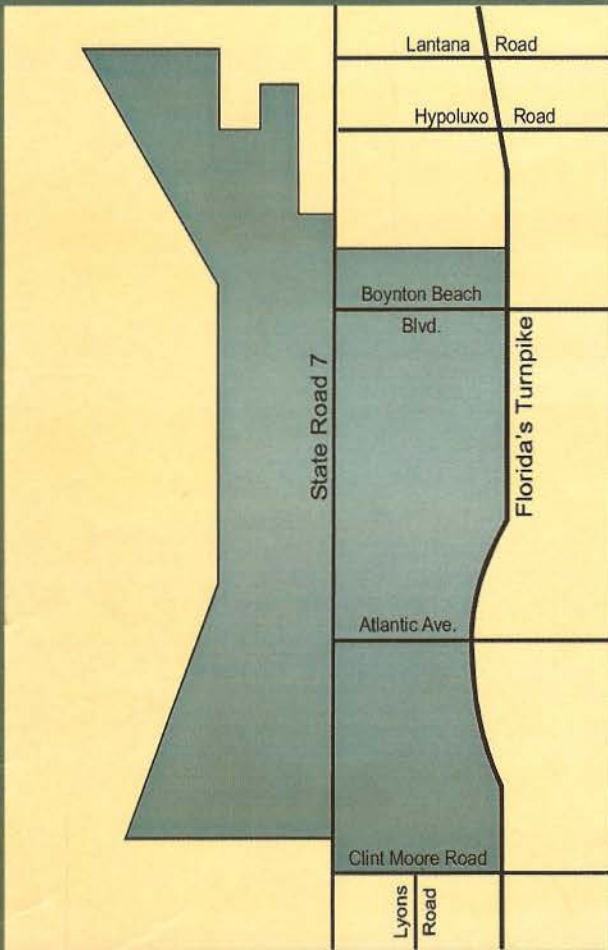




# Palm Beach County Agricultural Reserve Master Plan



Palm Beach County  
Planning, Zoning, and  
Building Department  
Planning Division

Cooperative Extension  
Service



South Florida  
Water Management District

# Agricultural Reserve Master Plan



Prepared by:

Palm Beach County  
Planning Division

October 2000

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# Acknowledgments

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## **Executive Summary**

### **The Ag Reserve Master Plan**

In 1998, the Palm Beach County Board of County Commissioners (BCC) directed development of a Master Plan for the Agricultural Reserve (Ag Reserve) area in south-central Palm Beach County (County). The BCC established the goal of the Ag Reserve Master Plan as:

*To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals.*

The South Florida Water Management District (SFWMD) joined with the County in funding development of the Master Plan, in recognition of the critical nature of the area to water resource and environmental projects. CH2M Hill and Dover, Kohl & Partners (the Consultants) were selected to develop the Master Plan, which was prepared in phases.

At the conclusion of Phase I of the Master Plan, the BCC directed that a referendum be held to determine County residents' willingness to tax themselves through a bond issue, consistent with the Consultants' recommendations. The overwhelming success of the bond referendum led the BCC to authorize proceeding with Phase II of the Master Plan.

In December 1999, the BCC was presented with Phase II of the Master Plan. This portion of the plan expanded the recommendations of the Consultants in Phase I, recommending a variety of programs and changes to either the Comprehensive Plan or the Unified Land Development Code which would be required to implement the Ag Reserve Master Plan.

Rather than act on the Master Plan at that time, the BCC requested additional information on various aspects of the Plan be developed by staff. Specifically, the BCC requested more information on agricultural lease programs and alternatives, the types of alternative crops which could be grown in the Ag Reserve, the amount of land which could be purchased using the bond proceeds, the availability of matching funds for agricultural land acquisition, alternative configurations for development in the Ag Reserve other than the 60/40 clustered option on which the Consultants focused, the feasibility of creating a Community Development District in the Ag Reserve.

This work, as well as staff's review of each of the Consultants' recommendations, was presented to the BCC in June of 2000 as an Addendum, or Phase III, of the Master Plan. In addition, the Addendum provided an evaluation of the feasibility of creating a resort-based Traditional Town Development in the Ag Reserve. After reviewing the additional information prepared by staff, the BCC authorized moving forward with implementation of the Ag Reserve Master Plan.

The following pages provide a summary of the work done to develop the Ag Reserve Master Plan, as well as specific actions which must be taken, and the party responsible for the action, to implement the Ag Reserve Master Plan. The actions are grouped according to the element of the Master Plan goal they serve to implement. All recommendations made by the Consultants or

County staff are identified, including those which the BCC elected not to pursue, so that the complete record of what was considered may be found in one place; options which were the BCC elected not to implement are clearly identified as requiring no action.

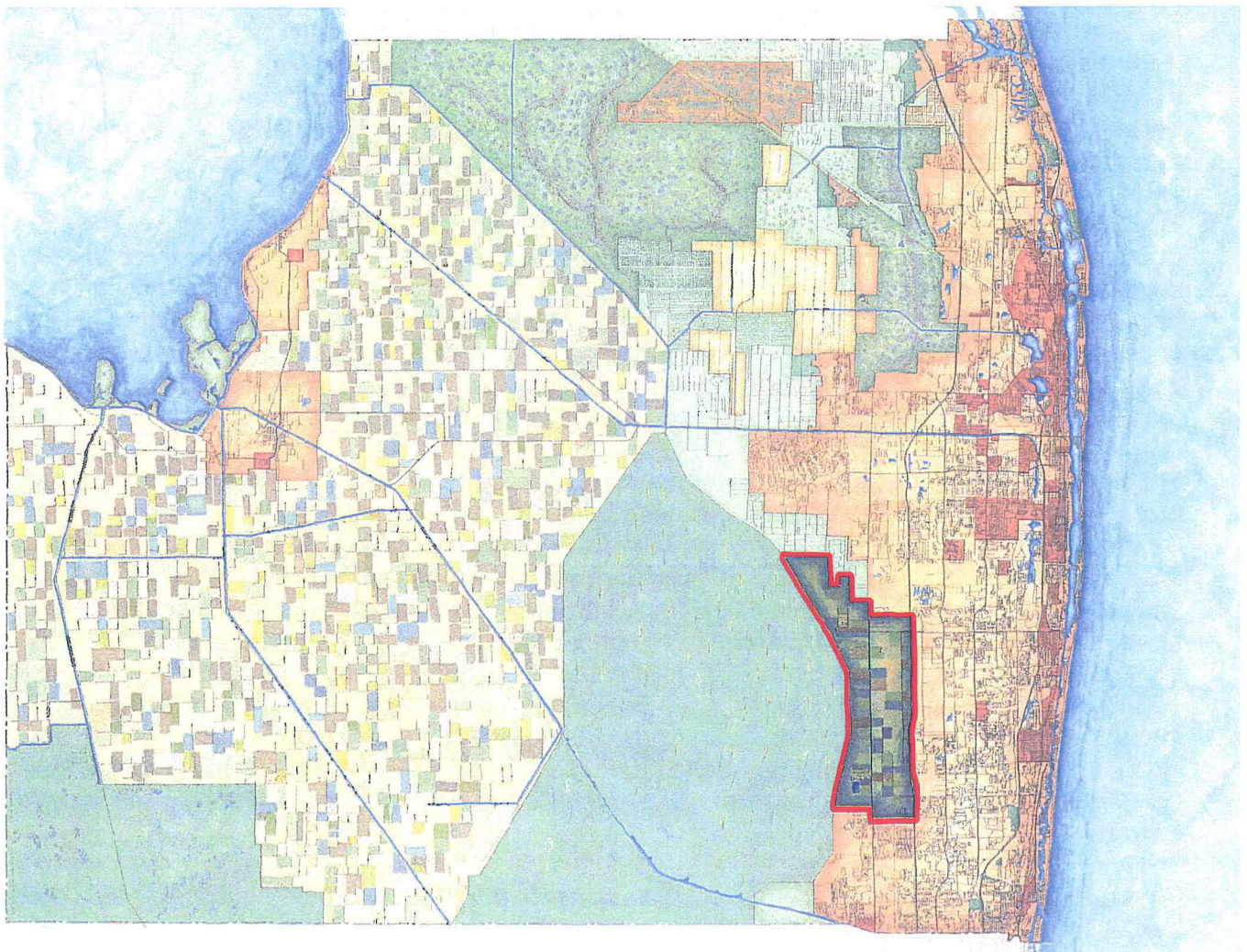
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# Chapter 1

## Background for Development of the Ag Reserve Master Plan

The Ag Reserve encompasses 20,923 acres of southern Palm Beach County. As shown in Figure 1-1, it lies between Hypoluxo Road (extended) on the north, Clint Moore Road on the south, the Ronald Reagan Turnpike on the east, and the Arthur R. Marshall Loxahatchee National Wildlife Refuge on the west.

**Figure 1-1**  
**Ag Reserve Location**



## 1.1 History

The area has had a long history of agricultural production, supporting a variety of crops and types of agriculture. More than 80 varieties of vegetables and twelve different fruits, in addition to citrus crops, have been grown in the Ag Reserve over the past five decades. This extent of productivity has contributed significantly to the County's economy. The per acre yield of the Ag Reserve is considerably higher than any other agricultural acreage in Palm Beach County, constituting nearly 10% of the County's total value of agricultural production on approximately 2% of the acreage devoted to agriculture.

The area was formally designated as the Agricultural Reserve in Palm Beach County's 1980 Comprehensive Plan. The 1980 Plan emphasized the preservation of agriculture in the area, establishing densities of one unit per five acres to prevent premature development of the Ag Reserve. An opportunity to increase gross densities to one unit per acre for projects which clustered all development on 20% of their area was also created for planned developments with a minimum of 40 acres; this option was developed at the request of large property owners to establish land values for agricultural borrowing. The 1980 Plan also established provisions for a transfer of development rights program, designating the area as a sending area for development rights used outside of the Ag Reserve at a rate of four units per five acres (0.8 units per acre).

The boundaries of the Ag Reserve were revised with the adoption of Palm Beach County's 1989 Comprehensive Plan. More than 5,000 acres were removed from the Ag Reserve, reflecting development approvals through the 1980s. The remaining lands were designated as "an area to be preserved primarily for agricultural uses, if possible, and if not, to be developed at low residential density." The densities established in the 1980 Plan were maintained, as were the provisions for the transfer of development rights program. A study of the Ag Reserve was called for, with a moratorium placed on new non-agricultural development pending completion of this study.

The study called for in the 1989 Plan was initiated, but never completed. Responding to property owner concerns, in 1995 the moratorium was lifted and the Comprehensive Plan amended to create an alternative clustered development option. Similar to the 80/20 option created in the 1980 Plan, the new 60/40 option permitted development at a gross density of one unit per acre provided that project clustered all development on 40% of the land. The option required a minimum of 250 acres, but permitted the preserved area to be noncontiguous with the developed area, so long as the preserve area, when combined with adjacent areas, created a minimum of 150 contiguous acres set aside for no development in the future. Projects seeking to utilize this option were restricted to properties having frontage on Atlantic Avenue, Boynton Beach Boulevard, Clint Moore Road, Lyons Road north of Boynton Beach Boulevard, and the east side of State Road 7. The transfer of development rights program was also revised to increase the transfer rate to one unit per acre.

Developers, who had not used the 80/20 option, began to utilize the new 60/40 option. In 1997, the Delray Training Center, an older approved development south of Atlantic Avenue was approved to use the 60/40 option. Delray Training Center was followed in 1998 by the Rainbow PDD. Table 1-1 lists all of the planned developments approved in the Ag Reserve; the location of the developed areas within the Ag Reserve is shown in Figure 1-2.



# LOCATION OF DEVELOPMENTS WITHIN THE AG RESERVE

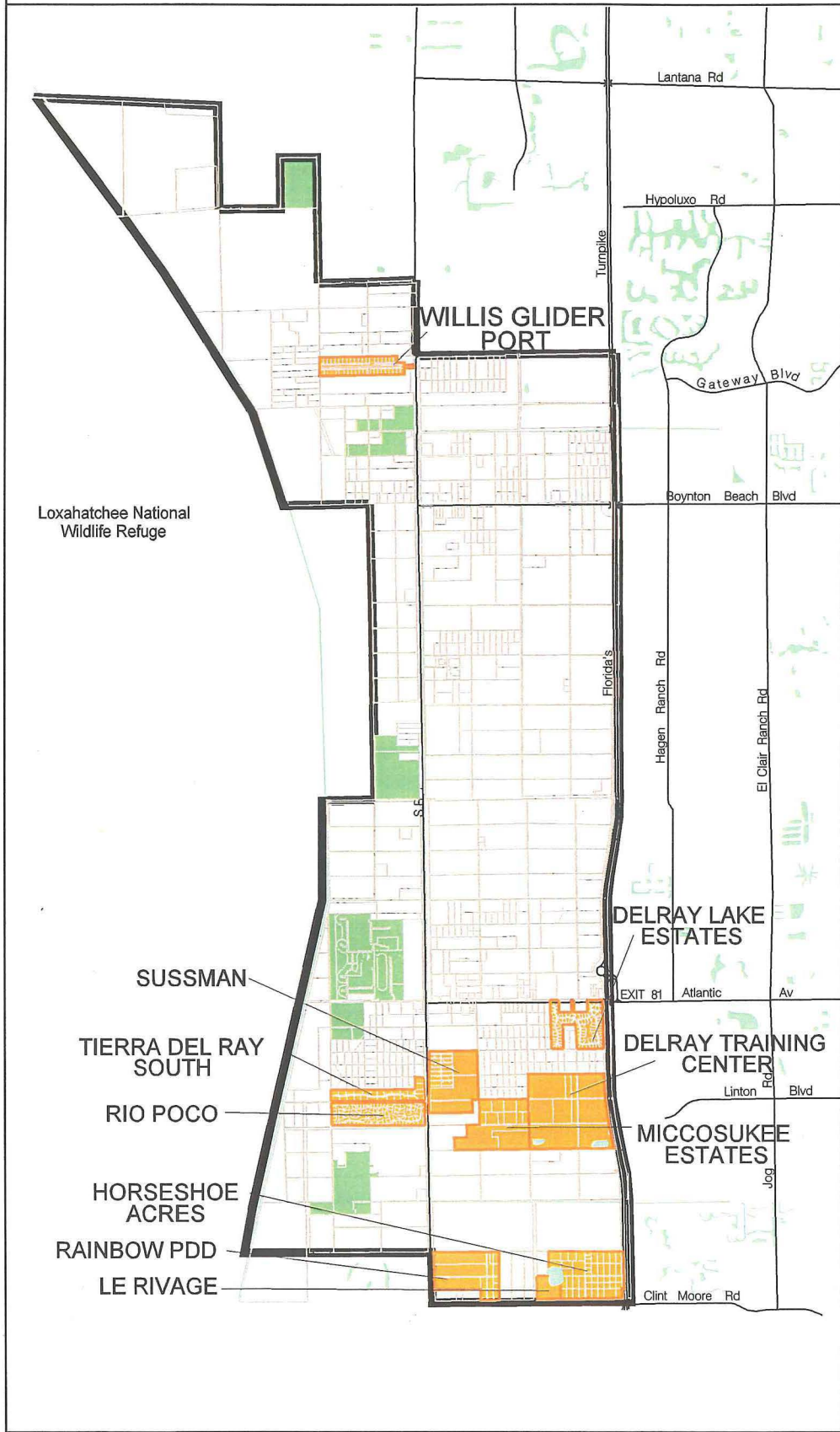


Figure 1-2

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Developments ■

Conservation Easements ■

Ag Reserve Boundary



Scale: n.t.s.  
Revision Date: 10/02/00  
Filename: aglev&presrv  
contact: akubba@pbc.com  
Palm Beach County  
Planning, Zoning and Building  
1000 Palm Beach Avenue  
West Palm Beach, FL 33406



**Table 1-1  
Developments in the Ag Reserve**

<b>Development</b>	<b>Type of Development</b>	<b>Year Approved</b>	<b>Total Acreage in Project</b>	<b>Units Approved</b>
Horseshoe Acres	unrecorded subdivision		320.0	64
Tierra Del Rey South	subdivision	1977	83.0	26
Rio Poco	PUD	1977	157.0	92
Delray Lake Estates	PUD	1979	128.0	96
Willis Gliderport	PUD	1980	105.0	43
Delray Training Center	60/40	1997	892.1	500
Rainbow PDD	60/40	1998	405.5	149
La Rivage	80/20	2000	40.7	18
Miccosukee Estates	subdivision	2000	189.2	37
Sussman PDD	60/40	2000	442.5	360

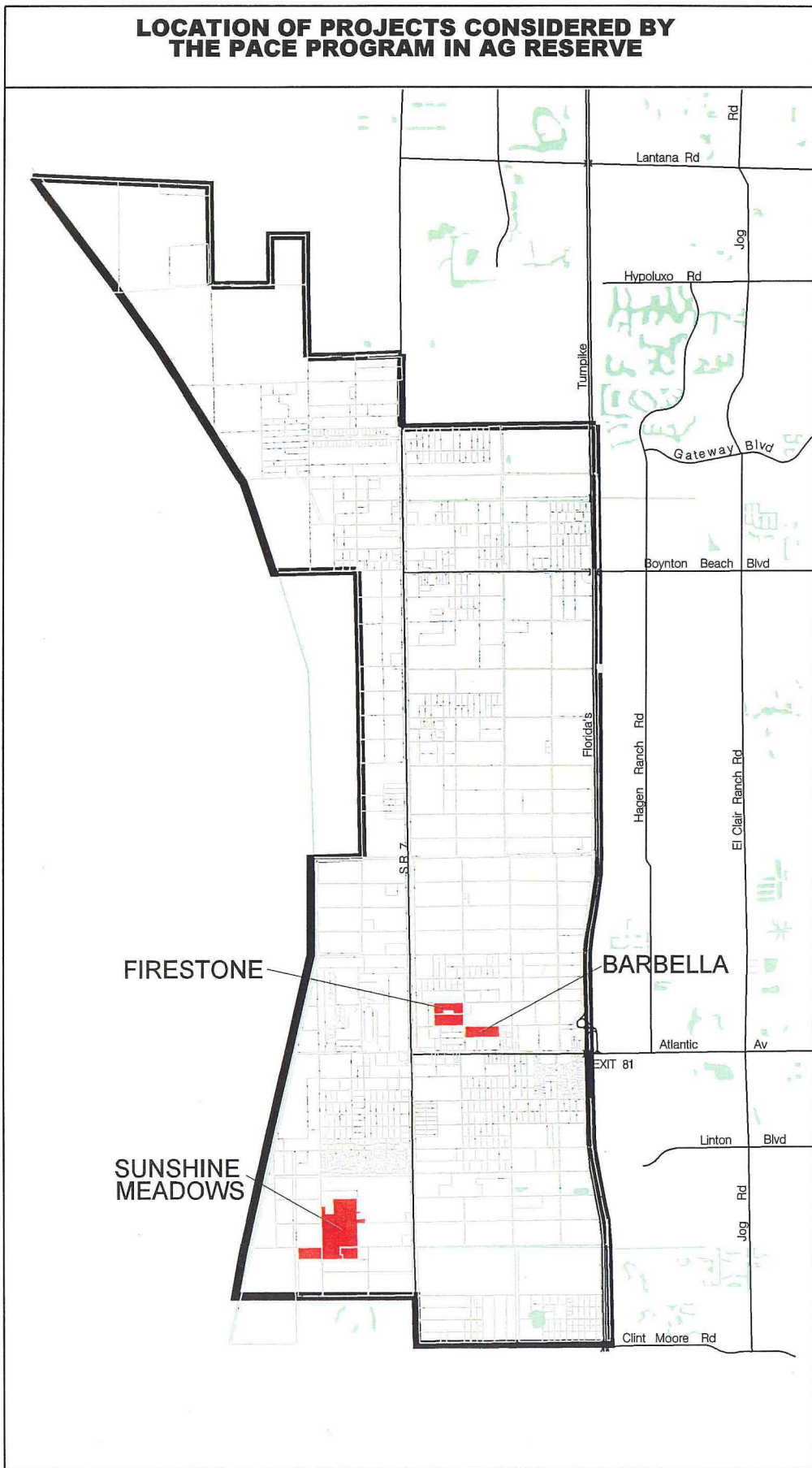
Faced with a growing developer interest in the Ag Reserve, the County also created a program for the Purchase of Agricultural Conservation Easements (PACE). Recommended by the American Farmland Trust, PACE provided a mechanism whereby the County would buy the development rights of a parcel, with the original landowner retaining its ownership. The PACE program was viewed as a means of reducing the development pressure on a property, making it easier for the property owner to continue to farm the land. To administer the program, the County created a PACE Committee composed of representatives of the agricultural community to oversee appraisals of development rights on projects submitted for potential County purchase.

