



PRIVATELY INITIATED TEXT AMENDMENT AMENDMENT ROUND 20-B

BCC MEETING, OCTOBER 28, 2019

I. General Data

Project Name:	Faith Farm - Ag Reserve
Request:	To amend the Comprehensive Plan to accommodate the ability of a portion of the Faith Farm site to become a preserve area.
Agent:	GL Acquisitions Corporation
Applicant/Owner:	Ft. Lauderdale Rescue Tabernacle, Inc.
Project Manager:	Lisa Amara, Principal Planner
Staff Recommendation:	Staff recommends <i>to initiate</i> the proposed text amendment

II. Item Summary

Summary: The item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered “Phase I”. If the amendment is initiated, staff will accept the associated development order amendment for processing, proceed with the review and analysis of the proposed amendments, prepare a staff report, and return to the Board with the text and development order amendment through the public hearing process as part of “Phase II”.

Request: The applicant is requesting this text amendment in order to allow the rezoning of a portion of the Faith Farm Ministries to an Agricultural Reserve Planned Unit Development (AgR-PUD) preserve area. The 87.28 acre site is identified in the Comprehensive Plan as having the existing and future potential for uses supporting the operations of the ministry. This language was adopted in 2016 to recognize the existing uses and allow future expansion. Since the policy was adopted based upon the entire land area, a reduction of 24.74 acre requires maximum potential identified within this policy to be re-examined. Accordingly, the applicant proposes to proportionately reduce the additional development potential to reflect the reduction in land area for the developable portion.

Recommendation: Staff supports the initiation of the proposed text amendment. There are no broad policy implications or inconsistencies presented by this amendment. The site’s uses and potential for expansion have long been recognized by the Comprehensive Plan. Initiation of this amendment does not indicate staff support for the final developed policy language or the associated development order amendment. Initiation allows staff to proceed with additional data and analysis, and to accept the private development order application for review. Staff would present the final recommendation on the text and development order amendment as part of Phase II at public hearings in 2020.

III. Meeting History

Local Planning Agency/Planning Commission (LPA/PLC): *To recommend initiation*, motion by Lori Vinikoor, seconded by Evan Rosenberg (Eric Royal abstaining), passed in a passed in a 12-0 vote at the October 11, 2019 public hearing. Under discussion, support was expressed for the efforts of Faith Farm Ministries. There was no public comment.

Board of County Commissioners (BCC):

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IV. Private Text Amendment Request

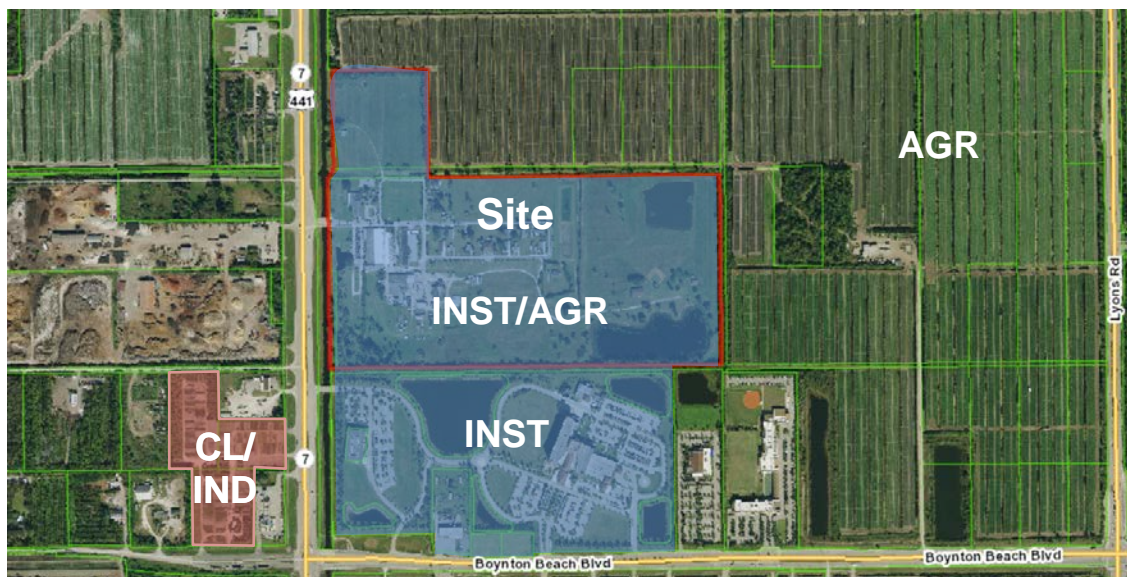
The applicant is requesting that the Board initiate a text amendment to the Comprehensive Plan to revise the allowable development potential on the Faith Farm site to reflect a proposed rezoning of a portion of the site to a preserve area for an Agricultural Reserve Planned Unit Development (AgR-PUD) preserve area. The 87.28 acre site is located in the Agricultural Reserve on the east side of State Road 7 (SR7), north of Boynton Beach Boulevard. The site is identified in the Comprehensive Plan as having the existing and future potential for uses supporting the operations of the ministry on the entire site. Since the policy was adopted based upon the entire land area, a reduction of 24.74 acre requires maximum potential within this policy to be re-examined.

