



## MEMORANDUM

### Planning, Zoning & Building Department

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### Palm Beach County Board of County Commissioners

Sara Baxter, Mayor  
Marci Woodward, Vice Mayor  
Maria G. Marino  
Gregg K. Weiss  
Joel G. Flores  
Maria Sachs  
Bobby Powell Jr.

### County Administrator

Joseph Abruzzo

TO: Mayor Baxter, Vice Mayor Woodward and Board of  
County Commissioners

FROM: Whitney Carroll, Executive Director  
Wendy Hernandez, Director, Zoning Division   
Planning, Zoning & Building Department

DATE: September 21, 2026

RE: Emerging Issues Technical Advisory Committee

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**Recommended motion:** Adopt a resolution establishing the Emerging Issues Technical Advisory Committee.

**Executive summary:** The resolution establishes a nine-member advisory committee to provide specialized technical input as the County develops potential Comprehensive Plan policies and/or Unified Land Development Code regulations for large-load and hyperscale data centers and similar facilities. Each Commissioner would appoint one member, and the Board would appoint two at-large members. The resolution identifies preferred expertise in power systems, data center engineering, acoustics, water and environmental systems, land use, public safety, and related infrastructure, while allowing flexibility in appointments.

The Committee's initial work would include reviewing proposed policies and code amendments prepared by County staff and/or a consultant and providing technical advice in advance of the applicable moratorium deadline. PZB would serve as the lead staff department. The Committee would be advisory only: it would have no authority to decide development applications, direct staff, or adopt regulations. After the initial regulations are adopted, staff would bring the Committee's continuing role back to the Board for reassessment. The Committee would remain in existence unless the Board modifies or dissolves it

Attachment: Proposed Resolution Establishing an Emerging Issues Technical Advisory Committee

**RESOLUTION NO. R-2026-\_\_\_\_**

***EMERGING ISSUES TECHNICAL ADVISORY COMMITTEE***

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING AN EMERGING ISSUES TECHNICAL ADVISORY COMMITTEE; PROVIDING FOR PURPOSE AND FINDINGS; PROVIDING FOR MEMBERSHIP, QUALIFICATIONS, APPOINTMENTS, TERMS, DUTIES, MEETINGS, STAFF SUPPORT, COMPLIANCE WITH APPLICABLE LAW AND COUNTY ADVISORY BOARD POLICIES, PERIODIC REASSESSMENT, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners (BCC) recognizes that hyperscale data centers, large-load customer data centers, and other emerging high-intensity technology facilities may create land use, infrastructure, utility, environmental, compatibility, public safety, and public-facility considerations that differ substantially from conventional industrial development; and

**WHEREAS**, Section 163.326, Florida Statutes (2026), recognizes planning, infrastructure, compatibility, environmental, and public-facility considerations associated with qualifying facilities and preserves applicable local-government comprehensive planning and land-development regulatory authority; and

**WHEREAS**, Section 366.043, Florida Statutes (2026), defines a “large load customer” by reference to an anticipated monthly peak load of 50 megawatts or more at a single location, subject to the additional provisions of that section; and

**WHEREAS**, the BCC has directed staff to implement a temporary moratorium and related zoning-in-progress measures concerning future large-load customer data center applications while the County evaluates appropriate permanent Comprehensive Plan policies and/or Unified Land Development Code (ULDC) regulations; and

**WHEREAS**, the BCC finds that development and implementation of such regulations would benefit from focused advice from professionals with specialized technical knowledge concerning electrical power systems, mission-critical facilities, acoustics and vibration, water and environmental systems, land use regulation, fire protection and emergency management, infrastructure, telecommunications, and related emerging technologies; and

**WHEREAS**, the BCC further recognizes that emerging technologies and high-intensity uses may continue to evolve after adoption of the initial data-center regulatory framework and

desires to retain the ability to use the Committee for future technical issues unless and until the BCC directs otherwise.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Section 1. Creation and Name**

The BCC hereby establishes the Emerging Issues Technical Advisory Committee (“Committee”) as an advisory body. The Committee's initial charge is the technical evaluation of large-load customer data centers, hyperscale data centers, related high-intensity technology facilities, and associated infrastructure. The BCC may assign additional emerging technical issues to the Committee by motion, resolution, or other lawful direction.

**Section 2. Purpose**

The Committee shall provide specialized technical advice and recommendations to assist County staff and the BCC in evaluating objective characteristics, impacts, regulatory options, implementation considerations, and performance-based standards for emerging uses and technologies. For its initial work program, the Committee shall assist with potential Comprehensive Plan policies and ULDC regulations addressing large-load and hyperscale data centers and similar facilities.

**Section 3. Membership and Appointment**

The Committee shall consist of nine (9) voting members, appointed as follows:

- (a) *District appointments.* Each Member of the BCC shall appoint one (1) member. Each appointee shall serve at the pleasure of the appointing Commissioner and subject to applicable County Advisory-board requirements. Appointments should collectively provide a multidisciplinary range of expertise. Preferred disciplines are goals for the Committee as a whole and do not create a mandatory specialty assigned to any particular Commission District.
- (b) *At-large appointments.* The BCC shall appoint two (2) at-large members by a majority vote of the BCC. Each at-large member shall reside in Palm Beach County and shall serve at the pleasure of the BCC. In making at-large appointments, the BCC shall consider individuals such as a member of the public, a representative of an organization with an

interest in the subject matter of the Committee, including a homeowners', condominium, or civic association, a chamber of commerce or business organization, an environmental or conservation organization, an educational or research institution, or a similar organization operating in Palm Beach County, or an individual with expertise the BCC determines will benefit the Committee. Not more than one (1) at-large appointment may be a member of the BCC.