In 1997, the PACE Committee received proposals from three different property owners interested in participating in the program; the location of each property is shown on Figure 1-3. As indicated

**Table 1-2  
Projects Considered by the PACE Program**

<b>Project</b>	<b>Year Considered</b>	<b>Total Acreage</b>	<b>Appraised Value of Development Rights</b>	<b>Action by Owner</b>
Barbella	1996	30.0	\$15,000/unit	Withdrawn
Firestone	1996	47.0	Not appraised	Withdrawn
Sunshine Meadows	1997	132.4	Not appraised	Withdrawn

**LOCATION OF PROJECTS CONSIDERED BY  
THE PACE PROGRAM IN AG RESERVE**



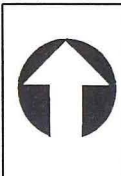

**Figure 1-3**

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Ag Reserve Boundary 

Pace Projects 

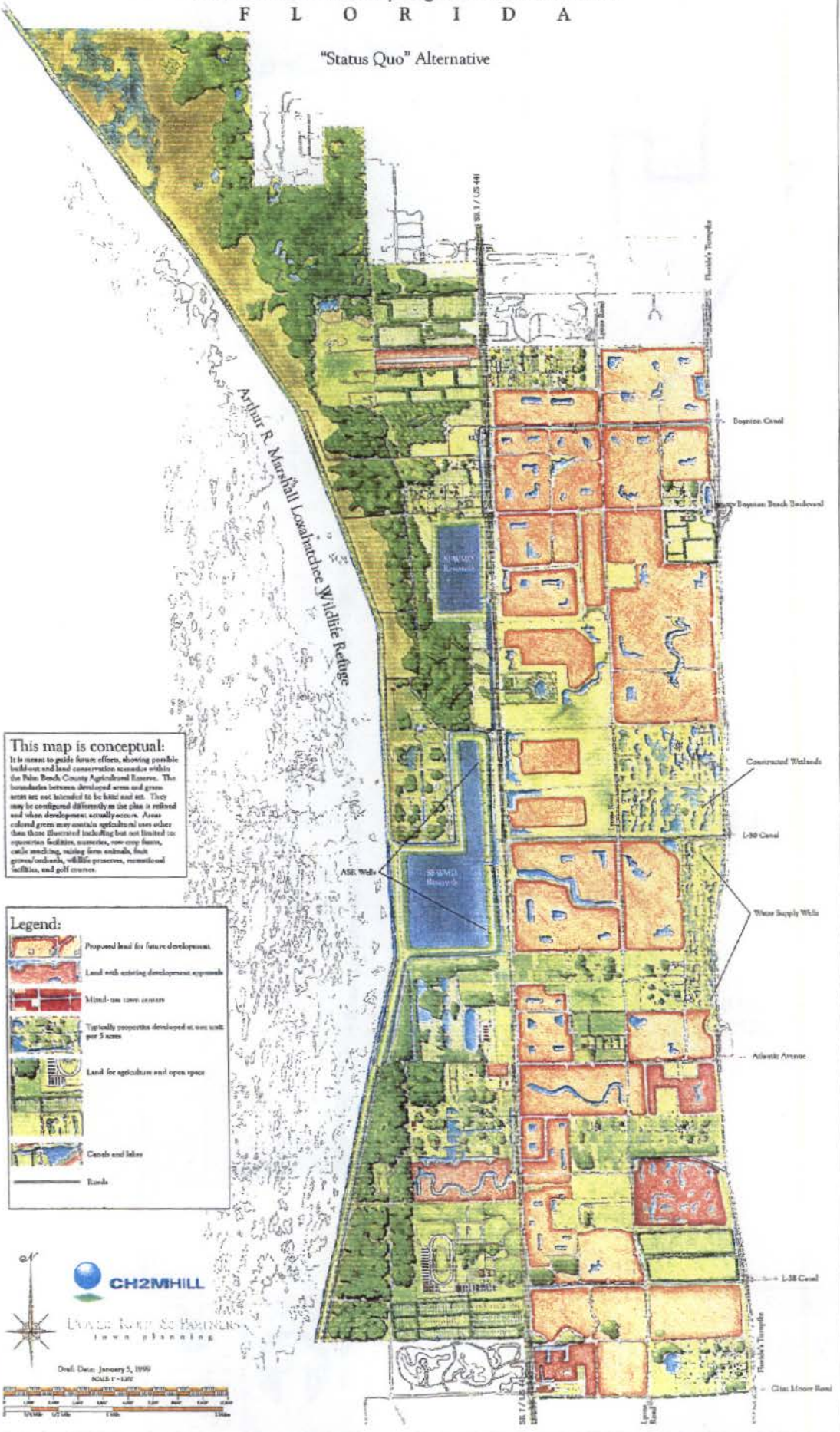



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West Palm Beach, FL 33406

# Palm Beach County Agricultural Reserve

F L O R I D A

"Status Quo" Alternative



**This map is conceptual:**  
 It is meant to guide future efforts, showing possible build-out and land conservation scenarios within the Palm Beach County Agricultural Reserve. The boundaries between developed areas and green areas are not intended to be hard and set. They may be configured differently as the plan is refined and when development actually occurs. Areas colored green may contain agricultural uses other than those illustrated including but not limited to: equestrian facilities, nurseries, row crop farms, cattle ranching, raising farm animals, fruit groves/orchards, wildlife preserves, recreational facilities, and golf courses.

**Legend:**

- Proposed land for future development.
- Land with existing development approvals.
- Mixed-use centers.
- Typically speculative developed at one unit per 5 acres.
- Land for agriculture and open space.
- Canals and lakes.
- Roads.

**CH2MHILL**

**LOWE KOP & PARTNERS**  
 town planning

Draft Date: January 5, 1999  
 8025 17-120

Figure 1-4



in Table 1-2, each of the properties was withdrawn from consideration by the PACE Committee by the property owner once the appraisals of the development rights associated with the Barbella property were completed.

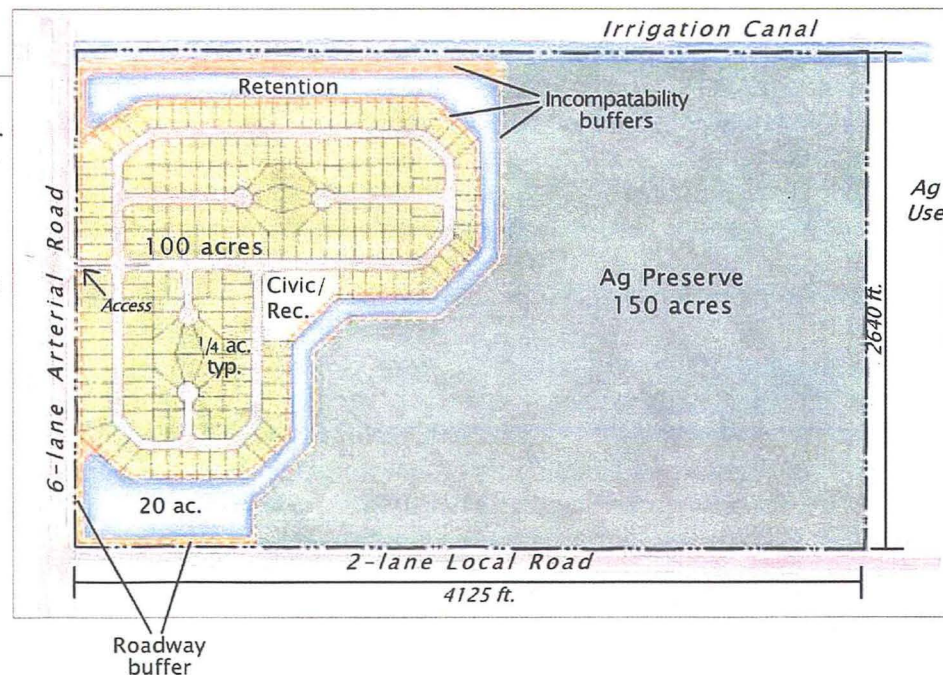
Given the lack of interest in actually participating in the PACE program in conjunction with increasing development activity, in 1998 the Planning Division undertook an analysis of the likely form of the Ag Reserve given the existing regulations and the trends then being experienced. The result, shown on Figure 1-4, suggested a sprawling area of suburban development with no immediate access to services and missing any area capable of serving as the critical mass considered critical to successful agriculture.

At the same time the Planning Division was undertaking this analysis, developers attempting to utilize the clustered development options began to express concern for the form of their product. They noted in particular the extensive buffer requirements which, in combination with the requirements regarding the location of water features, served to isolate developments in a manner that suggested medieval moated villages, as illustrated in Figure 1-5. They requested that the County revisit the requirements for development in the Ag Reserve.

**Figure 1-5**  
**Existing Cluster Development Requirements**

**60/40 Current**

- Ag Preserve 150ac.  
Residential 100ac.  
(Civic/Rec. 3 ac.)
- Access: single
- Retention: common
- # of units: 207  
(1/4 ac. typical)



## **1.2 Development of the Master Plan**

In July 1998, the BCC directed development of a Master Plan for the Ag Reserve. The South Florida Water Management District, which was evaluating the area for its potential to assist in several water resource related projects, joined with the County in undertaking this effort, agreeing to fully share in the costs of developing the Master Plan.

CH2M Hill was selected as the primary Consultant on the Master Plan because of their work on the *Integrated Water Resource Strategy for Southern Palm Beach County*, evaluating steps that could be taken to enhance water resource development in the area. Dover Kohl and Partners were selected as the design Consultant.

To guide the Master Plan, and reflect the primacy of agricultural preservation and enhancement, the BCC established the following purpose statement:

*To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals.*

### **1.2.1 Phase I of the Master Plan**

The first phase of the Master Plan consisted of a series of stakeholder meetings to gather input into the process, culminating in a design charette to suggest alternative patterns of development consistent with the purpose statement established by the BCC.

In December 1998, the Consultants presented the results of Phase I to the BCC. The Consultants recommended that the County pursue a bond issue to provide funds for the acquisition of land for the preservation of open space, including agriculture. The Consultants suggested that, to ensure preservation of agriculture in the area, land acquired by the County which was suitable for agricultural purposes could be made available to interested individuals willing to continue farming through a lease program. The Consultants also produced a graphic (Figure 1-6) showing the extent of development in the Ag Reserve if their proposals were approved and all development in the Ag Reserve utilized a clustered development option.

The Consultants' graphic was based on preservation of open space to preserve and enhance agriculture, environmental features, and water resources. Existing development opportunities in combination with land values suggested appropriate locations for development. The area of the Ag Reserve east of State Road 7 and south of Atlantic Avenue, where the Planning Division identified the highest land values, including some which the Cooperative Extension Service acknowledged were too high for agriculture, was viewed as the most likely area for future development, with the area north of Boynton Beach Boulevard where development could occur under the existing Comprehensive Plan provisions was seen as the other likely location for development.

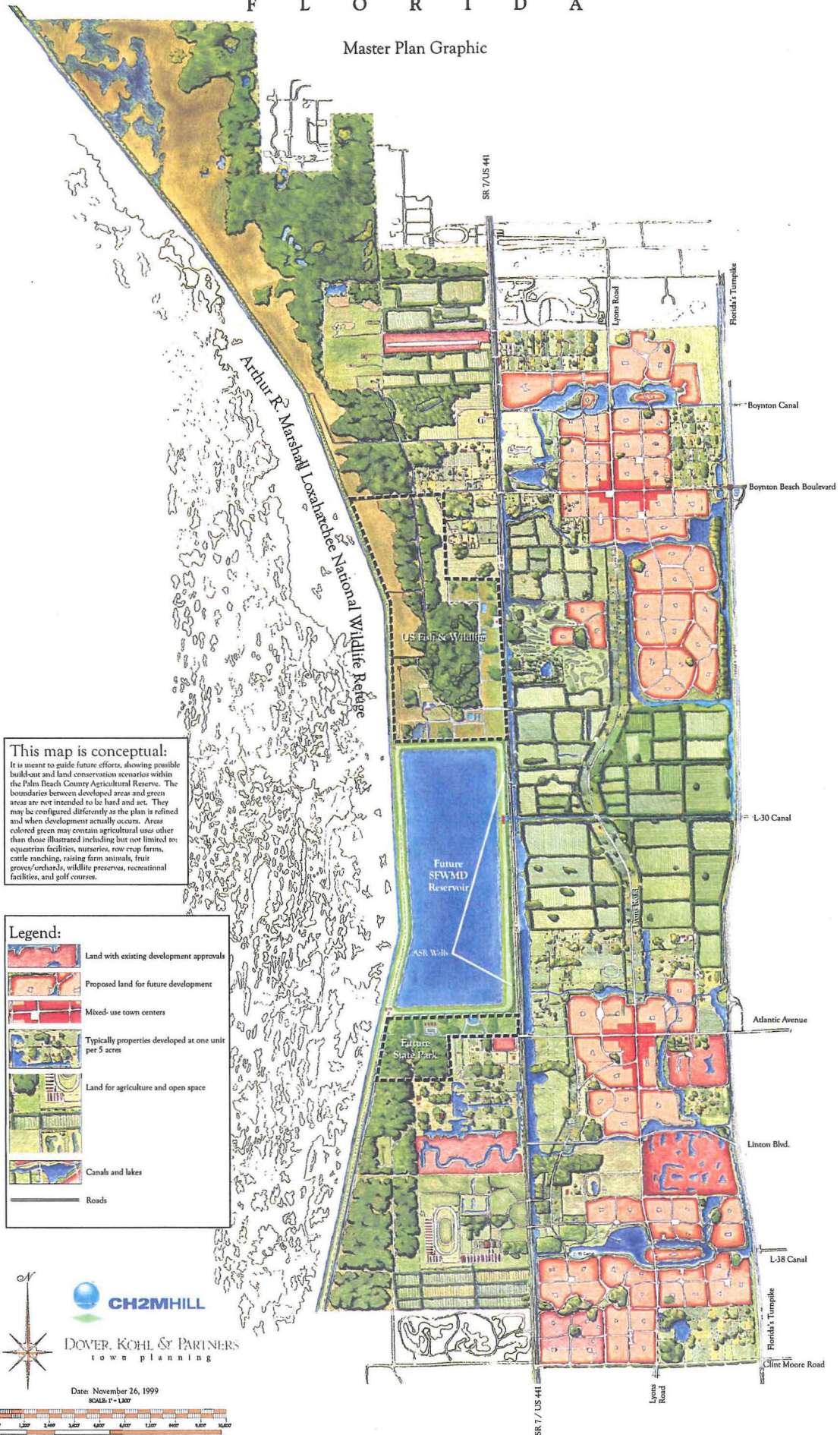
Figure 1-6, as well as a graphic subsequently developed by the Planning Division to illustrate the potential extent of development assuming that most development would utilize the subdivision alternative rather than the clustered development option to illustrate how the Master Plan provisions



# Palm Beach County Agricultural Reserve

F L O R I D A

## Master Plan Graphic



**This map is conceptual:**  
 It is meant to guide future efforts, showing possible build-out and land conservation scenarios within the Palm Beach County Agricultural Reserve. The boundaries between developed areas and green areas are not intended to be hard and set. They may be configured differently as the plan is refined and when development actually occurs. Areas colored green may contain agricultural uses other than those illustrated including, but not limited to, equestrian facilities, nurseries, row crop farms, cattle ranching, raising farm animals, fruit groves/orchards, wildlife preserves, recreational facilities, and golf courses.

**Legend:**

- Land with existing development approvals
- Proposed land for future development
- Mixed-use town centers
- Typically properties developed at one unit per 5 acres
- Land for agriculture and open space
- Canals and lakes
- Roads

Date: November 26, 1999
   
 SCALE: 1" = 1,000'

Figure 1-6

**Table 1-3  
Land Values in the Ag Reserve**

Quadrant	1997 Fee Simple Land Cost (per acre)
	Average
North of Atlantic Avenue; east of State Road 7	\$16,000
North of Atlantic Avenue, west of State Road 7	\$ 8,400
South of Atlantic Avenue, east of State Road 7	\$43,000
South of Atlantic Avenue, west of State Road 7	\$10,000

Source: Palm Beach County Planning Division, *Ag Reserve Bond Issue* (1998).

could be used to achieve a minimal amount of development (Figure 1-7), are conceptual in nature. As such, the two graphics illustrate only two of an infinite number of futures the area may take.

Elements of each graphic (developed areas, mixed use places, water features, and roads) can be located in areas not shown without violating the Master Plan itself. The actual form that the Ag Reserve is likely to take in the future is likely to be somewhere between the two extremes shown on the graphics.

The BCC concurred in the Consultant's recommendation to move forward with a conservation land acquisition bond referendum. A \$150 million bond was proposed, with \$50 million to be used for environmentally sensitive lands throughout the County and \$100 million to be used in the Ag Reserve consistent with the purposes established by the BCC for the area with a goal of reducing the number of potential new units in the Ag Reserve by 4,000 units. In March 1999, the voters approved the bond issue by a two to one margin.

In the early summer of 1999 the BCC created a Conservation Land Acquisition Selection Committee with a membership of environmentalists and representatives of agriculture to make recommendations on land acquisition using the bond proceeds. The BCC also retained two land acquisition consultants - the Nature Conservancy (to focus on environmentally sensitive lands) and the Conservation Fund (to focus on the Ag Reserve) - to negotiate potential purchases.

The BCC also authorized Phase II of the Master Plan.

### **1.2.2 Phase II of the Master Plan**

In Phase II, the Consultants sought to make recommendations for the implementation of the Master Plan. These included identifying the general locations of lands that should be considered for acquisition using the conservation bond revenues, incentives for agriculture, and recommendations for specific changes to the Comprehensive Plan and Unified Land Development Code (ULDC) to implement the Master Plan.



# Palm Beach County Agricultural Reserve

F L O R I D A

## Master Plan Graphic

Figure 1-7

**This map is conceptual:**

It is meant to guide future efforts, showing possible buildout and land conservation scenarios within the Palm Beach County Agricultural Reserve. The boundaries between developed areas and green areas are not intended to be final and set. They may be configured differently as the plan is refined and when development actually occurs. Areas colored green may contain agricultural uses other than those illustrated including but not limited to equestrian facilities, nurseries, row crop farms, cattle ranching, raising farm animals, fruit groves/orchards, wildlife preserves, recreational facilities, and golf courses.

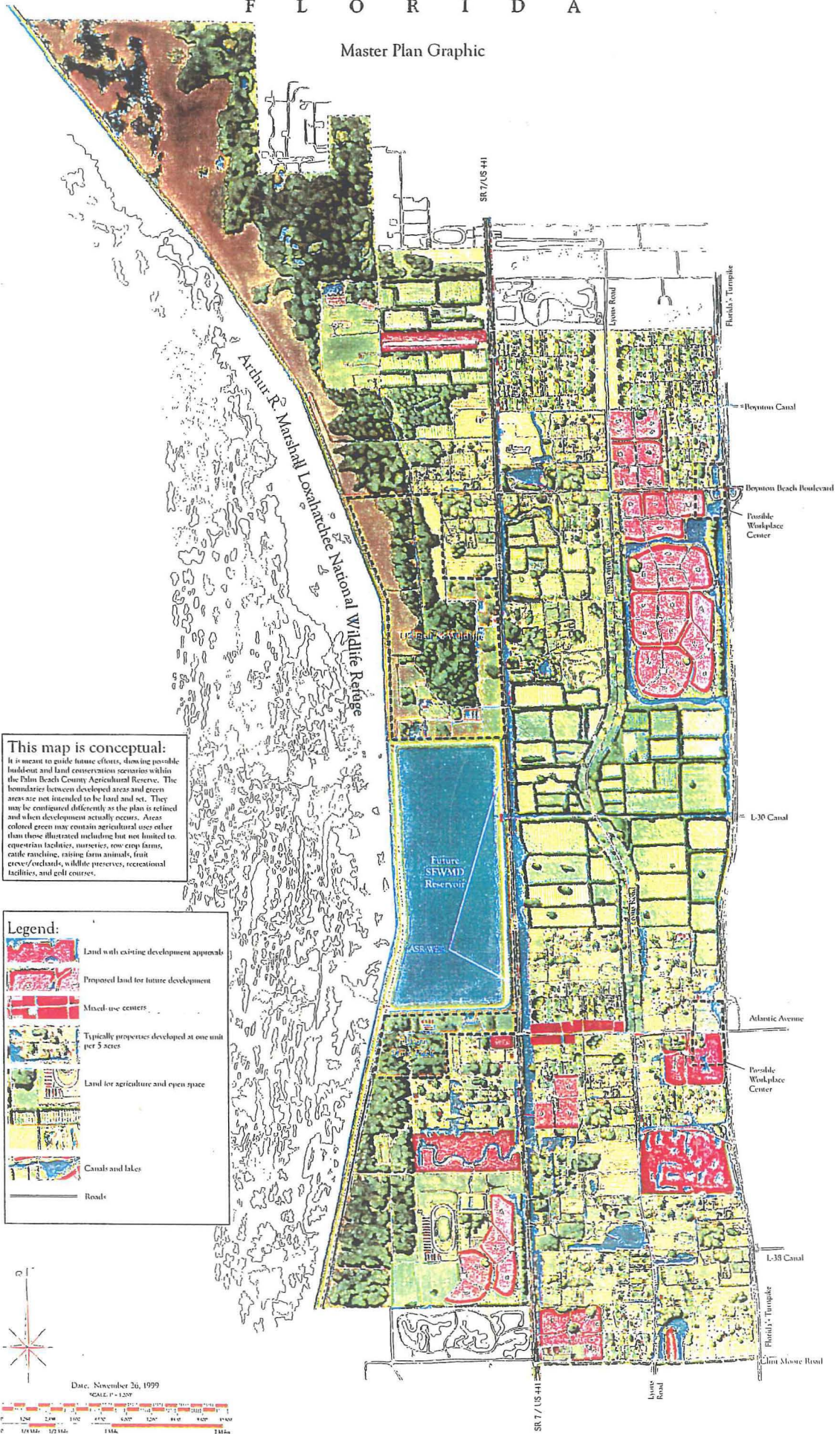
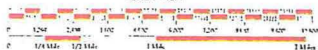
**Legend:**

-  Land with existing development approvals
-  Proposed land for future development
-  Mixed-use centers
-  Typically properties developed at one unit per 5 acres
-  Land for agriculture and open space
-  Canals and lakes
-  Roads



Date, November 26, 1999

SCALE: 1" = 120'



**Table 1-4  
Service Provider Requirements in the Ag Reserve**

<b>Service Provider</b>	<b>Requirements</b>
Fire Rescue	Two facilities; one south and one north
Libraries	None
Mass Transit	None identified at this time
Parks and Recreation	One Regional Park (if no State Park is provided) One District Park One Community Park
Roads	Turn lanes at intersections
Water Utilities	New collection and distribution lines
Drainage	None identified at this time
Schools	One High School Two Middle Schools Six Elementary Schools
Sheriff	One facility 35 officers

During Phase II, the Consultants worked with service providers to identify the additional infrastructure which would be required to service the additional development in the Ag Reserve assuming that the maximum number of potential development rights were utilized. The results of that analysis are shown in Table 1.4. It is important to acknowledge that the infrastructure demands could be reduced by as much as 1/3 if the County succeeds in its goal of reducing the number of new units in the Ag Reserve by the 4,000 units established by the BCC.

To identify the lands suited for purchase, the Consultants undertook a suitability analysis. This analysis followed the direction generally established by the BCC that the initial emphasis of land acquisition efforts be west of State Road 7, then east of State Road 7 in the central core of the Ag Reserve (between Atlantic Avenue and Boynton Beach Boulevard), and then in other areas. The suitability analysis considered these locational priorities, the natural fertility of the soils for agriculture, and a minimum lot size of 20 acres, consistent with the Cooperative Extension Service determination of the minimum acreage required for agriculture. The Consultants identified 5,700 acres, as shown on Figure 1-8, that met these criteria.

