



## COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 25-B

### STATE REVIEW TRANSMITTAL REPORT, MAY 13, 2025

#### A. Application Summary

##### I. General Data

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<b>Project Name:</b>	<b>Seventh at Haverhill (LGA 2025-009) and Text</b>
<b>FLUA Summary:</b>	<b>HR-8 to HR-12 with conditions</b>
<b>Text Summary:</b>	<p>To revise the Future Land Use Element (FLUE):</p> <ul style="list-style-type: none"> <li>• Policy 2.2.1-m to allow developments in the Urban Redevelopment Area (URA) with both places of worship and residential uses with 100% of units restricted per the Affordable Housing Program (AHP), to utilize 100 percent of the underlying residential density and the institutional intensity; and,</li> <li>• Policy 2.4-g to allow developments located in the URA, within ¼ mile of a transit stop, with 100% of units restricted per the AHP, to receive up to seven (7) Transfer of Development Rights (TDRs) per acre.</li> </ul>
<b>Acres:</b>	3.37 acres
<b>Location:</b>	Southwest corner of Pine Grove Drive and North Haverhill Road
<b>Project Manager:</b>	Maria Bello, Principal Planner
<b>Applicant:</b>	Haverhill Owner, LLC (Mario Procida) - Lessee
<b>Owner:</b>	West Palm Beach Baptist Seventh Day Church, Inc. (Jasmine J. Lynch)
<b>Agent:</b>	Meredith Leigh, Shutts & Bowen, LLP
<b>Staff Recommendation:</b>	Staff recommends <b>approval with conditions</b> based upon the conclusions contained within this report

##### II. Assessment & Conclusion

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This project proposes to provide 101 units of affordable housing and an integrated place of worship. It represents the first large scale redevelopment of its kind in the unincorporated URA, the area targeted by the County for redevelopment, revitalization, and infill development. The project also reflects a growing trend among places of worship, looking for opportunities to sustain their religious activities and facilities and to enhance the communities where they are located through the provision of housing. As vacant land diminishes in the County, and more infill and redevelopment projects are proposed, current provisions related to density and property development regulations are proving insufficient to meet the target number of units, particularly for affordable housing developments. The proposed text amendments create mechanisms by which additional density can be permitted in projects/areas that further the County's stated objectives of redevelopment and affordable housing, and the proposed future land use amendment uses those mechanisms to deliver the proposed uses. **Staff recommends approval.**

### III. Hearing History

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**Local Planning Agency: *Approval with conditions*,** motion by Rick Stopek, seconded by Varisa Lall Dass, passed in an 8 to 0 vote at the April 11, 2025 public hearing. Commission discussion included access to the site and the condition of Pine Grove Drive, the School District's request for a voluntary contribution to address impacts on the public school system, and the need to enhance existing bus stops for the north and south bound routes serving the site. There was no public comment.

**Board of County Commissioners Transmittal Public Hearing: *Transmit*,** motion by Commissioner Weiss, seconded by Commissioner Woodward, passed in a 6 to 0 vote (with Commissioner Powell absent) at the May 13, 2025 public hearing. There was no Board discussion and no public comment.

**State Review Comments:**

**Board of County Commissioners Adoption Public Hearing:**

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## B. Petition Summary

### I. Site Data

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#### Current Future Land Use

**Current FLU:** High Residential, 8 units per acre (HR-8)  
**Existing Land Use:** Place of Worship  
**Current Zoning:** Residential High (RH)  
**Current Dev. Potential Max:** Residential uses, up to 27 units

#### Proposed Future Land Use Change

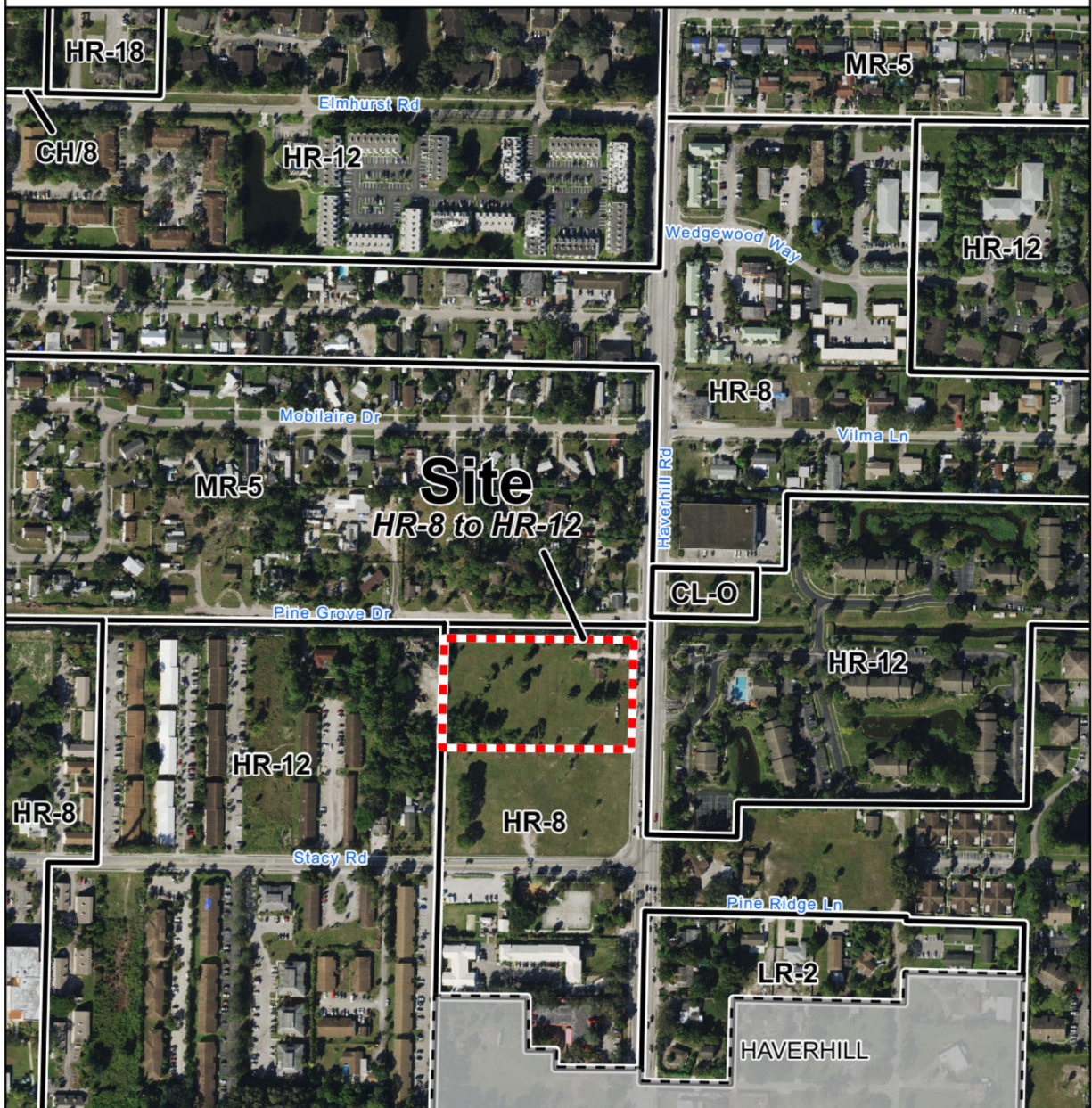
**Proposed FLU:** High Residential, 12 units per acre (HR-12)  
**Proposed Use:** Residential uses, up to 101 units and Institutional uses, up to 66,059 sf (0.45 FAR)  
**Proposed Zoning:** Residential High (RH)  
**Dev. Potential Max/Conditioned:** Residential uses, up to 101 units and Institutional uses, up to 66,059 sf (0.45 FAR)

#### General Area Information for Site

**Tier:** Urban/Suburban - No Change  
**Utility Service:** Palm Beach County Water Utilities Department  
**Overlay/Study:** Haverhill Area Neighborhood Plan (HANP)  
**Comm. District:** Gregg K. Weiss, District 2

# Future Land Use Atlas Amendment

## Seventh at Haverhill (LGA 2025-009)



### Site Data

Size: 3.37 acres  
 Existing Use: Place of Worship  
 Proposed Use: Residential  
 Current FLU: HR-8  
 Proposed FLU: HR-12

### Future Land Use Designations

CH/8	Commercial High, underlying HR-8	HR-8	High Residential, 8 units/acre
CL-O	Commercial Low-Office	LR-2	Low Residential, 2 units/acre
HR-12	High Residential, 12 units/acre	MR-5	Medium Residential, 5 units/acre
HR-18	High Residential, 18 units/acre		

Date: 12/19/2025  
 Contact: PBC Planning  
 Filename: T:\Planning\AMEND\25-B/  
 Note: Map is not official, for presentation purposes only.

Site  
 Municipalities

130 0 130 260 Feet



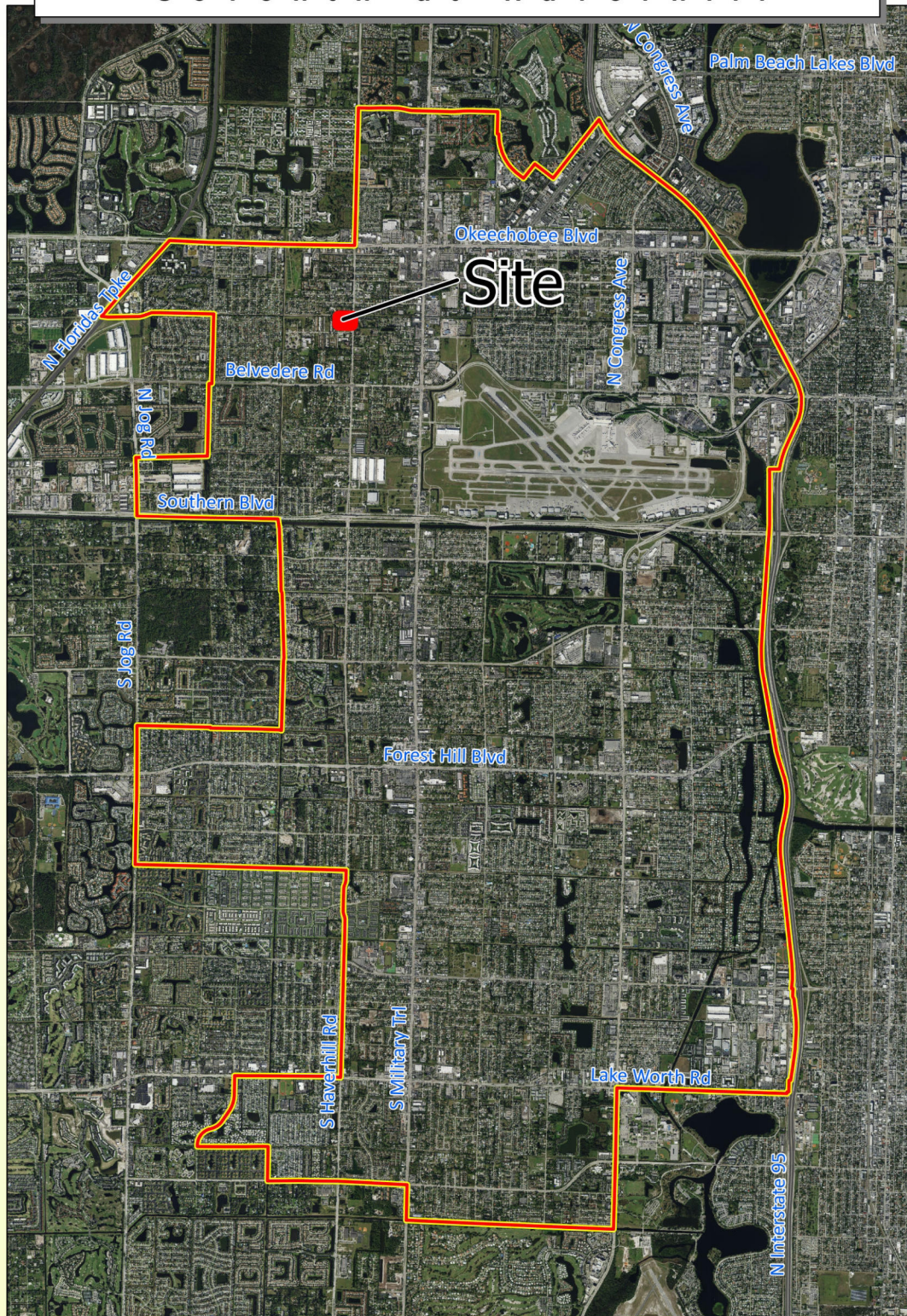
**Planning, Zoning & Building**  
 2300 N. Jog Rd, WPB, FL 33411  
 Phone (561) 233-5300





# Urban Redevelopment Area

## Seventh at Haverhill



Date: 2/26/2025  
 Contact: Dale Whitfield  
 Planname: 130Plan/AMEND/25-48/Seventh  
 V:\Graphics\URA Data Study\Data Study.mxd

Note: Map is not official, for presentations purposes only.

