



PRIVATELY INITIATED TEXT AMENDMENT AMENDMENT ROUND 21-A

PLANNING COMMISSION MEETING, JUNE 12, 2020

I. General Data

Project Name:	Reserve at Atlantic
Request:	To request initiation of a privately proposed text amendment to the Agricultural Reserve Tier policies in the Comprehensive Plan.
Agent:	Lauren McClellan & Jennifer Morton, JMorton Planning & Landscape Architecture
Applicant:	Gabriel Bove, Bove Development LLC
Owner:	Linda Woodworth, The Taheri Grandchildren's Irrevocable Trust
Project Manager:	Lisa Amara, Principal Planner
Staff Recommendation:	Staff recommends to deny the request for initiation

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 Future Land Use Atlas (FLUA) 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 FLUA amendment through the public hearing process as part of "Phase II".

Text Request: To add a new Ag Reserve Planned Development option called Workforce Housing Residential that allows a residential density up to 8 units per acre in the Agricultural Reserve (AGR) future land use designation, smaller planned development size, and a reduction in preserve area for projects providing workforce housing.

Associated FLUA Amendment: To change the Ag Reserve (AGR) future land use designation on 4.5 acres to Industrial (IND) and 35.27 acres to remain Ag Reserve (AGR) with density up to 8 units per acre with workforce housing requirements on the 480 units. The 39.77 acre site is located on the southeast corner of Atlantic Avenue and Half Mile Road. The request for Industrial future land use does not require the text amendment.

Recommendation: Staff recommends that the Board deny the request for initiation. This request is one of three privately proposed text amendments requesting changes to the Comprehensive Plan that represent major departures from nearly all of the fundamental policy concepts directed by the Board of County Commissioners, and adopted into the Comprehensive Plan, including requiring preserve area and limiting development in the Tier. If the Board would like to revisit these policy decisions, a more appropriate route is through a workshop, study, or consultant led comprehensive effort to address the Tier as a whole.

III. Meeting History

Local Planning Agency/Planning Commission (LPA/PLC): *June 12, 2020*

Board of County Commissioners (BCC): *June 29, 2020*

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IV. Introduction

Intent of the Amendments

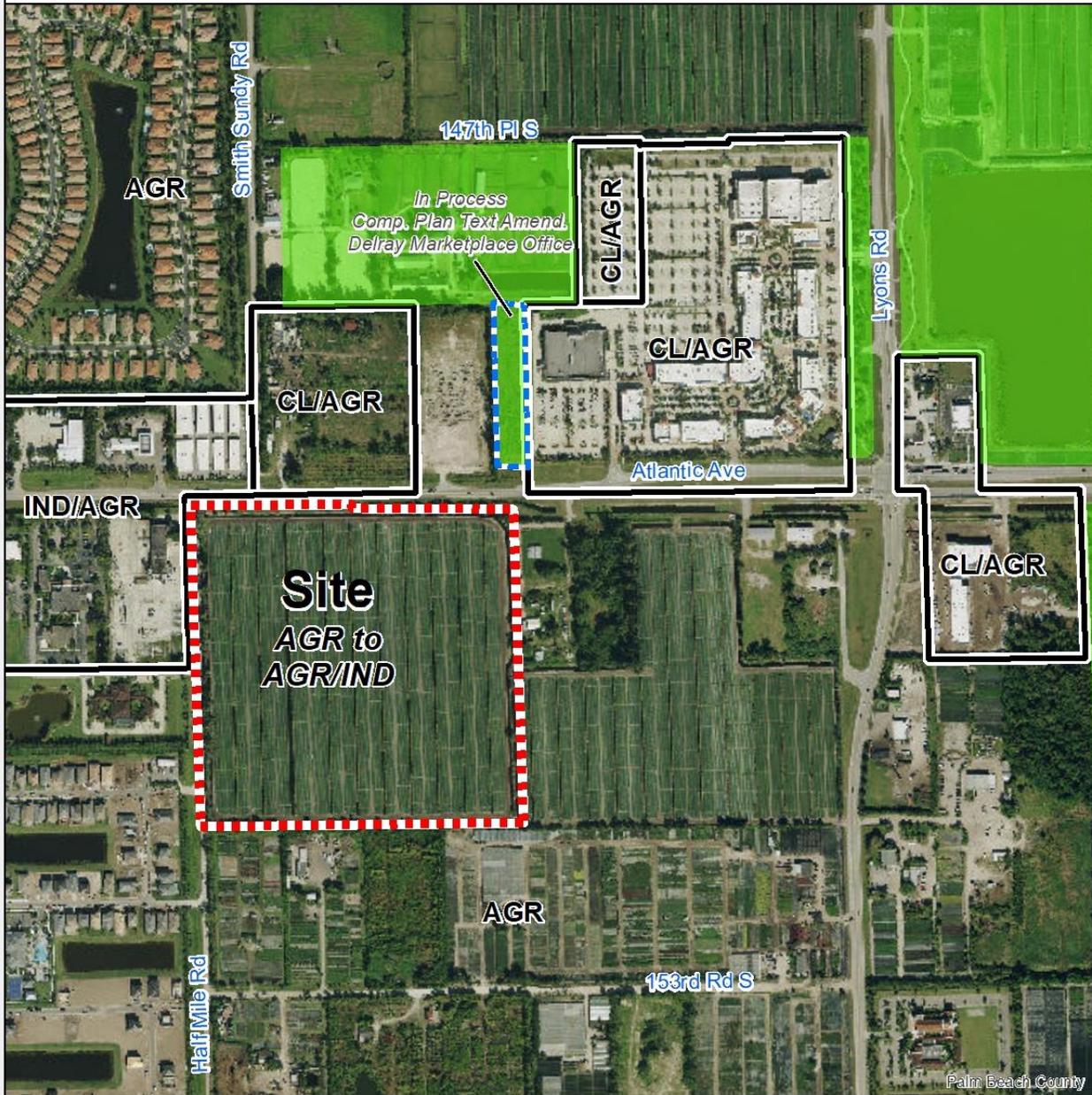
The County allows private property owners to propose amendments to policies in the Comprehensive Plan in order to revise or remove policy restrictions that would not allow their proposed future land use amendments to be processed. In this amendment round, there are three such proposed text amendments within the Agricultural Reserve. For this particular amendment, **Reserve at Atlantic**, the details of the proposed text amendment are provided verbatim in Exhibit 1 in strike out and underline format. The Applicant's Justification is provided in Exhibit 2. For any proposed text amendment that is initiated by the Board, the applicants will submit the associated FLUA amendment. Each of the applications request Comprehensive Plan text amendments to the Future Land Use Element (FLUE) and the Agricultural Reserve MLU also requests changes to the Housing Element. Please note that these three amendments are just a portion of the many applications currently proposed or in process within the Agricultural Reserve. The full list of all privately proposed amendments, each in its own various state of review, is provided in Exhibit 3.

All three of the amendments requesting initiation are summarized below.

Name	Proposed Text Amendment	FLUA Amendment
Boynton Technology Park	To allow the Economic Development Center future land use in the Agricultural Reserve Tier as a multiple use commercial, industrial, and residential Planned Industrial Park Development, increase the commercial cap, allow a base density of 3 units per acre with no preserve requirement, and including a requirement for workforce housing.	Change the Ag Reserve (AGR) future land use designation to Economic Development Center with an underlying 3 units per acre (EDC/3). The 140 acre site is located on the north and south sides of Boynton Beach Boulevard, west of the Florida Turnpike. The site is proposed to include 185,000 square feet of commercial, a 140 room hotel commercial, industrial, and residential pods with the 420 units clustered.
Reserve at Atlantic	To add a new AGR-PDD option, Workforce Housing Residential option that allows a residential density up to 8 units per acre in the AGR future land use designation, smaller PDD size, and a reduction in preserve area for projects providing workforce housing.	Change the Ag Reserve (AGR) future land use designation on 4.5 acres to Industrial (IND) and 35.27 acres to remain Ag Reserve (AGR) with density up to 8 units per acre with workforce housing on the 480 units. The 39.77 acre site is located on the southeast corner of Atlantic Ave and Half Mile Rd.
Ag Reserve Multiple Land Use	To allow the Multiple Land Use future land use designation with Commercial Low and Medium Residential 5 units per acre (MLU, CL/5) in the Ag Reserve Tier, to allow additional mixed use commercial and residential centers exempt from the commercial cap, allow Transfer of Density Rights and Workforce Housing Program bonus density, with reduced preserve area acreage, new preserve area uses, and exempting some units from density.	Change the Ag Reserve (AGR) future land use designation to Multiple Land Use (Commercial Low and Medium Residential 5) with density bonuses available through the TDR and Workforce Housing Programs, for 432 units, 261,360 s.f. of commercial uses including retail, restaurant, grocer, office, theater, hotel, light industrial and fitness center. The 39.29 acre site is located at the southeast corner of Boynton Beach Boulevard and Acme Dairy Road.

Comprehensive Plan Text Amendment

Reserve at Atlantic



Site Data

Size: 39.77 acres
 Existing Use: Agriculture
 Proposed Use: Office
 Current FLU: AGR
 Proposed FLU: AGR/IND

Future Land Use Designations

AGR Agricultural Reserve
 CL/AGR Commercial low, underlying AGR
 IND/AGR Industrial, underlying AGR

Date: 3/20/2020
 Contact: PBC Planning
 Filename: Amend/20-B2/Text Private/Reserve at Atlantic
 Note: Map is not official, for presentation purposes only.