### **1.2.3 The Addendum to the Master Plan**

The BCC questioned several of the Consultants' recommendations and requested a staff analysis of all of the Consultants' recommendations, as well as a proposal for managing and leasing County acquired land in the Ag Reserve, estimates of the number of acres the County might acquire in the



# SUITABILITY ANALYSIS FOR PROPERTIES TO BE CONSIDERED FOR ACQUISITION IN THE AG RESERVE

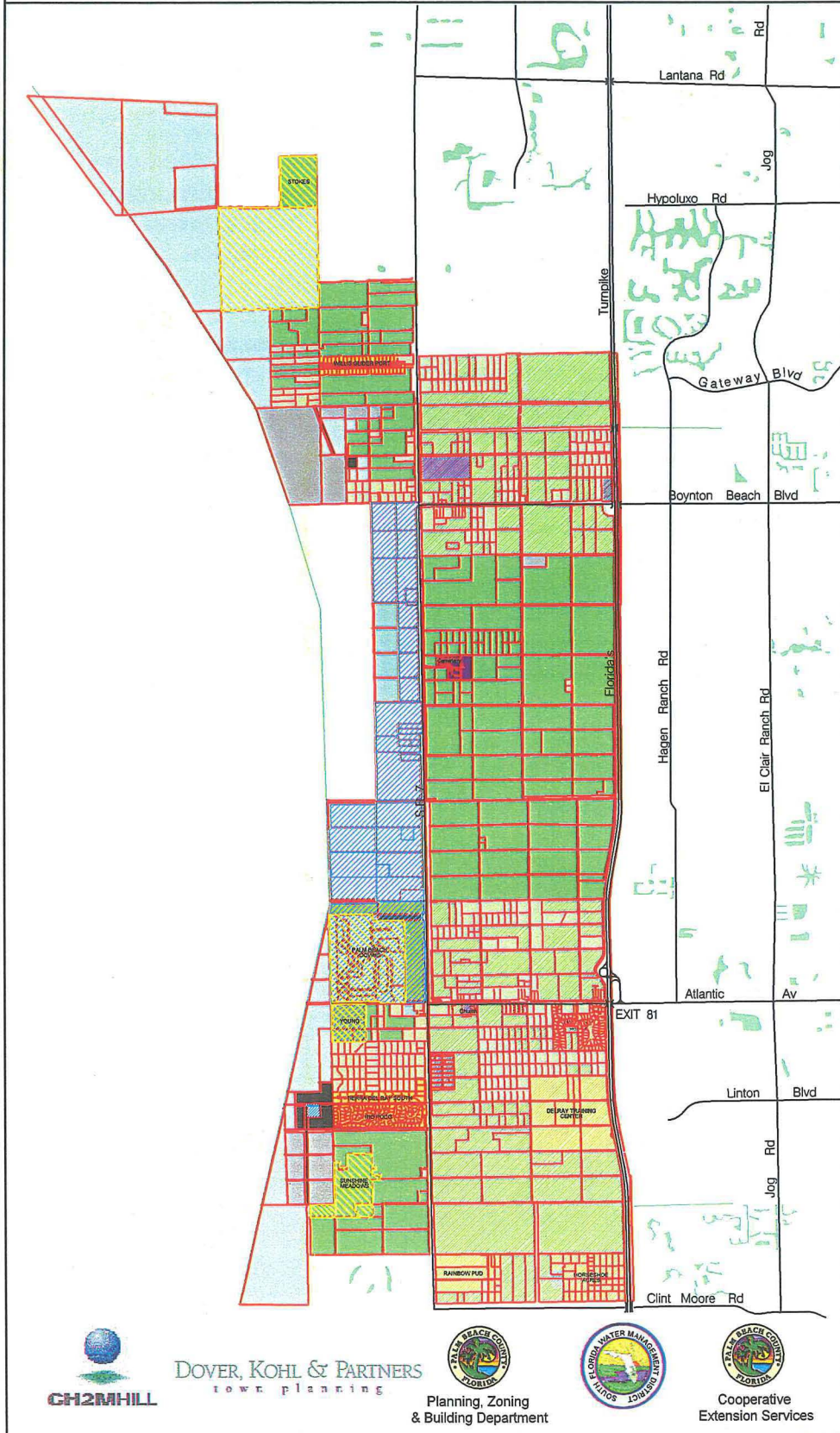


Figure 1-8



DOVER, KOHL & PARTNERS  
town planning



Planning, Zoning  
& Building Department



Cooperative  
Extension Services

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NOTE: MAP IS NOT OFFICIAL FOR PRESENTATION PURPOSES ONLY

Private Properties 20 acres or greater	Palm Beach County	SFWMDC Proposed WPA	
Developments	Federal Properties	Agricultural Preservation Easements	
Institutional	State Property (SFWMDC)	Development Potential Removed	
Private Properties less than 20 acres	Utilities and Drainage Districts	Other areas not being considered for acquisition at this time	



Scale: N.E.L.  
Revision Date: 10/02/00  
Filename: agr-9906.dgn  
Author: a.kubacki  
Palm Beach County Building Department  
100 West Palm Beach Avenue  
West Palm Beach, FL 33406



Ag Reserve, information on the availability of matching funds for Ag Reserve purchases, and options for creating special districts to consider funding the infrastructure needed in the area to support the development that could be permitted under the existing provisions of the Comprehensive Plan.

The staff analysis and additional information requested was presented to the BCC in June 2000 as an Addendum to the Master Plan. Staff provided information responding to all of the BCC's requests except for an estimate of the acreage which might be acquired in the Ag Reserve; the Conservation Land Acquisition Selection Committee declined to make such an estimate given the number of unknowns affecting land values in the area.

After hearing the staff recommendations, which are incorporated into the following chapters along with the Consultants' original recommendations, the BCC authorized staff to proceed with the Final Phase of the Master Plan, including initiating necessary revisions to the Comprehensive Plan and ULDC. The BCC specifically requested that the general provisions of the ULDC for the Ag Reserve be available at the time of transmittal of the Comprehensive Plan amendments. In developing the ULDC provisions, staff was directed to maintain a focus on rural character and the importance of agriculture in the area.

The following chapters describe the options evaluated during the prior phases of the Ag Reserve Master Plan, summarize the actions directed by the BCC, and identify the entity responsible for their implementation. Options recommended by either the Consultants or staff which the BCC rejected are also identified, with the notation that no action is required.

T:\PLANNING\AGRESERV\Support\_Doc\ag\_Chapter1.wpd

## Chapter 2

### Options to Preserve and Enhance Agricultural Activity

*To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals.*

This goal focuses on creating a Master Plan for the Ag Reserve that offers opportunities for the continuation of various agricultural practices in the area. While previous studies and discussions with some landowners and farmers in the Ag Reserve suggest that the traditional row crops grown in the Ag Reserve may not be feasible over the long run due to factors beyond the control of the County, other agricultural uses, such as nurseries, specialty crops, and equestrian activities, do have long term potential.

The history of the Ag Reserve has been primarily that of agricultural production in eastern Palm Beach County. The warm growing area and a drainage system developed to primarily accommodate agriculture allowed for the production of row crops (e.g., tomatoes, peppers) that were very competitive in the local and national markets. As development continued along the east coast of the County, farmers settled on individual pieces of property, staying competitive with other areas by utilizing new pest-control technology and full bed plastic mulch culture to increase yields per acre.

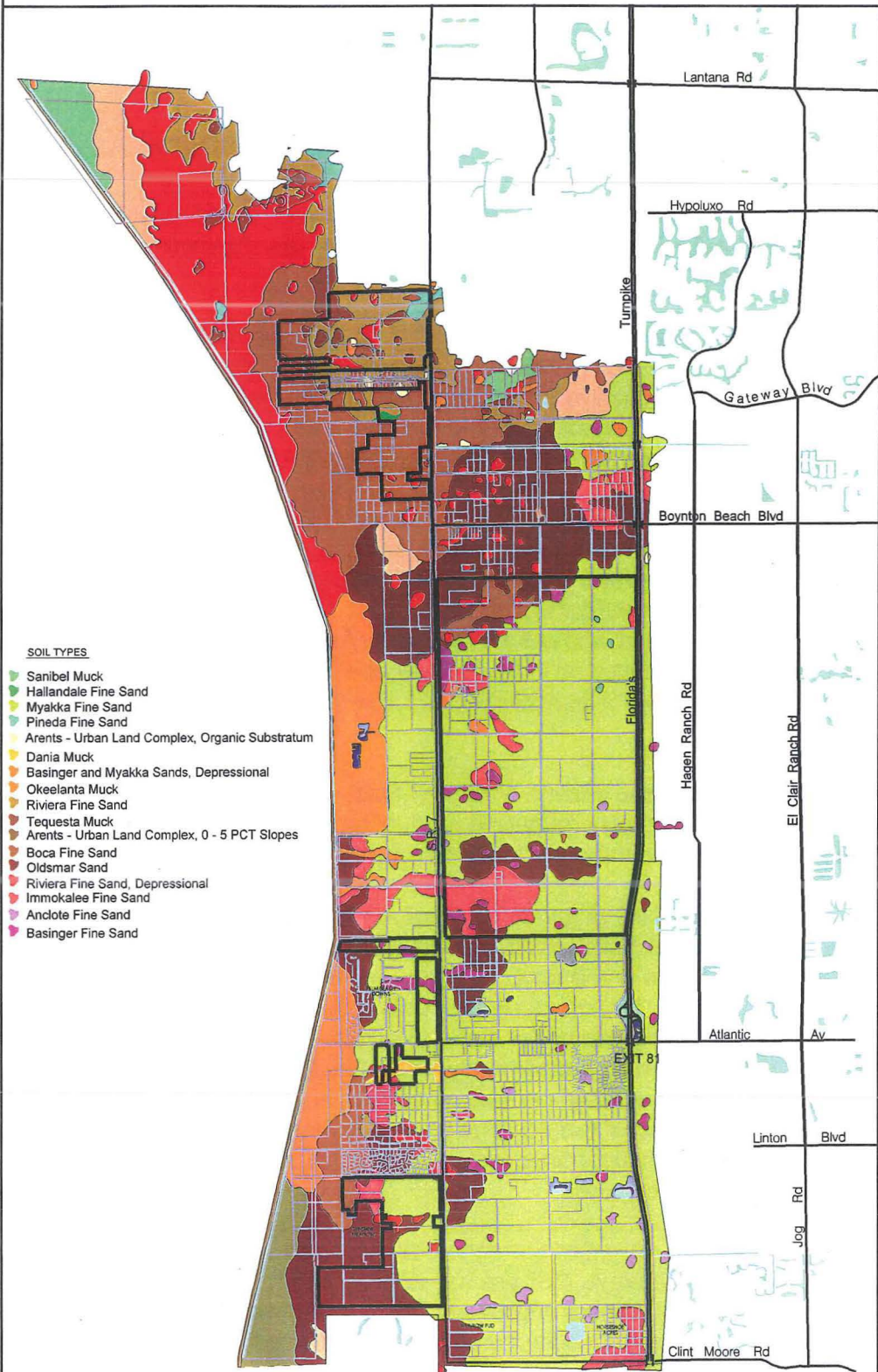
Additional crops were introduced into the area over time, with citrus first planted in the area in the 1960s. An extensive expansion of nursery crop production in the Ag Reserve followed. The addition of equestrian farms completed the agricultural structure of the Ag Reserve.

Currently, farmers cultivate 51% of the acreage within the Ag Reserve for vegetable production such as tomatoes, cucumbers, bell peppers, specialty peppers, Chinese vegetables, herbs, sweet corn, squash, eggplant, beets and beans, as shown in Table 2-1. There are approximately 800 acres of citrus in production, though citrus production in the Ag Reserve has declined due to increased production in other areas of the state. Additionally, a large number of nurseries (more than 100 nurseries in operation on approximately 1,759 acres), including the County's single largest producer of gladiolas, and equestrian operations exist within the area boundaries. In 1997-1998 the estimated economic impact of this acreage was estimated at \$211 million, which represented approximately 11% of the total economic impact of agriculture to the County, on only 2% of the County's total acreage in agriculture.

As shown on Figure 2-1, the 1974 *Soil Survey of Palm Beach County* identified several soil types, primarily sands, in the Ag Reserve that are not appropriate for certain crops. Since that date, modifications in water control and soil improvements have allowed an appreciable number of row crops to be produced in this area. Despite the soil's natural low fertility and susceptibility to flooding without adequate water controls, most of this acreage has been under agricultural production for a considerable number of years. The production capacity and profitability of this area have been determined by outside market forces rather than by the area's ability to produce an acceptable crop.

# AG RESERVE SOIL TYPES

Figure 2-1



**SOIL TYPES**

- Sanibel Muck
- Hallandale Fine Sand
- Myakka Fine Sand
- Pineda Fine Sand
- Arents - Urban Land Complex, Organic Substratum
- Dania Muck
- Basinger and Myakka Sands, Depressional
- Okeelanta Muck
- Riviera Fine Sand
- Tequesta Muck
- Arents - Urban Land Complex, 0 - 5 PCT Slopes
- Boca Fine Sand
- Oldsmar Sand
- Riviera Fine Sand, Depressional
- Immokalee Fine Sand
- Anclote Fine Sand
- Basinger Fine Sand



DOVER, KOHL & PARTNERS  
town planning



Planning, Zoning  
& Building Department



Cooperative  
Extension Services

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NOTE: MAP IS NOT OFFICIAL, FOR PRESENTATION PURPOSES ONLY

Initial properties recommended for  
potential acquisition from willing sellers



Scale: N.T.S.  
Revision Date: 11/01/99  
Filename: acqwebill.dgn  
Author: Kathleen Lipton  
Palm Beach County  
Planning, Zoning and Building  
Department  
100 Australian Avenue  
West Palm Beach, FL 33406

**Table 2-1  
Land Uses in the Ag Reserve, 2000**

Land Uses	Acreage	% of Total
Cultivated Acreage	10,693	51
Public Ownership (including utilities)	4,151	20
Nurseries	1,759	9
Residential/Commercial Development	1,721	8
Agricultural Conservation Easements	1,079	5
Equestrian	697	3
Excavation	232	1
vacant	591	3
Total	20,923	

The same outside market forces, which have historically contributed to the area's profitability, are now combining to adversely impact the dynamics of agriculture in the County, and especially the Agricultural Reserve. Among the major factors are:

1. Continued increases in fresh vegetable imports, as illustrated in Figure 2-2. Although the U.S. Department of Agriculture (USDA) reports that the impacts of the North American Free Trade Agreement (NAFTA) have been nominal, tomatoes, peppers, and cucumbers, the major Ag Reserve crops, presently rank 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> respectively in fresh vegetable imports and, as indicated in Figure 2-3, the peak period of importation of these crops coincides with the growing season in Florida. From all indications this trend in fresh vegetable imports will continue; the USDA long-term projections for this category of imports have been estimated to increase at a rate of 10% per year. It is difficult to determine to what extent this projected growth in imports will result in meeting increased demand, diminishing prices, or both.
  
2. Substantial regulatory requirements, including the complete ban on methyl bromide, a soil fumigant presently being used in more than 100 crops, which has been designated as a cause of ozone depletion, by 2005. These regulations, designed to protect the environment and public health, serve to increase the cost of production, further contributing to the relative advantage of foreign competition.

Figure 2-2

US Fresh Vegetable Imports / 1994-98

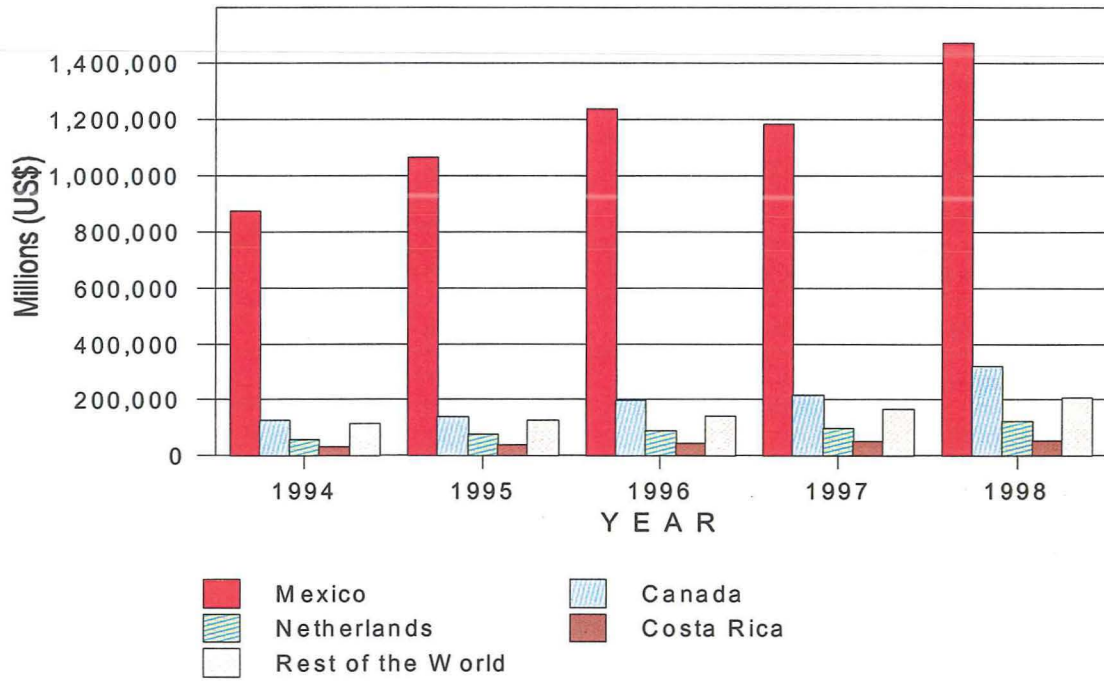
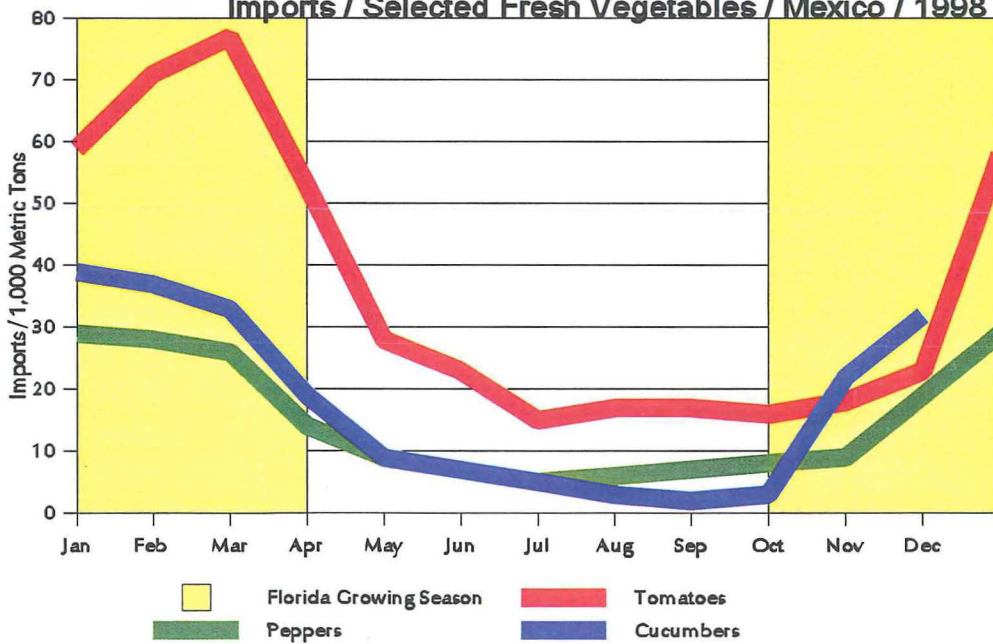


Figure 2-3

Imports / Selected Fresh Vegetables / Mexico / 1998



3. Labor shortages. Many American citizens do not consider farm labor lucrative employment, forcing growers to increase their dependence on migrant workers. Federal proposals to limit the number of farm workers from other countries could dramatically impact the ability of farmers to harvest their crops economically, forcing increases in production costs that would give foreign competition additional advantages.

These factors are as important to the success or failure of any effort the County can make for agricultural preservation in the Ag Reserve as the County program itself. The authors of *Holding Our Ground, Protecting America's Farms and Farmlands* have noted that "all too often, local governments focus on the tools to protect farmland without understanding the business of farming . . . it makes little sense to protect farmland if farmers cannot make a living."<sup>1</sup>

The impacts of outside market forces on continued agricultural production in the Ag Reserve has been recognized as an important factor in the area's future for several years. In 1998, the National Audubon Society produced a report, *Status and Preservation of the Agriculture Industry in South Florida*, which concluded that these outside forces were causing changes in the type of agriculture being practiced in the area. The forces listed as the most damaging to traditional types of agriculture included federal trade policies under the North American Free Trade Agreement, and increasing environmental regulations, including proposed restrictions on the use of soil fumigants. Specifically, the report questioned the future of winter vegetables, such as tomatoes and peppers, the traditional staple crops of the Ag Reserve.

*Status and Preservation of the Agricultural Industry in South Florida* offered a list of five recommendations that could be pursued by local governments to encourage the survival of agriculture. The recommendations, and Palm Beach County's prior actions on each, were:

1. *Support federal enactment and enforcement of a country-of-origin labeling law for all fruits and vegetables in fresh, canned, and frozen form.* Palm Beach County has expressed the need for such a law and supported the efforts of Senator Bob Graham (D-Florida) to achieve it. Locally, the County has adopted an "Ask Where It Is Grown" program and is working, through the County's Agriculture Economic Development Program, to develop a "Get Fresh" campaign.
2. *Agricultural advisory review boards have a permanent voice in the development of ordinances, regulations, and land use policies affecting agriculture.* Palm Beach County created an Agricultural Enhancement Council which continues to meet to discuss ways to stabilize, enhance, and diversify the agricultural industry. Agricultural representatives serve on the Land Use Advisory Board (which reviews all proposed changes to the Comprehensive Plan), the Citizen's Task Force and Land

---

1

Tom Daniels and Deborah Bowers, *Holding Our Ground, Protecting America's Farms and Farmland*, Washington, 1997, 59.



Development Regulation Commission (which reviews all revisions to the Unified Land Development Code), and the Conservation Land Acquisition Selection Committee (which reviews all proposed County land acquisitions involving environmentally sensitive and/or agricultural lands).

3. *Establish urban development boundaries and maintaining them by promoting policies that encourage urban development and redevelopment of existing urban areas, such as the "Eastward Ho" concept.* Palm Beach County has revised its Comprehensive Plan to incorporate *SmartGrowth* principles by establishing a series of tiers within the County reflecting alternative development patterns, including some of which are designed to encourage agriculture. As part of this effort, the County is seeking to encourage redevelopment and revitalization of existing urban areas through the work of the Countywide Community Revitalization Team.
4. *Consider methods such as the Purchase of Agricultural Conservation Easements (PACE) and the Transfer of Development Rights (TDR) to help preserve agricultural lands.* Palm Beach County has adopted a PACE program for use within the Ag Reserve and has implemented a TDR program which uses the Ag Reserve as a sending area.
5. *Promote farmer markets to improve the visibility and importance of agriculture to the local community.* Four green markets, all of which were initiatives of the County's Agricultural Economic Development Program, have been created and are operational in Palm Beach County.

In addition to the issues raised by the National Audubon Society affecting the future of agriculture, landowners and farmers in the Ag Reserve have cited urban development pressure as another factor contributing to their difficulty in continuing to produce. The pressure for urban development typically results in increasing speculative land values. As these values increase, it becomes increasingly difficult for farmers to continue to maintain their land in agricultural production. Most of the agricultural preservation programs utilized in other states deal with land valued at \$8,000 to \$15,000 per acre, far less than the land values in the Agricultural Reserve.

While the underlying density throughout the Ag Reserve is one unit per five acres, since 1980 the County has offered opportunities for developers to increase the density to one unit per gross acre, provided that they cluster the total number of units on a small percentage of the land and ensure that the remainder of the property is 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 by the County for use on properties with at least 250 acres, permitting them to develop on 40% of the land area and preserve the remaining 60%. Developers began using these options in 1997.