URA Boundary  
 Site

0 0.5 1 Miles



Planning, Zoning  
 & Building  
 2300 N Jog Rd  
 West Palm Beach, FL 33411  
 Phone: (561) 233-4300



## C. Introduction

### I. Intent of the Amendment

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The subject site is located on the west side of Haverhill Road, approximately 0.5 mile south of Okeechobee Boulevard, in the Urban Redevelopment Area (URA) within the Urban/Suburban Tier. The 3.37 acre site has a future land use designation of HR-8 (High Residential, 8 units per acre) and is currently developed with a place of worship located in a converted single-family home at the northeast corner of the property.

This amendment proposes to change the FLU designation to HR-12 (High Residential, 12 units per acre), and to revise certain text provisions of the Future Land Use Element to allow for additional density. The intent is to develop 101 multifamily units, all restricted pursuant to the County's Affordable Housing Program (AHP), and a place of worship integrated in the multi-family structure.

Specifically, the amendment proposes to:

- Amend the FLU designation from HR-8 to HR-12 on the subject site.
- Revise Future Land Use Element Policy 2.4-g to allow developments in the URA, located within  $\frac{1}{4}$  mile of a transit stop, and with 100% of units restricted per the AHP, to receive up to seven (7) Transfer of Development Rights (TDRs) per acre.
- Revise Future Land Use Element Policy 2.2.1-m to allow developments in the URA that will have both a place of worship and a residential use with 100% of units restricted per the AHP, to utilize 100% of both the residential density and the institutional intensity for the project.

The text amendment regarding Policy 2.4-g was recommended for initiation by the Planning Commission on July 12, 2024, and initiated by the BCC on August 28, 2024, allowing for the application of the companion site-specific Future Land Use Atlas (FLUA) amendments. At staff's recommendation, these were initiated for all areas identified in the Revitalization, Redevelopment and Infill Overlay (RRIO) of the Comprehensive Plan. Upon further review, the focus of the proposed text amendments has been limited to the URA portion of the RRIO. This limitation allows these concepts to be tested initially in a limited area that has been identified as the central redevelopment focus for the County; if successful, subsequent amendments could extend these policy provisions to all RRIO areas, including those located in the Glades area. In addition, this limitation is consistent with a proposed Unified Land Development Code (ULDC) amendment in process that allows for a parking waiver to reduce required parking for AHP projects in the URA. The proposed text amendment for Policy 2.2.1-m was subsequently identified by staff as necessary to achieve the intent.

**Zoning Application.** No change to the Multifamily High Density Residential (RH) Zoning is required for this project. An application to the Zoning Division has been submitted for Class A Conditional Use approvals for Affordable Housing Program Density Bonus and TDRs more than two (2) dwelling units per acre. A Type 2 Waiver to reduce the required parking for an AHP project is also requested and will need to comply with the Board of County Commissioners adopted County-initiated ULDC text amendment for the parking waiver on March 27, 2025.



## II. Background/History

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**Amendment History:** The subject site is located in the 1992 Haverhill Area Neighborhood Plan (HANP) area, which recommended that FLU designations of HR-12 along nearby Stacy Road were incompatible with the surrounding residential densities in the Town of Haverhill and that the density along Stacy Road should be reduced. Subsequently, the Board of County Commissioners (BCC) adopted Comprehensive Plan Amendment 95-57 RES 1 via Ord. No. 1995-62 on December 12, 1995, to change the FLUA designation from HR-12 to HR-8, for the subject site and several properties in the vicinity.

**Urban Redevelopment Area:** The subject site is located in the URA, an area of the County's Urban Suburban Tier designated in 2005 as a focus of the County's redevelopment and infill efforts. The intent of the URA is to promote economic growth, improve the present conditions of infrastructure, and encourage investment and reinvestment in the area, and direct development where resources exist. The URA, designated on the Comprehensive Plan Special Planning Area Map LU 3.1, covers approximately 35 square miles, and is generally located between Community Drive to the north, Lake Worth Drainage District (LWDD) L-14 Canal to the south, Interstate Highway I-95 to the east, and extending to as far west as Jog Road in some areas.

Within the URA there are designated priority redevelopment areas, generally located along major corridors, where FLU designations and development codes do not set specific limits on density. Instead, special provisions allow the number of units to be determined by the design and urban form, in order to facilitate infill and redevelopment. For sites such as the subject site, located in the URA but outside of these priority redevelopment areas, residential infill and redevelopment projects occur using the FLU designations in conjunction with other density bonuses available in the balance of the Urban Suburban Tier, including WHP or AHP Density Bonuses, and TDRs.

**Transfer of Development Rights Program:** The County's TDR program allows for developments in the Urban/Suburban Tier to increase density by purchasing development rights from the County's TDR Bank or from private property owners in designated areas. Per Comprehensive Plan Policy, TDRs are the required method for increasing density; for this reason staff always recommends to the Board of County Commissioners that any future land use amendments requesting an increase in density be required to include full use of TDRs as part of the density increase. The maximum number of TDRs that can be used on a site vary by the location of the receiving area, and range from 2 units per acre west of the Turnpike, to 4 units per acre in areas identified for infill and redevelopment, with an additional TDR available for projects in close proximity to employment, services and amenities. Prices for TDRs purchased from the County TDR Bank are updated annually based on the Palm Beach County Median Sales Prices for single-family and multi-family homes, and are heavily discounted for WHP and AHP units, especially in RRIO areas. TDRs are not available for use in the URA priority redevelopment areas.

**Affordable Housing:** The County has an AHP that provides for a density bonus of up to 100% of the FLU density for projects that restrict at least 65% of their units for households at or below 60% of Area Median Income (\$62,640 in 2024). The affordability restriction remains in effect for a period of 30 years. The amount of density bonus is determined through a sector analysis that considers proximity to employment, services and amenities, among other factors. The AHP also limits the number of units that can be provided for households at or below 30% of Area Median

income to no more than 20% of the project units. The project proposed for the subject site would restrict 100% of its units pursuant to the AHP.

**Place of Worship Colocation:** The owner of the subject site is West Palm Beach Baptist Seventh Day Church, Inc., which is currently using an older residence at the north east corner of the site as a place of worship. The intent of the amendment is to allow development of the site with 101 affordable housing units and a place of worship. This place of worship would be integrated into the residential structure, and would replace the aging structure currently in use.

### **III. Data and Analysis Summary**

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This section of the report provides a summary of the consistency of the amendment with the County's Comprehensive Plan. The detailed discussion of consistency with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans, is provided in Exhibit 2.

#### **A. Overview of the Area**

The subject site is located on the west side of Haverhill Road, approximately 0.5 mile south of Okeechobee Boulevard, in the URA within the Urban/Suburban Tier, and within the Stacy Road Area Countywide Community Revitalization Team (CCRT) Area, one of 84 such areas targeted for redevelopment and revitalization. To the north, across Pine Grove Drive, are a church and several associated dwelling units, as well as several single-family homes. Adjacent to the west is a single-family residence, and to the south a vacant parcel. To the east, across Haverhill Road, is a multifamily residential project known as Residences at Haverhill. The area where the subject site is located is a mix of older single-family dwellings and newer multi-family development, with FLU designations in the MR-5 to HR-12 range.

#### **B. Appropriateness of the Amendment**

As noted, the subject site is located in the URA but outside of the priority redevelopment areas. As with developments throughout the Urban/Suburban Tier, residential projects in the URA but outside of the priority redevelopment areas use the FLU designations in conjunction with other available density bonuses available, including Workforce or Affordable Housing Program Density bonuses, and Transfer of Development Rights.

The maximum AHP density bonus available to the subject site per the AHP is 100%; the maximum number of TDRs available is 4 units per acre. This project, proposed to include 101 units on 3.37 acres, is seeking a density of 30 units per acre. The maximum that could be sought for this property, under current provisions, and assuming a FLU of HR-12, is 28 units per acre: (12 from FLU, 12 from 100% AHP density bonus, and 4 from TDRs.) Under current provisions, this project could not attain the 101 units. This amendment to Policy 2.4-g proposes to increase the number of available TDRs per acre to 7, for 100% affordable projects pursuant to the AHP, located in the URA with ¼ mile of a transit stop.

Increasingly, the Planning, Zoning and Building Department is receiving inquiries from places of worship regarding the potential for residential development on their sites. Similar trends are appearing nationally. Places of worship sometimes have substantial land resources, but lack the financial resources to maintain their facilities and/or carry out their selected community ministries. In some cases, their membership has diminished over time, contributing to the situation. Some



have been approached by multifamily builders who aim to use the underutilized site for residential development, while also providing funds and/or new facilities for the congregation. Several places of worship have expressed interest in these arrangements, especially when the residential development will provide a significant component of affordable and workforce housing for the community.

This is the case with the subject site and the existing place of worship, which is located in an aging residential structure. The proposed development is planned to include both residential units and a place of worship. FLU Policy 2.2.1-m allows for places of worship in residential FLU designations. The proposed text amendment to this policy provides that for projects in the URA, where these uses are co-located, and where all units in the development will be restricted pursuant to the AHP, the site may utilize up to 100% of the underlying residential density and the institutional intensity associated with the place of worship, in order to maximize the residential potential of the site.

Affordable housing is rarely addressed by the market, and requires supplemental funding and maximization of density in order to be viable. The project proposed for the subject site would restrict 100% of its units pursuant to the AHP. The proposed FLUA amendment from HR-8 to HR-12, and the proposed text amendments, are intended to maximize density further and increase viability of the project. The proposed limitation to sites within  $\frac{1}{4}$  mile of transit stops recognizes that access to transit is an important service for households with incomes in the AHP level of up to 60% of Area Median Income, as data show that car ownership rates for households at this income level are significantly lower than for workforce or higher income levels.

### **C. Compatibility**

The proposed amendments, if approved, would allow for development of the subject site at a density of 30 units per acre. The density, and the resulting structure (anticipated to be 5 stories), will be of a mass and scale that is not currently present along the Haverhill Road corridor, nor contemplated in the 1992 HANP. However, with the site's location in the URA, redevelopment of this site as well as surrounding sites is to be anticipated over time. The single family homes to the north and west of the subject site were built in the 1950's and early 1960's, and about half are not homesteaded for tax purposes, suggesting that they are held as investment properties, and likely candidates for redevelopment as well.

### **D. Assessment and Recommendation**

This project proposes to provide 101 units of affordable housing and an integrated place of worship. It represents the first large scale redevelopment of its kind in the unincorporated URA, the area targeted by the County for redevelopment, revitalization, and infill development. The project also reflects a growing trend among places of worship, looking for opportunities to sustain their religious activities and facilities and to enhance the communities where they are located through the provision of housing.