Site AGR Preserves



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



V. Policy Background

A. Agricultural Reserve Tier Introduction

The Agricultural Reserve is a unique area of the County encompassing approximately 22,000 acres located west of the suburban unincorporated communities of West Boca, West Delray, West Boynton, and east of the Loxahatchee Wildlife Refuge. The purpose of the Agricultural Reserve is to preserve unique farmland and wetlands in order to enhance agricultural activity, environmental and water resources, and open space, by limiting uses to agriculture, conservation, low density residential development, and non-residential uses which serve the needs of farmworkers and residents of the Agricultural Reserve Tier. The area has been designated primarily for agricultural preservation and limited development options for the past 40 years, and was established as an individual tier as part of the Managed Growth Tier System adoption in 1999. The Agricultural Reserve Tier, as it is now called, was the subject of a Master Plan in the late 1990s, which was concluded with the adoption of policies in the Comprehensive Plan in 2001 that implemented Board direction at the time. Subsequent to the completion of the Master Plan (dated October 2000), the Tier has largely been developed as anticipated and the home of approximately 25,000 residents.

Most recently, the Agricultural Reserve was the subject of a year-long “Roundtable” process directed by the Board of County Commissioners (BCC) to consider changes to policies in the Tier. At the March 2015 Workshop, the BCC considered the input received during the Roundtable process and directed staff to proceed with specific actions and Plan amendments. Subsequently, the Board adopted several policy changes that will be discussed throughout in this report, along with a series of privately proposed amendments for neighborhood serving commercial uses. The latest total acreages by future land use designation are provided in the Table 1 below.

Table 1 - Future Land Use Designations in Agricultural Reserve Tier

Agricultural Reserve	20,133
Commercial Low	136
Com. Low/Industrial	13
Conservation	1,463
Industrial	64
Institutional	207
Utilities	41
Total	22,058

The Ag Reserve Tier policies are uniquely independent of the other policies in the Comprehensive Plan, and largely captured in 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.*

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. This report is not intended to provide all of the information necessary in order to approve or deny the **adoption** of the text and future land use amendments; this report is intended to provide sufficient background information and identification of future topics to be explored in order for the Board to make a decision on whether to **initiate** these amendments.

Structure of this Report. Often privately proposed text amendments are unique to a particular parcel, and may not have broader policy implications. However, the Agricultural Reserve Tier has a unique set of interrelated policies adopted to foster limited development while establishing preservation of agriculture and natural lands that work in concert with one another. The three privately proposed amendments in this round are requesting to change fundamental policies in the Tier. These policies are unique to the Tier and need to be considered with regards to their implications on the entire framework of the Tier itself, along with the implications on other properties in the Tier, both with and without current development approvals.

Accordingly, this report is structured in a manner to highlight each of the fundamental policy directives in the Tier and the implications of the amendments. Below is a discussion of each of the policy concepts in the Tier that is subject to an amendment proposed by one or more of the three applications. For each concept, an overview, implementation, changes, current status, proposed amendment, and policy implications is presented. Due to the overlapping nature of the three requests, and to ensure consistency, this section of the report are verbatim in all three.

A. Preservation of Agriculture and Natural Lands.

Policy Directive: To foster the preservation of agriculture and natural lands within this area of the County is the fundamental policy directive the Agricultural Reserve.

Implementation Mechanism: The two part approach to preserving land in the Ag Reserve was through the bond referendum and through the preserve requirements for new development. The Comprehensive Plan requires that all new residential (of any size) and new commercial planned developments (greater than 16 acres) establish preserve areas on a minimum of 60% of the land area through the Agricultural Reserve Planned Development (AGR-PDD) Options. The Bond Referendum approved by voters in March of 1999 provided \$150 million towards a land acquisition program for open space purposes to protect environmentally sensitive lands, land for water resources, greenways, agricultural lands and open space. The Board of County Commissioners directed that \$100 million of the proceeds of this bond be dedicated to land acquisitions in the Ag Reserve and that \$50 million be dedicated to land acquisitions throughout the County for the purchase of natural areas.

Changes over Time: There have been no changes to the percentage of preserve requirements for residential planned developments in the Tier since initially established with the settlement agreement in 1995 predating the Master Plan. Previously in 2015, the County eliminated the minimum 150 acre contiguous preserve area requirement, opening the door to the introduction of farm residences the following year. In 2016 the Board

established a policy exemption for commercial sites less than 16 acres. In this same amendment, Policy 1.5.1-a was revised to include new industrial lands as one of the uses that should require preserve areas; however, specific requirements were not added.

Current: To date, approximately 13,000 total acres have been preserved through the bond, government ownership, and clustering options with the Agricultural Reserve planned developments (AGR-PDDs). The Bond Referendum as part of the Master Plan resulted in the County purchase of approximately 2,400 acres of land currently set aside for natural areas. Approximately 12,436 acres of the Agricultural Reserve Tier have been approved as AGR-PDDs. Of this acreage, approximately 7,455 acres have been set aside as AGR-PDD preserve areas, of which 4,698 acres are privately owned and 2,757 acres are owned by the South Florida Water Management District or the County.

Amendments Proposed:

- The three private amendments propose to reduce or eliminate preserve requirements as summarized below:
 - **Boynton Technology Park** proposes to introduce the Economic Development Center future land use to the Tier for a 140 acre Planned Industrial Park Development with a commercial pod, an industrial pod, and a residential pod. The applicant is proposing no preserve area requirement.
 - **Reserve at Atlantic** proposes a 39.77 acre site for Industrial future land use on 4.50 acres with no preserve, and to retain the Agricultural Reserve designation on 35.27 acres for their proposed Workforce Housing Residential Option, allowing a density of 8 units per acre subject to workforce housing requirements (see D. Workforce Housing).
 - **Agricultural Reserve MLU** proposes to introduce the Multiple Land Use future land use designation to the Tier for a 39 acre mixed use center with commercial, industrial, and residential uses with parameters for preserve area subject to the standards and requirements of an AgR-TMD preserves, subject to the following:
 - The 60% Preserve Area requirement shall be calculated on the gross acreage of the Residential Component rather than the total land area.
 - Up to 50 percent of the Preserve Area may be located within the Development Area as open space or greenspace.
 - In addition to the preserve uses allowed by FLUE Policy 1.5.1-n, commercial recreation, workforce housing, and community center uses are allowed within the Preserve area, but not subject to the agricultural conservation easement required by Policy 1.5.1-o.

Policy Implications for Discussion: To date the County has maintained the policy requirement for a minimum of 60% preserve area for all residential uses and commercial properties greater than 16 acres in size. The three private amendments propose either exemptions or reductions in preserve area requirements for residential or residential/commercial mixed uses sites. There are no unique attributes to any of the subject sites that provide a basis for abandoning the fundamental preserve requirements of the Tier for these sites. To initiate such a concept on a piecemeal, site by site basis would not be appropriate as such a change would alter the foundation of the Tier and bring into question the future of the approximately 4,698 acres in AGR-PDD preserve areas that are currently in private ownership. If the Board would like to examine the preservation policies and implementation mechanisms, the appropriate route would be to revisit the Tier in its entirety through a workshop, study, or through a consultant led comprehensive effort.

B. Planned Development - Clustering and Minimum Size

Policy Directive: To cluster large residential developments to foster the set aside of preserve area.

Implementation Mechanism: Rather than the base density of 1 unit per 5 acres, residential developers may choose one of the Agricultural Reserve Planned Development (AGR-PDD) options to achieve a five-fold density increase of 1 unit per 1 acre through clustering the density onto the development area of the site, thereby setting aside the preserve area from development. The minimum acreage for the residential planned developments are 250 total acres (for a 60/40 PUD) and 40 acres (for an 80/20 PUD). Please note that clustering is not to be confused with 'transfer of development rights', which is a separate County program for properties within the Urban Suburban Tier to increase density. This clustering incentive of additional density is unique to the Ag Reserve. The Rural and Exurban Tiers do not allow additional density through clustering. Density bonuses in the Urban Suburban Tier are through the Transfer of Development Rights and Workforce Housing Programs that result in contributions to the maintenance of natural lands or provision of workforce housing, respectively.

Changes Over Time: Since 1980, the Agricultural Reserve density has been 1 unit per 5 acres with the opportunity for up to 1 unit per acre provided that the units are clustered onto a portion of the land and the remainder preserved as some form of open space. Originally, this option was only available to properties greater than 40 acres which committed to the preservation of 75% of the land. In 1995, a second option was created for properties with at least 250 acres, permitting them to develop on 40% of the land area and preserve the remaining 60%. The Master Plan Consultants recommended that the minimum acreage for a 60/40 AgR-PDD be reduced to 100 acres, thereby allowing a 40 acre development area and 60 acre preserve area minimum per project. The Consultants recommended that off-site preserve areas be restricted to west of SR 7 or in the central core of the Agricultural Reserve east of SR 7. Staff and the Board disagreed with this recommendation, and the minimum acreage for an AGR-PUD was maintained at 250 acres with a 100 minimum acre development area and 150 minimum acre preserve area. During the Agricultural Reserve Roundtable process conducted between 2012 to 2014, the Board considered reducing the minimum acreage, but ultimately decided not to revise this figure.

Current status: Approximately 12,212 acres of the Agricultural Reserve have been approved as residential AGR-PDDs, with approximately 4,744 acres of development area. Residential subdivisions, including farm residences, account for an additional 1,213 acres. The remaining lands in the Tier without development approvals are approximately 1,700 acres. Other than the shifting of land or adding of land to existing Planned Developments, there are no remaining clusters of land to meet the 100 minimum acre development requirement for a 60/40 AGR-PUD other than Whitworth Farms 578 acres.

Proposed Amendments:

- The three private amendments propose to reduce or eliminate preserve requirements as summarized below:
 - **Boynnton Technology Park** proposes a 140 acre site for Economic Development Center future land use with a commercial pod, an industrial pod, and a residential pod. The applicant is proposing to cluster the density into the residential pod from the commercial and industrial pods with no preserve area.