According to their website, Faith Farm Ministries was established in 1951 and is "a faith-based, long-term, residential, recovery program for men and women who struggle with addiction issues" and has been at this location since approximately 1964. Uses on the site include a church, housing units and thrift store which sells new and used furniture designed to provide support and to assist in the recovery process. This site was listed in the Comprehensive Plan as a 'pre-existing use' to be accommodated since 1995. In 2016, the County adopted a County Initiated Amendment to expand the Comprehensive Plan language to list specific maximum development potential, and adopted a concurrent County Initiated FLUA amendment (Faith Farm, LGA 2016-012) to assign an Institutional & Public Facilities with an underlying Agricultural Reserve (INST/AGR) future land use designation.

Proposed Text Amendment. The applicant proposes to reduce the future development potential allowed by the Comprehensive Plan to proportionally reflect the reduction in the developable land area as shown in Exhibit 1. The Plan allows more density and intensity than the current approval.

Associated Development Order Amendment. The text amendment is to allow the processing of a development order amendment to the Faith Farm Ministries site (Control 1994-073) to reduce land area and to rezone the rear portion of the site to AgR-PUD preserve area. The concurrency approved on the site is for 18 units, 142 beds and 155,818 sq.ft. The site was approved for a County Initiated rezoning from AGR to the Institutional and Public Facilities zoning district in 2016.

Map 1 – Future Land Use



ULDC Implications

There will be amendments to the Development Order for the Official Zoning Map Amendment (including COZ). A preliminary review by the Zoning Division indicates that there may be ULDC issues, including that Article 4 may need to be revised if the proposal revised uses allowed in preserves. The applicant will need to meet with the Zoning Division to further with staff to discuss.

V. Policy Background

A. Agricultural Reserve Tier

The subject site is located within the Agricultural Reserve Tier, an area of the County with specific limitations on development options in the Comprehensive Plan that were largely established to implement the Agricultural Reserve Master Plan that was completed in 1999 through the adoption of policies in 2001. The purpose of the Tier is captured in the adopted Objective 1.5.

OBJECTIVE 1.5, The Agricultural Reserve Tier. *Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier. This shall be accomplished by limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development limited to uses serving the needs of farmworkers and residents of the Tier. The Agricultural Reserve Tier shall be preserved primarily for agricultural use, reflecting the unique farmlands and wetlands within it.*

B. Agricultural Reserve Institutional Policies

Institutional uses are located and allowed in the Agricultural Reserve Tier. The Faith Farm Ministries is one of several sites that pre-dated the Ag Reserve Master Plan and have been accommodated as part of the Ag Reserve since 1995. Most recently, in 2016 following the Ag Reserve Roundtable, the County expanded upon the Comprehensive Plan language to provide specificity on the uses and expansion allowed for the pre-existing commercial and institutional uses (see Exhibit 3 for additional details).

C. Proposed Text Amendment

The applicant's Justification Statement provided in Exhibit 2 provides the background of the facility and the basis for the request. As explained in the Justification Statement (Exhibit 2), the proposed amendment to Policy 1.5-t is proposed to reflect the commensurate reduction of 28.4% of the Faith Farm approvals authorized under this Policy as explained below and for the Policy to authorize the rezoning of the 24.74 acres from the current IPF zoning (R-2016-1559) to either AGR or AGR PUD (preserve). There is no change associated with the adopted Future Land Use designation of INST/AGR needed as the result of this proposed text amendment.

Acreage. The rezone total acreage was 87.266 acres (R-2016-1559). The current Comp Plan is showing 87.28 acres.

Beds. The number of beds has been amended from 313 beds (current comp plan) to 264 as there are 142 existing beds on site, leaving 171 potential beds. Therefore, the text amendment reduces the 171 potential beds by 28.4%, which is a reduction of 49 beds (313-49=264).

Family Living Center. The family living center (not built to date) was reduced from 40,000 sf to 28,640 sf (-28.4%).

Residential Units. The 19 residential units are existing and remain as currently stated in the Comprehensive Plan.

Future Development Potential on Faith Farm Development Site. The amended language clarifies that the .15 Floor Area Ratio (FAR) (operations and expansion language of current policy) applies to the development portion (Faith Farm) of the site and does not apply to the portion rezoned to AGR or AGR PUD (preserve).

VI. Issues and Implications

The purpose of this Phase I report is to identify potential issues and implications of the concept proposed by the text amendment, for the Board to consider when making the policy decision on whether to initiate the privately proposed text amendment. The policy considerations are discussed below.

The language in the Comprehensive Plan in Future Land Use Element 1.5-t is specific to the operations of Faith Farm Ministries, a non-profit facility which predates the establishment of the Agricultural Reserve Tier. This policy was revised recently to add specificity to the long term accommodation for the use in the Tier. The expansion allowed by this policy, and preceding language in the Plan, reflected the legislative decision by the Board of County Commissioners specific to this site reflecting its unique attributes. There are no policy issues or Comprehensive Plan implications regarding this amendment, other than regarding the subject site itself. The amendment would allow an additional 24.74 acres of preserve area, which is consistent with the objective of the Tier to further the protection and preservation of lands.