As vacant land diminishes in the County, and more infill and redevelopment projects are proposed, current provisions related to density and property development regulations are proving insufficient to meet the target number of units, particularly for affordable housing developments. The proposed text amendments create mechanisms by which additional density can be permitted in projects/areas that further the County's stated objectives of redevelopment and affordable housing, and the proposed future land use amendment uses those mechanisms to deliver the proposed uses. **Staff recommends approval.**

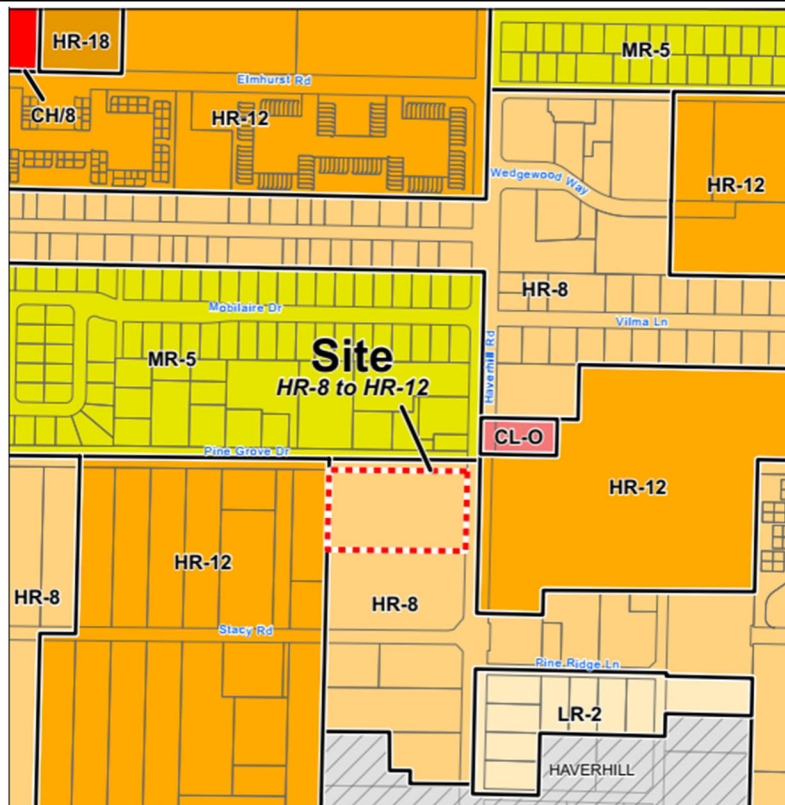
<b>Exhibits</b>	<b>Page</b>
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1B. Proposed Text Amendments	E-3
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4. Applicant's Public Facility Impacts Table	E-29
5. Traffic Division Policy 3.5-d Letter	E-32
6. Fire Rescue Department LOS Letter	E-34
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10. Correspondence	E-45

## Exhibit 1-A

<b>Amendment No:</b>	<b>Seventh at Haverhill (LGA 2025-009)</b>
<b>FLUA Page No:</b>	57
<b>Amendment:</b>	From High Residential, 8 units per acre (HR-8) to High Residential, 12 units per acre (HR-12) with conditions
<b>Location:</b>	Southwest corner of Haverhill Road North and Pine Grove Drive
<b>Size:</b>	3.37 acres approximately
<b>Property No:</b>	00-42-43-26-02-000-0010

**Conditions:** Development of the site is subject to the following conditions:

1. Residential dwelling units shall be limited to a maximum of 101 units with no further density increases through density bonus programs.
2. The zoning development order shall require 100% of the total dwelling units to be built as on-site affordable housing units. The affordable housing units are subject to the applicable requirements of the Affordable Housing Program (AHP) in Article 5.G.2 of the ULDC.
3. A total of 24 Transfer of Development Rights (TDR) units shall be purchased and constructed. All TDR units shall be purchased at the AHP rate and shall be restricted pursuant to the requirements of the AHP.
4. Development of the site shall be limited to a maximum of net 713 daily trips and net 54 peak hour trips.
5. The proposed future land use amendment and the proposed zoning applications shall be considered for adoption by the Board of County Commissioners at the same public hearing.



## **Legal Description**

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Tract 1 and 2, Haverhill Acres, according to the Plat thereof, as recorded in Plat Book 20, Page 75 of the Public Records of Palm Beach County, Florida, less the easterly 25 feet lying within the right of way of Haverhill Road.

Containing 3.37 acres, more or less.



## Exhibit 1-B

### Proposed Text Amendments

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#### A. Future Land Use Element, Future Land Use Provisions - General

**REVISIONS:** To revise to allow developments in the URA that will have both a place of worship and a residential use with 100% of units restricted in accordance with the AHP, to utilize 100% of both the residential density and the institutional intensity for the project. The revisions are shown below with added text underlined and deleted text ~~stricken through~~.

1. **Policy 2.2.1-m: Non-Residential Uses Allowed in Residential Future Land Use Designations.** Limited non-residential uses are allowed in residential future land use designations through the associated zoning districts as identified in the Unified Land Development Code. Non-residential uses are limited to those that serve the residential area, and may be further limited through the development review process to ensure that the individual projects are appropriate in size, scale, and character with the surrounding residential area. The following land uses may be permitted within areas designated Residential on the Future Land Use Atlas (FLUA), but are further restricted by the Unified Land Development Code (ULDC).
  1. Park and Recreation uses designed to serve the residential area;
  2. Institutional uses designed to serve the residential area such as schools, child care facilities and adult day care facilities, ~~houses of worship~~, governmental administration, law enforcement substations, fire protection facilities, libraries, civic centers, community service centers and similar uses. Some uses may be appropriate in residential areas if limited, such as: nursing homes subject to special criteria;
  3. Places of worship designed to serve the residential area. In the Urban Redevelopment Area depicted on Special Planning Areas Map 3.1, developments with 100% of units restricted pursuant to the Affordable Housing Program may utilize up to 100% of the underlying residential density and the institutional intensity associated with the place of worship;
  43. Utility and communication facilities designed to serve the residential area and subject to special criteria;
  54. Limited commercial uses within a Planned Development District designed for the convenience of the residents;
  65. Agricultural uses compatible with the residential area pursuant to Policy 2.2.1-v; and,
  76. Limited excavation operations.

## **B. Future Land Use Element, Transfer of Development Rights**

**REVISIONS:** To revise the Transfer of Development Rights provision to allow up to 7 units per acre in the Urban Redevelopment Area subject to criteria. The revisions are shown below with added text underlined and deleted text ~~stricken through~~.

1. **REVISE Policy 2.4-g:** In order to encourage eastward development and a tapering off of density towards the western edge of the Urban/Suburban Tier and support development within the Urban/Suburban Tier in the Glades, or to protect rural residential areas by concentrating needed housing units where urban residential future land use designations already exist, bonus densities may be applied for as follows:
  1. Inside the Urban/Suburban Tier and west of the Florida Turnpike, up to 2 du/acre additional;
  2. Inside the Urban/Suburban Tier, but not in the Revitalization and Redevelopment Overlay, up to 3 du/acre additional;
  3. In the Revitalization and Redevelopment Overlay, up to 4 du/acre additional;
  4. In the Urban/Suburban Tier in the Glades area:
    - (a) But not in a Revitalization and Redevelopment Overlay, up to 3 du/acre additional; or
    - (b) In a Revitalization and Redevelopment Overlay, up to 4 du/acre additional;  
~~and~~
  5. In the Urban Redevelopment Area depicted on Special Planning Areas Map 3.1, up to 7 du/ac additional for developments with 100% of units restricted in accordance with the Affordable Housing Program, and located within ¼ mile of a transit stop; and
  6. Final assignment of TDR bonus density may take into consideration bonus density granted through the Workforce Housing Program or Affordable Housing Program.

## Exhibit 2

### Consistency with Comprehensive Plan

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This Exhibit examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

#### A. Consistency with the Comprehensive Plan - General

1. **Justification - FLUE Policy 2.1-f:** *Before approval of a future land use amendment, the applicant shall provide an **adequate justification** for the proposed future land use and for residential density increases **demonstrate that the current land use is inappropriate**. In addition, the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*

1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
2. *The availability of facilities and services; (see Public Facilities Section)*
3. *The adjacent and surrounding development; (see Compatibility Section)*
4. *The future land use balance;*
5. *The prevention of urban sprawl as defined by 163.3164(51), F.S.; (See Consistency with Florida Statutes)*
6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section)*
7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (See Public and Municipal Review Section)*

The applicant provides a Justification Statement (Exhibit 3) which includes the following:

- The subject Site is within the Urban Redevelopment Area, the Stacy Road Area Countywide Community Revitalization Team ("CCRT") Area, and the Redevelopment, Revitalization and Infill Overlay (RRIO). The Urban/Suburban Tier is expected to accommodate the bulk of the County's population.
- The properties to the east and west are presently designated HR-12, the highest by-right density allowed by the Comp Plan. Much of the existing development pattern along Haverhill Road and Stacy Road can be described as aging multi- and single-family residential that would be suitable for higher density developments given the area's proximity to public transit routes, public libraries, employment centers, grocery stores, public parks, and schools. Recently approved higher density development on Belvedere Road and on Okeechobee Boulevard will further transform the area into a higher density part of unincorporated Palm Beach County. Nearby, on Belvedere Road and on Okeechobee Boulevard, recently approved higher density developments will further transform the area into a higher density part of unincorporated Palm Beach County.
- The subject Property has frontage on an 80-ft. wide arterial road. It is located within two miles of multiple employment centers including Turnpike Crossing Industrial Park, Palm Beach International Airport, Vista Center, and the Airport Logistics Center. The

site is located approximately 1.6 miles from the Florida's Turnpike Okeechobee entrance, and there is a Palm Tran bus stop on its frontage. The Property has access to adequate public facilities, and is less than a mile away from a public elementary school, five (5) day care centers, multiple other houses of worship, and Palm Beach County Fire Rescue Station #23.

- Circumstances have changed greatly since the creation of the Haverhill Area Neighborhood Plan in 1992, which called for preservation of single-family character of the area. Among other changes in the area, in 2009 Hope Centennial Elementary School opened, and in 2018, the 117 unit multi-family Residences at Haverhill development was constructed. Undeveloped land is now scarce in the Urban/Suburban Tier, and Palm Beach County faces an affordable housing deficit. The existing church structure on the site is 77 years old and is beyond its viability; the church's efforts to redevelop and expand over the past 25 years have been unattainable. Redevelopment of the site with affordable multifamily residential units and a new church would help to address both the need for affordable housing and the church's needs, but doing so requires higher densities than the current provisions allow.

**Staff Analysis:** This policy is the umbrella policy over the entire FLUA amendment analysis and many of the items are addressed elsewhere in this report as identified above. Concerning justification, there are several themes presented by this amendment that are discussed individually.

Given the County's objectives for the URA, and the location of the site and the characteristics of the surrounding area, staff concurs with the applicant's assessment that the text and FLUA amendment are justified.

2. **County Directions - FLUE Policy 2.1-g:** *The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.*

**Direction 1. Livable Communities.** *Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.*

**Direction 2. Growth Management.** *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl,*



*providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.*

**Direction 3. Infill, Redevelopment and Revitalization.** *Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.*

**Direction 4. Land Use Compatibility.** *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

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

**Direction 14. A Strong Sense of Community.** *Encourage citizen involvement, neighborhood spirit, and local pride in the County, and a commitment to working constructively on community problems.*

**Staff Analysis:** The proposed amendment seeks to use the AHP and TDRs to constructively provide housing opportunities in an area identified for and experiencing redevelopment and revitalization, with adequate services, and in proximity to transit, employment, educational, and recreational opportunities. As such, the proposed amendment supports the above directions.

3. **Piecemeal Development – FLUE Policy 2.1-h:** *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.*

**Staff Analysis:** The proposed amendment would not constitute piecemeal development.

4. **Residual Parcel – FLUE Policy 2.1-i:** *As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for inter-connectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.*

**Staff Analysis:** The Comprehensive Plan's Introduction and Administration Element defines residual parcel as "a property under the same or related ownership that has been left out of a development area, resulting in a parcel which has limited development options and connections to surrounding properties." There are no other parcels under the same

or related ownership adjacent to the subject site, thus the proposed amendment would not result in the creation of any residual parcels.

**5. Transfer of Development Rights - FLUE Policy 2.4-b:** *The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:*

1. *an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or*
2. *an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or*
3. *an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:*
  - a. *West Lake Worth Road Neighborhood Plan.*

**Staff Analysis:** As discussed under FLUE Policy 2.1-f above, the applicant has provided adequate justification for the proposed amendment, and would not be required to use TDRs to increase density. However, to achieve the density proposed for this project, the applicant must supplement the proposed amendment to HR-12, the highest FLU density available, with both WHP density bonus, and the purchase of the maximum available TDRs.

**6. Transfer of Development Rights - Policy 2.4-g:** *In order to encourage eastward development and a tapering off of density towards the western edge of the Urban/Suburban Tier and support development within the Urban/Suburban Tier in the Glades, or to protect rural residential areas by concentrating needed housing units where urban residential future land use designations already exist, bonus densities may be applied for as follows:*

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

**Staff Analysis:** The applicant is proposing a text amendment to this policy to increase the available TDRS, for AHP projects in the URA with 100% restricted units, to further increase density to the proposed level. This approach creates a focused mechanism with limited scope, within the existing TDR program, to allow additional density in projects/areas that further the County's stated objectives of redevelopment and affordable housing.

**7. Policy 2.2.1-d: Density > HR-12 -** *The County may allow an increase in density greater than the HR-12 Future Land Use category in appropriate areas within the County to direct*

growth away from natural resources and to use infrastructure more efficiently if the proposed development applies one of the following:

1. *The Workforce Housing Program or the Affordable Housing Program, which allow an opportunity to set aside a certain percentage of units for workforce or affordable housing, as described in the policies in Housing Element Objective 1.1 and 1.5 and within the ULDC;*
2. *The Transfer of Development Rights (TDR) Program as described in Objective 2.4;*
3. *The provisions of a Special Overlay; or*
4. *The Traditional Neighborhood Development, Traditional Marketplace Development, Traditional Town Development, Mixed-use Planned Development districts, or Transit Oriented Development option.*

**Staff Analysis:** The proposed development, planned to have a density of 30 units per acre and a small institutional component, is using the AHP and TDR programs, and is within the URA Overlay. As such, it is consistent with this policy.