At the same time that development pressures were mounting, the commitment of the County to the PACE Program, which was established in 1995, began to be questioned. During the first year of the program, the County PACE Committee reviewed three applications, each of which was withdrawn following appraisals of the value of the development rights of the first project prior to any formal action by the County. These withdrawals, each of which occurred prior to the County actually being asked to fund an acquisition, presumably reflected the higher values given the development rights by developers.

Given this history and the desire of the Board of County Commissioners (BCC) to preserve and enhance agricultural opportunities, the BCC directed development of this Master Plan with agricultural preservation and enhancement as its fundamental goal. The criteria used to evaluate the effect of different Master Plan options on agriculture included the minimum acreage required for different agricultural products (including the equestrian industry) and the ability of different alternatives to accommodate this acreage based upon the total amount of open space which was available, its aggregated size, and its proximity to other agricultural uses and support uses.

## **2.1 Maintaining Land Availability for Agriculture**

The first phase of the Ag Reserve Master Plan considered a variety of options for achieving the goal for the area established by the Board of County Commissioners, including the option of the County changing its focus from the acquisition of development rights through the PACE Program to the actual acquisition of land which could subsequently be made available to farmers interested in continuing agricultural practices. In response to this recommendation, the BCC directed that a \$150 million conservation land acquisition bond referendum be placed upon the ballot, with \$100 million of that money to be used for land acquisition in the Ag Reserve. In 1999, the voters of Palm Beach County approved the bond referendum by a two to one margin.

Several alternative methods of ensuring that land acquired by the County would be available for farmers were identified. Two very different types of lease programs, an agricultural reservation program and a lease program, were identified; the common factor in both of these programs is that the County would retain ownership of the land being farmed. Some national experts suggest that County ownership of the land may not be necessary to ensure farmland preservation. Successful programs in other states have worked simply by creating permanent easements on the property to eliminate nonfarm-related development rights. Accordingly, another option which the County may consider on property it acquires is placing restrictive easements on the property to eliminate the nonfarm-related development rights and then selling the land to individuals wishing to farm it.

### **2.1.1 Land Acquisition**

In identifying lands for purchase that will assist in the preservation and enhancement of agriculture, the size of the lands is a critical factor. A critical mass of contiguous



acreage is required to justify the expected increasing costs of infrastructure, overhead, and other costs associated with the changing nature of agriculture in South Florida. The Cooperative Extension Service has suggested that the minimum contiguous acreage required for sustainable agriculture in the future is 20 acres.

The acreage acquired for agriculture by the County should be centrally located to reduce management costs. The cost to the County of managing the land can be reduced by localizing the agriculture production area. The water control requirements of agriculture are vastly different from those for urban development, requiring more flexibility and capacity. Centralizing the location of the agricultural properties acquired will simplify water management issues and costs. Finally, although the acreage in agriculture production is expected to diminish, this area will continue to have some intensive commercial agriculture which will not be compatible with more urban activities. Localizing agricultural acreage will significantly reduce the number of land use conflicts within the Ag Reserve.

Centralizing the location of lands acquired will minimize the impact of the County's acquisitions on land values in the Ag Reserve. Dr. Tom Daniels, the former director of the Agriculture Preserve Board of Lancaster, Pennsylvania, cautions that the creation of isolated preserved farms, while politically attractive due to the ability to offer funds to multiple small landowners rather than to a few large farmers, does little to ensure the long term preservation of agriculture while offering developers a marketing tool of guaranteed open space. These isolated small farms will, over time, be forced to abandon agriculture due to rising complaints from neighbors. At the same time, they serve to escalate the development value of adjoining properties.

**Action:** Identify properties no smaller than 20 acres in size for potential purchase and concentrate acquisition efforts on such properties located west of State Road 7 or in the central portion of the Ag Reserve east of State Road 7.

**Responsible Party:** The Conservation Fund, working with the Property and Real Estate Management Division, the Cooperative Extension Service, and the Conservation Land Acquisition Selection Committee.

### **2.1.2 The PACE Program**

The County PACE Program has been inactive for nearly three years. The PACE Committee created to review proposals for the County's acquisition of development rights on farmland so that agricultural conservation easements could be placed on the land has declined to meet unless there is an actual application before it. No meetings have been held since late 1997.

The passage of the open space bond referendum in early 1999 created an opportunity for the County to change its focus in the Ag Reserve from the purchase of agricultural conservation easements to the actual acquisition of fee-simple interest in land suited for agricultural purposes. Given this, the Consultants recommended that the County

eliminate the PACE Program entirely and only acquire fee-simple interest in the property.

Staff concurred in the recommendation to eliminate the PACE Program as a separate program for the Ag Reserve, but recommended that the County retain the possibility of acquiring less than fee simple interest in property if the opportunity presented itself. National experts on farmland preservation who have successfully implemented programs in other states advise utilization of a variety of tools for farmland preservation, including land acquisition, transfer of development rights, and purchase of development rights. To ensure preservation of the land as farmland, perpetual easements limiting the use of the land to agriculture, farmsteads, or resource protection should be placed on the property in favor of multiple entities, including both governmental entities and not-for-profits to ensure public confidence that the land will, in fact, be preserved as farmland.

The County's grants consultant, Langton Associates, confirmed that such flexibility could enable the County's existing bond dollars to go much further than if the program is limited to fee simple purchase. In addition, existing federal programs which could be accessed by the County as sources of matching funds for agricultural preservation focus on less than fee simple interest. Langton Associates researched the active federal and state grant sources for agricultural land acquisitions that could be used to leverage bond money. They indicated that they were unable to identify any Federal or State program for land acquisition that could be used in the Ag Reserve unless it was tied to the purchase of environmentally sensitive lands or lands for water resource enhancement, but did identify two programs which potentially could be accessed for assistance in the acquisition of easements:

1. The Farmland Protection Program, which can be used to help purchase development rights and keep productive farmlands in agricultural use. Eligible applicants are "any local or State agency, county or group of counties . . . that has a farmland protection program that purchases conservation **easements** [emphasis added] for the purpose of protecting topsoil by limiting conversion to non-agricultural uses of land, and that has pending offers."
2. The U. S. Department of Agriculture (USDA) Natural Resources Conservation Service has a number of programs that provide incentives to farmers or funding for acquisition of **easements** [emphasis added].

**Action:** Amend Economic Policy 1.1-a of the Comprehensive Plan to reflect the County's commitment to the purchase of land, as well the acquisition of development rights, for the preservation of agriculture lands in the Ag Reserve.

**Responsible Party:** The Planning Division.

**Action:** Repeal Ordinance 95-34, which created a separate PACE Committee and program.

**Responsible Party:** The County Attorney's Office.

### **2.1.3 Agricultural Reservations**

Agricultural reservations are tools used in the negotiation of a land acquisition agreement to arrive at a favorable price. They may be utilized if, at the time of a land sale, the selling property owner retains the right to continue to farm that property for some period of time (or in perpetuity). In exchange for this consideration, the seller agrees to a reduction in the purchase price reflecting the value of a lease on the property for the period of the reservation. Agricultural reservations are negotiated during the acquisition process as part of the purchase price.

Agriculture reservations could offer benefits to both the County, as the purchaser, and to interested landowners willing to sell to the County. The most direct benefit to the County would be a reduction in the initial cost of the land, enabling the bond proceeds to be used to acquire a greater amount of property. In addition, a reservation could be structured to ensure that the entity holding the reservation was responsible for property taxes. For property owners interested in participating in a reservation program, the advantage would be a reduction in capital gains liabilities.

Utilization of agricultural reservations is likely to result in additional administrative costs being incurred by the County to cover property management costs. Liability issues would also have to be addressed during the negotiation.

**Action:** Ensure that its land acquisition program in the Ag Reserve retains the flexibility to utilize agricultural reservations during contract negotiations with willing sellers in the Ag Reserve.

**Responsible Party:** The Conservation Fund.

### **2.1.4 Lease Backs**

A more traditional lease program could be utilized on lands acquired by the County on which the selling property owner elects not to retain any rights. A primary consideration in the description of this program is the concept that continuity of use on active agricultural lands in the Ag Reserve represents an asset and a potential cost savings to the County. Continuity of use represents a benefit for two primary reasons:

1. There may be a demonstrated ability to successfully develop a marketable commodity on the property being leased. To the extent that this is the case, continuity of use minimizes the risk associated with changing crops.
2. There may be permitting issues, especially water use permitting, associated with any change in crops. Water use permits regulate both surface water management (drainage) and consumptive use, each of which is governed by the nature of the crops grown

on the land. Any change in the nature of the crops grown is likely to raise permitting issues. Despite this factor, changing market conditions are expected to require that some new crops be grown in the Ag Reserve.

For these reasons, opportunities to ensure continuity should be employed to the maximum extent feasible. Accordingly, a first refusal lease option should be offered to the owner or current lessee, if the property is currently under a lease, on a per-acre fee based on current rental rates. This "right of first refusal" would ensure continuity and should be a major consideration in deciding who is awarded land rental leases. Exercise of this option would not entail any bid process, if included in the purchase contract and considerations were granted.

If the current lessee elects not to exercise this option, opportunities should be given to those interested in the "Beginning Farmers" program (described in section 2.4.1.b) or to those farmers committing to the development of some of the alternative crops (described in section 2.3). Preference at this point should be given to those farmers qualifying to participate in the "Beginning Farmer" program. Leases based upon the cultivation of alternative crops should be conducted on a highest bid basis.

If there are no potential lessees under the "Beginning Farmers" program, and there are no commitments to the cultivation of alternative crops, an option to lease the land should be extended to existing farmers in the Ag Reserve, and then farmers in other areas of the County, with the property offered to the highest bidder. Offering the property to existing farmers in the Ag Reserve would provide some of the advantages of continuity to the program, and also offers opportunities to expand operations to existing farmers.

The development of any lease program will require consideration of multiple factors, including the availability of land (size, configuration, location, and other factors), interest in the program, and other factors which may be presently unforeseen. The following issues represent a partial list of the additional factors which must be considered in the development and implementation of a lease program:

- The uses of the land that the County will permit. Some land acquired by the County may be better suited for alternative uses (water resource management or environmental enhancement) than agriculture.
- Physical changes to and maintenance of existing infrastructure.
- Buffer zone responsibilities and size. Given the likelihood of additional uses in the Ag Reserve, maintenance of buffers will be a critical issue.
- Access to the property. As the owner of the property, the County must be able to ensure some right of access to the property.
- Lease payment schedules. Lease payments should be flexible in view of the different long-term crops that can be produced in this area. A deferred payment program should be implemented for crops such as lychee, longan, or other tropical fruit tree crops that initially require a significant capital outlay with long-term return projections.

- Real estate tax liability. Any leases should be structured to ensure that the lessee is responsible for property taxes and land management fees through lease payments. Lease payments in excess of the amount needed for these purposes should be assigned to the Cooperative Extension Service to be used for the sole purpose of enhancing agricultural opportunities in the Ag Reserve with direction provided by the Agricultural Enhancement Council.
- Property security obligations.
- Liability.
- Property sublease considerations.
- Provisions for renewing the lease.
- Guidelines governing the return of control of the property to the County at the conclusion of the lease.
- Ownership of any crops under cultivation at the termination of the lease.
- Penalties for noncompliance with the provisions of the lease.

An optimal situation, though one unlikely to occur frequently, would be to ensure that any properties acquired by the County for agricultural purposes remain in the crop(s) the water permits would presently allow. If the land remained in the same crop, the permit could be transferred from the owner to the County with no changes necessary other than a transfer of the permit to the new owner. Any new costs associated with modifying water use permits might be avoided if the crops proposed for cultivation under a lease were the same as those which were grown prior to the County's acquisition.

Most commonly, however, the County will acquire property and lease it to someone who wants to grow a crop that is different from the one currently serving as the basis for the permit. This would require potentially expensive modifications to the permit. For example, if the County acquired land currently used for pasture and leased it to a lessee proposing to use the land for a niche or specialty crop with strict water requirements, the permit changes would be extensive and the cost of the permit could be significant. Any lease agreement must include provisions dealing with the costs associated with changing water use permits. If the lessee pays for the cost of the permit, he or she should be given other considerations, such as a longer lease term. Consideration in the lease cost should also be given to the 5 -15% of the land which may have to be set aside for retention purposes if no previous set aside had been required. Other factors which must be considered are the costs of infrastructure changes required under the new permit; favorable consideration should be given to potential lessees who commit to incurring this cost.

**Action:** For those agricultural properties purchased by the County, develop a plan to give new farmers a way to enter the business through a favorable lease program that works in conjunction with lending institutions, such as Farm Credit System.

**Responsible Parties:** The Property and Real Estate Management Division and the Cooperative Extension Service.



## 2.1.5 Easements with Eventual Sale to New Farmers

Scenic Hudson, Inc., has implemented a successful farmland preservation program in the Hudson River Valley of New York. This program emphasizes maintaining farmland as an integral part of the economy, rather than as open space which will merely serve to increase the value of adjoining lands. They have acquired the nonfarm related development rights of more than 7,000 acres, with nearly half of that land subsequently sold at discounted rates to new, young farmers.

The approach used by Scenic Hudson, Inc., was developed by a Farmland Protection Advisory Committee composed of farmers in the area. It involves placing a perpetual easement on the effected property, limiting its use to farmsteads, agriculture as defined by the state, or resource protection. The easements, which Scenic Hudson, Inc., recommend be made in favor of multiple entities, including at least one governmental entity and a not-for-profit, also require agricultural activities to be conducted using best management practices. The easements also specify whether the land may be used for farmstead or for the other allowed purposes. Within designated farmstead areas, uses are restricted to agricultural support services (including limited commercial services providing goods for agricultural uses such as feed and grain and equipment), farm housing (including labor housing), and recreation. Such uses as farm stands, "pick your own," and other forms of "agritainment" are encouraged on all property protected by an easement while further subdivision of the land for nonfarm purposes is prohibited.

A similar program could be employed in the Ag Reserve on land acquired by the County. The County could record perpetual easements on the acquired land and then offer the land for sale to new farmers. This could be done in conjunction with the lease program. Lease Backs, offering lessees a lease-purchase option on the property which could be exercised at a set time, perhaps consistent with the time frame allowed for new farmers utilizing the proposed agribusiness enterprise program. Such a strategy could be particularly attractive if the County's goal is to "grow new farmers," since the high cost of initial land acquisition is considered one of the major factors inhibiting new young farmers from entering the industry.<sup>2</sup> The proceeds from the sale could be used to acquire the nonfarm development rights from additional property or to acquire more land. In either case, the result could be an additional revenue stream for enhanced farmland protection and the return of land to the tax roles, albeit at sharply reduced rates.

The details of any program providing for eventual sale of the property acquired by the County must be given careful consideration to ensure that they meet the goals of agricultural retention and enhancement.

**Action:** For the present, no action is required. Should the lease programs currently being explored by the County prove to require additional alternatives in order to ensure

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2

Tom Daniels, "Integrating Working Landscape Protection: The Case of Lancaster County, Pennsylvania," *Society and Natural Resources*, 13:261, 2000.

utilization of the County's land, then the County should explore alternatives to a lease program.

**Responsible Party:** The Property and Real Estate Management Division and the Cooperative Extension Service.

## 2.2 Management of County-Owned Agricultural Lands

Lands acquired by the County for agricultural purposes will require management to ensure that they are used appropriately, and not allowed to become areas facilitating the growth of invasive exotic species. Due to the distinctive administrative and technical demands of agricultural leases, the Palm Beach Soil and Water Conservation District is the appropriate entity for the management of these lands, and has been recognized as such by the BCC, given the Soil and Water Conservation District's history of successfully conducting a land management program for properties owned by the South Florida Water Management District (SFWMD) and leased for agricultural purposes. The Soil and Water Conservation District's ongoing relationship with the farmers in the County and their understanding of agriculture should assist in assuring a successful management program. The BCC has given the Soil and Water Conservation District a contract to manage the acquired lands, requiring reports of the lands managed for the County be provided to the Property and Real Estate Management Division.

The District's Conservation Plan of Operations includes:

- Ensuring that Best Management Practices (BMP's) are observed;
- Crop rotation principles;
- Nutrient management
- Pest management;
- Irrigation management.

Fees for management of the County acquired agricultural lands can be generated from the lease payments.

**Action:** Manage lands acquired by the County in the Ag Reserve which are leased to farmers to permit continued agricultural use of the land.

**Responsible Party:** The Palm Beach Soil and Water Conservation District and the Property and Real Estate Management Division working with the Cooperative Extension Service.

## 2.3 Alternative Types of Agriculture

In *Status and Preservation of the Agricultural Industry in South Florida*, the National Audubon Society concluded that the future outlook of some agricultural products in South Florida is bright. This conclusion coincides with that of the County Cooperative Extension Service in its *Palm Beach County Agricultural Reserve Option Analysis* (1998), which concluded that there was a market potential for diversifying the crops

grown in the Ag Reserve given the climate of the area and the ability of farmers to modify the soils to increase productivity. There is no reason to believe that production of a variety of agricultural commodities could not be continued into the future.

### 2.3.1 Niche or Specialty Crops

Niche or specialty crops are those grown in limited amounts and in limited areas marketed to a small segment of the population based on demand such as lychees, longans, and mangos. Niche crops and nurseries are potentially feasible agricultural endeavors in the Ag Reserve because of their high yield/low acreage ratio, the profitability of which will depend on consumer demand. The Cooperative Extension Service has identified the various crops described in Table 2-2 as potential niche crops which appear suited to the Ag Reserve. Consumer demand, production requirements and other unknowns may limit the acreage committed to some of these crops in an effort to ensure their profitability. Additional niche or specialty crops could extend well beyond this list, based upon adaptability and market conditions.

The growing multi-cultural population in the County and throughout South Florida suggests increasing demand for these crops in the area. This is reinforced by the growing appreciation of gourmet chefs for the use of these crops, which also indicates an expanding market. The high marketing and distribution costs of specialty and niche crops suggest potential disadvantages to growers of such crops, reflecting the hesitancy of distributors to carry them.

**Table 2-2  
Potential Niche and Speciality Crops for the Ag Reserve**

Annatto	Tropical flower with red seeds that can be used as a natural dye. This red dye is tasteless and can be used for coloring foods such as cheese, rice, and noodles
Appaloosa Beans	Delicate flavored beans that double in size when cooked.
Atemoya	Grown in various areas of Florida, this tropical fruit has a pale green and bumpy skin.
Australian Blue Squash	Cultivated in California, this squash has a blue-grey shell that reveals a thick, orange flesh that is soft and mild-flavored like a pumpkin.
Babaco	Large papaya with a strawberry flavor. Imported from New Zealand with limited production in California
Baby Cauliflower	Miniature cauliflower (a 2" diameter) with full taste.
Baby Corn	Produced in Mexico and California. Grown in white and yellow varieties. Generally used in salad and special dishes
Baby French Green Beans	Available from California from February to November, it has recently gained popularity throughout the US.
Baby Pineapple	Small pineapple (5" tall). Once picked, it does not continue to ripen

**Table 2-2 (Continued)**  
**Potential Niche and Speciality Crops for the Ag Reserve**

Baby Soft Squash	Almost identical in taste to regular squash.
Baby Tear-Drop Tomatoes	Presently grown on a limited basis in the County. Yellow and red varieties are grown.
Baby Zucchini	Mostly imported from Mexico and Guatemala.
Barbados Cherries	Limited cultivation in Florida and Hawaii. Sweet flavor for use fresh, in preserves, and desserts.
Belgian Endive	A relative of chicory. Mostly imported but grown hydroponically in some locations.
Black Radishes	Resembling large black turnips with a white interior, this vegetable has a sharp, pungent flavor. Generally used in salads.
Boniato	Also known as Cuban potatoes, this is a tropical sweet potato cultivated and heavily imported from the Caribbean and Central America. Limited production in south Miami-Dade County.
Breadfruit	Often used as a vegetable, this fruit which is imported mainly from the Caribbean can be cooked or eaten raw.
Calabaza	Hard shelled squash mostly produced in south Miami-Dade County. It is a staple for the Latin-American community.
Canistel	Another Florida winter-grown fruit, the canistel has a thin, glossy skin and is similar to a cooked sweet potato.
Cassava	Also called Yucca. This cooking vegetable is widely grown and consumed in South America and by Latin Americans in this country.
Cucuzza Squash	Authentic Italian vegetable with a mildly sweet flavor. It is mint color and presently grown commercially only in Louisiana.
Malanga	Cuban and Hispanic staple grown primarily in Miami-Dade County or imported from South America.
Passion Fruit	Edible fruit of the passion flower. Grown year-round in Florida. Used as a sauce, ice cream, custard, and tropical drinks.
Plantain	Imported from various countries in South American and the Caribbean basin, they are generally cooked at various stages of ripening.
Rapini	Popular in Italian and Chinese cooking, rapini has dark green leaves and a slightly bitter flavor. Grown in California.
Romanesco	Decorative cauliflower that cooks quickly and has a very mild taste.
Salad Savoy	Closely related to the kale and cabbage. The flavor of the savoy resembles cabbage, cauliflower, and broccoli.
Tomatillos	Also called Mexican husk tomatoes. The tomatillo is imported from Mexico or produced in California. It has a slight acidic, lemon flavor.
White Sapote	Also called Mexican custard. The white sapote is grown in both Florida and California. It has an edible green skin with a whitish sweet flesh that tastes like papaya and banana.
Yellow-eyed Bean	Resemble black-eyed peas with gold pigmentation, it has a mellow flavor that complements baked bean dishes and casseroles.



**Action:** Continue to assess the market potential for these crops and design a marketing web site to assist specialty growers in directly marketing to consumers. One tool which could be utilized in this effort would be the creation of direct Internet marketing assistance for niche and specialty crops.

**Responsible Parties:** The County Agricultural Economic Development Program and the Cooperative Extension Service.

### **2.3.2 Tropical Fruit Production**

The acreage of tropical fruit production in eastern palm Beach County has continued to expand over the last several years, with more than 300 acres of lychee, longan, jak fruit, and mangos among other tropical fruits grown in the County. The acreage dedicated to these crops could be expanded in the Ag Reserve, though growers anticipate a need for marketing assistance over the next several years as trees come into maximum fruiting.

**Action:** Assist tropical fruit growers in the formation of agricultural cooperatives. Depending on the specific needs of the farming community, these enterprises could be organized as marketing, bargaining, services, farm supply, machinery, or "new generation" cooperatives.

**Responsible Parties:** The County Agricultural Economic Development Program and the Cooperative Extension Service.

### **2.3.3 Native Plant Production**

Native plants could represent another specialty crop grown in the Ag Reserve by some of the nurseries. Native plants include a wide range of plants and trees such as red maple, paurotis palm, gumbo limbo, Jamaica caper, loblolly bay, sweet gum, wild tamarind and wax myrtle. Based on the needs of the landscape industry in South Florida, nurserymen desiring to lease land purchased by the County should be encouraged to produce good quality native plants to the extent the market might allow. The actual amount of land made available for this use through the lease program should be determined through a comprehensive agricultural enhancement program developed by the County.