VII. Staff Recommendation

As demonstrated in this report, the applicant proposes text changes to the Comprehensive Plan Policy specifically and uniquely related to the subject site. The proposed amendment will allow 24 acres of the 87 acre subject site to be rezoned to Agricultural Reserve Planned Unit Development (AgR-PUD) preserve area while proportionately reducing the future allowable maximum potential. Staff supports the initiation of the proposed text amendment. There are no broad policy implications or inconsistencies presented by this amendment. The site's uses and potential for expansion have long been recognized by the Comprehensive Plan. Initiation of this amendment does not indicate staff support for the final developed policy language or the associated development order amendment. Initiation allows staff to proceed with additional data and analysis, and to accept the private development order application for review. Staff would present the final recommendation on the text and development order amendment as part of Phase II at public hearings in 2020.

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Exhibit 1

Applicant's Proposed Text Amendment

A. Future Land Use Element, Faith Farm - Ag Reserve

1. REVISE Policy 1.5-t: The Institutional uses listed below pre-date the establishment of the Ag Reserve Tier and shall be considered as conforming uses:

2. Faith Farm Ministries, 87.28 acres located on the east side of SR7, north Boynton Beach Boulevard is a religious ministry which has provided a long term, residential treatment and recovery program at this location since 1964. The County recognizes the Faith Farm Ministries as a provider of essential and valuable social services. The development portion of the site, consisting of approximately 62.5+ acres, includes church, a thrift store, educational and work training programs for residents and graduates, as well as a staff of pastors, teachers and counselors that live on site. The remainder of the site, consisting of approximately 24.7+ acres, may utilize either AGR zoning or AGR PUD (preserve) zoning. Accordingly, the development portion of the site is allowed multiple primary institutional uses including, but not limited to, place of worship, assembly nonprofit, residential treatment, and education/vocational facilities. All facilities and uses on site must be under ownership of Faith Farm Ministries. Supporting non-institutional uses include, but are not limited to, the following:

1. Residential uses and facilities for employees, students, and their families up to 19 units, ~~343~~ 264 beds, and a ~~40,000~~ 28,640 square foot family living center; and
2. Non-residential uses that provide training opportunities and financially support to the ministry such as retail, repair, restaurant, recycling, etc.

Operations on the development portion of the site may continue and expand up to .15 FAR utilizing either AGR Zoning with AGR FLU or utilizing Institutional and Public Facilities or Multiple Use Planned Development District Zoning with Institutional and Public Facilities FLU. The Planning Division shall review any development order amendments and determine consistency with this policy through the development review process.

Exhibit 2

Applicant's Justification

Purpose

G.L. Acquisitions Corporation (G.L. Homes) has entered into contract with Ft Lauderdale Rescue Tabernacle, Inc. (Faith Farm) to purchase the development rights associated with 24.74 acres of the 87.266 acre site for use as AGR PUD preservation area within an AGR PUD. This represents a reduction of 28.4% of the total land area associated with the current Faith Farm development order (R-2016-1559). Palm Beach County initiated both a text amendment (approved via adoption of Ordinance 2016-005 on January 27, 2016) and Future Land Use Atlas amendment (approved via adoption of Ordinance 2016-008 on January 27, 2016 (LGA 2016-012)) for the Faith Farm property. The text amendment adopted Policy 1.5-s (now 1.5-t) relative to the Faith Farm Property.

The purpose of this text amendment is to amend Policy 1.5-t to reflect the commensurate reduction of 28.4% of the Faith Farm approvals authorized under this Policy as explained below and for the Policy to authorize the rezoning of the 24.74 acres from the current IPF zoning (R-2016-1559) to either AGR or AGR PUD (preserve). There is no change associated with the adopted Future Land Use designation of INST/AGR needed as the result of this proposed text amendment.

Acreage:

The rezone total acreage was 87.266 acres (R-2016-1559). The current Comp Plan is showing 87.28 acres

Beds:

The number of beds has been amended from 313 beds (current comp plan) to 264 as there are 142 existing beds on site, leaving 171 potential beds. Therefore, the text amendment reduces the 171 potential beds by 28.4%, which is a reduction of 49 beds (313-49=264).

Family Living Center:

The family living center (not built to date) was reduced from 40,000 sf to 28,640 sf (-28.4%).

Residential Units:

The 19 residential units are existing and remain as currently stated in the Comp Plan.

Future Development Potential on Faith Farm Development Site:

The amended language clarifies that the .15 FAR (operations and expansion language of current policy) applies to the development portion (Faith Farm) of the site and does not apply to the portion rezoned AGR or AGR PUD (preserve).