8. **Policy 2.2.1-m: Non-Residential Uses Allowed in Residential Future Land Use Designations.** *Limited non-residential uses are allowed in residential future land use designations through the associated zoning districts as identified in the Unified Land Development Code. Non-residential uses are limited to those that serve the residential area, and may be further limited through the development review process to ensure that the individual projects are appropriate in size, scale, and character with the surrounding residential area. The following land uses may be permitted within areas designated Residential on the Future Land Use Atlas (FLUA), but are further restricted by the Unified Land Development Code (ULDC).*

1. *Park and Recreation uses designed to serve the residential area;*
2. *Institutional uses designed to serve the residential area such as schools, child care facilities and adult day care facilities, houses of worship, governmental administration, law enforcement substations, fire protection facilities, libraries, civic centers, community service centers and similar uses. Some uses may be appropriate in residential areas if limited, such as: nursing homes subject to special criteria;*
3. *Utility and communication facilities designed to serve the residential area and subject to special criteria;*
4. *Limited commercial uses within a Planned Development District designed for the convenience of the residents;*
5. *Agricultural uses compatible with the residential area pursuant to Policy 2.2.1-v; and*
6. *Limited excavation operations.*

**Staff Analysis:** The proposed development is planned to include both residential units and an institutional component in the form of a place of worship. Policy 2.2.1-m allows for places of worship in residential FLU designations. The proposed text amendment to the above policy provides that for projects in the URA where these uses are co-located, and where all units in the development will be restricted pursuant to the AHP, the site may utilize up to 100% of the underlying residential density and the institutional intensity associated with the place of worship.

Increasingly, the Planning, Zoning and Building Department is receiving inquiries from places of worship regarding residential development on their sites. In some instances, these places of worship have substantial land resources, but lack the financial resources

to maintain their facilities and/or carry out their selected community ministries. Some have been approached by multifamily builders who aim to use the underutilized site for residential development, while also providing funds and/or new facilities for the group. Several groups have expressed interest in these arrangements, especially when the residential development will provide a significant component of affordable and workforce housing for the community. As with the proposed amendment to increase the available TDRs, the proposed text amendment to this policy creates another mechanism by which additional density can be permitted in projects/areas that further the County's stated objectives of redevelopment and affordable housing.

## **B. Consistency with Urban/Suburban Tier Policies**

### **1. Urban/Suburban Tier - FLUE OBJECTIVE 1.2**

*Palm Beach County shall plan to accommodate approximately 90% of the County's existing and projected population through the long-range planning horizon within the Urban/Suburban Tier. The Urban/Suburban Tier shall include all land within the Urban Service Area, as depicted on the Service Areas Map in the Map Series. These areas have a development pattern generally characterized as urban or suburban, considering the intensity and/or density of development. The Urban/Suburban Tier shall be afforded urban levels of service.*

### **2. FLUE Policy 1.2-a: "Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:**

- i. Allowing services and facilities consistent with the needs of urban and suburban development;*
- ii. Providing for affordable housing and employment opportunities;*
- iii. Providing for open space and recreational opportunities;*
- iv. Protecting historic, and cultural resources;*
- v. Preserving and enhancing natural resources and environmental systems; and,*
- vi. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities."*

### **3. FLUE Policy 1.2-b: Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.**

**Staff Analysis:** The proposed amendments will provide for affordable housing in an area identified for infill and redevelopment, consistent with these provisions for the Urban/Suburban Tier. Land development regulations and the zoning review process will help ensure that the proposed development is compatible with immediately surrounding uses in this redeveloping area. The proposed amendments also increase density in an area of the County identified to accommodate 90% of the County's population, and receive urban levels of service.



**C. Consistency with County Overlays, Plans, and Studies**

1. **Overlays – FLUE Policy 2.1-k** states *“Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.”*

**Staff Analysis:** The subject site is located within the RRIO and the URA. It is also located within the Haverhill Area Neighborhood Plan (HANP) study area.

2. **Revitalization, Redevelopment, and Infill Overlay - FLUE SUB-OBJECTIVE 1.2.1**  
*The County shall establish incentives and make resources available, when feasible, to encourage revitalization, redevelopment, and infill in areas identified as a RRIO that are in need of assistance. The County shall work closely with residents, businesses, property owners, governmental agencies, and stakeholders to advance concepts and strategies that guide future revitalization, redevelopment, and infill activities in these areas.*

**FLUE Policy 1.2.1-e:** *The Revitalization, Redevelopment, and Infill Overlay (RRIO) shall be designated as a potential receiving area for the Transfer of Development Rights program described under Land Use Objective 2.4. Within this overlay, TDR units may be provided from the County TDR bank at no cost or at a discounted rate.*

**Staff Analysis:** The RRIO comprises several areas: The URA, all 84 areas identified for revitalization in the County's CCRT Program, and the Lake Worth Park of Commerce. The RRIO also encompasses the Westgate Community Redevelopment Area (WCRA). The subject site is located within the Stacy Area CCRT area, and within the broader URA. As such, the site is appropriately located for redevelopment, and for the use of TDRs in the redevelopment effort pursuant to the above policy. The proposed amendment seeks to expand the availability of TDRs as a tool for redevelopment purposes, consistent with the above objective that direct the County to work with stakeholders to advance concepts and strategies toward redevelopment in these areas. The amendment as initiated was intended to consider allowing additional TDRs, up to 7 per acre, throughout the RRIO. However, in evaluating the concept, staff has determined that the initial application of this concept should be limited to the URA. This is because some of the CCRT areas are located in more suburban settings, and in the Glades area, where conditions may be different, such as more limited mass transit availability. Also, concurrent ULDC amendments to reduce parking requirements for affordable housing projects are proposed, at least initially, to apply only in the URA, where services including mass transit opportunities are more readily available. Thus focusing the allowance of the additional TDRs on the *urban* redevelopment area seems appropriate as an initial step.

3. **Urban Redevelopment Area - FLUE SUB-OBJECTIVE 1.2.2**  
*The purpose of the URA is to focus the County's redevelopment and infill efforts by promoting economic growth, improving the present conditions of infrastructure, investment and reinvestment in the area, and discouraging urban sprawl by directing development where resources exist. The boundaries for the URA are generally described as Community Drive to the north, Lake Worth Drainage District (LWDD) L-14 Canal to the south, Interstate Highway I-95 on the east, and extends to some points as far west as Jog Road.*

**FLUE Policy 1.2.2-a:** *The Urban Redevelopment Area is depicted on the Special Planning Areas Map LU 3.1 in the map series. Within the URA are designated Priority Redevelopment Areas (PRAs), depicted in the map series (LU 9.1 and LU 9.2 Urban*

*Redevelopment Area Regulating Plan). The intent of redevelopment within the PRAs of the URA is to:*

- Preserve and respect existing intact neighborhoods;*
- Maintain and improve the character and the quality of life for those within and adjacent to redeveloped neighborhoods;*
- Create a predictable regulatory framework for building form and the resulting physical environment;*
- Reduce automobile trips, promote transit and/or alternative modes of transportation;*
- Balance housing, with employment, commercial, and civic uses;*
- Provide a variety of housing types to support residents of diverse ages, incomes, family sizes, ethnicities, and lifestyles;*
- Create predictability and efficiency in planning and provision of infrastructure*

**FLUE Policy 1.2.2-i:** *The County shall seek and encourage affordable and workforce housing opportunities in the URA.*

**FLUE Policy 1.2.2-j:** *The County shall coordinate with adjacent municipalities regarding redevelopment activities within the URA to ensure that such efforts are consistent with municipal annexation plans and redevelopment activities within the URA, as appropriate.*

**FLUE Policy 1.2.2-k:** *Mixed-use centers and employment centers shall be encouraged in the Urban Redevelopment Area (URA) where appropriate.*

**Staff Analysis:** As noted above, the URA within the RRIO is the primary focus of the County's redevelopment efforts in the urbanized area. It is also an area where workforce and affordable housing are encouraged, as are a mix of housing types and mixed use centers. As noted in Policy 1.2.2-a above, the URA provides several tools for increased density and intensity in the "priority redevelopment areas" within the URA. However, for the balance of the URA, the tools available are limited to TDRs, Workforce or Affordable Housing Program density bonuses, and Comprehensive Plan Amendments. The proposed text amendments are intended to expand or enhance the tools available outside those priority redevelopment areas. The proposed text amendments do so by increasing the maximum number of TDRs available, and allowing density and intensity to be calculated over the entirety of the site when housing and places of worship are co-located. To further encourage affordable and workforce housing in the URA, the ability to apply these tools would be limited to projects using the County's AHP to deliver projects with 100% of units restricted as affordable. Finally, pursuant to Policy 1.2.2-j, the proposed amendment is provided for review to the Town of Haverhill and to the City of West Palm Beach through the Intergovernmental Plan Amendment Review Committee (IPARC) process, as the subject site is in the future annexation area of both of these municipalities. In addition, as discussed below, the applicant has coordinated directly with the Town of Haverhill.

#### **4. Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO) - FLUE SUB-OBJECTIVE 1.2.3**

**FLUE Policy 1.2.3-e:** The policies of Objective 1.2, the Urban/Suburban Tier, as well as the policies of Sub-Objective 1.2.1, the Revitalization and Redevelopment Overlay, shall apply within the Westgate/Belvedere Homes Community Redevelopment Area

Overlay (WCRAO). However, the policies in this Sub-objective shall apply in the case of a conflict.

**Staff Analysis:** The Westgate/Belvedere Homes Community Redevelopment Area Overlay was created to encourage development and redevelopment of the Westgate area, which lies within the URA. The subject site is not located within the WCRAO, but the proposed amendments would apply to the WCRAO and could potentially be used by projects within the WCRAO. One of the key provisions of the WCRAO, implemented in the ULDC, is a limitation on the amount of very-low and low income units that projects can include if the project uses Density Bonus Pool units available in the WCRAO. This is intended to ensure that, as part of the overall redevelopment plan for the area, housing units are available for a range of income levels. The proposed amendments create an incentive for 100% affordable housing projects, which include units at the very low and low income categories. However, Policy 1.2.3-e above would ensure that the Westgate limitation on those lower income units would apply, thereby avoiding any conflicts.

5. **Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *“The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval.....”*

**Staff Analysis:** The subject site is located within the Haverhill Area Neighborhood Plan (HANP) study area. The HANP was prepared in the early 1990’s, facilitated by the Planning Division and guided by a group of community representatives. The HANP, adopted by both the Board of County Commissioners and the Town of Haverhill, contained a wide range of recommendations intended to serve as a policy guide in addressing PBIA-related topics as well as infrastructure and land uses. One finding of the HANP was that the HR-12 FLU along Stacy Road, south of the subject site, was incompatible with the surrounding residential densities in the Town of Haverhill and should be reduced to Medium Residential, 5 units per acre (MR-5), in an effort to return to single-family residential land uses along the Haverhill Road corridor. Subsequently, the subject Site and several properties to the south on the west side of Haverhill Road were amended, and the FLU designation of the subject site was changed from HR-12 to HR-8.

Today, more than thirty years after the HANP, the area is a mix of single and multifamily residential and institutional uses. However, the single family residences are typically large lot homes built in the 1950’s and early 1960’s, making these sites prime candidates for redevelopment. The inclusion of this area within the URA in 2005 was in recognition of this transitioning character of the area and the suitability for redevelopment, particularly along a major roadway such as Haverhill Road.

## **D. Consistency with other Comprehensive Plan Elements**

### **1. Housing Element – Affordable Housing Policies**

**Policy 1.5-i:** *The County shall establish an Affordable Housing Program to allow new residential developments within the Urban/Suburban Tier only, the opportunity to provide housing units for households with incomes at 60% of area median income and below, as a means to meet affordable housing needs and to disperse that needed housing in unincorporated Palm Beach County. The Affordable Housing Program may provide*

*incentives including density bonuses; density bonus units will be allowed only when consistent with Housing Element Objective 1.5 to discourage the undue concentration of very low and low income housing in the County.*

**Staff Analysis:** The County's AHP is established in the Comprehensive Plan and implemented through Article 5.G.2 of the Unified Land Development Code. The AHP provides a density bonus for projects that provide at least 65% of their units for households at or below 60% of area median income (AMI). The 2024 AMI for Palm Beach County is \$104,400. The proposed project will restrict 100% of the units as affordable housing units. The AHP also limits the percentage of units that can be for households at or below 30% of AMI, to no more than 30% of the total project units; this provision assists in discouraging undue concentrations of low and very low income housing.