- **Reserve at Atlantic** proposes a 39.77 acre site for a newly proposed Workforce Housing Residential Option which reduces the minimum acreage for an AGR-PUD from 250 acres to 25 acres with a 50% reduction in preserve area subject to workforce housing requirements (see D. Workforce Housing).
- **Agricultural Reserve MLU** proposes a 39.29 acre mixed use center with commercial, industrial, and residential uses with a preserve area for only the residential portion of the site subject to limitations (see A. Preserve Area)

Policy Implications for Discussion: The Policy implications for this item are the largely the same as Item 1, Preserve Area, as these issues need to be addressed holistically. The amount of land that is currently ‘uncommitted’, meaning not developed for residential/non-residential uses, or set aside as preserve, does not appear to allow any new planned residential developments in the Tier. Should an overall assessment be pursued, the minimum acreages for residential planned developments should be revisited.

C. Density

Policy Directive: To limit the amount of dwelling units in the Tier was one of the policy directives established by the Board as part of the Master Plan process.

Implementation Mechanism: The Comprehensive Plan sets the maximum density in the Tier at 1 unit per 5 acres with the option for an Agricultural Reserve Planned Development at 1 unit per 1 acre. There are no future land use designations or density bonus programs that allow additional density, although there is no specific residential unit cap adopted in the Plan.

Changes Over Time: The Master Plan Consultant recommended that the County permit density bonuses in the non-agricultural, non-residential areas as a means of encouraging vertical integration of residential and non-residential uses. Staff dissented with this recommendation, noting that it was inconsistent with other recommendations which called for no density bonuses in the Agricultural Reserve. Staff also suggested that giving this density bonus was inconsistent with the commitments made during the bond referendum to endeavor to reduce the maximum number of residential units in the Agricultural Reserve through land acquisitions. The Board concurred in the staff recommendation and directed that densities remain at the levels they were set at in 1980. During the development of the Master Plan it was often discussed that the estimated number of units in the Tier should be approximately 14,000 units through the limitations in development set by the purchases and retirement of density through the bond and from limiting density to 1 unit per acre clustered. This assumption was based upon either 1 unit per acre clustered or 1 unit per 5 acres. The change to allow farm residences (allowing a subdivided tracts as small as 5 acres to use all but one acre for their home-site as preserve and density) has increased the amount of potential units in the Tier. However, since each farm residence application must demonstrate agricultural uses at the time of application, it is not possible to calculate the total impact of additional units.

Current Status: Currently, there are approximately 10,758 dwelling units approved in the residential AGR-PDDs and approximately 8,726 built units within the AGR-PDDs. Overall in there are currently 9,135 built units in the Tier as a whole. Higher net densities are approved, but unbuilt, within the two mixed use center AGR-PDDs. Canyons Town Center and Delray Marketplace have the ability to develop up to 166 total multi-family units. The built residential development within the Agricultural Reserve Tier is nearly exclusively single family and zero lot line homes, with the exception of farm worker quarters. The cap

on density at 1 unit per 1 acre yields a net density of approximately 3 units per acre within the AGR-PDD development areas. Unlike the Urban Suburban Tier, which allows up to 12 units per acre future land use and additional density bonuses through the Transfer of Development Rights and Workforce Housing programs, there is no ability to increase density as the Board has decided that this area was not appropriate for density bonus programs.

Proposed Amendments:

- All three of the private text amendments propose to allow additional density as follows:
 - **Boynnton Technology Park** proposes a 140 acre site for Economic Development Center future land use with an underlying 3 unit per acre density, with 420 units to be calculated on the gross land area to be clustered onto the residential pod.
 - **Reserve at Atlantic** proposes 35.27 acres of land retaining the Agricultural Reserve future land use designation, but through their proposed Workforce Housing Residential Option, to calculate density at 8 units per acre subject to workforce housing requirements (see 4. Workforce Housing).
 - **Agricultural Reserve MLU** proposes to allow the Medium Residential, 5 units per acre (MR-5) future land use designation as part of Multiple Land Use (MLU) projects. Density is proposed to be calculated on the gross land area of the MLU, and the projects are proposed to be subject to the following:
 - Dwelling units that are vertically integrated within the Mixed Use Area shall not be counted towards the maximum residential density.
 - The adopting ordinance shall require a minimum of 25% of the residential units as workforce housing units for household incomes from 60 to 140% of area median income.
 - A Workforce Housing Program density bonus up to 100 percent and a Transfer of Development Rights Program density bonus of 1 dwelling unit per acre are allowed concurrent with the approval of the MLU future land use designation.

Policy Implications for Discussion: Limiting the density in the Agricultural Reserve has been one of the policy foundations in the Tier since its inception. There is no basis to consider a piecemeal or incremental decision to allow additional densities on a case by case basis as presented by the proposed amendments. Although the Master Plan anticipated that developers would cluster density for the development of multifamily at the same 1 unit per 1 acre density, this has not occurred and the housing in the Tier is nearly exclusively single family / zero lot line. Increasing the diversity of housing types would benefit the housing balance in the Tier, the more appropriate mechanism for the Board to consider would be to revisit the Tier as a whole through a workshop, study, or consultant led effort rather than on a piecemeal fashion. Further, the introduction of the Transfer of Development Rights (TDR) Program to increase density in the Tier would represent a major shift in policy for both the Agricultural Reserve and the TDR Program itself since the Ag Reserve is adopted as a 'sending' area for development rights, not a 'receiving area'. Finally, the proposal within the AGR MLU application that residential dwelling units on the second floor and higher would be exempt from the term 'density', thereby having no limitation whatsoever, represents a departure not only from the Agricultural Reserve Tier, but the Comprehensive Plan as a whole, the ULDC, and from planning in general. Additionally, there is no such density exemption known to be in existence in any jurisdiction. Such a change cannot be considered without further analysis for implications throughout the County as a whole.

D. Workforce Housing

Policy Directive: To foster the development of workforce housing is a policy directive of the Comprehensive Plan for the Urban Suburban Tier. There is no requirement for workforce housing obligation or workforce housing density bonus in the Agricultural Reserve Tier.

Implementation Tool: There is no policy requirement for units in the Tier to be set aside as workforce housing units, as is the case in the Urban Suburban Tier; however, there is no prohibition on developers limiting units to the workforce housing ranges by their own accord. The Urban Suburban Tier requires that a percentage of all new developments of 10 units or more provide a portion of the units as workforce housing or be subject to an in lieu fee, and allows density bonus options in exchange for additional workforce housing units.

Changes Over Time: In 2006 at the time the inclusionary workforce housing was adopted by the Board, the WHP applied in the Urban/Suburban, Exurban, and Rural Tiers, as well as in the Scientific Community Overlay, and the Ag Reserve Area was specifically excluded. In 2009, during the transmittal public hearing to the Affordable Housing and Workforce Housing Programs, the Board of County Commissioners discussed whether to apply the Program in the Ag Reserve Tier. The Board directed that the Programs be limited to the Urban Suburban Tiers. Subsequently, major amendments in the Rural Tier were required by adopting ordinance to include a portion of the units as workforce housing.

Current Status: There are approximately 9,100 units built in the Ag Reserve Tier, none of which have a condition of approval requiring workforce housing units. The Delray Marketplace and the Canyon Town Center mixed use projects allow for 73 and 93 multi-family units, respectively, with 59 of the Canyons units assigned to the County owned pod of the development. Inclusion of these multi-family units was intended to provide the opportunity for diversity in housing types and prices, but the units are not required to be income-restricted as workforce housing. To date, the units are unbuilt.

Proposed Amendments:

- Amendments propose incentives for additional density and reduction or elimination of preserve areas for projects that provide workforce housing.
 - **Boynton Technology Park** proposes an underlying residential density of 3 units per acre on the entire site, with the ability to cluster this density into a residential area but allowing no bonus density. The text amendment requires a minimum of 40% of the 420 residential units as workforce housing units for household incomes from 60 to 140% of area median income. A minimum of 5% of the total units shall be provided onsite as for-sale workforce housing units.
 - **Reserve at Atlantic** proposes a new Workforce Housing Residential Option that provides a density increase to 8 units per acre provided minimum of 25% percent of the units be built onsite as workforce housing units for household incomes from 60 to 140% of area median income, and provides a 50% reduction in preserve area for projects with a minimum of 5% of the total units onsite as for-sale workforce housing units.

- **Agricultural Reserve MLU** proposes to allow the Workforce Housing Program in the Agricultural Reserve Tier for sites with Multiple Land Use (MLU) future land use, specifically adding policy language stating that MLU adopting ordinances shall require a minimum of 25% of the residential units as workforce housing units for household incomes from 60 to 140% of area median income, and that such sites may seek a 100% density bonus through the Program.

Policy Implications for Discussion: As previously discussed, the built housing diversity in the Tier is currently limited to single family, zero lot line, farm residences, and farmworker housing. There are 166 approved, but unbuilt, multifamily housing units in the two mixed use centers, none of which are workforce housing units. The provision of workforce housing is an important policy directive for the County and directed by the Comprehensive Plan for the Urban Suburban Tier. Continuing the discussion on fostering the provision of workforce housing in the Tier is warranted, but again, not on a case-by-case basis. To introduce the concept of workforce housing tied with higher densities requires the Board to consider whether the Workforce Housing would be applied throughout the Tier beyond the three subject sites. To date, the ability to utilize the Workforce Housing density bonus program has been made on a Tier-wide basis, not on individual sites alone. Such a shift in policy needs to be analyzed holistically and also take into account whether the prior approved planned developments would be subject to the Program, or only new future planned developments in the Tier.

E. Commercial and Mixed Use Development

Policy Directive: To limit commercial development to residents and farmworkers of the within the Agricultural Reserve Tier.