Justification

The text amendment done in Round 16-A recognized the BCC direction regarding the continuation of existing Institutional sites (such as Faith Farm) within the AGR tier. The amendment expanded

existing language in Policy 1.5-b “to provide greater specificity to allow these properties to continue and expand as conforming uses, and allow these properties to be assigned Commercial Low (CL) and Institutional and Public Facilities (INST) future land use designations.” (Staff Report Agricultural Reserve Pre-Existing Sites Text) This action was consistent with Board of County Commission direction “to make the pre-existing non-residential sites conforming as a result of.....” (Staff Report Agricultural Reserve Pre-Existing Sites Text).

The existing policy and the proposed policy text amendment allow for the continued operation and expansion of the facilities at Faith Farm, but at a comensurate reduction of 28.4% of the future potential.

Faith Farm Ministries, Inc. (FFM) is a 67 year-old faith based drug and alcohol addiction ministry that serves over 400 men and women in Palm Beach, Broward and Okeechobee Counties 365 days a year. The Boynton Beach campus serves over 120 men and women and is the main revenue generator for the ministry via the thrift store business located at the campus. For many years, the ministry has been in dire need of new housing at the Boynton Campus but has lacked the funds to take on such a large and expensive project. The sale of the development rights will enable FFM to greatly enhance the current Boynton Beach campus in order to better serve those in need, throughout Palm Beach County and beyond.

Faith Farm Ministries, Inc. (FFM) provides a 10 month drug and alcohol rehabilitation program at NO cost to the client. FFM is a registered not-for-profit 501c3 organization and operates, and is governed as a church. 95% of all operating funds are generated by micro-business enterprises such as farming, thrift stores, salvage and other business ventures.

FFM looks forward to another 67 years of serving, those in need, in Palm Beach County. The proceeds of the sale with GL will fund the operations and allow for its continuation.

Consistency

FLUE C, County Directions (1. Livable Communities, 2. Growth Management, 4. Land Use Compatibility, 5 Neighborhood Integrity). As noted in the Round 16-A staff report, the changes to the Policy do not detract from these directions. Faith Farm pre-dated the development regulations and rules associated with development and preservation in the Agricultural Reserve. As noted in the Justification above, for many years, the ministry has been in dire need of new housing at the Boynton Campus but has lacked the funds to take on such a large and expensive project. The sale of the development rights for the 24.74 acres will enable FFM to greatly enhance the current Boynton Beach campus in order to better serve, those in need, throughout Palm Beach County and beyond.

The portion of the property being utilized for AGR or AGR PUD (preserve), 24.74 acres, will assure the continuation of agricultural and other open space uses, which is a primary directive of the Agricultural Reserve Tier.

Objective 1.5 Guiding principles prioritized by the BCC for the Ag Reserve Master Plan (preserve and enhance agriculture; enhance environmental resource value; enhance water management capability; enhance open space; create a functional sustainable development pattern; and minimize costs/impacts to County taxpayers). This objective is met as the transaction allows for the continuation and expansion of the existing Faith Farm facilities proportional to the acreage being utilized for this specific purpose (i.e. the development area) and sets aside the remaining 24.74 acres for open space uses allowed under a recorded Conservation Easement (if rezoned AGR-PUD (preserve)) or other related AGR uses if zoned AGR, both of which are consistent with the above Objective to preserve and enhance open space within the Agricultural Reserve Tier. The General objective states that, “The Agricultural Reserve Tier encompasses unique farmland and wetlands that are to be preserved primarily for agricultural based on policy direction adopted by the Board of County Commissioners in 1995.” Note that since FFM ownership of the entire 87 acre site (last 67 years), the 24.74 acres was never utilized for agricultural row crop production.

Exhibit 3

History of the Pre-Existing Policy Language

The Agricultural Reserve policies in the Comprehensive Plan recognize and accommodate the commercial and institutional uses that predated the creation of the Agricultural Reserve Master Plan. The language in the Plan has been revised on several occasions as outlined below.

1980 Comprehensive Plan through 1988. There was no commercial future land use designation in the 1980 Comprehensive Plan. Rather, the Plan established by text locations which had the potential to apply for commercial zoning. The 1980 Plan initially established two locations in the Ag Reserve (portions of what was called Area 18) to have the potential for commercial zoning, and no locations with potential to be assigned Industrial zoning.

- Parcels on Boynton West Road east of SR7 intersection - only those parcels which had been zoned commercial as of the date of the adoption of the 1980 Plan.
- Delray West Road (Atlantic Avenue) intersection.

By 1988, the language in the Plan had been revised to add locations as follows:

- West side of SR7, approximately 1.5 miles south of Delray West Road (Atlantic Avenue)/Northwest corner of SR7 and LWDD Lateral Canal 36 ½ W (by ordinance 81-27)
- The west 150.04' of the east 203.04' of the south 548.68' and the west 150.04' of the east 203.04' of the north 732.31' of the SE ¼ of the NE ¼ of Section 2, T46S, R42E, Palm Beach County, Florida (by Ordinance 84-16)

1994. The County adopted revisions to the Plan for the Ag Reserve by Ordinance 1994-36 in 1994. These changes include no language with regards to existing or future commercial or institutional future land use designations. This ordinance was found Not In Compliance by the State Department of Community Affairs (DCA) and subject to a Compliance Agreement (Ordinance 1995-39) adopted the following year.