## **2. Transportation Element – Transit System Policies**

**Policy 1.5-p:** *The County will promote the designation of land uses and densities which are supportive of mass transit in areas around roadways which have been designated as public transportation corridors in the Comprehensive Plan.*

**Policy 1.9-j:** *As development occurs, the County shall improve pedestrian linkages between residential and non-residential developments as well as connections within neighborhoods by: 1) increasing the number and quality of pedestrian paths or sidewalks; 2) eliminating physical barriers; and 3) locating transit stops within easy walking distance to all residences.*

**Policy 1.9-k:** *The County shall encourage the design of mixed use and multi-use developments and planned developments to be of a pedestrian scale and design by incorporating transit stops and sidewalk connections that follow the accepted general threshold for pedestrian access: 1) approximately five minutes walking time or 2) one quarter mile of distance walked.*

**Staff Analysis:** The proposed density of 30 units per acre is supportive of mass transit on Haverhill Road, which is designated as a public transportation corridor in the Palm Beach Transportation Planning Agency's 2035 Cost Feasible Transit Plan, and which has been adopted by reference in the Transportation Element of the County's Comprehensive Plan. The proposed development also incorporates a mixed use component, with the inclusion of the place of worship. Palm-Tran bus stops for north and south bound routes are located immediately east of the site, on both sides of Haverhill Road.

The proposed amendment to FLU Policy 2.4-g includes adding a requirement that the receiving site be located within ¼ mile of a transit stop. Access to transit is an important service for households with incomes in the AHP level of up to 60% of Area Median Income, as data show that car ownership rates for households at this income level are significantly lower than for workforce or higher income levels.

## **E. Compatibility**

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use. The applicant lists the surrounding uses and future land use designations and provides a compatibility analysis in Exhibit 3.

**FLUE Policy 2.1-f** states that *“the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity.”* And **FLUE Policy 2.2.1-b** states that *“Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.”*

**North:** Individual single-family lots and a vacant parcel, with a future land use designation of MR-5 (Medium Residential, 5 units per acres)

**South:** A vacant parcel, designated HR-8 (High Residential, 8 units per acre)

**East:** Multifamily project with 222 units, Haverhill Commons, with a built density of 11.6 units per acre and a future land use designation of HR-12 (High Residential, 12 units per acre)

**West:** Single-family lot, designated HR-12 (High Residential, 12 units per acre)

**Staff Analysis:** As noted above, the subject site is located in the URA, an area identified for redevelopment. There are multiple multi-family developments in proximity, and the majority of the single family homes are located on large lots that are underutilized relative to their FLU designations, and were constructed in the 1950's and early 1960's, making them likely candidates for redevelopment. While the density of the proposed project will be substantially higher than the density of the surrounding development, it's anticipated that the URA designation will result in redevelopment of the area as a whole over time. A concurrent zoning application for the subject site is being reviewed and is proposed to be required to be heard concurrently with the amendment, wherein any additional issues related to compatibility would be addressed.

## **G. Public Facilities and Services Impacts**

- 1. Facilities and Services – FLUE Policy 2.1-a:** *The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

**Staff Analysis:** The proposed amendment has been distributed to the County service departments for review. The following departments and agencies provided comments regarding the amendment and impacts on public facilities:

- **Traffic Division:** The proposed amendment meets Policy 3.5-d of the Palm Beach County Comprehensive Plan Future Land Use Element at the proposed density and intensity.
- **Land Development:** Platting will be required. Legal positive outfall is available via discharge to the LWDD L-2 Canal along the north side of the site. Property has

existing legal access on North Haverhill Rd. and Pine Grove Drive. The ultimate right of way is met. Access will be from N. Haverhill Rd.

- **Fire Rescue:** This property is primarily served by Palm Beach County Fire Rescue Station #23, located at 5471 Okeechobee Blvd. The subject property is approximately 1.25 miles from the station. The estimated response time to the subject property is 5 minutes. In fiscal year 2024, the average response time for this station zone is 6:39. Changing the land use will have some impact on Fire Rescue.
- **Archaeological and Historical Resources:** The County Historic Preservation Officer and Archeologist has indicated in a Historic Resources Letter, dated November 14, 2024 that no known archeological, historic or architecturally significant resources have been identified within 500 feet of the subject property.
- **Water Utilities Department:** The Water Utilities Department has indicated in a Water Utilities Letter, dated November 18, 2024, that the nearest water connection is a twelve (12)-inch potable water main and a forty-eight (48)-inch sanitary sewer force main located within North Haverhill Road adjacent to the property.
- **Palm-Tran:** The nearest Palm Tran route is Route 4. Northbound and Southbound stops are at the site. The potential increase in density will provide a potential increase in Palm Tran usage. We would like to request a 10x30 transit easement to build transit facilities in the future.
- **School District:** Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, School District staff recommends a condition of approval requiring the developer to contribute **\$28,900.00** to the School District of Palm Beach County prior to the issuance of first building permit.

## II. Public and Municipal Review

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The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *“Palm Beach County will continue to ensure coordination between the County’s Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities.....”*

- A. **Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on March 20, 2024.
- B. **Other Notice:** Public notice by letter was mailed to the owners of properties within 500 feet of the perimeter of the site on March 20, 2024.
- C. **Applicant Coordination:** The applicant has indicated that the project was presented to the Town at their January 23, 2025 public hearing. The Town Council discussed property taxes, parking, the proposed building height, the terms of the County’s affordable housing



program, and potential growth of the place of worship's congregation. Councilmembers also asked whether the development would trigger the widening of Belvedere Road or the expansion of the intersection of Haverhill Road and Belvedere Road; the answer was no. Mayor Jay Foy advised that the Town would be sending a letter to the County re-stating their position that Belvedere should remain a four-lane road.

On January 21, 2025, the applicant held a virtual meeting with the Stacy Road Area CCRT community to present the project. Approximately six people from the public attended; there were no comments or questions from the public.

Any correspondence is added to Exhibit 10 as it is received during the course of the amendment process.

## **Exhibit 3**

### **Applicant's Justification/Consistency with Comprehensive Plan**

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#### **Purpose of Proposed Text Amendment**

The purpose of the amendment is to address affordable housing needs by allowing for the ability of places of worship in the Revitalization and Redevelopment Infill Overlay to repurpose surplus land to add collocated affordable housing. The proposed amendment will give property owners and developers the opportunity to obtain additional density bonuses as an incentive for developments wherein 100% of the units will be affordable in accordance with Housing Element Policy 1.5-I, and allow places of worship to be collocated with residential uses whereby the property's gross acreage can be used to calculate both density and intensity.

Current Plan policies allow a project's maximum development capacity to be calculated by either Floor Area Ratio ("FAR") for non-residential uses or density for residential uses. According to Policy 2.2-e, on properties that have a primary or underlying residential FLU designation and density governed by density in Table 2.2.1-g-1, the maximum FAR does not apply. FLUE Policy 2.2.1-m provides that some non-residential uses are allowed in a residential FLU designation. Community serving non-residential uses such as day care facilities, places of worship, governmental offices, among others are permitted. However, unless otherwise specified in the Plan, a mixed- or multiple-use project may not calculate both density and intensity based on a property's gross acreage, limiting the square footage of non-residential uses and the number of possible units that can be built on a property.

Currently, FLUE Policy 2.4-g caps the maximum allowed bonus density based on specified location criteria. Properties in the Urban/Suburban ("U/S") Tier, east of Florida's Turnpike in a Revitalization and Redevelopment Overlay, are eligible for an additional four (4) du/ac.

It is the case, with the proposed development, that in order to obtain the available funding for the development of affordable housing, the developer must deliver a minimum number of units, which cannot be reached on the subject site through the existing density allowances. The developer is proposing to provide a multifamily development that will be 100% affordable to households earning 60% or below of the Area Median Income. All of the affordable units will be built on-site. This is a departure from the current development pattern whereby developers typically seek density bonuses and, in exchange, are obligated to provide a proportionately small percentage of units as affordable that they may provide on-site or off-site. However, it is first necessary to amend the Plan to create a mechanism whereby additional density can be obtained through the normal course of development review, particularly for affordable housing developments at a time when the County is in the midst of a housing affordability crisis. The most straightforward solution proposed was to add an additional density bonus option of three (3) additional TDRs for developments that will provide 100% of the affordable units on-site.

#### **Site-Specific Amendment Request**

The 3.37-acre subject property is located at 1473 North Haverhill Road, on the west side of Haverhill Road, approximately 0.5 miles south of Okeechobee Boulevard ("Site", or "Property"). Currently, the subject property has a Future Land Use Atlas ("FLUA") designation of High Residential, 8 units per acre (HR-8) and is in the Multifamily High Density Residential Zoning District.

Haverhill Owner, LLC, (“Applicant”) requests a Comprehensive Plan Text Amendment (“Text Amendment”) and a Large-Scale FLUA amendment to change the FLUA designation from HR-8 to High Residential, 12 units per acre (“HR-12”) for the purposes of constructing a mixed-use development with multifamily residential and a place of worship (“Project”). The proposed Text Amendment will facilitate the development of the Project by allowing 100 percent of the gross acreage to be used in calculating the maximum allowed density and intensity, and allow additional Transferrable Development Rights (“TDR’s”) based on specified criteria. The Property is located in the Urban Redevelopment Area (“URA”), the Revitalization and Redevelopment Infill Overlay (“RRIO”) and the Stacey Area Countywide Community Revitalization Team (“CCRT”) Area.

A concurrent application to the Zoning Division will be submitted for Class A Conditional Use approvals for 100% Affordable Housing Program Density Bonus and TDR’s more than two (2) dwelling units per acre within the required ninety (90) days from this submission.

**Table 1 - Property Information**

<b>Control No./Name</b>	2000-00088 / West Palm Beach Baptist Seventh Day Church
<b>Situs Address</b>	1473 North Haverhill Road
<b>Property Control Number</b>	00-42-43-26-02-000-0010
<b>Property Owners</b>	West Palm Beach Baptist Seventh Day Church, Inc.
<b>Land Area</b>	3.37 acres
<b>Existing FLU</b>	HR-8
<b>Proposed FLU</b>	HR-12
<b>Existing Zoning</b>	RH
<b>Proposed Zoning</b>	RH
<b>Existing Use</b>	Place of Worship
<b>Proposed Use</b>	Place of Worship and Multifamily



**Figure 1 - Location Map**

Below is a summary of surrounding properties:

**Table 2 - Surrounding Properties**

<b>Adjacent Lands</b>	<b>Uses</b>	<b>FLU</b>	<b>Zoning</b>
<b>Subject Property (Proposed)</b>	Institutional (Existing) Institutional & Residential (Proposed)	HR-8 (Existing) HR-12 (Proposed)	RH
<b>North</b>	Single Family Residential	Medium Residential, 5 units per acre ("MR-5")	RH
<b>South</b>	Vacant	HR-8	RH
<b>East</b>	Multifamily Residential	HR-12	RH
<b>West</b>	Single Family Residential	HR-12	RH

### **Site History**

The Property was developed with a single-family dwelling unit in 1947, according to the Property Appraiser. Upon adoption of the 1989 Comprehensive Plan and Future Land Use Atlas, the Property, along with the properties adjacent to the west and south were assigned a HR-12 FLU designation based on the existing densities in the vicinity at the time. In 1992, Palm Beach County enacted the Haverhill Area Neighborhood Plan ("HANP") as a policy guide which recommended that a FLU of HR-12 along Stacy Road was incompatible with the surrounding residential densities in the Town of Haverhill and that the density along Stacy Road should be reduced. Subsequently, the subject Site and several properties to the south on the west side of Haverhill Road extending to Cyprus Lane were the subject of a land use amendment. The BCC adopted Comprehensive Plan Amendment 95-57 RES 1 via Ord. No. 1995-62 on December 12, 1995, to change the FLUA designation from HR-12 to HR-8.

At the time, the subject Property and the properties immediately adjacent to the south and west supported single-family residences, and Applicant acknowledges that there are properties in the municipal boundary of the Town of Haverhill fronting Haverhill Road that still support single-family residential. These properties are south of Stacy Road. However, it should be noted that the mix of uses along the west side of Haverhill Road consists of single-family residential along with a high-density Type 3 Congregate Living Facility ("CLF") that has a vested density of 3.89 residents per unit, which equates to 15 units per acre (Control No. 1988-003, Haverhill Manor Adult CLF), multiple churches, and a child day care. The properties that were and remain developed along Stacy Road, the majority of which were built in the mid- to late-1980s, support multifamily developments whose densities equate to approximately 12 units per acre, making the FLU designation assigned in 1989 appropriate for the development pattern along Stacy Road. Moreover, in 1987, the 222-unit multifamily development to the east, across Haverhill Road (Control No. 1999-30035, Haverhill Commons Property) was built at a similar density of 12 units per acre. The predominance of properties with existing densities of HR-12 in the immediate vicinity, and the changed circumstances that include a high demand for high-density, affordable multifamily housing make the proposed request appropriate and timely.

