish a joint process of coordination and collaboration between the Town of Palm Beach, Palm Beach County and the School District in the planning and decision making on population projections.~~

~~Policy 2.3.1: The Town of Palm Beach commits to working with the School District and Palm Beach County to improve the population allocation methodology and enhance coordination with the plans of the School District and local governments. Population and student enrollment projections will be revised as needed to ensure that any new residential development and redevelopment information provided by the Town as well as changing demographic conditions are reflected in the updated projections.~~

GOAL 3: ~~COASTAL PROTECTION AND BEACH EROSION~~

OBJECTIVE 3 ~~2~~

~~It is the goal of the~~ **The** Town of Palm Beach ~~shall~~ to work with Federal, State, County, and adjacent municipalities or agencies to protect and restore the existing coastal dune system and beaches along the City's **Town's** beachfront and establish standards to minimize impacts resulting from beach erosion.

OBJECTIVE 3.1

POLICY 3-~~9.1~~

The Town ~~will~~ **shall** coordinate with appropriate agencies to address sand starvation caused by the inlet, sea level rise and storm events, resulting in a dramatic and continuing eroding of the beach.

POLICY 3.1-~~19.2~~

The Town shall continue to a Actively participate in the FDEP Palm Beach Island Beach Management Agreement (BMA) by obtaining Individual Project Approvals for coastal project implementation, constructing projects that provide storm protection and net-eco system benefits, ensuring Town obligations within the BMA are annually met, and assisting FDEP with hosting annual meetings.

POLICY ~~3.1.1~~**9.3**

The Town shall continue to sSubmit Local Government Funding Requests to FDEP for coastal activities eligible for State cost-sharing.

POLICY ~~3.1.1~~**9.4**

The Town shall continue to mMaintain regular verbal and written communication between U.S. Army Corps of Engineers ~~Civil Works staff, Coastal Program Manager,~~ and other appropriate representatives of the Town, to best encourage dry beach placement of inlet dredged material associated with the Palm Beach Harbor/Lake Worth Inlet Maintenance Dredging project.

POLICY ~~3.1.1~~**9.5**

The Town shall continue to investigate drainage/water quality improvement possibilities in conjunction with the South Florida Water Management District, Florida Department of Environmental Protection, and other regulatory and permitting agencies, the appropriate Town staff representative, and Town's chosen consultant.

POLICY ~~3.1.1~~**9.6**

The Town shall continue to pParticipate in the Lake Worth Lagoon Steering Committee on the implementation of the FDEP's program for the Lake Worth Lagoon Ecosystem Management Area. ~~Verbal and written communication, in addition to meetings, will be conducted in conjunction with the Coastal Program Manager and the Planning Administrator or other appropriate representative of the Town.~~ **Coordination will occur through the Town's Public Works Department.**

POLICY ~~3.1.1~~**9.7**

The Town shall obtain from ~~Contact~~ the Palm Beach County Health Department for a copy of its Annual Air Quality Report. In the event the Town is cited for air quality degradation, it will coordinate with the Health Department in determining an appropriate set of actions. ~~The Planning Administrator will coordinate, in writing, with the County.~~

POLICY ~~3.1.1~~**9.8**

The Town shall continue to administer mutual aid agreements with Palm Beach County and West Palm Beach regarding hazardous waste materials. ~~Coordination will be maintained through written agreements and regular Fire Chief Association meetings.~~

POLICY 3.1.19.9

The Town shall c~~Continue to work closely with the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection on beach nourishment projects. The Town Manager's Office and Public Works Department further beach nourishment efforts through continual verbal and written contact and meetings with Federal, State, Regional permitting and advisory agencies.~~

POLICY 3.1.19.10

The Town shall c~~Continue to coordinate hurricane evacuation plans with County and State Offices of Emergency Management, the Treasure Coast Regional Planning Council, Palm Beach County, and the municipalities of West Palm Beach, Lake Worth **Beach**, and South Palm Beach.~~

POLICY 3.1.19.11

The Town shall continue to c~~Coordinate the implementation of the Post Disaster Redevelopment Plan. currently being developed by the Issues Forum. Coordination will take place through the Town Manager's Office and the Town Planning Administrator.~~

POLICY 3.1.19.12

- **The Town shall m**~~Maintain regular verbal and written communication with non-governmental organizations applicable to the implementation of the Town's Coastal Management Program with the Coastal Program Manager or other appropriate representatives of the Town.~~
Coordination will occur through the Town's Public Works Department.

POLICY 3.1.

~~Explore the possibility with the Treasure Coast Regional Planning Council, pursuant to 380.05(3) of designating the Town as an Area of Critical Concern as it relates to the shoreline, natural and historic resources and sea level rise as a result of Florida Department of Environmental Protection June 2015 Study, Critically Eroded Beaches that NOTED the "area extending south of Lake Worth Inlet along the town of Palm Beach (R76-R128) are 10.9 miles of critical erosion threatening private development, local parks, and State Road A1A.~~