1995. In order to allow for the continuation of commercial and institutional uses that were determined to be benign to the goals and objectives of the Ag Reserve, the 'Existing Use Policy' was established to accommodate their continuation as part of the Compliance Agreement. Ordinance 1995-039 stated the following with regards to under the heading 'Existing Land Uses and Regulatory Items'. At this time, the Ag Reserve was both a future land use designation and a study area. The Tier System had not been established.

"2. Within the Agricultural Reserve there are existing land uses which are benign to the purposes of the Reserve and/or which provide essential services for farm workers and residents of the Reserve. The uses below are to be accommodated as part of the continuation of the Reserve.

- *Eternal Light Cemetery*
- *Faith Farms*
- *limited community service commercial services in the vicinity of SR 806 and SR7 as allowed by the Unified Land Development Code*
- *Churches, farm worker housing, and social service facilities"*

1997. In 1997, the County adopted revisions to this Existing Use language in order to allow pre-existing commercial sites to relocate and expand if they were subject to right of way expansion. The revised language added some commercial uses by name, and described others in the subsequent paragraph. This change stemmed from a privately submitted Future Land Use Atlas Amendment (FLUA) Application to remove the 4 Points Market from the Ag Reserve and to assign a Commercial High future land use designation. The applicant had submitted the application in order to allow the relocation and expansion of the site due the loss of the existing structure from to right of way acquisition. Staff recommended the text changes as an alternative to the FLUA amendment in order to allow three sites listed by name (4 Points, 3 Amigos Convenience Store, and Fina Gas) to relocate and expand if subject to right of way acquisition. The new language also added references to the newly established Community Serving Commercial Services (CCSO) Overlay which was in the process of being added to the Unified Land Development Code. The CCSO was intended to provide limited services for future residents and farm workers of the Ag Reserve. The new language was intended only to apply to the three added commercial sites; however, in the adopting ordinance, the new paragraph was located under the entire list of items. The adopted language added the text shown in underline below:

2. Within the Agriculture Reserve there are existing land uses which are benign to the purposes of the Reserve and/or which provide essential services for farm workers and residents of the Reserve. The uses below are to be accommodated as a part of the continuation of the Reserve.

- * *Eternal Light Cemetery*
- * *Faith Farms*
- * *4 Points Market*
- * *3 Amigos Convenience Store*
- * *Fina Gas Station-Hey 4 U Trucking*

In the event that any of these existing permitted uses, as listed above, are involuntarily eliminated, due to Right of Way Acquisition or Eminent Domain, and relocation of the use on the current site is infeasible, the use may be relocated to an adjacent site subject to compliance with the ULDC and approval of the BCC. Any expansion of the current use will be subject to the requirements of the Community Serving Commercial Services Overlay, and comply with the ULDC, and approval shall be at the discretion of the BCC.

- * *limited community serving commercial services in the vicinity of SR 806 and SR 7 as allowed by the Unified Land Development Code (ULDC)*
- * *Churches, farm worker housing, and social service facilities.*

1999. In 1999, the Agricultural Reserve was established as a Tier through the adoption of revisions to establish the Managed Growth Tier System. No changes were made to the existing language in the Plan regarding the Ag Reserve. However, language was added to establish the Ag Reserve as a Tier and Table 2.1-2 was added to establish Maximum Floor Area Ratios (FAR) for Non-Residential Future Land Use Categories which were located in the Ag Reserve. Up until this ordinance, the FARs in the County were established in the Unified Land Development Code (ULDC) and the only FAR in the Plan was a maximum FAR of .35 for retail and .50 for non-retail uses for Commercial Low (applying anywhere in the County). The initial staff report transmitted to the State established a maximum 'range' of FARs for most of non-residential future land use designation without reference to tier. The range proposed for the Commercial Low designation for retail uses was from 0.10 to 0.35. The added table included a note stating that "*The maximum*

FAR shall be based on the Tier in which it is located, the type of development, and the development pattern” as intent was for the ULDC to be subsequently revised to establish specific maximum FARs for each future land use designation by Tier. However, the State’s Objections, Recommendations, and Comments (ORC) report objected to the proposed language for Table 2.1-2 stating:

“DCA Objection. Policy 2.1-b of the Future Land Use Element indicates that the County shall use a wide range of non-residential densities/intensities specified in Table 2.1-2 throughout the County. The table does not include densities/intensities for Parks and Recreation, Conservation, Institutional and Public Facilities, and Industrial land use categories. Coordination between the future land use, transportation, and public facilities elements has not been demonstrated, since density/intensity standards for the subject land use categories do not appear to exist within the Plan.