Implementation Mechanism: The policies adopted to implement the Master Plan set a cap on the total amount of commercial development and limited commercial development to internal sites within the Tier at the intersections of Boynton Beach Boulevard and Lyons Road, and Atlantic Avenue and Lyons Road.

Changes Over Time: The Master Plan Consultants identified a need for a maximum of 1,100,000 square feet of commercial retail and office space in the Agricultural Reserve. They recommended that this space be evenly divided between two mixed use centers, and that all new development be required to establish a 60% preserve area. The Consultants recommended the commercial cap and locating the centers in the interior of the Agricultural Reserve, away from away from the edges of the Tier where they would be more likely to draw customers from outside of the Tier. The Board adopted these recommendations by policy in 2001, with the exception that the commercial cap was reduced to 750,000 s.f. The County adopted amendments to eliminate the requirement for commercial to be developed as Traditional Marketplace Developments, eliminate the preserve requirement for small commercial sites, increase the commercial cap to 980,000 s.f., eliminate a maximum of 80 commercial acres, and change the future land use on pre-existing commercial sites to Commercial Low. Subsequently, the County adopted several privately proposed amendments which led to reaching the commercial cap. In 2017, the BCC adopted a privately proposed amendment, Three Amigos (LGA 2017-018), to increase the cap by 35,000 s.f. in order to expand this 'pre-existing' commercial site. The current cap of 1,015,000 s.f. has been reached with the commercial approvals within the Tier. A history of commercial policy changes is provided in Exhibit 4.

Current Status: Currently the commercial cap has been reached. Table 2 below identifies the commercially designated properties in the Agricultural Reserve Tier, including the acreage and square footage approved.

Table 2 - Commercial Approvals in the Ag Reserve

Site	Adoption	Acres	Built Sq. Ft.	Approved Sq. Ft.
Canyons Town Center	2004	26.75	195,494	211,933
Delray Marketplace	2004	33.20	278,940	278,940
Small CL Sites	Pre-1999	1.83	22,712	22,712
Pre-existing Commercial	Pre-1999	19.29	28,007	76,625
	Pre-2016	81.07	525,153	590,210
Alderman	2016-B	15.34	112,779	133,642
Homrich	2016-B	13.44	0	29,400
Delray Growers	2016-B	11.15	0	86,744
Feurring	2016-C	4.91	34,885	42,776
Smigiel (additional)	2016-C	4.35	0	26,670
Stop & Shop (additional)	2016-D	5.11	32,818	32,020
Seneca Commercial	2017-A	4.51	0	38,538
Three Amigos (additional)	2017-D	3.60	0	35,000
	Post-2016	62.41	180,482	424,790
	Total	143.48	705,635	1,015,000

Proposed Amendments:

- Two of the private amendments propose to increase the commercial cap or exempt the project from cap.
 - **Boynton Technology Park** amendment proposes Economic Development Center future land use at .45 floor area ratio for industrial uses and a commercial center with 185,000 square feet of commercial space with a 140 room hotel, and a request to increase the commercial cap accordingly.
 - **Reserve at Atlantic** proposes a future land use amendment to Industrial future land use for 4.50 acres that does not require a text amendment to the Plan.
 - **Agricultural Reserve MLU** amendment proposed to introduce a new future land use category, Multiple Land Use, into the Tier and exempt this designation from the commercial cap. The associated future land use application indicates that up to 261,360 square feet of commercial uses, including retail, restaurant, grocer, office, theater, hotel, light industrial and fitness center would be proposed.
- Two of the private amendments **Boynton Technology Park** and **Agricultural Reserve MLU** propose to introduce new mixed use centers close to the intersection of Boynton Beach Boulevard and the Turnpike.

Policy Implications for Discussion: There is no demonstrated basis for adding commercial land uses in the Tier due to the amount of approved yet unbuilt commercial land available and the specific policy parameters set in the Comprehensive Plan to limit the amount of square footage and locations, in order to achieve the goal of the Tier not to serve as a regional draw for such uses. The two proposed mixed use amendments represent a dramatic increase in the amount of non-residential square footage and establish new mixed use near the Boynton Beach Boulevard and the Florida Turnpike interchange. Should the associated future land use amendments be approved, it is conceivable that applications mirroring the requests would be submitted for properties along Atlantic Avenue near the Florida Turnpike as those sites share similar attributes. This two part proposed change to the Tier is not warranted on case-by-case basis, and should only be considered through a re-assessment of the Tier as a whole, if at all.

F. Preserve Uses and Location

Policy Directive: To ensure that preserve areas foster the preservation of agriculture and natural lands requires defining appropriate uses within the preserve areas.

Implementation Mechanism: Adopted policies in the Comprehensive Plan and associated language in the ULDC, limit the residential planned development preserve areas to a handful of agricultural uses. Comprehensive Plan FLUE Policy 1.5.1-n allows commercial mixed use center AGR-PDDs additional uses in the preserves, stating “*east of SR 7 and adjacent to a development area, for civic purposes such as schools, libraries, or fire stations.*” In addition, when adopting policies to implement the Master Plan, the Board adopted FLUE Policy 1.5-q which states “*Freestanding golf courses shall be allowed as the only form of commercial recreation in the Agricultural Reserve Tier...*” The Comprehensive Plan Policy Policy 1.5.1-j requires that AGR-PDD preserve areas are subject to a conservation easement in favor of the County or deeded to the County.

Changes Over Time: The location requirements and preserve uses have been revised on several occasions over the past 20 years. The Comprehensive Plan initially limited preserve areas to ‘no high value added agricultural uses’; however in 2012 the Board adopted FLUE Policy 1.5-g to allow packing plants within preserve areas subject to limitations. In 2016, the Board adopted changes to allow farm residences and eliminated the requirement that new preserve areas must be adjacent to other preserve areas totaling 150 acres or more. These changes have resulted in the swapping out of some of the larger agricultural based preserve areas and being replaced with farm residences.

Current Status: The Board is also currently revising ULDC regulations on landscape services operating within preserve area parcels. Of the approximately 7,455 acres of AGR-PDD preserve area, approximately 3,636 acres are in agricultural related uses. Agricultural uses are predominately 2,122 acres of crops, 762 acres of equestrian, 110 acres of farm residences, and 642 acres of nursery or other agricultural uses. Approximately 3,449 acres are in open space and natural areas, including 673 acres of privately owned natural lands, 2,271 acres of government owned natural lands, parkland and the rural parkway. The only approved and built civic uses in AGR-PDD preserves are currently schools.

Proposed Amendments

- **Boynton Technology Park and Reserve at Atlantic** do not propose to revise the list of uses in preserve areas identified by the Comprehensive Plan.
- **Agricultural Reserve MLU** proposes to use the AGR-TMD preserve use list of allowable preserve uses for the residential component, including uses civic purposes such as schools, libraries, or fire stations. The amendment proposes to expand this list to include In addition to the preserve uses allowed by Policy 1.5.1-n, “commercial recreation, workforce housing, and community center uses”, and to exempt such uses from the agricultural conservation easement required by Policy 1.5.1-o.

Policy Implications for Discussion: The 1999 Master Plan was expressly established, and supported by the Board and subsequently adopted FLUE Policy 1.5-q in the Comprehensive Plan, that the only form of commercial recreation allowed in the Agricultural Reserve Tier is golf courses. The introduction of commercial recreation as an allowable preserve used would represent a major departure from current policy, and would put the 4,698 acres of privately owned preserve area up for consideration for similar uses. Further, if the Plan allowed these additional uses for the subject site (civic, commercial recreation, workforce housing, and community centers), it is conceivable that the property owners of the privately held preserve areas in other AGR-PUDs would make the same request to place such uses in existing and future preserves. Any consideration by the County of expanding uses allowed in the AGR-PDD preserve areas can only be undertaken holistically and not on a case-by-case basis as proposed.

G. Industrial Development.

Policy Directive: To ensure that no new industrial land use was added to the Agricultural Reserve was a directive of the Board during the Master Plan process.

Implementation Mechanism: There are no adopted policies in the Comprehensive Plan to implement the Board decision not to allow additional industrial future land use designations. The FLUE Policy 1.5.1-a states *“In order to preserve and enhance agricultural activity, environmental and water resources, open space, and sustainable development within the Agricultural Reserve Tier, all new residential, commercial, industrial, and/or mixed use developments shall be developed as an Agricultural Reserve Planned Development that contributes to the fulfillment of these objectives by meeting the preserve area requirements, subject to the provisions of this Element....”*

Changes Over Time: The 1999 Master Plan Consultants recommended that up to 330,000 square feet of industrial uses be allowed in the Agricultural Reserve, using the Economic Development Center future land use designation. The Consultants identified two locations, within 1/4 mile of the Turnpike interchanges with Boynton Beach Boulevard and Atlantic Avenue, as appropriate locations for these Economic Development Centers. The Consultants recommended requiring developers seeking to use this option be required to set aside preserve areas in the same ratio of preserve area to open space as the Traditional Marketplace. The Board did not concur in this recommendation and directed that no new Industrial designations be permitted in the Agricultural Reserve. In 2016, Policy 1.5.1-a was revised to include industrial to the types of developments where preserve area should be required subject to requirements elsewhere in the Future Land Use Element. However, no specific requirements for preserve areas for new industrial development have not been incorporated into the Plan to date.

Current Status: There are 64 acres of Industrial future land use in the Tier. There has been only one amendment adopted by the Board to industrial since the Comprehensive Plan was adopted in 1989. In 2015, the Board adopted a commercial/industrial site on 13.44 acres called Homrich (LGA 2016-019) reflecting the unique circumstances of that site adjacent to a chipping/mulching use and a gas station. The Economic Development Center is a type of industrial future land use that is not currently allowed in the Tier.