The subject Site is within the Urban Redevelopment Area Planning study area, the Stacy Area Countywide Community Revitalization Team (“CCRT”) Area, the RRIO, and is in the future annexation areas of the City of West Palm Beach and the Town of Haverhill.

The Property is currently developed with a place of worship which was converted from a 1,168-square feet (“sq. ft.”) house that was originally built in 1947. The West Palm Beach Baptist Seventh Day Church (“Property Owner”, or “Owner”), a religious organization, purchased the Property in 1999. On May 24, 2001, the BCC approved a Class A Conditional Use (“CA”) for a place of worship via Resolution R-2001-0810. The Property was approved for a 6,381 sq. ft. place of worship, with 120 seats and 45 parking spaces, however, the approved site plan was not implemented. In 2017, the Palm Beach County Unified Land Development Code (“ULDC”) was amended to make places of worship subject to administrative approval by the Development Review Officer (“DRO”) in all zoning districts. Subsequently, the Property Owner submitted an application to abandon the CA and a new site plan to allow the re-approval of the place of worship by the DRO. The CA was revoked by the BCC on July 26, 2018 via Resolution R-2018-1079. The current site plan was approved on August 27, 2018 and shows a 4,974 sq. ft. place of worship, a 1,168 sq. ft. clergy residence, and a 397 sq. ft. storage building, totaling 6,539 sq. ft. of improvements. Due to challenges of rising costs of construction and other factors, the approved site plan has not been implemented.

The existing principal structure only occupies one (1) percent of the Property, leaving the majority of the Property vacant. The current structure is well past its usable lifespan and the cost of maintaining such a large site has become unsustainable for the organization. Given the current challenges faced by the church, their desire to continue operating on the land, and to actually grow their congregation, they have partnered with an affordable housing developer to make their goals feasible. The partnership with the Applicant will make it possible to construct a new church; something the church has been trying to do for more than 20 years, stay within the community, and provide much-needed affordable housing. Applicant is proposing to utilize the subject site to develop 101 multifamily units, all of which would be affordable housing units and a church on the Site.

It is evident the County is still experiencing a sustained period of rapid population growth with thousands moving into the area every year, that the current housing supply is not able to meet the demand, and it is crucial to continue to aggressively address this issue head-on. The proposed development can help revitalize this underdeveloped area of the County.

### **Justification, Consistency & Compatibility:**

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**G.1- Justification:** Applicant is requesting to amend the FLUA designation of the subject Property from HR-8 to HR-12. Per Policy 2.1-f of the Future Land Use Element (“FLUE”) of the Comprehensive Plan (“Comp Plan”) an applicant must provide adequate justification for the proposed FLU.

To be considered adequate, the justification must demonstrate consistency with the factors 1 and 2:

- 1) *The proposed use is suitable and appropriate for the subject site.*

**Response:** The subject Property is located in the Urban/Suburban Tier with frontage along North Haverhill Road, an 80-ft. wide Arterial Road. As previously described, it is surrounded by multifamily and single-family residential uses, but there are also other non-residential uses in the vicinity including an elementary school, a child day care, churches, neighborhood commercial and a CLF. The properties to the east and west are presently designated HR-12, which is the highest by-right density allowed by the Comp Plan. The Property itself was originally designated HR-12 with the adoption of the 1989 Comp Plan and FLUA indicating the county determined the property was appropriately suited for higher density residential in the future. Additionally, places of worship are currently allowed in the residential FLUA and zoning; indeed, the existing church was approved in residential zoning and FLU. The property is ideal for a high-density multifamily residential development due to its location as follows:

- The Property is located on North Haverhill Road and is only approximately 1.6 miles from the Florida's Turnpike Okeechobee entrance providing convenient access for commuters.
- The Property is situated on a major road that is targeted for redevelopment according to the Comp Plan. Much of the existing development pattern along Haverhill Road and Stacey Road can be described as aging multi- and single-family residential that would be suitable for higher density developments given the area's proximity to public transit routes, public libraries, employment centers, grocery stores, public parks, and schools. Nearby, on Belvedere Road and on Okeechobee Boulevard, recently approved higher density developments will further transform the area into a higher density part of unincorporated Palm Beach County.
- Higher density residential should be located near employment centers and have efficient access to the road network. The Property is located within two miles of multiple employment centers such as the Turnpike Crossing Industrial Park, Palm Beach International Airport, Vista Center, and the Airport Logistics Center.
- The Property has access to adequate public facilities without straining existing infrastructure.
- The Property is less than a mile away from a public elementary school, five (5) day care centers, multiple other houses of worship, Palm Beach County Fire Rescue Station #23, and there is a Palm Tran bus stop on its frontage.

Per FLUE Policy 1.2-a of the Comp Plan, the Urban/Suburban Tier shall protect the character of its urban and suburban communities by providing for affordable housing and employment opportunities, and Objective 1.2 of the Comp Plan FLUE states: "this tier [Urban/Suburban] is expected to accommodate the bulk of the population and its need for...goods and services..." This policy advocates for the construction of multifamily residential housing to meet the needs of residents looking for places to live. The proposed use is suitable and appropriate for the subject Site because it will be consistent with Comp Plan policies and will provide a logical transition for the corridor and neighboring high-density.



- 2) There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:

- *New Information or change in circumstances which affect the subject site;*

**Response:** The current HR-8 FLUA designation is no longer appropriate Site given the historical development pattern. The existing multifamily developments along Stacy Road and across Haverhill Road were built at a density equating to 12 units per acre even before the 1989 adoption of the Comp Plan. That existing development pattern made the designation of the subject site as HR-12 for future development appropriate for consistency.

It is by now, common knowledge that Palm Beach County faces an affordable housing deficit, even as its population continues to grow. Thousands of people move into the area each year as major corporations have relocated to the area. The influx of people and high-income jobs has resulted in an increase of the area median household income (“AMI”) for Palm Beach County for 2024 to \$104,000 and many existing residents have been priced out due to inflationary pressures, meanwhile there is not enough housing, let alone affordable housing. The bulk of the housing that has been approved and constructed in recent years have been market rate units, catering to the wealthier among us.

Putting the proposed development in this context, as relocations continue, the need for more teachers, law enforcement, registered nurses, fire-fighters, public servants, etc. whose earnings tend to fall well below the AMI, will continue as well. Unfortunately, they are being priced out and forced to commute from Martin and Saint Lucie Counties. This is unsustainable in the long run and the pace of development of affordable units is not keeping up with the demand.

When the FLUA designation was changed in 1995 from HR-12 to HR-8, the County was not in the situation it currently finds itself in. The population in 1995 was around 958,000 in Palm Beach County, and the development pattern in unincorporated areas reflected much lower suburban densities and intensities than in the municipalities. The population has since grown to 1,545,905 in 2024. The Town of Haverhill had adopted the HANP, identifying that HR-12 on Stacy Road was incompatible with the surrounding residential densities in the Town of Haverhill and advocated for a reduction of the density to less than five (5) units per acre and a return to single-family residential land uses along the corridor. Ord. No. 1995-62, which changed the FLUA designation from HR-12 to HR-8, stated the FLU designation of HR-12 “on Stacy Street as incompatible with surrounding residential densities in the Town of Haverhill”. The HANP further cited, among other issues, the traffic impacts of the proliferation of multifamily developments cropping up on Stacy Road since the 1970s and the need to extend the water main down to the end of Stacy Street as problems the County must remedy. The HANP also indicated that *“the solution to the problem centers on preserving the unconverted 60 percent of the Stacy Street neighborhood that remains single family residential.”* Circumstances have changed greatly since the adoption of the HANP. In 2009, Hope Centennial Elementary School opened, and in 2018, the Residences at Haverhill, a 117-unit multifamily development was constructed, both of which would have resulted in the aforementioned water main extension. And today, of the 35 parcels that either front or have vehicular access on Stacy Road, just 11, or 31.4 percent of the properties remain developed with single family residential. The predominant character of Stacy Road is multifamily residential and

institutional/public/civic uses. It is important to note, however, that the subject Site does not front, nor does it have access to Stacy Road. Therefore, the proposed Project would not add to the traffic trips or existing congestion on Stacy Road. On the contrary, as it is less than a half mile from the elementary school, traffic impacts will be mitigated by being within walking distance for potential future students, teachers or school staff that may reside in the Project.

In the almost 30 years since the adoption of the HANP, the subject Site remains underdeveloped in unincorporated Palm Beach County, surrounded by unincorporated properties on all sides, and is adjacent to lands with HR-12 FLUA designations to the east and west. While the Comp Plan recognizes neighborhood plans, its policies also require compatibility and consistency with surrounding land uses and FLUA designations, which makes HR-12 appropriate for the Site.

Lastly, the church is currently only occupying one (1) percent of the Property, leaving 3.32 acres of underdeveloped land. Undeveloped land is scarce in the Urban/Suburban Tier. It is a growing trend that religious and non-profit organizations are partnering with developers to build affordable housing while creating a mechanism that will allow the non-profit or religious organization to remain on their property, upgrade their facilities, and ensure viability into the future. The proposed Project is an example of, and a response to, all of the changed circumstances illustrated herein.

- *Inappropriateness of the adopted FLU designation; or*

**Response:** The church is currently only utilizing 0.05 acres of the subject site, leaving 3.32 acres of underdeveloped land. This situation is inappropriate and inefficient, particularly given the growing need for more housing options within the area. Furthermore, the ratio of today's construction costs and rents generated by affordable housing often makes the development of such housing unaffordable for a developer. The funding of such developments requires higher densities than the current FLUA as well as the highest FLUA designations allow by right, which is why the proposed Project is still unfeasible solely through the use of the County's TDR's and Affordable and Workforce Housing Density Bonus programs. As previously discussed, the church has desired to build a bigger church on the Property for almost 25 years, but has faced an uphill climb with maintenance and upkeep making it difficult to afford to redevelop as they would have liked. The existing structure is 77 years old and is beyond its viability. Given these circumstances, it is reasonable to redevelop the site with affordable multifamily residential units and a new church. The proposed FLUA and text change represents an opportunity to create a positive impact on the community and provide a solution to a pressing need.

**G.2- Residential Density Increases:** Per Future Land Use Element Policy 2.4-b, a written analysis of the following criteria is provided below:

- *Demonstrate a need for the amendment.*

**Response:** As previously mentioned, the church is currently situated on 3.37 acres of land, but the only utilizes approximately 0.05 acres of the property. As a result, the cost of maintaining such a large site has become unsustainable for the organization. Given the current challenges faced by the church and the aging structure, which is unlikely to meet current building codes, in order to be able to grow their congregation, and remain on

the property, a new facility is a critical need. What is also a critical need is affordable housing in the county. Therefore, Applicant is seeking to develop 101 multifamily units with the church on the ground floor on the site which will more efficiently utilize the land and allow the organization to remain within the community. The FLUA change and proposed Text Amendment will allow the Project to be developed at the density needed to make the development feasible and, similar to a mixed- or multiple use planned developments, the church and multifamily can be developed on a single parcel of land with the gross acreage of the property used to calculate both the maximum Floor Area Ratio and residential density. Current policies do not expressly allow such a method of calculation of for projects with a residential FLUA designation. The proposed text amendment would only apply to projects in the RRIO, participating in the Affordable Housing Program, and restricting 100% of the units as affordable.

The subject property is centrally located along Haverhill Road, an Arterial Road, which has easy access to the Turnpike, Southern Boulevard, and numerous employment centers, which makes the site ideal for such a development. Other higher density developments have been recently approved between the property and the Turnpike, including Fount MUPD, Spring Haven MUPD, and Alora at West Palm Beach, which represent the evolution to higher densities in the area. Moreover, the subject Site has access to many public facilities that are already existing such as sewer, public transportation, and electricity.

- *Demonstrate that the current FLUA designation is inappropriate.*

**Response:** As Palm Beach County continues to grow, with thousands of people moving into the area each year, it has become apparent that there is a need for more affordable multifamily developments to accommodate this influx of residents. The Property's current HR-8 allows for multifamily development, but the density allowed is insufficient to make affordable housing program projects possible to construct. The current FLUA designation is inappropriate for the type of development being proposed for a few reasons. The Site fronts on Haverhill Road, an arterial that connects to Southern Boulevard and the Turnpike via Okeechobee Boulevard and multiple employment opportunities. The development pattern is aging, and for redevelopment to occur, especially for affordable housing project, with the cost of land and construction, higher densities are required to make redevelopment feasible. The corridor is not suitable for commercial, but given the character of the surrounding developments, allowing and incentivizing residential redevelopment through the allowance of higher densities to solve for the County's affordable housing problem is an appropriate solution. It is appropriate to allow high density development on arterial roads, especially where the infrastructure such as roads, schools, goods, services, and major utilities exist to support it. Lower densities encourage sprawl as it spreads the units over a larger area of the County, requiring the expansion of public facilities, roads, etc., and results in a less efficient, less logical, and less sustainable development pattern.