**Action:** Make County-acquired lands in the Ag Reserve available for lease to nurserymen committed to the development of native plants to the extent that the use is consistent with a comprehensive agricultural enhancement program developed by the County.

**Responsible Parties:** The Property and Real Estate Management Division and the Cooperative Extension Service.

### 2.3.4 Organic Farming

Organic farming refers to a specific method of growing and processing foods, and is defined as produce grown, packaged and stored without the use of synthetic fertilizers, pesticides, herbicides or irradiation. It is estimated that there are 12,000 organic farmers nationwide, most of them in small-scale operations. In 1999, the estimated value of organic foods was approximately \$6 billion. This value has been increasing at a rate of 12% per year.

The U.S. Department of Agriculture has announced new and comprehensive proposals for the National Organic Standards which "detail the method, practices, and substances that can be used in producing and handling organic crops and livestock, as well as processed products." These standards address the use of soil fumigants and other pesticides to control pests, as well as the use of fertilizers. Within the Ag Reserve, soil fumigants have been extensively used to control insects, nematodes, weeds, and soil pathogens. The fertilizers which have been used also do not meet the new organic production standards.

These past practices suggest that only land which has not been in intensive agricultural use could be immediately used for organic production. Opportunities to use some of the land acquired by the County for organic farming should be explored with qualifying land advertised for leases through organic organizations locally and statewide. Other land acquired by the County may have to lay fallow for several years, or, alternatively, be used to grow a crop for at least three years that does not require traditional production inputs, in order to qualify for use in organic farming. The availability of such land and any specific acreage should be determined as part of a comprehensive agricultural enhancement program developed by the County.

**Action:** Set aside a portion of the land the County acquires, consistent with the recommendations of a comprehensive agricultural enhancement program, permitting them to lay fallow so that they can be certified for organic crops.

**Responsible Parties:** The Cooperative Extensive Service and the Property and Real Estate Management Division.

### 2.3.5 Small Ruminants

The continued expansion of a multi-cultural population in South Florida also suggests a potential increased interest in the raising of small ruminants such as sheep and goats for consumption. While the interest locally is limited, opportunities to enhance production of small ruminants, if economically feasible, should be provided. In combination with a fast-growing plant such as kenaf for feed, browsers such as goats, might be raised efficiently in the Ag Reserve. The availability of land for this purpose and any specific acreage should be determined as part of a comprehensive agricultural enhancement program developed by the County.

**Action:** Reserve a limited amount of the County-acquired acreage, consistent with the recommendations of a comprehensive agricultural enhancement program, for this purpose.

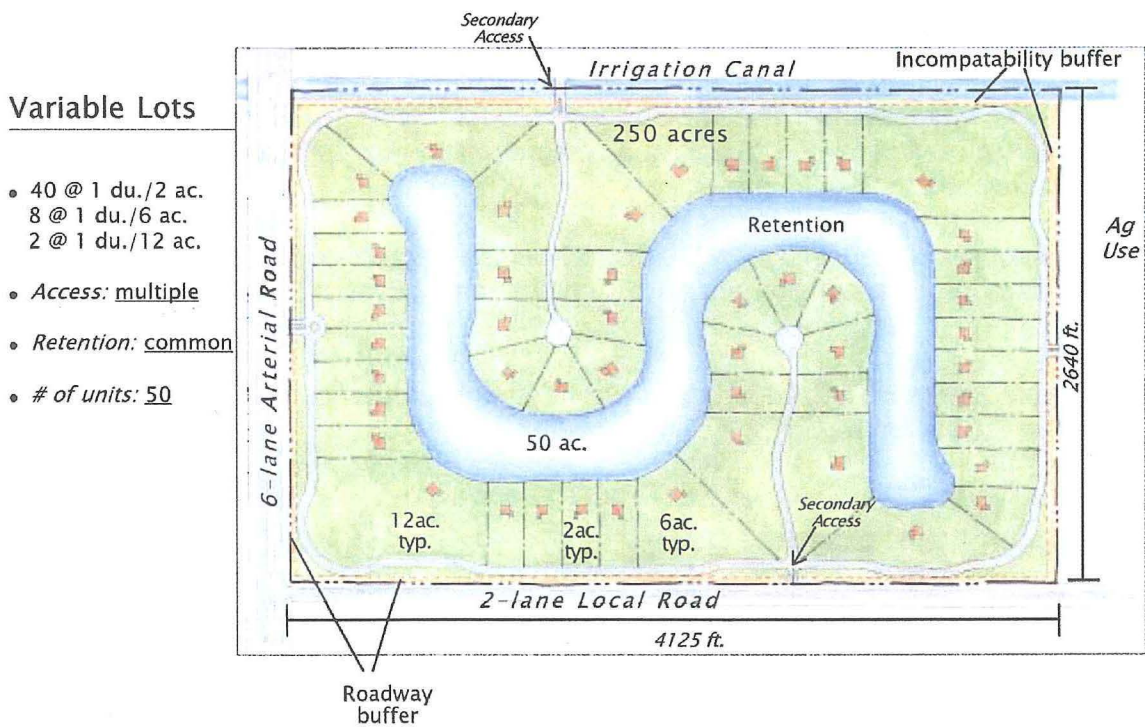
**Responsible Parties:** The Property and Real Estate Management Division and the Cooperative Extension Service.

### 2.3.6 Equestrian

One element of the agricultural industry that is generally considered to have a good outlook in the County is the equestrian industry. Already a major factor in Palm Beach County's agricultural sector, the equestrian industry is expected to continue to be an important element of the County's economic development program into the future.

The Urban Land Institute (ULI) has examined the needs of the equestrian industry in its publication *Equestrian Development* (1998), and recommended a variety of actions which could be taken to support equestrian friendly developments. These included permitting a variety of lot sizes within a single development ranging from as small as 1/4 acre to much larger lots where horses could be boarded. The developments should also be required to provide an extensive network of trails (which could be located on easements) all leading to central shared facilities such as meadows.

**Figure 2-4  
Equestrian Development Option**



The Consultants recommended adoption of the ULI recommendations, but staff expressed concern that the small lot size suggested by ULI may be too urban. Such small lots would require the extension of centralized potable water and sanitary sewer disposal systems (septic tanks) if larger minimum lot sizes were required. Noting that the Public Health Department had advised staff that 2-acre lots may be needed to meet drainage requirements and ensure proper utilization of the on site systems, staff recommended utilization of 2-acre minimum lot size. The BCC concurred in the staff recommendation.

Figure 2-4 illustrates conceptually one way in which this concept could be applied on a 250-acre parcel located on the east side of State Road 7 bordered by a major canal on the north, with the surrounding properties continuing to be used for agricultural purposes. The schematic is not intended to represent any specific property within the Ag Reserve; it is a conceptual drawing for illustrative purposes only.

**Action:** Revise the Unified Land Development Code to permit variable lot sizes in the Ag Reserve, with a minimum lot size to two acres, within a subdivision, provided that the gross density of the development does not exceed the one unit per five acres established in the Comprehensive Plan.

**Responsible Party:** The Zoning Division

### 2.3.7 Aquaculture

Aquaculture, the regulation and cultivation of water plants and animals for human use or consumption, has enjoyed limited, but continuing, success in other areas of Florida. The Ag Reserve meets some of the basic needs of this element of the agricultural industry including warmer winter temperatures, available water supply and close proximity to an urban market. The availability of land for this purpose and any specific acreage should be determined as part of a comprehensive agricultural enhancement program developed by the County.

**Action:** Reserve a limited amount of the County-acquired acreage, consistent with the recommendations of a comprehensive agricultural enhancement program, for this purpose.

**Responsible Parties:** The Property and Real Estate Management Division and the Cooperative Extension Service.

## 2.4 Agricultural Support Uses

Agricultural support uses in the Ag Reserve include packing houses as well as farm labor housing. Changing agricultural practices may impact the demand for both of these types of facilities.

## **2.4.1 Packing Houses**

There are 11 packing houses in the Ag Reserve; the expected decrease in produce availability resulting from the changing nature of agriculture in South Florida will proportionally curtail the need for this number of facilities. The agricultural support infrastructure in the Everglades Agricultural Area, which is more than adequate to meet the needs of agribusiness, suggests a need to find alternative uses for some of these facilities.

### **2.4.1.a Rural Restaurants and Other Commercial Uses**

The Consultants originally recommended that packing houses be allowed to be converted to commercial uses such as restaurants and farm markets. They suggested that such conversions, especially if designed with a rural character and featuring use of locally grown produce would assist in maintaining a "rural feel" in the Ag Reserve.

County staff dissented with this recommendation, suggesting that conversion of these support uses to commercial activities would simply serve to introduce intensive commercial uses into an area which the BCC has identified should be preserved for agriculture. It was also noted that the Consultants' recommendation was inconsistent with the recommendations of The Conservation Fund, which called for limiting uses in areas where agricultural preservation was desired.

The BCC, in June of 2000, concurred in the staff recommendation and directed that the emphasis on promoting agricultural products be the marketing strategies outlined in section 2.5.

**Action:** None

**Responsible Party:** None

### **2.4.1.b "Beginning Farmers"**

A County-sponsored agribusiness enterprise program for "Beginning Farmers," those wishing to begin agriculture cultivation with little or no past record, who have developed a business plan and the ability to obtain the necessary capital to establish the initial cash flow required to enter the industry could utilize the facilities of a packing house. The large capital inputs needed for a person to start a new agricultural production operation can be prohibitive, especially if land acquisition is added to the other start-up costs. Using the facilities of a converted packing house, the County could provide access to some of the resources required by "Beginning Farmers".

Some of the County-acquired land could enhance the agribusiness enterprise program by offering limited acreage to "Beginning Farmers" at favorable lease rates and providing additional training opportunities, or for sale at favorable prices once the non-farm related development rights have been removed. One way that the County could



assist “Beginning Farmers” through such an agribusiness enterprise program would be by assisting in obtaining the modified water use permits required by the new farm. If operating through a lease program, after a fixed period of time, the farmer would no longer be able to lease the County-owned land at the “Beginning Farmer” rate or benefit from those aspects of the agribusiness enterprise program specifically directed to the “Beginning Farmers.”

A “Beginning Farmers” program can only be developed as funding and personnel are made available for such a program. This should be evaluated more fully as part of a comprehensive agricultural enhancement program developed by the County.

**Action:** As part of a comprehensive agricultural enhancement program, evaluate the potential of an agribusiness enterprise program, funded for individuals through Farm Credit of South Florida, Inc., and the Farm Service Agency’s Loans for Beginning Farmers and Ranchers Program, which offers direct loans for the purchase of farms and loans for operating expenses.

**Responsible Party:** The Cooperative Extension Service.

## **2.4.2 Farm Labor Housing**

The availability of housing for farm workers may be a critical factor for the continuation of agriculture in the Ag Reserve. The Shimberg Center for Affordable Housing at the University of Florida estimates that Palm Beach County needs significantly more farm labor housing than is currently available. This is reflected in the Ag Reserve by the number of workers transported into the Ag Reserve from other locations, including some outside of the County.

This need could be partially addressed through revision to the Comprehensive Plan and the Unified Land Development Code to permit retention of some density on the preserve areas of 60/40 Ag Reserve - Planned Developments (AgR-PDDs) to permit them to be used as farmsteads, allowing farm worker housing in particular. Given the existing density within the Ag Reserve (one unit per five acres) a density no greater than one unit per 20 acres should be permitted on the preserve areas, with that density required to be clustered in a single site on the preserve area to maximize the acreage available for agricultural and open space uses.

**Action:** Amend the Comprehensive Plan, and subsequently revise the Unified Land Development Code (ULDC) , to permit retention of one unit per 20 acres on designated preserve areas of AgR-PDDs for use in the delivery of farm worker housing.

**Responsible Party:** The Planning Division, with subsequent ULDC revisions the responsibility of the Zoning Division.

## 2.5 Linking Farmers to Consumers

Given the variety of crops with potential to be grown in the Ag Reserve and the likely decline in agricultural acres due to development, the Ag Reserve could possibly evolve into a more diverse sector agriculturally and thus an area less threatened by imports.

The success of such an evolution in the nature of agriculture in the Ag Reserve could be enhanced through efforts to increase linkages between farmers and consumers. In 1996, the Hartman Group, a market research firm, reported that 80% of households expressed a preference for locally grown food and 23% expressed frustration that there were not more opportunities to show support for their community and the environment by buying local goods. The County should explore marketing programs and assistance available that can provide new outlets for locally produced fresh produce.

**Action:** Amend Economic Policy 1.2-b of the Comprehensive Plan to reflect the County's commitment to working through the Cooperative Extension Service on a variety of economic development programs designed to encourage agricultural preservation and enhancement as one of the County's identified cluster industries.

**Responsible Party:** The Planning Division.

### 2.5.1 "Get Fresh"

A number of green markets currently exist in the County. These markets could provide the basis for a marketing campaign stressing the availability of locally grown fresh produce.

**Action:** Actively promote Palm Beach County produce both locally and, to a lesser degree, statewide using the County's green markets, with a "Get Fresh" promotional campaign.

**Responsible Parties:** The County Agricultural Economic Development Program and the Cooperative Extension Service.

### 2.5.2 "Farmer to Chef"

A "Farmer to Chef" program could be established to design annual events where farmers and local chefs meet and discuss what grows locally, the special needs of the chefs, and ways to promote locally grown products in restaurants. Promotional activities to assist chefs in helping the public connect with the "locally grown is fresher" goal could be one element of an ongoing program to gain public acceptance and enhance local growers' share of the local market.

**Action:** Initiate contact with the Palm Beach County Culinary Institute to explore the potential of such a program.

**Responsible Parties:** The County Agricultural Economic Development Program and the Cooperative Extension Service.

### **2.5.3 “Community Supported Agriculture”**

“Community Supported Agriculture,” or subscription farming, requires growers to involve consumers prior to the planting season, promising to deliver at a predetermined price and at fixed intervals a certain amount of produce during the growing season. The consumer could then pick the product up at the farm or make arrangements for its delivery. While not practiced widely in Florida (four such operations exist in Central and North Florida), “Community Supported Agriculture” has been successful in other states, such as Washington and one Palm Beach County grower is currently making plans for a trial effort this fall.

**Action:** Promote “Community Supported Agriculture”.

**Responsible Parties:** The County Agricultural Economic Development Program and the Cooperative Extension Service.

### **2.5.4 Consumer Cooperatives**

Consumer cooperatives could also be used to promote more local consumption of locally grown produce. In consumer cooperatives, consumers buy directly from the farmer and bring it to a central location where the fresh produce is made available to the members of the cooperative. The members donate time to the cooperative working at tasks which include signing up members to the cooperative, moving the produce from the farm to the cooperative facility, filling orders of the members and similar jobs.

**Action:** As an incentive to encourage development of consumer cooperatives, give growers who agree to work with such groups preference in leasing County-acquired land for agricultural purposes if growers using the land at the time it is acquired express no interest in continuing to farm it.

**Responsible Parties:** The Property and Real Estate Management Division and the Cooperative Extension Service.

## **2.6 Agricultural Education**

An agricultural education center located in the Ag Reserve could provide additional opportunities for South Florida farmers and those interested in agriculture, enabling them to pursue the continuation of agriculture in the area, encouraging new generations of farmers in the County.

Agricultural education facilities could be used to assist farms making the transition from one generation to the next. “Farm Link” programs have been initiated in several states,

including California and Iowa. Through these programs, a farmer approaching retirement is linked with someone wanting to start farming through a coordinated effort and process. A "Farm Link" program, undertaken through a university, could complement the "Beginning Farmers" program described in section 2.4.

University facilities could also be used to assist in the establishment of growers' cooperatives. These enterprises can be organized as marketing, bargaining, services, farm supply, machinery or "new generation" cooperatives, depending on the specific needs of the growers involved. The University of Florida Food and Resource Economic Department and the Florida Department of Agriculture and Consumer Affairs' Marketing Division, working with the County's Agriculture Economic Development Program, may be able to assist in the establishment of such a program.

The BCC expressed strong support for this recommendation, and directed that staff continue to pursue it. The BCC indicated a willingness to make County acquired land be made available for the facilities and uses associated with an Agricultural Education Center in precedence over all other programs. Since the December workshop, the Cooperative Extension Service has been in contact with several universities, discussing options for the Ag Reserve. To date, the university system has not expressed interest in this program.

**Action:** Continue to pursue opportunities for an agricultural education center and farm link programs.

**Responsible Party:** The Cooperative Extension Service.

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## Chapter 3

### Options to Enhance Environmental Resources

*To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals.*

The goal of enhancing environmental resources focuses on the opportunities in the Ag Reserve to preserve environmentally sensitive lands. Though much of the area has been disturbed as a result of past agricultural activities, there are environmentally sensitive lands within the Ag Reserve. Some of these have been previously purchased by the South Florida Water Management District through the State Save Our Rivers Program; others remain in private ownership.

The criteria used to measure this objective included the potential to preserve identified environmentally sensitive lands and to provide a land connection between them. This land connection relates to the amount of open space directly between the three parcels that would more easily allow habitat and wildlife to migrate between the parcels, instead of existing in isolation.

#### 3.1 Land Acquisition

In December 1998, the Board of County Commissioners (BCC) placed a referendum on land acquisition for open space, including agriculture and conservation purposes, on the ballot in response to the recommendations of the Consultants in Phase I of the Ag Reserve Master Plan. In March 1999, the voters approved the bond issue by a two to one margin. The bond referendum was designed to fund a land acquisition program for open space purposes of up to \$150 million to protect environmentally sensitive lands, land for water resources, greenways, agricultural lands, and open space. The BCC directed that \$100 million of the proceeds of this bond be dedicated to land acquisition in the Ag Reserve with the focus on conserving agricultural lands, enhancing water resources, and preserving open space and the remainder of the bond proceeds used to acquire environmentally sensitive lands and greenways throughout the County.

The Conservation Land Acquisition Selection Committee (CLASC) was established in July 1999, to evaluate property for acquisition using the bond proceeds. The CLASC evaluates properties and make recommendations to the BCC on land acquisitions. In the Ag Reserve, the CLASC recommendations are designed to further the goals and objectives of the Ag Reserve Master Plan.

The County's consultants on land acquisitions are The Conservation Fund and the Nature Conservancy. The Conservation Fund focuses on lands in the Ag Reserve and the Nature Conservancy concentrates on identified environmentally sensitive lands throughout the County. Both consultants make recommendations to the CLASC for acquisition of lands, and handle negotiations and contracts for proposed acquisitions approved by the BCC. All purchases involve willing sellers.

To date, the County has acquired two parcels in the Ag Reserve, a 627-acre parcel known as the McMurray parcel and a 30-acre parcel known as the Miller parcel (shown in Figure 3-1). Both of these parcels are west of State Road 7 and further the objectives of the Master Plan. The Consultant continues to negotiate with willing sellers on prospective parcels for County acquisition.

The total acreage which may be acquired in the Ag Reserve cannot be estimated, given a number of unknown variables, including the number of willing sellers and the location of their property, the nature of the purchases (fee simple vs. less than fee simple, and the potential for matching funds from other sources.

As a general rule, the County should not acquire any land which has been designated as a preserve area of an approved Ag Reserve - Planned Development (AgR-PDD) using either of the development scenarios allowed in the Ag Reserve, especially if the County's goal is the preservation of agriculture in the area. The preserve areas are already limited to uses consistent with those which would be allowed on lands acquired by the County using funds from the bond program. County acquisition would add no protection, would create additional management responsibilities for the County, and remove the land from tax roles. Subsequent County acquisition of designated preserve area lands should be limited to those properties where a special need can be identified.

**Action:** Acquire lands within the Ag Reserve through the BCC appointed Conservation Land Acquisition Selection Committee (CLASC).

**Responsible Parties:** The Conservation Fund, working with the Department of Environmental Resources Management, Property and Real Estate Management Division, the Planning Division and the Cooperative Extensive Service, through the Conservation Land Acquisition Selection Committee.

### 3.2 Environmentally Sensitive Lands

As part of the land acquisition bond referendum approved in 1999, the County Department of Environmental Resources Management identified three parcels in the Ag Reserve (shown on Figure 3-2), which were considered to be environmentally sensitive due to their potential to assist in the preservation of native ecosystems and the endangered and threatened species they contain.

**Action:** Purchase the three identified Environmentally Sensitive Lands (ESLs) identified by the Department of Environmental Resources Management during the 1999 Conservation Bond Referendum in the Ag Reserve.

**Responsible Parties:** The Nature Conservancy, working through the Department of Environmental Resources Management and the Property and Real Estate Management Division, through CLASC.