Proposed Amendments:

- **Boynton Technology Park** proposes to introduce 140 acres of Economic Development Center future land use with commercial, industrial, and residential pods with the industrial floor area ratio at 0.45.
- **Reserve at Atlantic** proposes a future land use amendment to Industrial future land use for 4.50 acres that does not require a text amendment to the Plan.
- **Ag Reserve MLU** proposes a future land use amendment to Multiple Land Use with underlying Commercial Low and Medium Residential, 5 units per acre, with the identification of 'light industrial uses' as one of the uses allowed.

Policy Implications for Discussion: Although the Board at the time of the 1999 Master Plan did not support the idea of establishing employment centers in the Tier, there is very little industrial land or employment centers surrounding the Agricultural Reserve. The Master Plan considered the Ag Reserve as an area unto itself, and largely fostered the development of an area that is now currently split between preserves and suburban bedroom communities, with a few commercial retail centers. Establishing employment centers in the Tier would provide a greater land use balance for both the Tier and the surrounding suburban communities in the Urban Suburban Tier. However, this is a departure of the policy directive for the Tier to limit non-residential to serving only Agricultural Reserve residents and farmworkers and should only be considered through an overall re-assessment of the Tier as a whole.

H. Traffic Impacts.

Policy Directive: Ensure that proposed future land use amendments to not negatively impact the long range transportation plan. This policy applies to proposed amendments throughout the County.

Implementation Mechanism: Comprehensive Plan FLUE Policy 3.5-d establishes that the County shall not adopt future land use amendments that negatively impact traffic by increasing density or intensity that generates additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" (long range analysis), or results in a the failure of Test 2 (short range analysis).

Changes Over Time: On several occasions during the 30 year lifespan of FLUE Policy 3.5-d, the Board has adopted text amendments to exempt specific sites by policy.

Current Status: This policy applies to proposed amendments throughout the County (unless specifically exempted) and is not limited to the Agricultural Reserve Tier.

Proposed Amendments:

- **Boynton Technology Park** proposes an exemption to Policy 3.5-d.
- **Reserve at Atlantic** proposes an exemption to Policy 3.5-d.
- **Ag Reserve MLU** proposes an exemption to Policy 3.5-d.

Policy Implications for Discussion: The current and planned roadway network in the Agricultural Reserve was developed using the assumptions that all residential development would be built at 1 unit per 1 acre maximum density, and that the commercial development was limited. The proposed amendments would impact existing and long range traffic, although at this time the full traffic analysis has not yet been completed in order to present the full and collective impacts. All three also have proposed to exempt their associated future land use amendments from the traffic requirements in Comprehensive Plan FLUE Policy 3.5-d. All of these three amendments are requesting density and intensity increases that significantly stray from the vision for the Tier and would require a reevaluation of the road network as well as transit service. As part of the traffic analysis, the current right of way widths and proposed roadways on the County's Thoroughfare Right of Way Identification Map need to be examined to determine if currently planned widths and segments are adequate for the resulting traffic impacts. Upon preliminary discussions with Traffic Engineering and the Florida Department of Transportation (FDOT), they concur that the traffic impacts resulting from the impacts of these amendments should assess the traffic impacts of these policy changes to the Tier as a whole. Specifically, FDOT states that: *"These amendments represent unplanned development potential that will generate traffic impacts beyond those already identified in the Palm Beach County Comprehensive Plan and the Palm Beach Transportation Planning Agency's 2045 Long Range Transportation Plan. The Department recommends that the County consider how these land use changes, and other future changes resulting from the property owners' requested shift in Agricultural Reserve Tier policy, will impact the future transportation infrastructure needs of the area. It is also recommended that the County avoid piecemeal/incremental assessments of traffic impacts and instead look at the cumulative effects these changes will bring on traffic demand. These amendments represent an opportunity for the County to confirm its vision for the future of the Ag Reserve and identify desirable land uses and an optimal transportation network to achieve the County's vision at the adopted level of service standard for roadways. The Department supports continued outreach by the County in this regard, to include all affected transportation stakeholders, including property owners, the District Four Florida Department of Transportation, the Florida's Turnpike, the Palm Beach Transportation Planning Agency, and the Treasure Coast Regional Planning Council."*

I. Service Delivery

Policy Directive: Ensure that services are services are planned for and provided in a timely and cost-effective manner, reflective of the quality of life associated with each respective Tier.

Implementation Mechanism: Goal 3, Service Areas and Provision of Service Areas, of the FLUE of the Comprehensive Plan, plus its objectives and policies, are set to ensure that the County plans for effective service provision. Additional objectives and policies of this nature are adopted within the Transportation, Utilities, Fire Rescue, Parks and Recreation, Library Services, and Capital Improvement Elements.

Changes Over Time: One of the fundamental goals of the 1980 and 1989 Comprehensive Plans, as further expounded upon in the 1999 Managed Growth Tier System, was to ensure that services for anticipated growth are managed effectively. The Agricultural Reserve Master Planning process included extensive examination by various County departments to predict the impacts and service delivery needs based upon the 1 unit per 1 acre development options in the Tier.

Current Status: To date, the Ag Reserve has largely grown as anticipated and the current 2020 population of 25,000 residents is nearly exactly as planned in the Master Plan.

Proposed Amendments:

- **All three text amendments** would result in future land use changes that would generate higher density and/or intensity than previously anticipated.

Policy Implications for Discussion: The three proposed amendments would result in increases in density and intensity on the associated parcels, and may lead to future requests for similar increases throughout the Ag Reserve Tier. Due to these impacts, addressing any changes of this nature to the Tier need to be addressed comprehensively.

J. ULDC Implications

The **Reserve at Atlantic** application states ULDC Changes Changes to AgR-PUD to incorporation criteria as detailed below:

Art. 3.E.2.F.2.c.3) WHR AgR-PDD Option

The preserve area shall be required to be 60 percent of the gross land area of the PUD. If the workforce housing units include a deed restricted for-sale product, the preserve area may be reduced by no more than 50%.

Art.3.E.2.F.4.b.2) WHR AgR-PDD Requirements

- Provide a minimum of 25% of the total units as workforce housing
- Provide a minimum of 5% of the total units as for-sale workforce housing units onsite
- Provide civic or institutional services to support the residents of the development (i.e.daycare, place of worship, or similar uses)
- Located within 1 mile (walking distance) of employment opportunities

K. Preliminary Coordination and Outreach

County staff provided an email notification of the pending Ag Reserve proposed amendments to the lengthy list of interested parties and community groups. To date two letters/emails have been received as shown in Exhibit 6, Correspondence.

VII. Staff Recommendation

Staff recommends that the Board deny the request for initiation. This request is one of three privately proposed text amendments requesting changes to the Comprehensive Plan that represent major departures from nearly all of the fundamental policy concepts directed by the Board of County Commissioners, and adopted into the Comprehensive Plan, including requiring preserve area and limiting development in the Tier. If the Board would like to revisit these policy decisions, a more appropriate route is through a workshop, study, or consultant led comprehensive effort to address the Tier as a whole.

Exhibits	Page
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3. Proposed Applications in the Ag Reserve	E-9
4. Commercial Policy Changes in Ag Reserve Tier	E-11
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Exhibit 1
Applicant's Proposed Text Amendment

A. Future Land Use Element, Reserve at Atlantic Private Text

REVISIONS: To introduce an in the Agricultural Reserve. The revisions are shown below with the added text underlined and the deleted text in ~~strike-out~~.

Workforce Housing Residential Option

1. **NEW Policy 1.5.1-t:** The County shall foster the provision of workforce housing in the Agricultural Reserve Tier by allowing densities greater than one unit per acre for planned developments utilizing the Workforce Housing Residential (WHR) Option. The WHR Option is an AgR-PUD 60/40 that is subject to the following:

1. The 250 minimum acres for an AgR-PUD is reduced to 25 minimum acres;
2. The density calculation is up to 8 units per acre for the total land area;
3. A minimum of 25% percent of the units shall be built onsite as workforce housing units for household incomes from 60 to 140% of area median income.
4. The Development Area maximum percentage is increased from 40% to 70%.
5. The Development Area is limited to east of State Road 7 with access onto either Atlantic Avenue or Boynton Beach Boulevard.
6. The Preserve Area minimum acreage is reduced from 150 to 7 acres.
7. The Preserve Area 60% requirement may be reduced by up to 50% for projects that provide a minimum of 5% of the total units onsite as for-sale workforce housing units.

2. **REVISE Policy 1.5-h:** Residential uses shall be permitted within the Agricultural Reserve Tier under the Agricultural Reserve land use designation as further regulated by the Unified Land Development Code. Consistent with the provisions of Future Land Use Policy 2.1-b and Table 2.2.1-g.1, Residential Future Land Use Designation Maximum Density, the land shall be allowed to develop as follows:

1. Within the Agricultural Reserve future land use designation with Agricultural Reserve zoning the maximum density is ~~at a density of~~ one dwelling unit per five acres;
2. Within the Agricultural Reserve Tier with a Planned Development zoning, the maximum future land use densities are as follows, with density calculated for the total land area and clustered onto the development area of the projects.
 - a. Agricultural Reserve future land use designation with AgR-PUD zoning, the maximum density is up to one dwelling unit per acre;
 - b. Agricultural Reserve future land use designation with AgR-PUD zoning using the WHR Option, the maximum density is up to eight dwelling units per acre;
 - c. Commercial Low future land use designation with TMD or MUPD zoning, the maximum density is up to one dwelling unit per acre;

~~(1DU/5AC), unless the property meets the requirements for an Agricultural Reserve Planned Development (AgR-PDD), Agricultural Reserve Multiple Use Planned Development (AgR-MUPD), or Agricultural Reserve Traditional Marketplace Development (AgR-TMD) as described in Future Land Use Sub-Objective 1.5.1, in which case the land may be developed at a density of one dwelling unit per acre;~~

3. **REVISE Policy 1.5.1-d:** ~~Utilization of these planned development options may result in a maximum density for an AgR-PDD of 1 du/ac for a residential AgR-PDD except that the maximum number of units shall be reduced to reflect the number of farm worker quarters and/or grooms quarters located in the preserve area. For a residential AgR-PDD or an AgR-TMD, the Agricultural Reserve Planned Developments shall be subject to the following minimum preserve area requirements shall be established as:~~
1. ~~a-80/20 AgR-PUD development, 75 percent of the total land area;~~
 2. ~~a-60/40 AgR-PUD development, 60 percent of the total land area; and~~
 3. 60/40 AgR-PUD with WHR Option, 60 percent of the total land area subject to a 50% reduction allowed by Policy 1.5.1-t; and
 4. a-TMD, 60 percent of the total land area.