- *Provide a written explanation of why the TDR's, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on site.*

**Response:** In addition to these programs, the subject site requires an increase in the allowable density to build enough housing units that would make the Site viable for development of affordable housing, and help alleviate the current shortage in this part of the

County. Increasing the FLU density can have positive economic impacts, such as creating new jobs, and attracting businesses to the area. This would not only benefit our community but also the larger region.

**G.3 - Compatibility with Surrounding and Adjacent Uses:** As previously discussed, the Property is situated on a major road, Haverhill Road, that connects Okeechobee Boulevard to Southern Boulevard and beyond. The greater area, bounded by Okeechobee Boulevard, Belvedere Road, the Turnpike and Military Trail is transitioning into a more intense area, with medium- to high-density residential, and a plethora of industrial and commercial nodes. This location is ideal to develop a mixed-use project with a church, an institutional use, along with multifamily residential as it is approximately. The site is currently surrounded by medium- to high-density residential developments and FLUA designations on the north, east and west sides. The property was originally designated HR-12, which is consistent with the properties to the east and west. There is an elementary school within 0.5 miles, at least two (2) day cares within 1,000 feet, a full-sized and a grocery store less than one mile away. The segment of North Haverhill Road between Southern Boulevard and Okeechobee Boulevard is characterized by single-, and multifamily residential, churches, neighborhood commercial uses, CLFs, a light industrial park, and self-storage facilities. It is a corridor with a diversity of uses that would be able to support the development of the proposed Project.

**G.4 - Consistency with Policies in the Comprehensive Plan:** The proposed FLUA amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan as follows:

**Response:** The proposed amendment demonstrates consistency with the following objectives and policies of the comprehensive plan:

- **FLUE Policy 1.2-a:** *“Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*
  - i. *Allowing services and facilities consistent with the needs of urban and suburban development;*
  - ii. *Providing for affordable housing and employment opportunities;*
  - iii. *Providing for open space and recreational opportunities;*
  - iv. *Protecting historic, and cultural resources;*
  - v. *Preserving and enhancing natural resources and environmental systems; and,*
  - vi. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.”*
- **Response:** The proposed amendment will further the goal of providing affordable housing in the U/S Tier at a location that is located near various employment centers. As noted previously, 100 percent of the units proposed in the Project will be affordable to households with incomes at or below 60 percent of the AMI.
- **FLUE Policy 1.2-b:** *Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.*
  - **Response:** The proposed text amendment and FLUA amendment will facilitate the development of an infill project on an underutilized parcel of land. The Property is in the Urban Redevelopment Area, wherein the County’s focus

is on promoting redevelopment and infill efforts, improving present conditions of infrastructure and discouraging urban sprawl.

- ***FLUE Policy 1.5-a:*** *“The County shall provide for a sufficient amount of land for residential use to meet future housing needs, including very low, low, and moderate income, and to accommodate the projected population. The Planning Division shall be responsible for analysis and recommendations to the BCC for this task.”*

- **Response:** The proposed amendment is consistent with this policy as it will provide for housing affordable to the very low, but also the extremely low-income households. Moreover, as the population of the Palm Beach County continues to increase with thousands of people moving into the area each year, it has become apparent that there is a need for more multifamily residential developments to accommodate the influx of residents. A higher-density multifamily residential development can revitalize underdeveloped areas that have already been identified as areas that the county prioritizes revitalization and redevelopment. Such developments would, in turn, increase property values in the surrounding neighborhoods. This site is ideal for such development given its proximity to transit, schools, employment, parks, and major commuter routes.

- ***FLUE Policy 2.4-f:*** *Potential receiving areas shall be inside the Urban/Suburban Tier and shall include:*

1. *Planned Development Districts (PDD) and Traditional Development Districts (TDD) that are requesting an increase in density above their current limits; and,*
2. *Subdivisions requesting a bonus density above the standard land use designation density:*

- **Response:** Policy 2.4-f.2 will apply to the proposed Project. The proposed Project is in the U/S Tier and Applicant will be required to replat the Property, thereby creating a new subdivision while maintaining the standard zoning district.

- ***FLUE Objective 2.4:*** *Palm Beach County shall implement a Transfer of Development Rights (TDR) program. The TDR program is designed to protect Environmentally Sensitive Lands and the Agricultural Reserve and to contribute to the County’s attainable, workforce housing inventory.*

- **Response:** The proposed FLUA and Text amendments are consistent with Objective 2.4, in general, because it furthers the goal of encouraging infill redevelopment, focusing development in areas of the County where there are an abundance of goods and services and adequate infrastructure to service the area. Further, it increases the affordable housing inventory because it requires that any development utilizing the option be 100 percent affordable per the income limits of the Housing Element (“HE”) Objective 1.1.

***FLUE Policy 2.2.1-d: Density > HR-12 - The County may allow an increase in density greater than the HR-12 Future Land Use category in appropriate areas within the County to direct growth away from natural resources and to use infrastructure more efficiently if the proposed development applies one of the following:***

1. *The Workforce Housing Program or the Affordable Housing Program, which allow an opportunity to set aside a certain percentage of units for workforce or affordable housing, as described in the policies in Housing Element Objective 1.1 and 1.5 and within the ULDC;*
2. *The Transfer of Development Rights (TDR) Program as described in Objective 2.4;*
3. *The provisions of a Special Overlay; or*
4. *The Traditional Neighborhood Development, Traditional Marketplace Development, Traditional Town Development, Mixed-use Planned Development districts, or Transit Oriented Development option.*

- **Response:** Although Applicant is requesting a FLU change to increase the allowable density from 8 units per acre to 12 units per acre, as previously stated, Applicant will utilize a combination of TDRs and AHP density bonuses to increase the density above 12 dwelling units per acre, which is consistent with this Policy.

## **Conclusion**

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In conclusion the requested FLUA Amendment from HR-8 to HR-12 is justified, consistent with the Plan and State of Florida laws and is compatible with surrounding uses. Should you have any questions, please do not hesitate to contact us.



**Exhibit 4**  
**Applicant's Public Facilities Table**

<b>A. Traffic Information</b>	
See Exhibit 5	
<b>B. Mass Transit Information</b>	
<b>Nearest Palm Tran Route(s)</b>	Route 4
<b>Nearest Palm Tran Stop</b>	Route 4, southbound stop: 0.0 miles Route 4, northbound stop: 0.0 miles
<b>Nearest Tri Rail Connection</b>	Route 4, northbound, connects to Route 43 on Okeechobee Boulevard, which goes to the West Palm Beach Tri-Rail station.
<b>C. Potable Water &amp; Wastewater Information</b>	
<b>Potable Water &amp; Wastewater Providers</b>	Palm Beach County Water Utilities Department
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest water connection is a twelve (12)-inch potable water main and a forty-eight (48)-inch sanitary sewer force main located within North Haverhill Road adjacent to the property.
<b>D. Drainage Information</b>	
<p>The site is located within the boundaries of the South Florida Water Management District ("SFWMD") and Lake Worth Drainage District ("LWDD") C-51 Drainage Basin. The legal positive outfall is available via discharge to the LWDD L-2 Canal along the north side of the site. The project will be engineered for on-site retention of the runoff from the 3-year, 1 hour rainfall event and building foundation height will be at or above the level produced by a 100-year, 3-day rainfall event. Any allowable discharge will be in accordance with SFWMD basin criteria. A Drainage Statement prepared by Simmons and White has been submitted with this application.</p>	
<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	The property is served currently by Fire Rescue Station #23, located at 5471 Okeechobee Boulevard.
<b>Distance to Site</b>	The maximum distance traveled to the subject property is approximately 1.25 miles from the station.

<b>Response Time</b>	The average response time from Fire Rescue Station #23 is six (6) minutes and thirty-six (36) seconds.			
<b>Effect on Resp. Time</b>	According to the Fire Rescue Letter, submitted with this application, the proposed change of future land use will have minimal impact on Fire Rescue.			
<b>F. Environmental</b>				
<b>Significant habitats or species</b>	None detected on site.			
<b>Flood Zone*</b>	X			
<b>Wellfield Zone*</b>	The site is not located in a wellfield protection zone per County Water Utilities Department or Department of Environmental Resources Management.			
<b>G. Historic Resources</b>				
According to the County Historic Preservation Officer/Archaeologist, Christian Davenport, no known archeological, historic or architecturally significant resources were identified within 500 feet of the subject property.				
<b>H. Parks and Recreation - Residential Only (Including CLF)</b>				
Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
<b>Regional</b>	Dyer Park (7301 North Haverhill Road)	0.00339	241	0.82
<b>Beach</b>	R.G. Kreusler Park (3860 North Ocean Drive)	0.00035	241	0.08
<b>District</b>	Sansbury Way District "K" Property Park (1450 Sansburys Way)	0.00138	241	0.33
<b>I. Libraries - Residential Only (Including CLF)</b>				
<b>Library Name</b>	Okeechobee Branch			
<b>Address</b>	5689 Okeechobee Boulevard			
<b>City, State, Zip</b>	West Palm Beach, FL 33417			
<b>Distance</b>	1.2 miles			
Component	Level of Service	Population Change	Change in Demand	

<b>Collection</b>	2 holdings per person	241	482
<b>All staff</b>	0.6 FTE per 1,000 persons	241	0.14
<b>Library facilities</b>	0.6 square feet per person	241	144.6
<b>J. Public Schools - Residential Only (Not Including CLF)</b>			
	<b>Elementary</b>	<b>Middle</b>	<b>High</b>
<b>Name</b>	Hope Centennial Elementary School	Bear Lakes Middle School	Palm Beach Lakes Community High School
<b>Address</b>	5350 Stacy Road	3505 Shenandoah Road	3505 Shiloh Drive
<b>City, State, Zip</b>	West Palm Beach, FL 33417	West Palm Beach, FL 33409	West Palm Beach, FL 33409
<b>Distance</b>	0.5 miles	3.0 Miles	4.5 miles

## Exhibit 5

### Traffic Division Policy 3.5-d Letter



**Engineering and  
Public Works Department**  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbc.gov

**Palm Beach County  
Board of County  
Commissioners**  
  
Maria G. Marino, Mayor  
Sara Baxter, Vice Mayor  
  
Gregg K. Weiss  
Joel Flores  
Marcy Woodward  
Maria Sachs  
Bobby Powell, Jr.

**County Administrator**  
  
Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"



December 13, 2024

Anna Lai, P.E., PTOE  
2581 Metrocentre Boulevard West, Suite 3  
West Palm Beach, Florida 33407

**RE: The Seventh at Haverhill - Revised  
FLUA Amendment Policy 3.5-d Review  
Round 2024-25-B**

Dear Ms. Lai:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Statement for the proposed Future Land Use Amendment for the above-referenced project, revised on November 11, 2024, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

<b>Location:</b>	SW corner of North Haverhill Road and Pine Grove Drive	
<b>PCN:</b>	00-42-43-26-02-000-0010	
<b>Acres:</b>	3.37 acres	
	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>FLU:</b>	High Residential, 8 dwelling units per acre (HR-8)	High Residential, 12 dwelling units per acre (HR-12)
<b>Zoning:</b>	Multi-Family High-Density Residential (RH)	Multi-Family High-Density Residential (RH)
<b>Density/ Intensity:</b>	8 DUs/acre	12 DUs/acre
<b>Maximum Potential:</b>	Multifamily Low-Rise Housing up to 3-story (Apartment/Condo/TH) = 27 dwelling Units	Multifamily Low-Rise Housing up to 3-story (Apartment/Condo/TH) = 40 dwelling Units
<b>Proposed Potential:</b>	None	Multifamily Low-Rise Housing up to 3-story (Apartment/Condo/TH) = 101 dwelling Units Church/Synagogue = 4,500 SF
<b>Net Daily Trips:</b>	88 (maximum – current) 531 (proposed – current)	
<b>Net PH Trips:</b>	16 (4/12) AM, 20 (13/7) PM (maximum) 41 (11/30) AM, 54 (34/20) PM (proposed)	
<i>* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.</i>		

Based on the review, the Traffic Division has determined that the traffic impacts



Anna Lai, P.E., PTOE  
December 13, 2024  
Page 2

of the proposed amendment **meet** Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the **proposed potential** density shown above. As such, this amendment necessitates a condition of approval to limit the project to the equivalent trips for the proposed potential.