DCA Recommendation: Revise Table 2.1-2 to include density/intensity standards for each land use category lacking such standards. The County should demonstrate that the various relevant elements of the plan are coordinated by establishing density/intensity for each use taking into account the availability of adequate roadway capacity and other facilities to accommodate impacts of potential future developments at the density/intensity permitted by the County for each use. Should there be anticipated deficiencies in needed services and facilities, then these facilities should be reflected as facilities needing improvement, according to priority, and should be scheduled for such improvements within the capital improvements element/schedule.”

In response, staff replaced the proposed Table 2.1-2 with a table that established maximum FAR designations not only by future land use designation, but also by Tier. The data and analysis indicated that the FAR ranges were derived from the FARs provided in the ULDC, and stated:

“Table 2.1-2 Data & Analysis: For cases where there were no FAR for a particular tier, then the FAR was established considering: the established range; the tier in which it is located; and existing uses to ensure non-conformities were not created, as long as the FAR complied with the Goals, Objectives and Policies of the proposed Manage Growth Tier System and the Future Land Use Element. The primary change affects the Commercial Low (CL) future land use category. The average retail commercial F. A. R. for Palm Beach County is between .23 and .25 for typical shopping centers (which range from 125,000 to 300,000 square feet). To achieve a neighborhood commercial orientation that serves a more localized residential area, a maximum F.A.R. of .20 is established.

An exception to the .20 cap on CL was allowed for more urban areas that could support a more intense neighborhood commercial center. In this case, the cap was raised to the County’s peak average (.25 FAR). To ensure that these higher intensity residential thresholds were only applied to dense urban or suburban residential neighborhoods, it was mandated that: 1) the more intense CL use must have at least two sides contiguous to High Residential-8 (8 units per acre); and 2) the more intense CL use must be contained within the newly established Urban/Suburban Tier.

For CL, a maximum FAR of .10 is mandated for both the Exurban and Rural Tiers. This reflects The Acreage Neighborhood Plan recommendations. Additionally, this Table has been revised to reflect both new Industrial future land use categories. This change has been made to ensure internal consistency in the Element.

The final staff report and adopting ordinance (Ord. 99-26) established the FARs for the future land use designations allowed within the Ag Reserve Tier as follows:

Future Land Use	FLU Category	Ag Reserve
<i>Agriculture</i>	SA	.15
	AGR	.10 outside CCSO .35 within CCSO
<i>Commercial Low</i>	CL-O	not allowed
	CL	.10
<i>Commercial High</i>	CH-O	not allowed
	CH	not allowed
<i>Industrial</i>	IND	.45
	EDC	not allowed
<i>Commercial Recreation</i>		not allowed
<i>Parks & Recreation</i>		not allowed
<i>Conservation</i>		not allowed
<i>Institutional & Public Facilities</i>		not allowed
<i>Transportation & Utilities</i>		not allowed
<i>Traditional Town Development</i>		not allowed

2001. In 2001, the County adopted the changes to the Comprehensive Plan to implement the recommendations of the Ag Reserve Master Plan by Ordinance 2001-61. These changes included changes to the Existing Use language as shown below in strike out and underline. The revisions established this language as Policy number 1.5-b, added the use of the word 'Tier' to reflect the MGTS adoption in 1999, and, pursuant to the recommendation within the Master Plan, limited the CCSO to only the southwest quadrant of the intersection of Atlantic Avenue and State Road 7. Related changes as part of the MGTS revisions included changing the Service Area for the Ag Reserve from the Rural Service Area to a Limited Urban Service Area.

Policy 1.5-b: *Within the Agricultural Reserve Tier there are existing land uses which are benign to the purposes of the Tier Reserve and/or which provide essential services for farmworkers and residents of the Tier Reserve. The uses below are to be accommodated as a part of the continuation of the Tier Reserve.*

1. *Eternal Light Cemetery;*
2. *Faith Farms;*
3. *4 Points Market;*
4. *3 Amigos Convenience Store;*
5. *Fina Gas Station-Hey 4 U Trucking;*
6. *Limited community serving commercial services through designation of the Community Commercial Services Overlay (CCSO) in the vicinity of at the southwest quadrant of the intersection of State Road 806 (Atlantic Avenue) and State Road 7 as allowed by the Unified Land Development Code (ULDC); and*
7. *Churches, farm worker quarters, and social service facilities.*

In the event that any of these ~~permitted~~ existing uses are eliminated, due to Right-of-Way Acquisition or Eminent Domain, and relocation of the use on the current site is infeasible, the use may be relocated to an adjacent site upon approval of the Board of County Commissioners. Any expansion of the current use (with no new uses) will be subject to the ~~same~~ requirements of the ~~Community Serving Commercial Services Overlay~~ CCSO as allowed by the Unified Land Development Code, and approval shall be at the discretion of the Board of County Commissioners.

Table 2.1-2 was revised within the same ordinance. The changes increased the FAR for parcels with AGR future land use from .10 to .15 outside the CCSO, and required a Commercial Low future land use designation for utilization of the CCSO at the same FAR (.35) as previously adopted. The changes also established maximum FAR for each of the designations allowed within the Tier, and added CL-O as a designation with up to .40 FAR for a Traditional Marketplace.