4. **REVISE**

**Table 2.2.1-g.1
Residential Future Land Use Designation Maximum Density**

Future Land Use Designation		Dwelling Units per Gross Acre ⁵
Agricultural Reserve	AGR	0.20 / <u>1³ / 8³</u>

3. See Agricultural Reserve Policy 1.5-h.

5. **REVISE Policy 3.5-d:** The County shall not approve a change to the Future Land Use Atlas which: *(unaltered text omitted for brevity)*

This policy shall not be applicable to an Agricultural Enclave adopted pursuant to Policy 2.2.5-d. This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Western Communities Residential Overlay. This policy shall not be applicable to Reserve at Atlantic amendment (LGA 2020-xxx).

Exhibit 2

Applicant's Justification

Purpose

Allow development of residential density above the maximum 1 du/ac and reduce the required amount of preservation within the Agricultural Reserve Tier for projects providing workforce housing.

Justification

In 1980, Palm Beach County adopted the Managed Growth Tier System as part of a Comprehensive Planning effort. The purpose of the Tier System is to protect viable existing neighborhoods and communities while directing the location and timing of future development. A significant objective of the Tier System is to “provide development timing and phasing mechanisms in order to prioritize the delivery of adequate facilities and services to correct deficiencies in existing communities and accommodate projected growth in a timely and cost effective manner.” The population of Palm Beach County continues to grow as retirees continue to relocate to South Florida, existing business expand operations and hire addition workforce, and new companies relocate to Palm Beach County bringing new residents to the area. FLUE Policy 1.1-a states, the County shall develop and implement strategies for each unique community and/or geographic area based upon common characteristics, including physical development patterns and service provision.” To date the Agricultural Reserve has been developed solely with single family residential developments and limited neighborhood commercial uses.

Many changes have been made to the Agricultural Reserve Tier since its original adoption. At the time of the adoption of the Agriculture Master Plan in 2000, 51% of the acreage was being utilized for farming. Since 2000, several large farming families have ceased operations and no longer farm, including Whitworth, Winsberg, Mazzonni, Amestoy, and Dubois. Over the past 20 years, these large tracts of former farmland have been converted into single family residential planned developments, thus significantly impacting the development pattern of the Tier. A majority of the residential developments in the Agricultural Reserve are comprised of single family homes for the more affluent residents of the County. This Tier has been exempted from the County’s mandatory workforce housing program and has limited density of 1 dwelling unit per acre thus, the area is very homogeneous.

Other changes to the Agricultural Reserve include increases to the commercial square footage cap in order to meet the demand for retail, restaurants and other services by the residents of the Agricultural Reserve. This has allowed for more commercial parcels to be developed in addition to the originally designated TMDs located at Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road. Other non-residential uses have been developed in the area to support the residents of the Tier. A large regional hospital campus including 135,000 square feet of medical office buildings, several private and charter schools have been approved and developed along the Boynton Beach Boulevard corridor. These institutional uses serve the residents in the area as well as those outside of the Agricultural Reserve Tier.

The latest changes to the Agricultural Reserve Tier include allowing small 5-acre preserve parcels to meet the preserve requirements for planned developments. This change has allowed for additional

development parcels and therefore increased the number of residential units built in the Ag Reserve. The current Ag Reserve Tier now reflects a patchwork development pattern. Many of these 5 acre properties support small nurseries, landscape services, and pastureland for cows, horses, pigs, chickens, sheep and goats. These properties are often squeezed in between development and other preserve parcels which has resulted in incompatible and unsustainable development patterns. The increasing number of residents moving into the Ag Reserve creates more traffic along the main thoroughfares because the residents are required to drive east for services. In addition, the car and resident traffic conflicts with farm vehicles and other farming activity.

Twenty years have passed since the adoption of the Agricultural Reserve Master Plan. Significant changes have occurred in Palm Beach County over these same 20 years. The estimated 2020 population for Palm Beach County is 1,470,338 which represents a 30% population increase from 2000. The County adopted a mandatory workforce housing program to ensure an adequate housing stock for most residents of Palm Beach County to have the opportunity to own a home or rent an apartment.

The Board of County Commissioners and the County Administrator have stated that Palm Beach County has a housing crisis and is a critical item to be addressed. The County's Workforce Housing Program was recently revised in an attempt to provide more on-site construction of workforce housing and to ensure that units are being constructed and will meet the needs of the workforce population. The average home price in the Agricultural Reserve is \$650,000 which is 2½ times the \$248,820 home sales price for those in the moderate income category.

Local Housing Solutions (LHS) is a not-for-profit organization created by the National Community of Practice on Local Housing Policy to provide assistance and resources to local governments developing balanced local housing strategies and fostering inclusive neighborhoods. According to the LHS, one of the 4 reasons why housing is unaffordable is due to "government regulation raise production costs and reduce overall supply of all types of housing. For example, limits on density restrict the number of homes that can be built on available land...cause developers to go elsewhere, making it difficult for the supply of housing to keep pace with increases in demand and rising housing prices..." Further this not-for-profit organization states, "to improve housing affordability, community leaders can adopt policies that encourage the production of additional housing units...the most important step is to change land use regulations that limit how much housing can be built." A solution proposed by this organization is to change ordinances and codes to allow for higher residential density. "Zoning codes can limit the number of housing units that can be developed, and those limits should be reassessed in light of what the market and infrastructure will bear."

The proposed comprehensive plan text amendment will allow for the development of multi-family units, rental workforce housing units as well as for-sale workforce housing units. Allowing an increase to density and reduction of preserve area will offset the cost of providing the workforce housing rental units. Workforce housing is needed in the Agricultural Reserve to meet the demand for additional housing options for the people working at the existing hospital, schools, post office, solid waste facility, retail, and restaurants located within the Tier.

The objectives of the Agricultural Reserve Tier include the creation of a functional sustainable development pattern that minimizes the costs and impacts to County taxpayers. The current development pattern within the Agricultural Reserve is not sustainable as it requires most residents to travel into the Urban/Suburban Tier for services and employment opportunities while a majority of the workers within the Agricultural Reserve Tier come from the Urban/Suburban Tier. Many of the

traffic related issues on Atlantic Avenue are caused by people traversing in and out of the Agricultural Reserve for services and/or housing. If additional housing options were available within the Ag Reserve Tier, much of the workforce would have the opportunity to live close to their place of employment. The proposed exemption for Policy 3.5-d is being requested as a precaution as the Florida Department of Transportation is currently in process of widening various links of Atlantic Avenue. The timing of this expansion project for the portion of Atlantic Avenue east of the Florida Turnpike is currently unknown. By adding more housing options to the Agricultural Reserve Tier, travel distance and time is reduced. This reduction would lessen the impacts on the major rights-of-way in the Tier, thus decreasing the burden for service provision on County taxpayers. Reducing travel times also benefits the environment as it reduces carbon dioxide gas emissions.

Consistency

This proposed Comprehensive Plan Text Amendment is consistent with the intent, objectives and policies of the Comprehensive Plan and Agricultural Reserve Master Plan, as follows:

Objective 1.5 Agricultural Reserve Tier - “Create a functional sustainable development pattern” and “minimize costs/impacts to County taxpayers”.

Response: As mentioned above, if additional housing options were available within the Ag Reserve Tier, much of the workforce would have the opportunity to live close to their place of employment. By adding more housing options to the Agricultural Reserve Tier, travel distance and time is reduced. This reduction would lessen the impacts on the major rights-of-way in the Tier, thus decreasing the burden for service provision on County taxpayers. Water and sewer lines have been installed along Atlantic Avenue to serve the various residential projects being developed within the Agricultural Reserve. All property owners with frontage along Atlantic Avenue were required to pay assessments for the extension of these water and sewer lines. Allowing development of the Property with a workforce housing project would be an efficient use of these existing public facilities. Another contribution to a sustainable development pattern would be the reduction of carbon dioxide gas emissions as travels times are reduced.

County Goals.

Balanced Growth and Land Planning. Balanced growth is one of the key elements for good land use planning. Balanced growth refers to the amount, distribution and inter-relationships of appropriate land uses, which provide for the physical, social, cultural and economic needs of a community within the constraints of environmental conditions.

Response: Allowing additional housing opportunities with Agricultural Reserve will encourage balanced growth. The Agricultural Reserve is comprised of affluent residents living in single family homes, most of which are planned gated communities. This is a homogeneous development pattern with little to no economic diversity. The recent changes to the Agricultural Reserve Master Plan have allowed increased services to be developed to support the increasing amount of residential development. However, no accommodation of housing for those working in the service, education, and healthcare industries has been provided.

Housing Opportunity. Ensure that housing opportunities are compatible with the County’s economic opportunities by providing an adequate distribution of very-low and low-income housing, Countywide, through the Workforce Housing Program.