# COUNTY ACQUISITIONS IN THE AG RESERVE

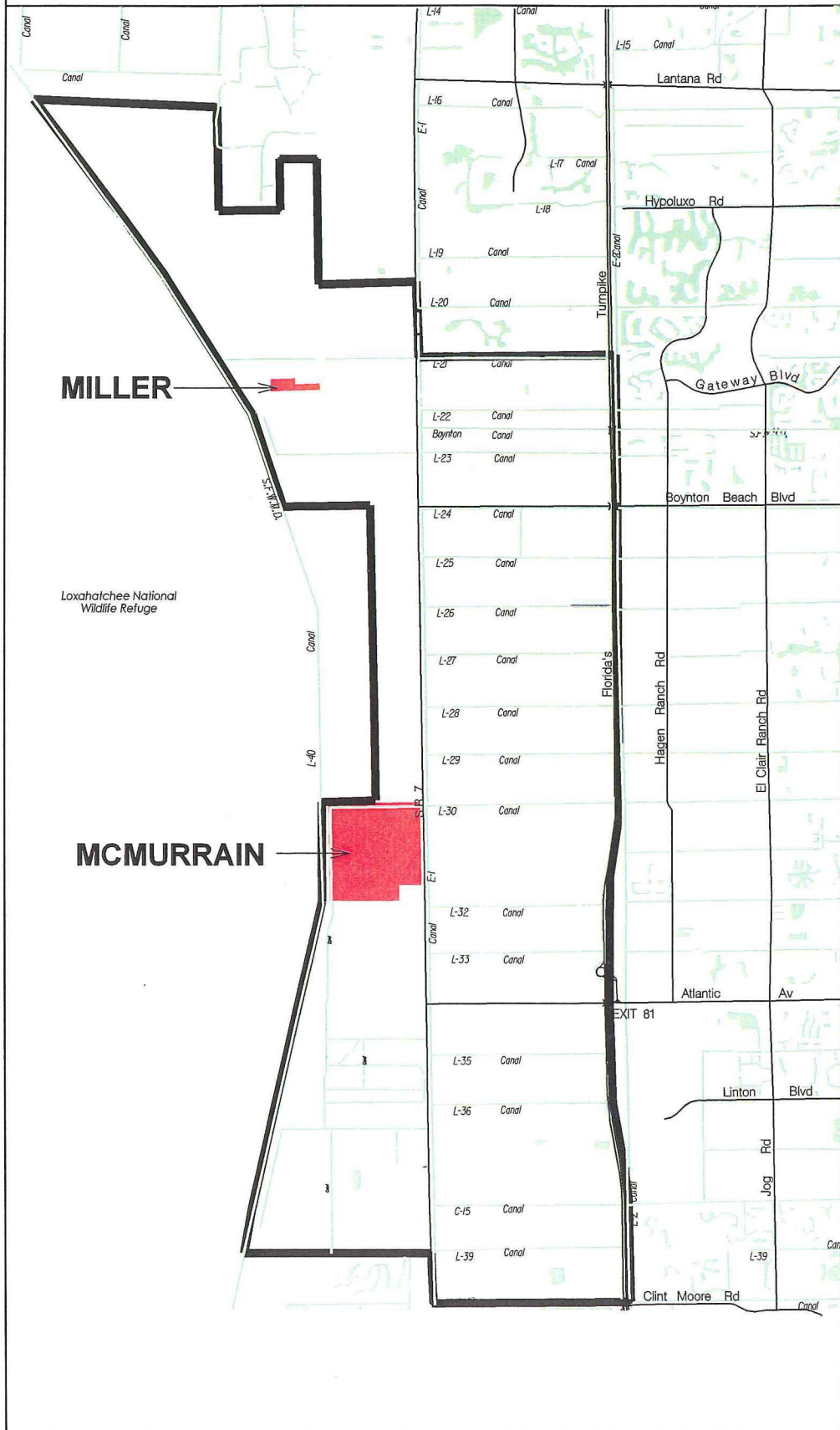



Figure 3-1

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NOTE: MAP IS NOT OFFICIAL, FOR PRESENTATION PURPOSES ONLY

Ag Reserve Boundary 

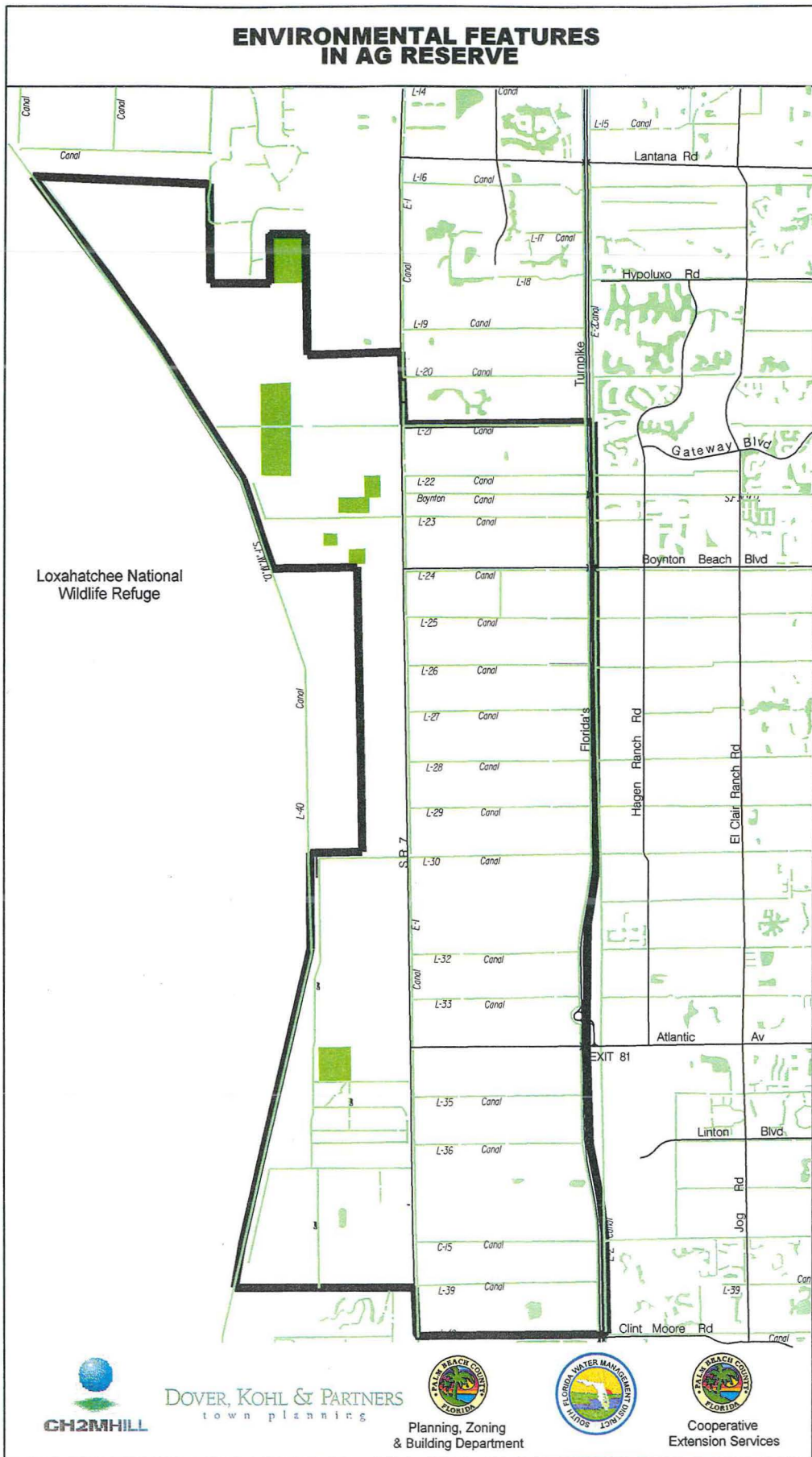
County Acquisition Sites 



  
Scale: N.T.S.  
Revision Date: 09/22/00  
filename: agacquisition.dgn  
Palm Beach County  
Planning, Zoning and Building  
Department  
100 Australian Avenue  
West Palm Beach, FL 33408  
contact: s.kubber

# ENVIRONMENTAL FEATURES IN AG RESERVE

Figure 3-2



DOVER, KOHL & PARTNERS  
town planning



Planning, Zoning  
& Building Department



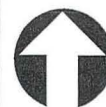
Cooperative  
Extension Services

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Ag Reserve Boundary

Environmental Sensitive Lands  
1999 Bond Referendum Acquisition Sites



Scale: n.t.s.  
Revision Date: 11/04/99  
Filename: agervsians.dgn  
Contact: slubber  
Palm Beach County  
Planning, Zoning and Building  
Department  
100 Australian Avenue  
West Palm Beach, FL 33406

### 3.3 Matching Funds for Environmentally Sensitive Land Acquisition

The County's consultant on grants, Langton Associates, researched the active federal and state grant sources that could be used to leverage bond money. Langton Associates identified several Federal or State programs for land acquisition that could be used in the Ag Reserve if the purchase was designed to assist in the preservation of environmentally sensitive lands or lands for water resource enhancement:

- The USDA Conservation Reserve Program provides annual rental payments and cost-share assistance to eligible farmers to protect environmentally sensitive cropland, increase habitat for wildlife and safeguard ground and surface water.
- The Florida Department of Community Affairs Florida Communities Trust/Florida Forever Program emphasizes development of recreational resources, to the extent that the identified projects are implementing an adopted local government Comprehensive plan.
- The Land and Water Conservation Fund is a source for matching grants to acquire parklands.
- The Office of Greenways and Trails provides funding for acquisition of greenways and trails.
- The Florida Recreational Development Assistance Program provides funding for park improvement facilities.

Langton Associates did note that other programs, such as the Lands Legacy Initiative and the Better America Bonds, have been proposed, but are currently not funded. Likewise, they indicated that special appropriations could be sought by the County at both the State and Federal level.

**Action:** Continue to pursue opportunities for grants and matching funds for properties acquired by the County in the Ag Reserve.

**Responsible Party:** The Department of Environmental Resources Management.

### 3.4 Management of Environmentally Sensitive Lands

Ensuring the continued protection of acquired environmentally sensitive lands is especially critical in the Ag Reserve, where past agricultural activities as well as changes in the water table induced to permit agriculture are likely to be conducive to the introduction of invasive exotic species if the property is allowed to lie fallow.

**Action:** Develop management plans for lands acquired in the Ag Reserve which are not intended for use for continued agricultural activity.

**Responsible Party:** The Department of Environmental Resources Management.



### 3.5 Appropriately Designate Arthur R. Marshall Loxahatchee National Wildlife Refuge

Virtually all of the land in the Ag Reserve is currently given the designation of Ag Reserve on the Future Land Use Atlas. Even lands which are used for wildlife management purposes in the area are given the Ag Reserve land use designation rather than the more appropriate, Conservation designation. The U.S. Fish and Wildlife Service has advised the County that they have no objection to their lands in the Ag Reserve being designated Conservation.

**Action:** Amend the Future Land Use Atlas to change the designation of all portions of Arthur R. Marshall Loxahatchee National Wildlife Refuge from Ag Reserve to Conservation.

**Responsible Party:** The Planning Division.

### 3.6 Future State Park

The State Division of Parks has acknowledged that, for improved distribution of park facilities accessible to the population throughout the State, a State Park is needed in southern Palm Beach County. The Division of Parks has identified a 410-acre site within the Ag Reserve, in the general location shown, on which such a park could be developed. Development of a State Park in this area, could permit the County to avoid building a County Regional Park.

Figure 3-3



#### 3.6.1 Land Assembly for a State Park

The site identified by the State Division of Parks as most suitable for development of a State Park was acquired by the South Florida Water Management District (SFWMD) in early 2000 for potential use as a reservoir in conjunction with the Water Preserve Areas. The SFWMD and the U.S. Fish and Wildlife have acknowledged a potential for land swaps to facilitate development of both the reservoir and the park may be feasible.

**Action:** Explore opportunities for land swaps between the South Florida Water Management District and the U.S. Fish and Wildlife Service to facilitate development of a State Park. These efforts should be coordinated with the Department of Environmental Protection, Division of Recreation and Parks.

**Responsible Parties:** The South Florida Water Management District, with the Department of Parks and Recreation monitoring the efforts.

#### 3.6.2 Development of a State Park

The State has announced that their plans are to locate campgrounds, canoe trails, and ancillary uses within the park. This park should be designed to take advantage of nearby environmental features of its proximity to the Arthur R. Marshall Loxahatchee National Wildlife Refuge, and should

be focused on providing passive recreational activities, such as hiking, nature walking, bird watching and canoeing. Development of the park is expected to begin by 2005.

One factor which could limit the ability of the State to initiate work on a State Park in this area is the limited capacity of some of the roadways in the area, particularly Atlantic Avenue. The Engineering Department has acknowledged that given the limited capacity of this road, concurrency may limit the ability of State Division of Parks to initiate development of a park on the identified site in the timeframe being discussed.

**Action:** Amend Transportation Policy 1.2-f of the Comprehensive Plan to designate segments of Atlantic Avenue as a Constrained Roadway at a Lower Level of Service (CRALLS) with a level of service based upon the additional traffic volumes associated with the development of a State Park in the Ag Reserve.

**Responsible Parties:** The Planning Division and the Engineering Department.



## Chapter 4

### Options to Enhance Water Resources

*To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals.*

The goal of enhancing water resources focuses on the water management features of the Master Plan, while also recognizing that other agencies are looking to the Ag Reserve as a place where their needs can be partially met. Existing water management features include the Lake Worth Drainage District (LWDD) system of canals. These existing canals in the Ag Reserve serve two purposes - flood protection for the local residences and water supply for both the local farmers and the Water Utilities Department (WUD) wellfields. Water levels in the canals are artificially maintained with water control structures throughout the year to accommodate and capture heavy rainfall inundation, and these levels also serve as a constant source of recharge to the wellfields and curtail seepage from the neighboring Arthur R. Marshall Loxahatchee National Wildlife Refuge. Without this important water resources feature, the County would be faced with major flooding problems and frequent water shortages. The network of the LWDD canals are dispersed throughout the Ag Reserve in a east-west direction approximately every one-half mile as shown on Figure 4-1.

During development of the Ag Reserve Master Plan, two water resource-focused studies that were examining use of Ag Reserve lands were underway; (1) the Water Preserve Area (WPA) project of the federally mandated Comprehensive Review Study of the Central and Southern Florida Project (the Restudy) being undertaken by the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (the Corps); and, (2) the *Southeastern Palm Beach County Water Resources Strategy* undertaken by the Palm Beach County WUD in cooperation with the SFWMD.

The WPAs are a proposed series of enhanced hydroperiod wetlands, recharge areas, and reservoirs being evaluated as part of the Restudy to assist in reestablishing the natural timing of water deliveries and hydroperiod patterns to the Everglades while maintaining flood protection for urban and agricultural areas and increasing aquifer recharge for human consumption. The preliminary evaluations of the WPAs by the SFWMD suggest that implementation of the project could increase the flexibility of the regional water management system by providing areas to store surface waters that are currently discharged to the ocean, with the stored waters eventually used to assist in Everglades restoration and/or used to recharge wellfields during dry periods. Water stored in the WPAs could also reduce seepage losses from the Water Conservation Areas. The SFWMD has identified approximately 1,600 acres<sup>3</sup> within the Ag Reserve west of State Road 7 (shown on Figure 4-2) that are suited for the water resource management purposes of the WPAs and meet the anticipated needs of the Restudy.

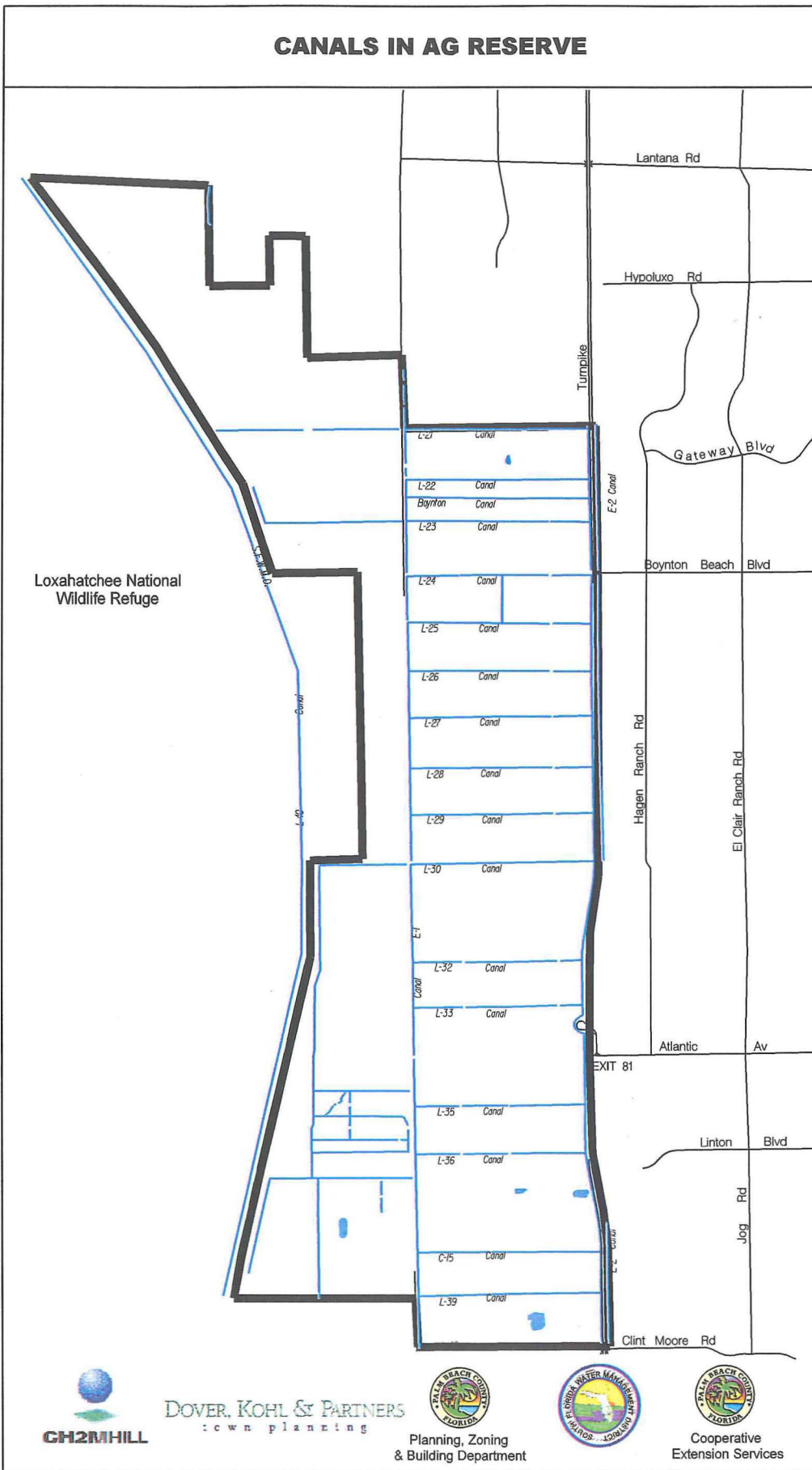
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<sup>3</sup>

The actual number of acres which will be required to fully implement the Water Preserve Areas is subject to modification as additional modeling is completed.

# CANALS IN AG RESERVE

Figure 4-1



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NOTE: MAP IS NOT OFFICIAL, FOR PRESENTATION PURPOSES ONLY

Ag Reserve Boundary Canals



Scale: n.t.s.  
Revision Date: 11/04/99  
filename: agcanals.dgn  
contact: skubber  
Palm Beach County  
Planning, Zoning and Building  
Department  
100 Australian Avenue  
West Palm Beach, FL 33408



# PROPOSED WATER PRESERVE AREAS IN AG RESERVE

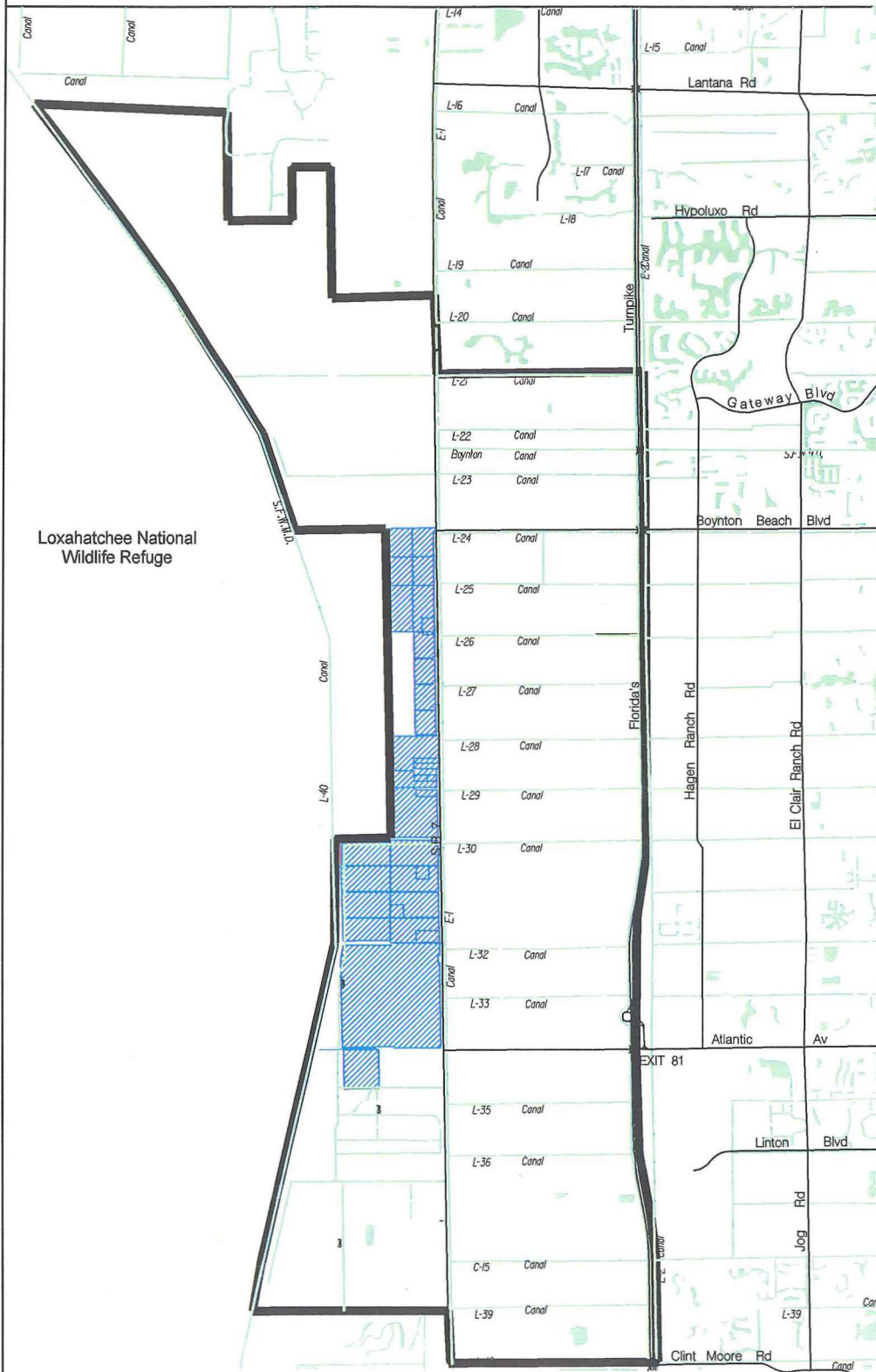


Figure 4-2










Planning, Zoning & Building Department      Cooperative Extension Services

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Ag Reserve Boundary       SFWMD Proposed WPA 



Scale: n.t.s.  
 Revision Date: 11/10/00  
 filename: agwtpresrv.dgn  
 Palm Beach County  
 Planning, Zoning and Building  
 Department  
 100 Australian Avenue  
 West Palm Beach, FL 33406  
 contact: s.kubber

The *Southeastern Palm Beach County Water Resources Strategy* represents initial implementation of the SFWMD's *Lower East Coast Interim Water Supply Plan*. The WUD, in cooperation with the SFWMD, examined the area from Southern Boulevard south to the County line, east of the Arthur R. Marshall Loxahatchee National Wildlife Refuge, including the Ag Reserve, evaluating different water resource strategies which could be implemented. Eight strategies made up of various combinations of water resource technology involving water supply, water storage and conservation, and reclaimed water reuse were evaluated, with suitable locations - some of which are in the Ag Reserve - for implementing the strategies identified.

In evaluating water resource enhancement options for the Ag Reserve Master Plan, two criteria helped delineate how to enhance the Ag Reserve water management capability: the option's potential to enhance water resource areas and the amount of impervious area associated with the option. The first criterion relates to the ability of the plan to incorporate the water management features proposed by SFWMD and the WUD for either the WPAs or the *Southeastern Palm Beach County Water Resources Strategy*. The second criterion was designed to examine the potential water quality impacts on the existing LWDD drainage system and relates to the estimated amount of imperviousness shown on any plan. Impervious areas include roads, buildings, parking lots, and other paved areas that inhibit water seepage into the ground. The more impervious the areas, the more water runs off into the drainage system, carrying with it possible water contaminants, thus increasing the potential for adverse water quality impacts.