Table 2.1-2

Future Land Use	FLU Category	Ag Reserve
<i>Agriculture</i>	SA	.15
	AgR	.15 outside CCSO .35 w/ CCSO
<i>Commercial Low</i>	CL-O	.20 ¹ .40 w/ TMD not allowed
	CL	.10 ¹ .35 w/ CCSO .40 w/ TMD ⁴
<i>Commercial High</i>	CH-O	not allowed
	CH	not allowed
<i>Industrial</i>	IND	.45
	EDC	not allowed
<i>Commercial Recreation</i>		.05 not allowed
<i>Parks & Recreation</i>		.10 not allowed
<i>Conservation</i>		.05 not allowed
<i>Institutional & Public Facilities</i>		.10 not allowed

Transportation & Utilities	<u>.05 not allowed</u>
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Notes:

1. ~~Only existing future land use designations of Commercial Low or Commercial Low-Office located in the Agricultural Reserve Tier shall be allowed to develop at this F.A.R.. For Commercial Low, the FAR is .10 except for the CCSO which allows an FAR up to .35. (Subsequent footnotes are re-numbered)~~
4. ~~For Ag Reserve TMDs the FAR is calculated on the total area of the development, including both the developed and preserve area. Provided development furthers the objectives and policies of the Comprehensive Plan, an exception to the FAR, up to 1.0 may be permitted to allow for TMDs to allow for 'rural mainstreets'.~~

2003. In 2003, the County adopted a series of revisions to the Future Land Use Element, some of which revised the Ag Reserve Tier policies. Ordinance 2003-61 deleted the language referring to the CCSO in the Existing Use Policy was removed from the Plan reflecting its deletion from the ULDC. The *'limited community serving commercial services'* language was also deleted from the list of uses that were to be accommodated and replaced with a new language that allowed **any property** along Boynton Beach Boulevard, Atlantic Avenue and SR7 that legally existed prior to August 27, 2001 to expand and relocate if subject to right of way acquisition. This change expanded the application of this policy to several amendments which are proposed to be addressed through this 2015 text Amendment. Changes are shown in strike out and underline below.

Policy 1.5-b: *Within the Agricultural Reserve Tier there are existing land uses which are benign to the purposes of the Tier Reserve and/or which provide essential services for farmworkers and residents of the Tier Reserve. The uses below are to be accommodated as a part of the continuation of the Tier Reserve.*

1. *Eternal Light Cemetery;*
2. *Faith Farms;*
3. *4 Points Market;*
4. *3 Amigos Convenience Store;*
4. *Fina Gas Station-Hey 4 U Trucking;*
6. ~~*Limited community serving commercial services through designation of the Community Commercial Services Overlay (CCSO) at the southwest quadrant of the intersection of State Road 806 (Atlantic Avenue) and State Road 7 as allowed by the Unified Land Development Code (ULDC); and*~~
7. 6. *Churches, farm worker quarters, and social service facilities.*

In the event that any of these existing uses, or those that legally existed along Boynton Beach Boulevard, Atlantic Avenue and S.R. 7/441 prior to the August 27, 2001 adoption of the Agricultural Reserve Master Plan provisions into the Comprehensive Plan, are eliminated due to Right-of-Way Acquisition or Eminent Domain, and relocation of the use on the current site is infeasible, then the use may be relocated to an adjacent site upon approval of the Board of County Commissioners. Any expansion of the current use (with no new uses) will be subject to the requirements of the CCSO as allowed by Unified Land Development Code, Comprehensive Plan, and approval shall be at the discretion of the Board of County Commissioners.

Ordinance 2003-61 also revised Table 2.1-2 to eliminate references to the CCSO shown in strike out and underline below. Note 5 had been revised the prior year in 2002 to be reworded as follows: "5. Only ~~existing~~ future land use designations of Commercial Low or Commercial Low-Office located in the Agricultural Reserve Tier and approved prior to January, 2002, shall be allowed to develop at this FAR." The revised note and table revisions have not been revised and remain in effect today.

Table 2.1-2

<i>Future Land Use</i>	<i>FLU Category</i>	<i>Ag Reserve</i>
<i>Agriculture</i>	SA	.15
	AgR	.15 outside CCSO
<i>Commercial Low</i>	CL-O	.20 ⁵
	CL	.10 ⁵ .35 w/ CCSO .40 w/ TMD ⁴

2016. This amendment revises the Future Land Use Element policies regarding existing Commercial and Institutional sites in the Agricultural Reserve Tier. Currently, Policy 1.5-b lists several of these sites and states that their continuation shall be accommodated. This amendment expanded this language to provide greater specificity to allow these properties to continue and expand as conforming uses, and allow these properties to be assigned Commercial Low (CL) and Institutional and Public Facilities (INST) future land use designations. The proposed amendment addressed the Board of County Commissioners (BCC) direction to make the pre-existing non-residential sites conforming as a result of a year-long workshop process related to regulations for the Agricultural Reserve. Concurrent with this text amendment was County Initiated Future Land Use Atlas (FLUA) amendments to assign the pre-existing commercial and institutional parcels that are east of State Road 7 with a Commercial Low with an underlying AGR (CL/AGR) or Institutional and Public Facilities with an underlying AGR (INST/AGR) future land use designation respectively.