Response: As described above, the proposed comprehensive plan text amendment will allow for the development of multi-family units, rental workforce housing units as well as for-sale workforce housing units. Allowing an increase to density and reduction of preserve area will offset the cost of providing the workforce housing rental units and dedication of land to a non-profit workforce housing builder (i.e. Habitat for Humanity). Workforce housing is needed in the Agricultural

Reserve to provide much needed housing options for the people working at the existing hospital, schools, post office, solid waste facility, retail, and restaurants located within the Tier.

County Directions

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 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.

Response: Development in the Agricultural Reserve is comprised mainly of exclusive gated communities developed with single family homes. This homogeneous development pattern does not contribute to smart growth or an efficient use of land. Incorporating various housing types ensures that those who work in the service, education, and healthcare industries are able to live close to their employment. As described above limiting density discourages the development of various housing types and ensures no provision for workforce housing.

Agricultural Reserve Master Plan

The Ag Reserve Master Plan recognized the need for affordable housing within the Ag Reserve by allowing and encouraging vertical and horizontal integration of residential units within the Traditional Marketplace Developments. However, this type of forced design was not affordable, feasible or marketable, especially at a density of 1 dwelling unit per acre. The Consultant recommended that the County permit density bonuses as a means of encouraging vertical integration and ensuring a greater diversity of housing types.

The Master Plan originally intended for development to be concentrated and radiate outward from two nodes (Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road). Preservation parcels were anticipated to be located west of State Road 7 and within the core of the Agricultural Reserve. The proposed text amendment will allow for development to occur along Atlantic Avenue in an area originally designated by the Master Plan as a location for development.

ULDC Changes

Changes to AgR-PUD to incorporation criteria as detailed below:

Art. 3.E.2.F.2.c.3) WHR AgR-PDD Option

The preserve area shall be required to be 60 percent of the gross land area of the PUD. If the workforce housing units include a deed restricted for-sale product, the preserve area may be reduced by no more than 50%.

Art.3.E.2.F.4.b.2) WHR AgR-PDD Requirements

- Provide a minimum of 25% of the total units as workforce housing
- Provide a minimum of 5% of the total units as for-sale workforce housing units on-site
- Provide civic or institutional services to support the residents of the development (i.e. daycare, place of worship, or similar uses)

Located within 1 mile (walking distance) of employment opportunities

Exhibit 3

Proposed Applications in the Ag Reserve

The proposed amendments are posted on the County's Active Amendment Page which includes links to the applications, maps, and published initiation reports.

<http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

An interactive map of all of the amendments is provided here:

<http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments-Map.aspx>

Specific information by proposed application is provided below with links:

Reserve at Atlantic

Summary: A privately requested text amendment to the Comprehensive Plan Agricultural Reserve Tier to allow residential density up to 8 units per acre and to allow a reduction in preserve area acreage for projects providing workforce housing. The 39.77 acre site is located on the southeast corner of Atlantic Avenue and Half Mile Road.

Application:

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/TextFLUAReserveAtlanticApp.pdf>

Boynton Technology Park

Summary: A privately requested text amendment to the Comprehensive Plan Agricultural Reserve Tier to allow additional mixed use commercial, industrial, and residential multiple use center, increase the commercial cap, with a base density of 3 units per acre, and eliminate a preserve area requirement for projects providing workforce housing. The 140 acre site is located on the north and south sides of Boynton Beach Boulevard, west of the Florida Turnpike.

Application:

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/TextFLUABoyntonTechApp.pdf>

Ag Reserve MLU

Summary: A privately requested text amendment to the Comprehensive Plan Agricultural Reserve Tier to allow additional mixed use commercial and residential mixed use centers outside of the commercial cap, with a base density of 5 units per acre, allow Transfer of Density Rights and Workforce Housing Program bonus density, and a reduction in preserve area acreage. The 39.29 acre site is located at the southeast corner of Boynton Beach Boulevard and Acme Dairy Road.

Application:

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/1-Text-FLUA-App-AGR-MLU.pdf>

Delray Marketplace Office

Summary: A privately requested text amendment to the Comprehensive Plan Agricultural Reserve Tier to allow an additional commercial site in the Agricultural Reserve Tier. The 2.05 acre site is located on the north side of Atlantic Avenue, west of Lyons Road.

Application:

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/DelrayMarketplace-Text.pdf>

Initiation Report – this item was previously presented to the PLC and is scheduled for Initiation Review July 30th BCC:

http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2020/feb/5-A-2_DelrayOffice-Initiation.pdf

Faith Farm

Summary: A privately requested text amendment to the Comprehensive Plan Agricultural Reserve Tier to allow 24.74 acres of open space within the Faith Farm site to become a preserve area for an Agricultural Reserve Planned Unit development at a transfer density of 1 unit per acre. The 87.28 acre is located east of SR7, north of Boynton Beach Boulevard.

Application:

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/FaithFarm-Text.pdf>

Initiation Report link provided below. The item was already initiated. The Transmittal report will be published on June 5th for PLC hearing on June 12th and BCC hearing on June 29th.

http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2019/oct/4-B-2_20-B_Initiation_FaithFarm.pdf

Poet's Walk

Summary: A privately requested text and future land use amendment to allow congregate living facilities in the Ag Reserve Tier at a density of 8 units per acre, with a change in future land use to Congregate Living Residential with an underlying Ag Reserve (CLR/AGR).

Application:

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/PoetsWalkIIApp.pdf>

Transmitted Report link provided below. The item was already initiated and had its first public hearing at BCC. The Adoption hearing is not yet scheduled, but will be once the associated zoning application is finalized over the next coming months.

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/PoetsWalkII.pdf>

West Boynton Center

Summary: A privately requested text and future land use amendment to allow additional square footage for self-storage uses with the commercial future land use designation, exempt self-storage from the commercial cap, and to revise previously adopted conditions of approval on the subject site.

Application:

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/WestBoyntonCenter-App.pdf>

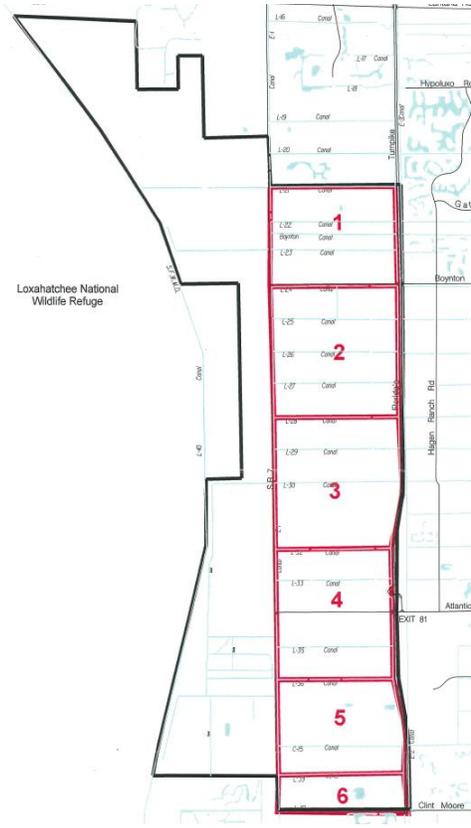
Transmitted Report link provided below. The item was already initiated and had its first public hearing at BCC. The tentative adoption hearing date for both the Comprehensive Plan (future land use and text) and zoning applications is at the BCC Zoning Hearing on July 30, 2020.

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/WestBoyntonCenter.pdf>

Exhibit 4 Commercial Cap History

History of the Commercial maximum square footage.

The Phase II Report included a comprehensive examination of the maximum development potential envisioned by the actual Master Plan Graphic as shown in the table below. The Phase II report, the Consultant recommended the following under 5.5.1.2 The 60/40 Development Option: *“The amount of non-residential developments in the entire Ag Reserve should be limited to 500,000 square feet of retail, 600,000 square feet of office, and 330,000 square feet of industrial uses. The amount of civic uses should not be restricted within the two development areas.”* This totaled 1,100,000 million square feet of commercial uses. Phase II report indicates that these figures had been derived from the appropriate ratio of non-residential development to the 14,000 dwelling units that were considered to be the maximum number of new units under the “Status Quo” Development Alternative. Therefore, taking the total maximum number of units considered by the Consultants (14,000 new units) and the maximum number of square footage (1,100,000), the ratio of total new commercial square footage for each new units can be calculated as a maximum of 79 square feet per dwelling unit ($1,100,000 \text{ sf} / 14,000 \text{ du} = 79 \text{ sq.ft}$). The numerical description of the master plan graphic included the following mix of uses as the maximum potential is described in the table below.