## 4.1 Water Preserve Areas

Existing policies within the County's Comprehensive Plan reinforce the importance of the WPAs, though the language governing the Ag Reserve within the Comprehensive Plan does not explicitly reference them. Specific policies committing the County to coordinate with the SFWMD to ensure the availability of water for natural system restoration and for waste management purposes by participating in the WPA studies include the following:

*Conservation Policy 3.1-b:* The County recognizes the importance of the South Florida Water Management District's (SFWMD) East Coast Buffer (ECB)<sup>4</sup> area to protect the environmental integrity and the water resources of the County. Accordingly, the County shall coordinate with the SFWMD in their efforts for the ECB. The County shall facilitate flexible site designs, within and adjacent to the ECB, through mechanisms such as flexible site development provisions that protect, enhance, and are compatible with the functions of the ECB. The County shall discourage, within and adjacent to the ECB, those land uses incompatible with the ECB functions including, but not limited to, heavy commercial and industrial uses, solid waste disposal and transfer stations, cemeteries, transportation facilities, and gas or service stations. The County recognizes the SFWMD's role in determining if site designs are compatible with the ECB and therefore, will coordinate and

---

4

The SFWMD originally referenced the WPA concept as the "East Coast Buffer," using the terminology developed by the National Audubon Society which originated the concept. Since 1998, however, the SFWMD has used "Water Preserve Area" to describe it. This policy reflects the older term.

consider SFWMD recommendations in land use compatibility and zoning decisions for areas within and adjacent to the ECB.

*Conservation Policy 3.1-c:* The County shall coordinate with the South Florida Water Management District (SFWMD) in their efforts to ensure the availability of water for natural system restoration and for water management purposes by participating in the Water Preserve Area (WPA) studies. The County shall facilitate flexible site designs, within and adjacent to the WPA study area, through mechanisms such as flexible site development provisions that protect, enhance, and are compatible with the functions of the WPA's. The County shall discourage, within and adjacent to the WPA study area, those land uses incompatible with the WPA functions including, but not limited to, heavy commercial and industrial uses, solid waste disposal and transfer stations, cemeteries, transportation facilities, and gas or service stations. The County recognizes the SFWMD's role in determining if site designs are compatible with the WPA's and therefore, will coordinate and consider SFWMD recommendations in land use compatibility and zoning decisions for areas within and adjacent to the WPA study area.

*Conservation Policy 3.1-d:* The County, in close coordination with the South Florida Water Management District and other environmental regulatory and planning agencies, shall encourage that wetland mitigation, environmental protection and water management efforts support and optimize the functions of the East Coast Buffer and the Water Preserve Areas.

Consistent with these policies, the WPAs were incorporated and integrated into the Ag Reserve Master Plan and are shown on the Ag Reserve Master Plan graphics.

#### **4.1.1 Land Acquisition**

Implementation of the WPA concept in the Ag Reserve will require land purchases. The SFWMD has made acquisition of lands suited for WPA development throughout South Florida a priority of its Save Our Rivers Program. Recognizing this, the Consultants recommended that the County should not compete with the SFWMD for lands identified for acquisition through the WPA Feasibility Study, but should focus its acquisition efforts outside of those areas, given that such a competition would serve only to increase the cost of the lands in the WPA footprint.

County staff did not concur in this recommendation, but joined with the Conservation Land Acquisition Selection Committee in recommending that the County cooperatively work with the SFWMD on land acquisitions in the Ag Reserve. Staff noted that the SFWMD has previously indicated that it will not eliminate the density associated with any lands in the County which it acquires, but will seek to recover some of its investment by using the development rights associated with acquired lands in the County's Transfer of Development Rights Program. County participation in joint acquisitions in the Ag Reserve, however, would result in the elimination of those units, given the BCC direction to eliminate the density associated with any acquisitions in which the County is a partner. The County Consultant on grants, Langton Associates, has

confirmed that participating with the SFWMD on acquisitions could create opportunities to extend the County's land acquisition dollars with matching grant dollars.

The BCC concurred in the staff recommendation.

**Action:** Explore opportunities for the County to partner with the SFWMD on land acquisition for the WPAs.

**Responsible Parties:** The Conservation Fund, working with the Planning Division, the Department of Environmental Resources Management and the Property and Real Estate Management Division, through the Conservation Land Acquisition Selection Committee, and the South Florida Water Management District.

#### **4.1.2 Water Preserve Areas and the Preserve Areas of AgR-PDDs**

Although the WPAs are not explicitly acknowledged in the portions of the Comprehensive Plan dealing with the Ag Reserve, because of the commitments made in the Conservation Element, the provisions of the Unified Land Development Code which address development in the Ag Reserve acknowledged the ability to use the preserve areas of Ag Reserve- Planned Developments (AgR-PDDs) for water preserve areas. While the intent was to ensure that these preserve areas could be used by the SFWMD, the lack of specificity has enabled AgR-PDDs to design water features which serve as an amenity to the development in their preserve areas, without consideration of whether the feature would actually benefit the SFWMD's WPAs.

**Action:** Amend the Comprehensive Plan to explicitly permit the preserve areas of an AgR-PDD to be used as a component of the WPAs as designated by the SFWMD, with subsequent amendments to Section 6.8.c. of the Unified Land Development Code.

**Responsible Parties:** The Planning Division and the Zoning Division.

#### **4.1.3 Water Preserve Areas and the State Park**

The Master Plan graphics portray the State Park in the southern portion of the SFWMD's existing WPA boundaries, suggesting a modification of the 1,600 acre reservoir called for the SFWMD into a more regular shape, which should enable this reservoir to be built in a more efficient and less costly manner. Development of a State Park on this site would shift the WPA north onto land currently owned by the federal government and managed by the U.S. Fish and Wildlife Service as part of the Arthur R. Marshall Loxahatchee National Wildlife Refuge. From very preliminary discussions with SFWMD staff, the graphic depiction of the reservoir appears to be viable, contingent upon the federal government agreeing and transferring the necessary lands to the SFWMD, so that the reservoir footprint can maintain its current shape.

**Action:** Explore opportunities for land swaps between the South Florida Water Management District and the U.S. Fish and Wildlife Service to facilitate development of a State Park. These efforts should be coordinated with the Department of Environmental Protection, Division of Recreation and Parks.

**Responsible Parties:** The South Florida Water Management District, with the County Department of Parks and Recreation monitoring the efforts.

## 4.2 Integrated Water Management System

The Master Plan graphics depict a system of interconnected canals, lakes, and waterways that are different from the current system of canals operated and maintained by the Lake Worth Drainage District. The integrated water management system shown on the graphic was recommended by the Consultants at the urging of the SFWMD. The SFWMD proposed this system as a way to develop a more aesthetically pleasing system of canals and waterways that would also assist in water deliveries to the WPAs without detracting from the Lake Worth Drainage District's responsibilities for operation and maintenance of their canal system to provide drainage and water supply.

Subsequently, as this report was being prepared, the SFWMD advised the County that they were unable to take a lead in assessing the feasibility of such a system. The SFWMD did indicate that they would provide technical assistance to the Lake Worth Drainage District and/or the County, should either of them choose to pursue this system. A copy of the SFWMD letter is included in Appendix D.

**Action:** The technical feasibility of the integrated water management system must be evaluated.

**Responsible Parties:** It is unclear who would have responsibility for this project given the SFWMD's decision not to take a lead role. Originally proposed by the SFWMD, it was anticipated that this would be a joint effort of the SFWMD and the Lake Worth Drainage District with the County participating through the Engineering and Water Utilities Departments.

## 4.3 Turnpike Aquifer Protection Overlay (TAPO)

The Turnpike Aquifer Protection Overlay (TAPO) is an area within southern Palm Beach County where, to ensure protection of natural groundwater recharge areas; minimize potential adverse impacts on the aquifer; and, prevent the continuing loss of prime water supply sites, land uses are restricted and developments can be required to identify and dedicate water supply sites. Currently, the TAPO extends west to the eastern edge of the Florida Turnpike. The *Southeastern Palm Beach County Water Resources Strategy* recommended that the County consider expanding the TAPO into the Ag Reserve to take advantage of the highly productive portion of the underlying surficial aquifer and to secure future well sites for increased water demand and capacity requirements.

**Action:** Amend Land Use Policy 5.5-a of the Comprehensive Plan and the Future Land Use Atlas to extend the TAPO to the eastern boundary of the proposed alignment of Lyons Road, as shown on Figure 4-3. Subsequent revisions to the Unified Land Development Code will also be required.

**Responsible Party:** The Planning Division, working with the Water Utilities Department.

**TURNPIKE AQUIFER PROTECTION OVERLAY (TAPO)  
AND PROPOSED BOUNDARY EXTENSION**

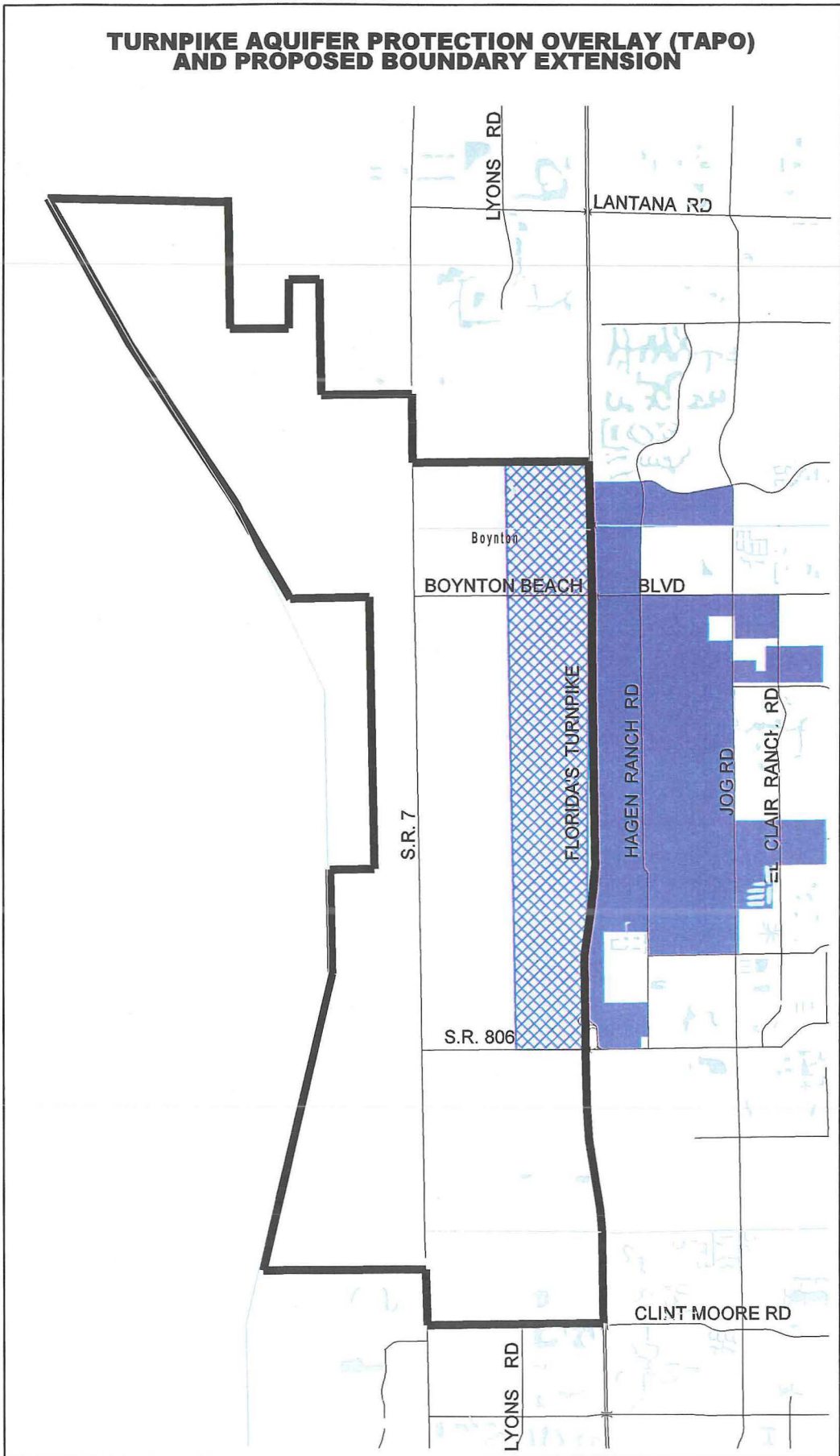


Figure 4-3

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NOTE: MAP IS NOT OFFICIAL, FOR PRESENTATION PURPOSES ONLY.

EXISTING TURNPIKE AQUIFER PROTECTION OVERLAY DISTRICT (TAPO)



PROPOSED TURNPIKE AQUIFER PROTECTION OVERLAY BOUNDARY EXTENSION



AG RESERVE



Scale: n.t.s.  
Revision Date: 10/03/00  
Filename: agtapo.dgn  
Contact: r.lubber





## Chapter 5

### Options to Produce a Master Development Plan

*To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and **produce a master development plan compatible with these goals.***

This goal provides assurance of the ability of property owners in the Ag Reserve to use their existing development rights in a more sustainable fashion than may be the case under existing regulations. The County has previously conveyed multiple rights to property owners in the Ag Reserve, and is committed to not taking those rights away. At the same time, the County does want to ensure the preservation of agriculture in the area as well as the protection of environmental features and the enhancement of water resource features.

The Ag Reserve was formally designated in 1980 with the adoption of the County's 1980 Comprehensive Plan. Property owners were given the option of developing their land at a gross density of one unit per five acres or, if they held a minimum of 40 acres, achieving a gross density of one unit per acre if the development was clustered on no more than 20% of the total area. To encourage preservation of the area for agriculture, it was also designated as a sending area for development rights through a Transfer of Development Rights (TDR) Program at a sending rate of four units per five acres (0.8 units per acre)

With the adoption of the County's 1989 Comprehensive Plan, the provisions of the Ag Reserve were largely retained. The Board of County Commissioners (BCC) imposed a moratorium on development in the Ag Reserve, however, to permit additional studies examining the viability of agriculture and potential development scenarios.

In 1995, the BCC lifted the moratorium on development in the Ag Reserve. The TDR transfer rate was increased to one unit per acre and an additional development option was incorporated into the Comprehensive Plan for use on properties with frontage on Atlantic Avenue, Boynton Beach Boulevard, Clint Moore Road, Lyons Road north of Boynton Beach Boulevard, or the east side of State Road 7. This option permitted development at a gross density of one unit per acre if the property proposed for development was a minimum of 250 acres and the development was clustered on no more than 40% of the total area. Restrictions were also placed upon the remaining 60% of the property, which was designated as a preserve area. Preserve areas were not required to be contiguous with the developed area, but were required to be a minimum of 150 contiguous acres. Uses on the preserve areas were restricted to agriculture or the land was required to lie fallow.

The 1995 revisions to the Comprehensive Plan also acknowledged the existence of several commercial uses in the Ag Reserve, which were permitted to relocate and expand one time if such relocation was required as a result of the State's expansion of State Road 7. The potential need for additional commercial services in the Ag Reserve was acknowledged through provisions for a Community Commercial Services Overlay (CCSO) in the vicinity of State Road 7 and Atlantic

Avenue; the CCSO was not explicitly designated in the Comprehensive Plan and attempts to designate it in the Unified Land Development Code were unsuccessful.

The first development to utilize the new 60-40 option was the Delray Training Center PUD (aka, Mizner Country Club) in 1997, followed by the Rainbow PUD (aka Foxhill Estates) in 1998. As developers employed the new regulations governing these developments, the County and the developers began to identify unforeseen problems with the regulations. These problems included stripping out the identified roads with developments which were isolated from one another with extensive buffers and restrictions on access. Further, the sites identified as suited for development bore little relationship to land values, with the result that property owners were being asked to continue agricultural activities on some of the most valuable lands in the Ag Reserve while less valuable land was allowed to develop.

While these problems with the allowable residential development pattern were being identified, owners of less than the 250 acres required for a 60/40 development expressed concern that the acreage requirement created inequities. They noted that the smaller properties were required to set aside 80% of their land while larger property owners could set aside only 60% of the land. The impact was especially obvious as property size began to increase; a 200-acre property was required to set aside 80% of its land area, or 160 acres, while a 250-acre parcel was actually permitted to develop setting aside less land (150 acres) for preservation.

Equally problematic was the extreme limitations on non-agricultural, non-residential uses in the Ag Reserve. The limitation on commercial uses described in the Comprehensive Plan ensured that the residential uses would not have ready access to the commercial uses which it would require, a fact that was substantiated by the *Commercial Needs Assessment* prepared by the County in 1999. The prohibition on such support uses as schools, fire stations, and libraries in an area with a growing demand as a result of residential development was also seen as a problem.

A final problem identified was the prohibition on free-standing golf courses in the Ag Reserve. The County was approached in 1998 by a developer seeking to build such a free-standing golf course but withdrew from the project when told that the existing requirements mandated development of housing in addition to the golf course.

Frustrated by the problems with the Ag Reserve provisions of the Comprehensive Plan, the BCC directed that, after exploring options to preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, a master plan for a more sustainable development pattern consistent with the elements of the County's Managed Growth Tier System should be developed.

Criteria used to evaluate the development options associated with the Master Plan included impacts on the road network, the mix of uses, the amount of open space vistas from roads, and the cost to the taxpayers of providing infrastructure and services to development in the area.

## **5.1 Residential Development**

### **5.1.1 Residential Densities**

A variety of modifications to the provisions of the Comprehensive Plan involving densities in the Ag Reserve were considered during the preparation of the Master Plan. These provisions were considered by the Consultants and the County as a means of equalizing land values between those properties given development opportunities and those which were more limited in their options.

The Consultant suggested increasing the densities property owners west of State Road 7 could transfer to the east where they could be used as part of an AgR-PDD from one unit per acre to 1½ units per acre. This option was rejected by the BCC at the time that they authorized the bond referendum on land acquisition in the area. The BCC committed that, if the bond referendum was approved, the County would use the proceeds of the bond to reduce the number of potential new units in the Ag Reserve below the 14,000 which then existed by acquiring the land and its development rights.

#### **5.1.1.a Retiring Density - County-Owned Land**

The BCC committed that the County would strip the development rights from all lands acquired using the proceeds of the bond referendum. Consistent with that commitment, in early 2000, the BCC directed the Planning Division to initiate amendments to the Future Land Use Atlas of the Comprehensive Plan designating County-owned lands in the Ag Reserve as Ag Reserve - Preserve Areas to eliminate the density associated with the property. As part of Comprehensive Plan Amendment Round 00-2, the BCC adopted an amendment designating 459.48 acres representing 456 residential development rights a Ag Reserve - Preserve Area, eliminating those development rights.

**Action:** Amend the Future Land Use Atlas of the Comprehensive Plan to designate all lands acquired by the County in the Ag Reserve using the proceeds of the 1999 bond referendum as Ag Reserve - Preserve Areas to eliminate the density associated with the property.

**Responsible Party:** The Planning Division.

#### **5.1.1.b Retiring Density - AgR-PDD Preserve Areas**

An issue has arisen in the past associated with density and the approval of Ag Reserve-Planned Developments (AgR-PDD). The existing regulations permit the developer of an AgR-PDD to achieve a density equivalent to one unit per acre, including the development rights associated with both the developed and preserve areas. In an effort to build community support for their projects, the agents representing projects in the Ag Reserve have regularly noted how few of the units available to the project are being used. Once the project has been approved, however, the agents have announced their intention to utilize additional development rights associated with the land used for the project.

The 60/40 development option should also be modified to require a developer utilizing it to declare, as part of the submittal of an application for development approval how many of the potential development rights associated with the preserve area will be utilized, with the remainder being retired.

**Action:** Revise the Unified Land Development Code to require the maximum number of units (potential development rights) for the project at completion be declared at the time of approval, with the remainder of the development rights associated with the property retired.

**Responsible Party:** The Zoning Division.

### 5.1.1.c Density Bonuses

The 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. The density bonus suggested by the Consultant was permission to utilize the same one unit per acre allowed in an AgR-PDD, mimicking the County's existing provisions for a Multiple Land Use (Land Use Sub-Objective 2.2.11 of the Comprehensive Plan).

Staff dissented with this recommendation, noting that it was inconsistent with other recommendations which called for no density bonuses in the Ag Reserve. Staff also suggested that giving even 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 Ag Reserve through land acquisitions.

The BCC concurred in the staff recommendation and directed that densities remain at the levels they were set at in 1980. The base density continues to be one unit per five acres with property owners given the opportunity to increase densities to a gross density of one unit per acre if they utilize one of the two clustered planned development options available to them - the 80/20 option or the 60/40 option.

**Action:** None

**Responsible Party:** None

### 5.1.2 Location of Clustered Residential Developments

The existing regulations for the Ag Reserve limit use of the clustered residential development options to properties which front on Atlantic Avenue, Boynton Beach Boulevard, Clint Moore Road, Lyons Road north of Boynton Beach Boulevard, or the east side of State Road 7. The long term effect of this locational restriction was viewed as detrimental to agriculture, which, because of the nature of some agricultural practices and the significant water control variations between agriculture and urban development,<sup>5</sup> requires some separation from residential uses.

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<sup>5</sup>

Agriculture offers opportunities for greater flexibility in water management, including offering opportunities to hold water for longer durations and in greater amounts during some seasons.

Recognizing the differences in land valuations between the northern portion of the Ag Reserve (north of Boynton Beach Boulevard) and the southern portion (south of Atlantic Avenue), and the desirability of protecting the central portion of the Ag Reserve east of State Road 7 as the core of a critical mass for agriculture, the Consultants recommended that Lyons Road south of Atlantic Avenue be added to the list of roads along which clustered development could be allowed. Such an addition would offer developers an additional location on which to utilize the existing development rights of property owners in the Ag Reserve and help protect the critical mass of the central portion of the Ag Reserve.

**Action:** Amend the Comprehensive Plan, and subsequently revise the Unified Land Development Code, to add Lyons Road south of Atlantic Avenue as an appropriate location for use of the clustered residential development options.

**Responsible Party:** The Planning Division and the Zoning Division.

### **5.1.3 Acreage Requirements of Clustered Residential Developments**

Owners of less than the 250 acres required for a 60/40 AgR-PDD expressed concern that the acreage requirement created inequities. They noted that no developers had attempted to utilize the 80/20 AgR-PDD option, suggesting that this was evidence of the inequity between the requirement that small property owners must set aside 80% of their land rather than the 60% required for larger properties.

Charged specifically with addressing this issue, the Consultants recommended that the threshold size for a 60/40 AgR-PDD be lowered to 100 acres to reduce the perceived inequities. To ensure that the smaller preserve areas which would result from this modification were in locations conducive to agricultural preservation, the Consultants recommended that off-site preserve areas be restricted to west of State Road 7 or in the central core of the Ag Reserve east of State Road 7.