Please do not hesitate to reach out with any questions or concerns at 561-684-4030 or [DSimeus@pbc.gov](mailto:DSimeus@pbc.gov).

Sincerely,

A handwritten signature in blue ink, appearing to be "DS", is written over a horizontal line.

Dominique Simeus, P.E.  
Professional Engineer  
Traffic Division

DS:jb

cc:

Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division  
Bryan Davis – Principal Planner, Planning Division  
Stephanie Gregory – Principal Planner, Planning Division  
Khurshid Mohyuddin – Principal Planner, Planning Division  
Kathleen Chang – Senior Planner, Planning Division  
David Wiloch – Senior Planner, Planning Division  
Alberto Lopez Tagle – Technical Assistant III, Traffic Division

File: General - TPS – Unincorporated - Traffic Study Review  
N:\TRAFFIC\Development Review\Comp Plan\25-B\The Seventh at Haverhill - Revised.docx

## Exhibit 6

### Fire Rescue Department Letter

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**Fire Rescue**  
Chief Patrick J. Kennedy  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pbcgov.com



**Palm Beach County  
Board of County  
Commissioners**

Gregg K. Weiss, Mayor  
Maria Sachs, Vice Mayor  
Maria G. Marino  
Michael A. Barnett  
Marci Woodward  
Sara Baxter  
Mack Bernard

**County Administrator**  
Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

Official Electronic Letterhead

October 16, 2024

Shutts & Bowen LLP  
Attention: Meredith S. Leigh  
525 Okeechobee Blvd. Ste. 1100  
West Palm Beach, FL 33401

Re: 1473 Haverhill Road

Dear Meredith S. Leigh:

Per your request for response time information to the subject property located at 1473 Haverhill Road. This property is served currently by Palm Beach County Fire-Rescue Station #23, which is located at 5471 Okeechobee Blvd. The maximum distance traveled to subject property is approximately 1.25 miles from the station. The estimated response time to the subject property is 5 minutes. For fiscal year 2023, the average response time (call received to on scene) for this stations zone is 6:36.

Changing the land use of this property will have minimal impact on Fire Rescue.

If you have any further questions, please feel free to contact me at 561-616-6909.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Allan".

Cheryl Allan, Planner II  
Palm Beach County Fire-Rescue



## Exhibit 7

### Water & Wastewater Provider LOS Letter

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**Water Utilities Department  
Engineering**

8100 Forest Hill Blvd.  
West Palm Beach, FL 33413  
(561) 493-6000  
Fax: (561) 493-6085  
www.pbcwater.com



**Palm Beach County  
Board of County  
Commissioners**

Gregg K. Weiss, Mayor  
Maria Sachs, Vice Mayor  
  
Maria G. Marino  
Michael A. Barnett  
Marci Woodward  
Sara Baxter  
Mack Bernard

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

printed on sustainable  
and recycled paper

November 18, 2024

Schmidt Nichols  
1551 N Flagler Dr. Ste. 102  
West Palm Beach, FL 33401

1473 N Haverhill Rd  
PCN 00-42-43-26-02-000-0010

Dear Matt,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area.

The nearest connection is a 12" potable water main and a 48" sanitary sewer force main located within N. Haverhill Rd. adjacent to the subject property.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. In addition, the addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jackie Michels".

Jackie Michels, P.E,  
Project Manager

## Exhibit 8 School District Letter



THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FL

KRISTIN K. GARRISON, AICP  
DIRECTOR

MICHAEL J. BURKE  
SUPERINTENDENT

PLANNING & INTERGOVERNMENTAL RELATIONS  
3661 INTERSTATE PARK ROAD NORTH, 200  
RIVIERA BEACH, FL 33404

JOSEPH M. SANCHES, MBA  
CHIEF OPERATING OFFICER

PHONE: 561-434-8020 / FAX: 561-434-8942  
[WWW.PALMBEACHSCHOOLS.ORG](http://WWW.PALMBEACHSCHOOLS.ORG)

### SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	11/01/2024		
	SCAD No.	24110101F/FLU and 24110101D/D. O.		
	FLU /Rezoning/D.O. No.	Not Provided – Unincorporated Palm Beach County		
	PCN No. / Address	00-42-43-26-02-000-0010 / 1473 N Haverhill Road		
	Development Name	Seventh at Haverhill		
	Owner / Agent Name	West Palm Beach Baptist Seventh Day Church / Shutts & Bowen, LLP		
	SAC No.	137A		
Impact Review	Proposed FLU	Maximum 40 Residential Units Permitted		
	Proposed D. O.	101 Mid-Rise Apt/Condo Units		
		Hope Centennial Elementary School	Bear Lakes Middle School	Palm Beach Lakes High School
	New Students Generated	3	2	2
School District Staff's Recommendation	Capacity Available	126	446	-317
	Utilization Percentage	87%	69%	111%
Validation Period	Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, School District staff recommends the following condition to mitigate such impacts.			
	In order to address the school capacity deficiency generated by this proposed development at the District high school level, the property owner shall contribute \$28,900.00 to the School District of Palm Beach County prior to the issuance of first building permit.  This voluntary school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).  Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on September 13, 2022.			
Notice	1) This determination is valid from 11/12/2024 to 11/11/2025 or the expiration date of the site-specific development order approved during the validation period. 2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 11/11/2025 or this determination will expire automatically on 11/11/2025.			
	School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.			

*Joyce Cai*

November 12, 2024

School District Representative Signature

Date

Joyce C. Cai, Senior Planner

[joyce.cai@palmbeachschools.org](mailto:joyce.cai@palmbeachschools.org)

Print Name & Title

Email Address

CC: Kathleen Chang, Senior Planner, Palm Beach County  
Vismary Dorta, Site Plan Technician, Palm Beach County  
Joyell Shaw, PIR Manager, School District of Palm Beach County

The School District of Palm Beach County, Florida  
A High-Performing School District  
An Equal Opportunity Education Provider and Employer

## Exhibit 9

### Disclosure of Ownership Interests

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PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

#### DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

*[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR  
COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]*

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE  
DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

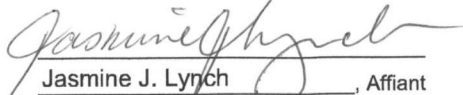
STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared  
Jasmine J. Lynch, hereinafter referred to as "Affiant," who  
being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ President *[position -  
e.g., president, partner, trustee]* of West Palm Beach Baptist Seventh Day Church, Inc *[name  
and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an  
ownership interest in real property legally described on the attached Exhibit "A" (the  
"Property"). The Property is the subject of an application for Comprehensive Plan  
amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1473 N. Haverhill Road  
West Palm Beach, FL 33417
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of  
every person or entity having a five percent or greater interest in the Property.  
Disclosure does not apply to an individual's or entity's interest in any entity registered  
with the Federal Securities Exchange Commission or registered pursuant to  
Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County  
policy, and will be relied upon by Palm Beach County in its review of application for  
Comprehensive Plan amendment or Development Order approval affecting the  
Property. Affiant further acknowledges that he or she is authorized to execute this  
Disclosure of Ownership Interests on behalf of any and all individuals or entities holding  
a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to  
reflect any changes to ownership interests in the Property that may occur before the  
date of final public hearing on the application for Comprehensive Plan amendment or  
Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the  
penalties provided by the laws of the State of Florida for falsely swearing to statements  
under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.


  
Jasmine J. Lynch, Affiant  
 (Print Affiant Name)

**NOTARY PUBLIC INFORMATION:**

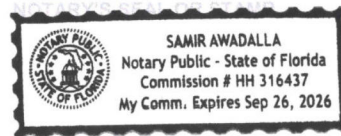
**STATE OF FLORIDA  
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [ ] online notarization, this 16<sup>th</sup> day of October, 2024 by Jasmine J. Lynch (name of person acknowledging). He/she is personally known to me or has produced Driver License 6520430-43-8294 (type of identification) as identification and did/did not take an oath (circle correct response).

  
 (Name - type, stamp or print clearly)

  
 (Signature)

My Commission Expires on: Sep 26, 2026



**EXHIBIT "A"**

**PROPERTY**

Tract 1 and 2, Haverhill Acres, according to the Plat thereof, as recorded in Plat Book 20, Page 75 of the Public Records of Palm Beach County, Florida, less the easterly 25 feet lying within the right of way of Haverhill Road.

Containing 3.37 acres, more or less.

**EXHIBIT "B"****DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

**Name****Address**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT**

**[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]**

**TO:** PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Mario Procida, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ Authorized Person \_\_\_\_\_ [position—e.g., president, partner, trustee] of Haverhill Owner, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 1951 NW 7th Avenue, Suite 600  
Miami, FL 33136
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.



Mario Procida, Affiant  
(Print Affiant Name)

**NOTARY PUBLIC INFORMATION:**

**STATE OF NEW YORK  
COUNTY OF BRONX**

The foregoing instrument was acknowledged before me by means of ☒ physical presence or  
☐ online notarization, this 6th day of November, 2024 by  
Mario Procida (name of person acknowledging). He/she is personally  
known to me or has produced \_\_\_\_\_ (type of identification) as  
identification and did/did not take an oath (circle correct response).

Sarah Williams  
(Name - type, stamp or print clearly)

[Signature]  
(Signature)

My Commission Expires on: Feb. 1, 2026

SARAH M.N. WILLIAMS  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02W16429083  
Qualified in Westchester County  
Commission Expires February 1, 2026



**EXHIBIT "A"**

**PROPERTY**

Tract 1 and 2, Haverhill Acres, according to the Plat thereof, as recorded in Plat Book 20, Page 75 of the Public Records of Palm Beach County, Florida, less the easterly 25 feet lying within the right of way of Haverhill Road.

Containing 3.37 acres, more or less.

**EXHIBIT "B"****DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT**

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

**Name****Address**

---

TBP Haverhill LLC (Member of Haverhill Owner LLC)

---

Address: 1951 NW 7th Ave., Suite 600, Miami, FL 33136

---

---

Procida Development Group LLC (Member of TBP Haverhill LLC)

---

Mario Procida (Member of Procida Development Group)

---

Address: 1951 NW 7th Ave., Suite 600, Miami, FL 33136

---

---

SV Tre Bel Procida (Member of TBP Haverhill LLC)

---

Jonathan Vilma (Member of SV Tre Bel Procida)

---

Address: 3861 Park Ave., Miami, FL 33133

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## Exhibit 10

### Correspondence

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**Haverhill Town Hall**  
4585 Charlotte Street  
Haverhill, FL 33417-5911  
(561) 689-0370  
FAX: (561) 689-4317  
[www.townofhaverhill-fl.gov](http://www.townofhaverhill-fl.gov)

■

**Town Council**  
Jay G. Foy, Mayor  
Lawrence Gordon,  
Vice Mayor  
Ray Caranci  
Dr. Teresa Johnson  
Dennis Withington

**Town Administrator**  
Tracey L. Stevens, MMC

**Deputy Town Clerk**  
Jean Wible

**Public Services  
Coordinator/Code Inspector**  
Joe Petrick

**Building Official**  
Durrani Guy

**Public Works**  
Rodrick Jones

March 25, 2025

Maria Bello  
Principal Planner  
Palm Beach County Dept of Planning, Zoning & Building  
2300 N Jog Road  
West Palm Beach, FL 33411-2741

**RE: Seventh at Haverhill (LGA 2025-009)**

Dear Maria:

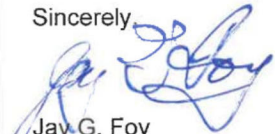
The Town of Haverhill received notice of the proposed amendment to Palm Beach County's Comprehensive Plan to change the future land use designation from High Residential, 8 units per acre, to High Residential, 12 units per acre, for the Seventh at Haverhill project.

Based on the location and proximity to the Town and its residents, the Town respectfully objects to the specific request as the use will increase traffic significantly throughout the Town. The Town is concerned about the cumulative effect of the County's approval of this project, along with other pending projects along Belvedere Road, Haverhill Road, Jog Road, Southern Blvd, and Okeechobee Blvd which will result in increased traffic along Haverhill Road and Belvedere Road within the Town's jurisdictional boundaries.

The Town of Haverhill has adopted policies to ensure that Belvedere Road, between Jog Road and Military Trail, remain as a four-lane divided roadway in perpetuity, and maintain that neither Haverhill Road nor Belvedere Road be widened as it would destroy the residential character of the Town of Haverhill as well as violate the Haverhill Area Neighborhood Plan.

Thank you for your opportunity to comment on this project. We trust this letter will be made part of the application that will be going before the Board of County Commissioners.

Sincerely,



Jay G. Foy  
Mayor, Town of Haverhill

Cc: Tracey Stevens, Town Administrator