Phase II Master Plan Graphic Status Quo Potential Build-out

	Total	1 No. of BB	2 South of BB	3 Central	4 Atlantic	5 Far So. AA	6 Clint Moore
Single Family	7,280	1,680	1,840	-	1,040	2,080	640
Townhouse	4,200	1,440	720	-	1,680	360	-
Apartments	2,520	600	600	-	1,320	-	-
Units	14,000	3,720	3,160	-	4,040	2,440	640
Retail	502,440	125,000	125,000	-	250,000	2,440	-
Offices over shops	375,030	93,758	93,758	-	187,515	-	-
Office Park	244,970	122,485	122,485	-	-	-	-
Commercial	1,122,440	341,243	341,243	-	437,515	2,440	-
Industrial Park	330,000	-	165,000	-	165,000	-	-
Total Non-Res	1,452,440	341,243	506,243	-	602,515	2,440	-

The Final Master Plan summarizes and expresses staff and Board support for placing the cap on the Tier, stating: *“The Consultants identified a need for no more than 1,100,000 square feet of commercial retail and office space in the Ag Reserve. They recommended that this space be evenly divided between the two mixed use center locations which were identified, and that all development seeking to utilize this development option be required to establish a preserve area, similar to the clustered residential development requirements, with the ratio of preserve area to developed area for the commercial developments established 60/40. The minimum acreage recommended for the developed area of a commercial development was recommended to be 10 acres, with a 15 acre preserve area.”*

The 01-1 staff report which adopted the amendments to implement the Master Plan carries forward these theme of capping commercial development, but establishes an acreage requirement in addition to a square footage limitation, stating: *“This policy caps the maximum acreage and square footage that may be developed as Commercial in the Agricultural Reserve Tier to ensure that the uses are restricted to those which serve the needs of Tier residents and farmworkers. Establishing these caps on the intensity of commercial development, which were determined by the County's Consultants on the Agricultural Reserve Master Plan, ensures that the supply of commercial space will not exceed the demand, which could suggest that the development pattern in the Agricultural Reserve Tier was indicative of sprawl in violation of State regulations.”* At the time of transmittal, the maximum square footage was 1,100,000 million square feet, but between transmittal and adoption the staff report was revised to reflect a cap of 750,000 square feet. There is no explanation for this reduction in the staff report, although a subsequent email from County Planner Alex Hansen to Planning Director Frank Duke in 2002 indicates that the reduction in square footage was made to reflect the reduction in demand due to the reduction in dwelling units from the passing of the Bond referendum and County land purchases with retirement of development rights.

The new maximum of 980,000 s.f. proposed with the 2016 County Initiated amendment was based upon the calculation of 79 square feet per each of the up to approximately 13,000 dwelling units which may be allowed today. Currently the maximum development potential in the Ag Reserve ranges from 10,744 dwelling units to 12,904 dwelling units. This figure is based upon a total of approved dwelling units total of 10,204 added to approximately 2,700 acres of land that is uncommitted which can yield anywhere between 1 unit per 5 acres to 1 unit per acre (540 to 2,700 acres respectively) depending upon the individual approvals. The proposed 980,000 square foot cap was proposed to maintain both the ratio envisioned by the Master Plan documents and would also be consistent with the current square foot/units built ratio that exists within the Tier today. The ratio between the current total built units in the Tier (6,924 units) to the built commercial square footage (522,504 sf) is approximately 75.46 square feet per unit (522,504 sf / 6,924 du = 75.46 sf/unit).

Exhibit 5

Disclosures

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

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 Gabriel Bove, 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 [✓] Managing Member _____ *[position—e.g., president, partner, trustee]* of Bove Development 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: 354 Royal Tern Road S
Ponte Vedra Beach, FL 32082

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.



Gabriel Bove, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 24th day of Feb., 2020, by Gabriel Bove, [X] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Notary Public

Lauren McClellan

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____



LAUREN L. MCCLELLAN
MY COMMISSION # GG 043160
EXPIRES: February 28, 2021
Bonded Thru Budget Notary Services

EXHIBIT "A"
PROPERTY

Tracts 5, 6, 7, 8, 25, 26, 27 and 28, in Section 19, Township 46 South, Range 42 East, The Palm Beach Farms Company Plat No. 1, as said plat is recorded in Plat Book 2 at pages 26, 27, and 28, Public Records of Palm Beach County, Florida. Less and excepting therefrom from the north ten feet of said Tracts 7 and 8 and less and excepting therefrom the north thirty-one feet of said Tracts 5 and 6.

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 Linda T. Woodworth, 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 Trustee ^{The Taheri Grandchildren's Irrevocable Trust dated 12/28/92} [position - e.g., president, partner, trustee] of 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: 1700 S. Dixie Highway, #300
Boca Raton, Florida 33432
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.

Linda Woodward
Linda Woodward, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 19 day of February, 2020, by Linda T. Woodward, [] who is personally known to me or [] who has produced MIDL as identification and who did take an oath.



[Signature]
Notary Public
Ignacio Baigorria
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: _____

EXHIBIT "A"

PROPERTY

Tracts 5, 6, 7, 8, 25, 26, 27 and 28, in Section 19, Township 46 South, Range 42 East, The Palm Beach Farms Company Plat No. 1, as said plat is recorded in Plat Book 2 at pages 26, 27, and 28, Public Records of Palm Beach County, Florida. Less and excepting therefrom from the north ten feet of said Tracts 7 and 8 and less and excepting therefrom the north thirty-one feet of said Tracts 5 and 6.

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

Samuel B. Woodworth PO Box 30 Jenner CA 95450 50%
Abigail C. Woodworth 1362 Vermont St. San Francisco CA
94110 50%

Exhibit 6

Correspondence



MANAGING GROWTH AND QUALITY OF LIFE IN GREATER WEST BOYNTON SINCE 1981
Over 110 Member Communities

May 27, 2020

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Kenneth Lassiter
Barbara Katz
Sandra Greenberg
Lewis Doctor
Dagmar Brahs
Eugene Sokoloff
Paul Gellis
Al Miller
Philip Leslie
Kenneth Sanden
Dr. Richard Carrington

Mayor David Kerner
301 North Olive Ave. Suite 1201
West Palm Beach, FL 33401
Via Email: dkerner@pbcgov.org

Re: June 12 Planning Commission Meeting

Dear Mayor Kerner:

COBWRA has learned that the County plans to hold the Planning Commission meeting on June 12th. Remote attendance of Planning Commission members may occur. Details of how the public participates are not yet provided. The County and State remain in a Pandemic State of Emergency.

Monumental changes that will forever alter the southwestern part of the county are scheduled for the June 12th meeting. In jeopardy is all the Agricultural Reserve, west of the Turnpike from Atlantic Avenue to Boynton Beach Boulevard. Developers are taking advantage of these calamitous times and mining them as opportunities. Privately initiated Text Amendments call for de-certification of the Ag Reserve, abandoning the Comprehensive Plan requirement of 60% preserve acreage for 40% development. That includes 138 acres along Boynton Beach Boulevard for an EDC (Economic Development Center) as well as less than 10 acres for congregate living.

Full and open hearings of these monumental proposals cannot be held at this time. It is not possible when the people remain under edict limiting all public contact to avoid further contagion. COBWRA's constituents are part of the risk group and it would be against CDC guidelines for many to appear in person at the meeting to voice opposition. Mr. Mayor, COBWRA watched with respect and admiration when, in recognition of the challenges from the pandemic, you withdrew a public interest bond issue to conserve the ecological assets of this county. Likewise, we believe a delay to enable the public to rally and face this onslaught of change is fair and reasonable, and in keeping with that example. Online comment cards are not a substitute for free public speech. These are matters for reasoned discourse, face to face. We would appreciate your consideration and ask you to postpone this meeting.

Sincerely,

BETH RAPPAPORT, President
On behalf of the Coalition of Boynton West Residential Associations

Cc: Commissioners Valeche, Weiss, Weinroth, Berger, McKinlay, Bernard
Verdenia Baker, County Administrator; Patricia Behn, Planning Director; Ramsay Bulkeley,
PZB Executive Director; Patrick Rutter, Assistant County Administrator; News Media

PO Box 740814, Boynton Beach, FL 33474-0814 • 561-572-9151
E-mail: info@cobwra.org • www.cobwra.org • www.facebook.com/COBWRA

From: Joe O'Donnell [<mailto:joe.odonnell1@gmail.com>]
Sent: Tuesday, June 02, 2020 1:39 PM
To: 'dkerner@pbcgov.org'
Subject: citizens health/ end of ag. reserve

Dear Mayor Kerner,

The pandemic we are facing will, in ways yet to be determined, force us to change what we knew as "the way we live and do business". The BCC will be challenged to navigate an undefined course around obstacles and challenges yet to be determined.

Palm Beach County accounts for :	Palm Beach, Miami-Dade and Broward account for:
7%	state's population 29%
10%	state's coronavirus cases 55%
14% of	state's coronavirus deaths 57%

The infection rates for Palm Beach County and three South Florida Counties tells a unmistakable story. As in the N.E. USA, the high population density of these three counties is the underlying reason for the heavy toll the virus has taken on the citizens of South Florida, compared to the rest of the state.

Unfortunately, Palm Beach County's population density is rapidly trending in the direction of Broward and Miami-Dade. The GROWTH AT ANY PRICE mentality encouraged by developers has cost the rest of us dearly. Unfortunately, we have only seen the tip of the iceberg in the health and life style costs we will be paying for years to come

There are three projects on the PLC agenda for June 12 and the BCC agenda for June 29; AG RESERVE MLU, BOYTON TECHNOLOGY PARK and RESERVE AT ATLANTIC.

The proposed changes to the comprehensive plan in these three projects would result in elimination of the Ag. Reserve.

1. A relatively small number of WFH units, included in the three projects combined, are being leveraged to increase density to 8 units per acre. History shows the majority of developments approved under the guise of incorporating WFH, do not include WFH upon completion.
2. Additional commercial space above the 1,015,000 sq ft allowed in the Ag. Reserve.
3. Elimination or reduction in 60/40 preserve requirements.
4. Transfer of TDR from outside Ag. Reserve to inside Ag. Reserve.

It would be in the best interest of county residents if the BCC put on hold all proposed development projects that are requesting density increases, outside what is currently allowed in the Ag. Reserve Comprehensive Plan and existing zoning regulations. The BCC would then have time to initiate a comprehensive study resulting in a strategic plan, including appropriate densities, that help protect citizens from future pandemics. Please do not allow pressure from developers to force the county to a "rush to judgment". It would be in no one's best interest.

Developers are shamefully trying to take advantage of circumstances where citizens and government are distracted by a pandemic and crashing economy, to push their greed driven agenda. Allowing the last bit of available open space in Boca, Delray Beach and Boynton Beach to become high density developments cannot be the right answer to protecting the health of county citizens, or the county's economy.

Thank You

Joseph O'Donnell
Irish Acres of Florida
14375 Starkey Road
Delray Beach