



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
360 South County Road  
Palm Beach, FL 33480  
(561) 838-5430 • [www.townofpalmbeach.com](http://www.townofpalmbeach.com)

PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Memorandum: Planning and Zoning Commission

TO: Chair and Members of the Commission

THRU: Wayne Bergman, MCP, LEED-AP  
Director PZ&B

FROM: Jennifer Hofmeister-Drew, AICP  
Planner III

SUBJECT: EVALUATION AND APPRAISAL REVIEW (EAR) OF THE TOWN'S  
COMPREHENSIVE PLAN

MEETING: April 27, 2023

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#### **RECOMMENDED ACTION**

Pursuant to Code Section 2-333, the Planning and Zoning Commission (PZC) shall act in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The PZC shall follow the concepts and contents of the Town's comprehensive plan in all planning, zoning and development related deliberations and decisions. Therefore, staff recommends that the PZC hear the presentation by staff and provide any suggested recommendations.

#### **GENERAL INFORMATION**

The importance of comprehensive planning in the state of Florida cannot be understated, as the document serves as the vision for a community and provides the data and analysis for local government policy decisions. More specifically, as stated in Section 163.3177, F.S., the comprehensive plan provides the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of a community that reflects commitments to implement the plan and its elements.

These principles and strategies must guide future decisions in a consistent manner and contain programs and activities to ensure comprehensive plans are implemented. It is not the intent to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the overall local strategy to realize the vision of the community. The plan is intended to establish meaningful and predictable measures for the use and development of land and provide guidelines for the more detailed land development regulations provided for in a zoning code.

Pursuant to Section 163.3191, F.S., at least once every seven (7) years, every local government in the state of Florida is required to evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in state law since the last update of the comprehensive plan and notify the Department of Economic Opportunity (DEO), the state land planning agency, as to its determination. Local governments are also encouraged to comprehensively evaluate and, as necessary, update comprehensive plans to reflect

changes in local conditions. If the local government determines amendments to their comprehensive plan are necessary, the amendments must be transmitted to DEO within one (1) year of such determination.

The last time the Town's comprehensive plan was updated was in 2017. Additionally, the Town amended its comprehensive plan to update the Water Supply Plan and incorporate the mandatory Property Rights Element, in 2021 and 2022, respectively. According to the Department of Economic Opportunity website, the statewide Evaluation and Appraisal Notification Schedule requires the Town of Palm Beach to determine if amendments to its Comprehensive Plan are necessary to reflect changes in state requirements and notify the state planning agency of its determination by April 1, 2023.

On March 31, 2023, a notification letter, see Attachment A, was sent to the DEO indicating that the Town of Palm Beach Department of Planning, Zoning & Building has evaluated its Comprehensive Plan and determined that amendments are necessary to reflect changes in state law and local conditions. As required by Section 163.3191(2), F.S., the Town understands that the necessary amendments to its Comprehensive Plan must be transmitted to the state land planning agency within one (1) year, which is by April 1, 2024.

WRB:JGM:JHD

Attachment A



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
360 South County Road  
Palm Beach, FL 33480  
561-838-5430 | [www.townofpalmbeach.com](http://www.townofpalmbeach.com)

March 31, 2023

Barbara Powell, Regional Planning Administrator  
Bureau of Community Planning and Growth  
Division of Community Development  
Florida Department of Economic Opportunity  
107 East Madison Street, MSC 160  
Tallahassee, FL 32399-4120

Dear Ms. Powell:

In accordance with the requirements of Chapter 163.3191, Florida Statutes (F.S.) and Rule Chapter 73C-49, Florida Administrative Code (F.A.C), the Town of Palm Beach is required to determine whether the need exists to amend its comprehensive plan to reflect changes in state requirements since the last time the Town's comprehensive plan was updated, which was 2017. Additionally, the Town amended its comprehensive plan to update the Water Supply Plan and incorporate the mandatory Property Rights Element, in 2021 and 2022, respectively. According to the Department of Economic Opportunity website, Evaluation and Appraisal Notification Schedule, 4/1/2016 to 4/1/2023, the Town of Palm Beach must determine if amendments to its Comprehensive Plan are necessary to reflect changes in state requirements and notify the state planning agency of its determination by April 1, 2023.

Please accept this letter as the Town of Palm Beach's notification letter indicating that the Town of Palm Beach Department of Planning, Zoning & Building has evaluated its Comprehensive Plan and determined that amendments are necessary to reflect changes in state law. As required by Section 163.3191(2), F.S., the Town understands that the necessary amendments to its Comprehensive Plan must be transmitted to the state land planning agency within one (1) year, which is by April 1, 2024.

As stated, the Town amended its comprehensive plan in 2017, with subsequent amendments in 2021 to update the Water Supply Plan and incorporate a new Property Rights Element in 2022. The Town of Palm Beach will amend again its Comprehensive Plan within one (1) year to address changes in statutory regulations and consider amendments to the following elements to address issues of local concern.

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|--|---|
| 1. Future Land Use Element                 | 7. Intergovernmental Coordination Element |
| 2. Transportation Element                  | 8. Capital Improvement Element            |
| 3. Housing Element                         | 9. Historic Preservation Element          |
| 4. Infrastructure Element                  | 10. Public Safety Element                 |
| 5. Coastal Management/Conservation Element | 11. Property Rights Element               |
| 6. Recreation/Open Space Element           |   |

Should you have any questions, please do not hesitate to contact me at 561-227-6426 or Jennifer Hofmeister-Drew, AICP, Planner III, at 561-227-6406.

Respectfully,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Wayne R. Bergman, MCP, LEED® AP  
Director of Planning, Zoning & Building  
Town of Palm Beach



**Ron DeSantis**  
GOVERNOR



**Meredith Ivey**  
ACTING SECRETARY

April 3, 2023

**RESPONSE VIA E-MAIL ONLY**

Mr. Wayne Bergman, MCP, LEED, AP  
Director of Planning, Zoning & Building  
Town of Palm Beach  
360 South County Road  
Post Office Box 2029  
Palm Beach, Florida 33480

Subject: Town of Palm Beach Evaluation and Appraisal Notification Letter

Dear Mr. Bergman:

This is to acknowledge receipt of your Evaluation and Appraisal Notification Letter, which was due on April 1, 2023 and received by the Department on March 31, 2023.

Please note that your proposed comprehensive plan amendments based on your Evaluation and Appraisal should be transmitted to the Department by **March 31, 2024**, within one year of your notification, pursuant to Section 163.3191(2), Florida Statutes. The amendments are subject to the **State Coordinated Review Process** as outlined in Section 163.3184(4), Florida Statutes.

Yazmin Valdez of the Department's staff is available to assist and provide technical guidance to your questions concerning the contents of the Evaluation and Appraisal based comprehensive plan amendments and may be reached at 8524.

If you have any questions concerning the processing of the Evaluation and Appraisal based amendments, please contact Donna Harris, Plan Processor, at 850.717.8491.

Sincerely,

Barbara Powell, Deputy Bureau Chief  
Bureau of Community Planning and Growth

BP/dh

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
(850) 245.7105 | [www.FloridaJobs.org](http://www.FloridaJobs.org) | [www.Twitter.com/FLDEO](https://www.Twitter.com/FLDEO) | [www.Facebook.com/FLDEO](https://www.Facebook.com/FLDEO)

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