#### **Section 4. Preferred Expertise and Appointment Flexibility**

Preferred expertise for District Appointments includes: (1) electric utility, power systems and grid infrastructure; (2) data center, mechanical or mission-critical facility engineering; (3) acoustics and vibration; (4) water resources, environmental engineering or sustainability; (5) land use planning, zoning or development regulation; (6) fire protection, public safety or emergency management; and (7) infrastructure, telecommunications, technology or related emerging-technology expertise. An appointee may satisfy more than one discipline. A Commissioner may appoint another individual with substantial education, credentials, governmental, academic, technical or industry experience reasonably related to the Committee's purpose. The BCC should endeavor to avoid unnecessary duplication and achieve balanced multidisciplinary representation.

#### **Section 5. Duties and Responsibilities**

The Committee shall have the following powers and duties, as necessary:

- Review and provide technical input concerning proposed Comprehensive Plan policies and Unified Land Development Code (ULDC) amendments prepared by County staff or a county consultant concerning large-load and hyperscale data centers and similar facilities; and
- Make its specialized knowledge and expertise available, upon request of the BCC, to County officials, departments, boards, commissions, and agencies; and
- Perform such other technical advisory duties as the BCC may assign.

#### **Section 6. Advisory Capacity and Limitations**

The Committee is advisory only and shall not approve or deny development applications, exercise quasi-judicial authority, direct County staff, adopt County policy, or adopt or amend the Comprehensive Plan or ULDC. The Committee shall not replace or supersede the responsibilities

of County staff, established advisory bodies, the County Administrator, the County Attorney, or the BCC.

### **Section 7. Meetings and Organization**

The Committee shall meet as necessary to accomplish its assigned work. A majority of the appointed membership shall constitute a quorum, subject to applicable County policy and law. At its organizational meeting, the Committee shall elect a Chair and Vice-Chair from among its members and shall adopt by-laws and procedures governing its conduct and meetings. Agendas shall be focused on the Committee's technical charge and coordinated through the Planning, Zoning and Building ("PZB") department.

### **Section 8. Staff Support and Outside Expertise**

The Planning, Zoning & Building Department (PZB) shall serve as lead staff department. Staff may coordinate participation from other County departments and agencies, including Water Utilities, Fire Rescue, Engineering/Public Works, Environmental Resources Management, Facilities Development and Operations, the Office of Resilience, the County Attorney's Office, and other appropriate entities. Staff may invite utilities, governmental agencies, universities, research institutions, technical organizations, and other qualified specialists to provide information without becoming voting members unless separately appointed.

### **Section 9. Applicable Advisory Board Requirements**

The Committee and its members shall comply with applicable Florida Government-in-the-Sunshine Law, Public Records Law, ethics requirements, and other applicable law. Except as expressly provided in this Resolution, the Committee shall be governed by the Uniform Policies and Procedures for Palm Beach County Advisory Boards, Committees, Commissions, Task Forces, and Authorities established by Resolution R2025-0508, as amended or superseded. The County Attorney's Office shall determine the applicability of financial disclosure, dual-office-holding, voting-conflict, eligibility, residency, or other legal requirements.

### **Section 10. Terms, Vacancies, Removal and Compensation**

Each member's term shall commence upon appointment and continue until the member resigns, is removed or replaced as permitted by applicable policy, or the BCC dissolves the Committee, whichever occurs first. A member will be limited to the term limits as established in PBC

Resolution 2025-0508. Vacancies shall be filled by the Commissioner associated with the vacant appointment, subject to applicable County procedures. At-large vacancies shall be filled by a vote of a majority of the BCC. Members shall serve without compensation except for reimbursement of expenses to the extent authorized by County policy and law.

#### **Section 11. Relationship to Moratorium and Initial Regulatory Work**

The Committee's initial work program shall support development of permanent regulations contemplated in connection with the temporary moratorium on future large-load customer data center applications. The Committee should complete its initial substantive recommendations sufficiently in advance of the applicable moratorium deadline to allow staff, legal counsel, formal advisory bodies, and the BCC adequate time to process and consider proposed regulations. Unless otherwise directed by the BCC, the Committee shall continue in existence after permanent regulations are adopted.

#### **Section 12. Periodic Reassessment; No Automatic Sunset**

The Committee shall remain in existence unless and until dissolved or modified by the BCC. Following final adoption of the initial Comprehensive Plan and/or ULDC amendments addressing large-load customer data centers and related facilities, staff should return to the BCC, or otherwise include the matter in an appropriate BCC update, for reassessment of the Committee's continuing charge, membership needs, meeting frequency, and potential future assignments. Adoption of such regulations shall not in and of itself sunset the Committee.

#### **Section 13. Prohibited Conduct for Committee Appointments**

No committee member shall knowingly represent any data center developer in connection with any matter in unincorporated Palm Beach County for a period of one (1) year after the cessation of his or her term of office.

#### **Section 14. Severability**

If any section, sentence, clause, phrase, or provision of this Resolution is held invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected and shall remain in full force and effect.

**Section 15. Effective Date**

This Resolution shall become effective immediately upon adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Commissioner Sara Baxter, Mayor  
Commissioner Marci Woodward, Vice Mayor  
Commissioner Maria G. Marino  
Commissioner Bobby Powell Jr.  
Commissioner Gregg K. Weiss  
Commissioner Joel G. Flores  
Commissioner Maria Sachs

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS  
CLERK

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
County Attorney