Policy 1.5-s: The Institutional uses listed below pre-date the establishment of the Ag Reserve Tier shall be considered as conforming uses:

2. **Faith Farm Ministries**, 87.28 acres located on the east side of SR7, north Boynton Beach Boulevard is a religious ministry which has provided a long term, residential treatment and recovery program at this location since 1964. The County recognizes the Faith Farm Ministries as a provider of essential and valuable social services. The site includes church, a thrift store, educational and work training programs for residents and graduates, as well as a staff of pastors, teachers and counselors that live on site. Accordingly, the site is allowed multiple primary institutional uses including, but not limited to, place of worship, assembly non-profit, residential treatment, and education/vocational facilities. All facilities and uses on site must be under ownership of Faith Farm Ministries. Supporting non-institutional uses include, but are not limited to, the following:

1. Residential uses and facilities for employees, students, and their families up to 19 units, 313 beds, and a 40,000 square foot family living center; and
2. Non-residential uses that provide training opportunities and financially support to the ministry such as retail, repair, restaurant, recycling, etc.

Operations may continue and expand up to .15 FAR utilizing either AGR Zoning with AGR FLU or utilizing Institutional and Public Facilities or Multiple Use Planned Development District Zoning with Institutional and Public Facilities FLU. The Planning Division shall review any development order amendments and determine consistency with this policy through the development review process.

Exhibit 4 Disclosure

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

DISCLOSURE OF OWNERSHIP INTERESTS - APPLICANT

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

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, this day personally appeared N. Maria Menendez, hereinafter referred to as "Affiant," as the Vice President of G.L. Acquisitions Corporation, a Florida corporation, who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Vice President of G.L. Acquisitions Corporation, a Florida corporation (the "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for the real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
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.

FURTHER AFFIANT SAYETH NAUGHT.

N. Maria Menendez

N. Maria Menendez, as the Vice President of G.L. Acquisitions Corporation, a Florida corporation

The foregoing instrument was acknowledged before me this 28 day of August, 2019, by N. Maria Menendez, as the Vice President of G.L. Acquisitions Corporation, a Florida corporation, [X] who is personally known to me or [] who has produced _____ as identification and who did take an oath.

CCT

Notary Public

Carolyn C. Torrisi

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 4/3/23

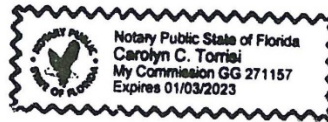
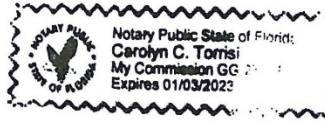


EXHIBIT "A"

PROPERTY

PARCEL 1 (FROM O.R.B. 1756, PG. 906)

TRACT 45, LESS THE WEST 40 FEET THEREOF, BLOCK 51, PALM BEACH FARMS COMPANY, PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 9.697 ACRES (OR 422,400 SQUARE FEET).

PARCEL 2 (FROM O.R.B. 987, PG. 119; AND O.R.B. 1299, PG 576 AND CHANCERY CASE 407 IN O.R.B. 6495, PG. 761)

TRACTS 67 THROUGH 78, BLOCK 51, PALM BEACH FARMS COMPANY, PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE FOLLOWING PORTIONS FOR CANAL RIGHTS-OF-WAY TO THE LAKE WORTH DRAINAGE DISTRICT: THE NORTH 39.60 FEET OF TRACTS 68, 69 AND 71, PER CHANCERY CASE 407, RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761; THE NORTH 40 FEET OF TRACT 67, RECORDED IN DEED BOOK 148, PAGE 490; THE NORTH 40 FEET OF TRACT 70, RECORDED IN DEED BOOK 113, PAGE 124; THE NORTH 40 FEET OF TRACT 72, RECORDED IN DEED BOOK 129, PAGE 244; AND LESS THE WEST 40 FEET OF TRACT 73 FOR ROAD RIGHT OF WAY TO PALM BEACH COUNTY, RECORDED IN DEED BOOK 900, PAGE 243, ALL IN THE PUBIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 77.569 ACRES (OR 3,378,928 SQUARE FEET).

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.

1. Itzhak Ezratti, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
2. Maya Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Misha Ezratti, individually and/or through trusts for his interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
4. Maxie Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.

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 Brandon D. Tucker, P.A., 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 Faith Farm Board of Directors *[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: Brandon D. Tucker, P.A., President, The Tucker Group, LLC
Heartland Region Office, 104 NW 7th Avenue
Okeechobee, FL 34972
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.

[Handwritten Signature]

Brandon D. Tucker, P.A., Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 20th day of August, 2019, by Brandon D. Tucker, P.A., [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



[Handwritten Signature]
Notary Public

Michelle Chandler
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: Feb 8, 2023

EXHIBIT "A"

PROPERTY

LEGAL DESCRIPTION

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