Staff did not concur in this recommendation, noting that since the BCC had asked that the perceived inequities be addressed in the Ag Reserve Master Plan, one project, La Rivage, had been approved as an 80/20 AgR-PDD on 40.7 acres. This approval suggested that the lack of prior approvals of 80/20 AgR-PDDs may be more attributable to market forces than to perceived inequities which may not be real. Accordingly, staff recommended no change in the acreage requirements for an AgR-PDD.

The BCC concurred in the staff recommendation.

**Action:** None.

**Responsible Party:** None.

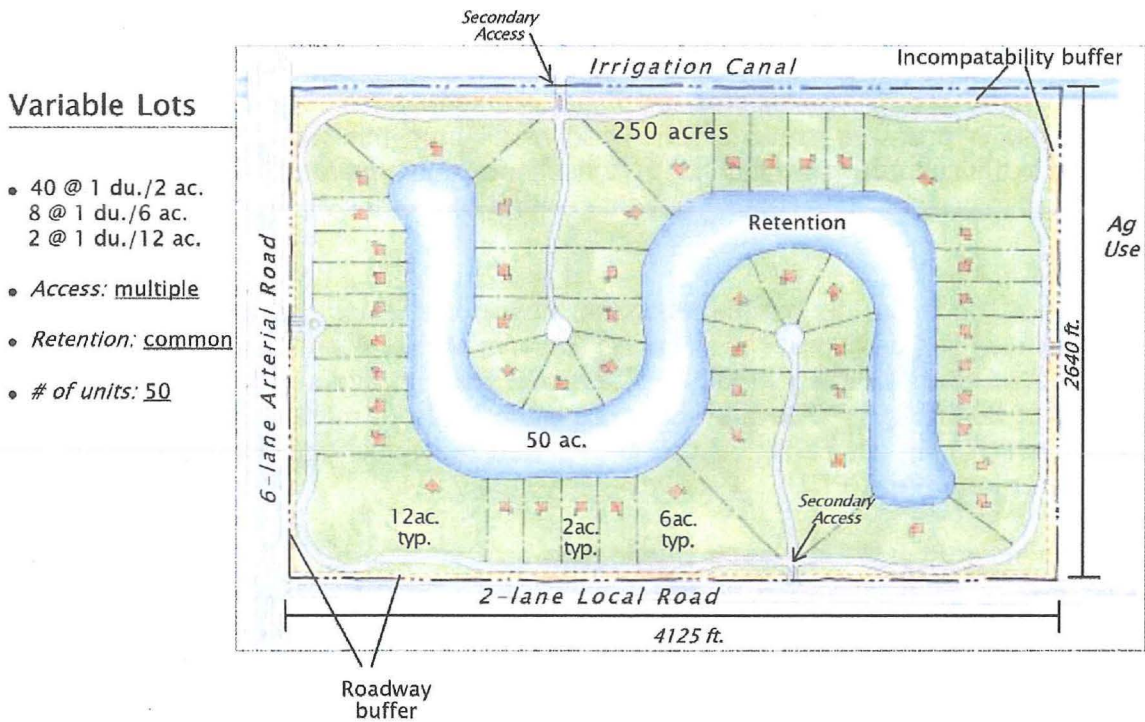
## 5.1.4 Residential Development Design

### 5.1.4.a Subdivisions

The Consultants recommended revising the minimum lot size requirements for straight subdivisions in the Ag Reserve, noting that the Urban Land Institute (ULI) recommended variable lot sizes within subdivisions as a tool for encouraging equestrian development. The Consultants recommended following the ULI guidelines, which included lots as small as 1/4 acre, so long as the density in the Ag Reserve (one unit per five acres) was not exceeded.

Staff generally concurred in the Consultants' recommendation for variable lot sizes, but recommended that the minimum lot allowed be two acres to preserve the rural character of the area and permit use of on-site well and sewage disposal systems. Staff also recommended allowing these subdivisions be permitted to utilize a single lake as the water retention area for the entire subdivision, rather than individual ponds on each lot. In order to conceptually illustrate one way in which these recommendations could be applied to a lot, staff created the graphic shown below.

**Figure 5-1**  
**Conceptual Subdivision Option**



**Action:** Revise the Unified Land Development Code to permit variable lot sizes in the Ag Reserve, with a minimum lot size of two acres, within a subdivision, provided that the gross density of the development does not exceed the one unit per five acres established in the Comprehensive Plan.



The revisions should also permit use of a centralized water retention system serving the entire subdivision.

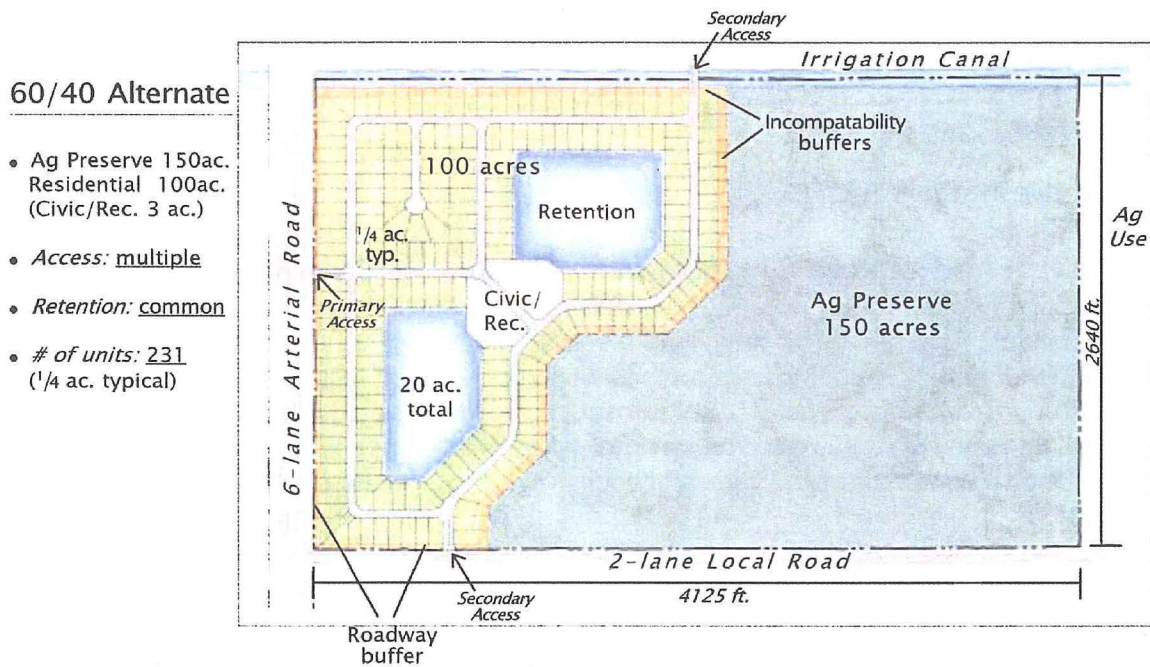
**Responsible Party:** The Zoning Division.

### 5.1.4.b Ag Reserve Clustered Developments

Concerns about the requirements imposed on Ag Reserve Planned Developments, which require a clustering of development rights, was a major factor in the decision by the BCC to initiate the Ag Reserve Master Plan. The Consultants, therefore, made a number of recommendations regarding modifications to these requirements.

Staff reviewed all of the recommendations of the Consultants, concurring in some and dissenting in others; the action directed by the BCC to each recommendation is identified below. The graphic shown in Figure 5-2 represents a conceptual design of a residential Ag Reserve Planned Development, employing all of the modifications to the existing requirements supported by the BCC.

**Figure 5-2  
Conceptual Clustered Development Option**



#### 5.1.4.b(1) Ag Reserve Planned Residential Developments

The Consultant recommended establishing a new zoning district for Ag Reserve - Planned Residential Developments (AgR-PRDs) and not permitting new developments to utilize the existing Ag Reserve - Planned Development District (AgR-PDD) concept. Staff did not concur with this

recommendation, suggesting that the new requirements established in the Unified Land Development Code simply be applied to all new AgR-PDDs.

The BCC concurred in the staff recommendation.

**Action:** None.

**Responsible Party:** None.

#### **5.1.4.b(2) Ag Reserve Clustered Developments - Housing Types**

The Consultants recommended that the range of housing within an Ag Reserve Planned Development be increased from the standard requirements of the Unified Land Development Code. In an effort to ensure a greater diversity of housing types in the Ag Reserve, the consultants recommended that the standard be changed to require additional unit type after the first 5 acres and 10 units within a development.

Staff did not concur in this recommendation, agreeing with many developers and agents that this change seemed excessive. Staff recommended making no change in the current provisions of the Unified Land Development Code, which require an additional unit type after the first 75 acres and 300 units in a development.

The BCC concurred in the staff recommendation.

**Action:** None

**Responsible Party:** None.

#### **5.1.4.b(3) Ag Reserve Clustered Developments - Nonresidential Uses**

The Consultants recommended permitting a variety of nonresidential uses within an Ag Reserve Planned Development, including uses such as a convenience store, a daycare center, a community center, and a restaurant. The Consultant recommended that these uses be allowed in the residential developments if located on designated collector roads at intervals no less than ½ mile and provide direct pedestrian and vehicular access to the residential development within which they were located.

Staff did not concur in this recommendation. Staff recommended that nonresidential, nonagricultural uses intended to serve more than the immediate area of a development be limited to the mixed use centers in the Ag Reserve and not allowed in residential developments. Staff recommended that the only nonresidential uses allowed in residential Ag Reserve Planned Developments be limited to those institutional uses which the County allows in residential developments outside of the Ag Reserve, consistent with the provisions of Land Use policy 1.2.1-g.

The BCC concurred in the staff recommendation.

**Action:** Amend the Comprehensive Plan, and subsequently the Unified Land Development Code, to permit the nonresidential uses typically allowed in residential developments in the Urban/Suburban Tier in the Ag Reserve, provided that the uses are located to serve primarily the residential development within which it is located.

**Responsible Party:** The Planning Division and the Zoning Division.

#### **5.1.4.b(4) Ag Reserve Clustered Developments Street Network**

##### **5.1.4.b(4)(a) Ag Reserve Clustered Developments Street Network - Interconnected Streets**

The Consultants recommended requiring one stub street every 1/4 mile in each of the four cardinal directions be required, unless the property adjacent to the development was a designated preserve area, for all new Ag Reserve Planned Developments to provide opportunities for a network of streets and reduce the impact of traffic on the major roads in the Ag Reserve. As recommended, the stub streets would be required to extend to the property line of the development with future adjoining developments required to connect to those stub streets.

Staff concurred in the recommendation to require stub streets in each of the four cardinal directions, but expressed concern that requiring the streets at 1/4 mile intervals was too urban a pattern for the rural character of the Ag Reserve.

The BCC concurred in the staff recommendation.

**Action:** Amend the Comprehensive Plan, and subsequently the Unified Land Development Code, to require at least one stub street in each of the four cardinal directions, unless the property is adjacent to a designated preserve area, in all Ag Reserve Planned Developments with new developments required to connect to existing stub streets.

**Responsible Party:** The Planning Division and the Zoning Division.

##### **5.1.4.b(4)(b) Ag Reserve Clustered Developments Street Network - Cul-de-Sacs**

The Consultants recommended an absolute prohibition against cul-de-sacs in Ag Reserve Planned Developments. Staff did not concur in this recommendation, noting that cul-de-sacs were typically a problem only if a development consisted of a single access road with multiple cul-de-sacs feeding off of it. Developments designed to emphasize cul-de-sacs over other varieties of streets was acknowledged as a problem, but staff recommended focusing on requiring interconnectivity of developed areas rather than a prohibition on a single variety of street.

The BCC concurred in the staff recommendation.

**Action:** None

**Responsible Party:** None.

#### **5.1.4.b(5) Ag Reserve Clustered Developments - Buffers**

The Consultants recommended revising the buffer requirements of Ag Reserve Planned Developments to permit reductions in buffers where the developed area was adjacent to canals or other water features to avoid wasteful dedication of land that served no real purpose.

**Action:** Revise the Unified Land Development Code to permit reductions in buffers adjacent to canals or other water features.

**Responsible Party:** The Zoning Division.

#### **5.1.4.b(6) Ag Reserve Clustered Developments - Water Features**

The Consultants recommended eliminating the requirement that water features of an Ag Reserve Planned Development be located to serve as an additional buffer. They noted that, in addition to preventing the water features from being used as an amenity within developments, this requirement discouraged the potential to provide interconnections between developments, forcing more traffic onto the County road network.

**Action:** Amend the Comprehensive Plan, and subsequently the Unified Land Development Code, to eliminate the requirement that water features in an Ag Reserve Planned Development be located adjacent to the buffers of the development.

**Responsible Party:** The Planning Division and the Zoning Division.

#### **5.1.4.b(7) Ag Reserve Clustered Developments Preserve Areas**

##### **5.1.4.b(7)(a) Ag Reserve Clustered Developments Preserve Areas - Golf Courses**

The Consultants recommended permitting golf courses to be located on up to 1/4 of the area of the designated preserve areas of Ag Reserve Planned Developments, if the entire preserve area was contiguous to the developed area and the golf course was designed as a core course and did not have fairways interspersed between house lots. In making this recommendation, the Consultants noted that a golf course did provide visual open space, and thus satisfied one of the goals of the County in the Ag Reserve.

Staff did not concur in this recommendation, noting that a golf course was an amenity designed to enhance the value of the developed area and did not contribute to the enhancement of agriculture or of environmental and water resource values in the Ag Reserve.

The BCC concurred in the staff recommendation.

**Action:** None.

**Responsible Party:** None.

#### **5.1.4.b(7)(b) Ag Reserve Clustered Developments Preserve Areas - Management**

Management of the preserve areas of Ag Reserve Planned Developments so that they do not become infested with invasive exotic species is essential to the protection of the environmentally sensitive areas within the Ag Reserve and immediately adjacent to it. This is especially critical in those areas where the developer of an AgR-PDD intends to allow the preserve area to lie fallow because no active use of the land has been identified and the land has been previously disturbed by agricultural practices.

**Action:** Revise the Unified Land Development Code to require the preparation of a management plan for the preserve areas of an AgR-PDD, with the management plan to the Department of Environmental Resources Management and/or the Cooperative Extension Service for review as part of the application materials for the AgR-PDD.

**Responsible Party:** The Zoning Division.

## **5.2 Commercial Development**

The existing regulations for the Ag Reserve preclude nonagricultural, nonresidential uses. This exclusion does not lend itself to a sustainable pattern of development, which requires a mix of residential and nonresidential uses. Accordingly, the Consultants recommended that limited commercial uses, designed to serve neighborhoods rather than regions, be allowed in the Ag Reserve, in areas which they described as mixed use centers.

**Action:** Amend the Comprehensive Plan to permit Commercial Low and Commercial Low - Office future land use designations in the Ag Reserve provided such uses are located in appropriate locations.

**Responsible Party:** The Planning Division.

### **5.2.1 Commercial Intensity**

The Consultants recommended that the maximum intensity of development in the mixed use centers be 40% of the total area of the project, including both the developed area and the preserve area.

**Action:** Amend Land Use Policy 2.1-b, including specifically Table 2.1.2, of the Comprehensive Plan to establish the allowable density for the mixed use centers in the Ag Reserve. This will require subsequent amendments to the Unified Land Development Code

**Responsible Party:** The Planning Division and the Zoning Division.

## 5.2.2 Commercial Locations

### 5.2.2.a The Community Commercial Services Overlay

The Comprehensive Plan called for the creation of a Community Commercial Service overlay (CCSO) in the vicinity of Atlantic Avenue and State Road 7. During development of the Unified Land Development Code provisions for the Ag Reserve, much of the discussion before the Citizens Task Force (CTF) centered upon the exact location of the CCSO. After the CTF made its recommendation, consultants for developers requested that the BCC designate alternative areas for the CCSO. The BCC directed that the Consultants recommend the appropriate location for the CCSO.

The Consultants recommended that the CCSO be designated only as the southwest quadrant of the intersection of Atlantic Avenue and State Road 7, where a Post Office and existing commercial uses were located. This recommendation was intended to ensure that additional commercial uses in the Ag Reserve be restricted to the mixed use centers where additional guidelines could be established so that the additional commercial development would comply with the goals and objectives of the Ag Reserve Master Plan.

**Action:** Revise the Unified Land Development Code to designate only the existing commercial and institutional uses in the southwest quadrant of the intersection of Atlantic Avenue and State Road 7 as the CCSO.

**Responsible Party:** The Zoning Division.

### 5.2.2.b Mixed Use Centers

The Consultants recommended that the mixed use centers, where the neighborhood serving commercial uses should be available, should be located in the interior of the Ag Reserve, away from State Road 7 and away from the edges of the Ag Reserve where they would be more likely to draw customers from outside of the Ag Reserve. The Consultants recommended that the mixed use centers be restricted to within 1/4 mile of the intersections of Lyons Road and Boynton Beach Boulevard and of Lyons Road and Atlantic Avenue.

**Action:** Amend the Comprehensive Plan to restrict the area within which an applicant may request a Commercial Low or Commercial Low - Office designation.

**Responsible Party:** The Planning Division.

## 5.2.3 Commercial Development Acreage Requirements

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.

**Action:** Amend the Comprehensive Plan, and subsequently the Unified Land Development Code, to establish a 60/40 development option for commercial properties in the Ag Reserve.

**Responsible Party:** The Planning Division and the Zoning Division.

## 5.2.4 Commercial Development Design

### 5.2.4.a Traditional Marketplace Development

The Consultants recommended that all commercial development in the mixed use centers be required to utilize the Traditional Marketplace Development pattern generally described in Land Use policy 1.2.1-d of the Comprehensive Plan. They further recommended that design criteria be established for the mixed use centers to ensure that, in the Ag Reserve, they reflected a rural character. The Consultants specifically recommended that the design criteria address setbacks, landscaping, fence types, and building details.

Staff did not concur in this recommendation, suggesting that the Traditional Marketplace should be one option available to developers, but not the required form of commercial development in the Ag Reserve.

The BCC did not support the staff recommendation and directed that the Traditional Marketplace with a rural character be the only form allowed in the Ag Reserve mixed use centers. Staff was directed to make development of these guidelines a priority in the development of the Unified land Development Code provisions for the Ag Reserve so that they could be reviewed in conjunction with the amended Comprehensive Plan provisions of the Ag Reserve.

**Action:** Revise the Unified Land Development Code to provide standards for a rural character Traditional Marketplace Development within the Ag Reserve and amend the Comprehensive Plan to require use of this form for all commercial development in the Ag Reserve outside of the CCSO.

**Responsible Parties:** The Zoning Division and the Planning Division.

### 5.2.4.b Traditional Marketplace Commercial Uses

#### 5.2.4.b(1) Traditional Marketplace Commercial Uses - Suggested Uses

The Consultants identified the following list of Neighborhood Serving and Specialty Retail Uses which they recommended be allowed in commercially designated areas in the Ag Reserve:

Antique and Crafts Shops  
Agriculture, Commercial  
Animal Kennel  
Art Galleries  
Athletic/Health Clubs, Gyms

Auction House  
Bakery, Retail and Wholesale  
Banks, excluding drive-in teller service  
Barber, Beauty Shops  
Barbeque Stands/Pits, upon approval

Bars, Lounges  
 Bed and Breakfast Inns  
 Bookstores  
 Cabinet, Carpenter Shops  
 Car Wash  
 Catering  
 Child Day Care Centers, Nursery  
 Clothing  
 Convenience Store  
 Delicatessen  
 Dry Cleaning, Laundry  
 Electronics, Appliances and Repair  
 Flea Market, enclosed and open air  
 Florist, Plant Shop  
 Furniture Stores  
 Games Room, Arcade, Pool Hall  
 Gas Stations  
 Gift Shops  
 Grocery/Supermarket  
 Hardware/Home Improvement Stores

Junior Department Stores  
 Karate School  
 Locksmith  
 Newsstands  
 Office Supply and Equipment  
 Package Stores  
 Personal Services  
 Pet Shops and Dog Grooming  
 Pharmacy, Drug Store  
 Photographic Studio  
 Record/CD Stores  
 Retail  
 Restaurants, fast food, no drive-thru  
 Restaurants  
 Studios for Artists and Musicians  
 Tailor Shops  
 Upholstery and Furniture Repair Shop  
 Veterinarian Clinic  
 Video, and DVD Rentals/Sales  
 Western Wear/Tack Store

The Consultants identified the following list of Entertainment Uses which they recommended be allowed in commercially designated areas in the Ag Reserve:

Aquatic Centers  
 Arenas  
 Bowling Alleys

Cinemas  
 Skating  
 Theater, Community

The Consultants identified the following list of Office Uses which they recommended be allowed in commercially designated areas in the Ag Reserve:

Data Information Processing  
 Employment Service  
 Financial Services  
 Government Services

Medical  
 Professional  
 Real Estate

Staff, after reviewing the recommended uses, suggested that they be revisited during development of the Unified Land Development Code provisions for the Ag Reserve. Several of the uses suggested by the Consultants were felt to be too intense for an area where the goal was the preservation and enhancement of agriculture with nonresidential, nonagricultural uses limited to serving the residents of the immediate area. Staff recommended that, consistent with the recommendations of the *Commercial Needs Assessment* for the Sector Plan area, nonresidential, nonagricultural uses in the Ag Reserve should be limited to serving only the demand of residents of the Ag Reserve at the neighborhood and community level; all other demands of residents of the Ag Reserve should be met in the Urban/Suburban Tier and not in the Ag Reserve.

The BCC concurred in the staff recommendation.

**Action:** Develop a list of neighborhood oriented uses appropriate for the Ag Reserve during development of the provisions of the Unified land Development Code.

**Responsible Party:** The Zoning Division.

#### **5.2.4.b(2) Traditional Marketplace Commercial Uses - Billboards**

Describing billboards as visual clutter, the Consultants recommended that no new billboards be allowed in the Ag Reserve. The ability to regulate billboards throughout the County was the subject of a settlement agreement between the County and the outdoor advertising industry. The Unified Land Development Code prohibits billboards in agricultural and residential districts, but allows them in commercial districts. The Unified Land Development Code provisions for the Traditional Marketplace should include a prohibition on billboards.

**Action:** Revise the Unified Land Development Code to prohibit billboards in the Traditional Marketplace in the Ag Reserve.

**Responsible Party:** The Zoning Division.

#### **5.2.4.c Traditional Marketplace - Residential Uses**

The Consultants recommended encouraging residential uses in the mixed use centers by permitting use of one residential dwelling unit per acre in addition to the nonresidential uses allowed in these areas, provided that the residential units were vertically integrated with the nonresidential uses. The Consultants noted that this type of incentive would encourage affordable housing in the Ag Reserve and reduce traffic in the mixed use centers.

Staff, while acknowledging the value of incorporating residential uses in the mixed use centers, noted that the use of residential units in addition to the nonresidential uses, was inconsistent with the BCC direction to provide no density bonuses in the Ag Reserve.

The BCC directed that no density bonuses be allowed in the mixed use centers.

**Action:** None

**Responsible Party:** None.

#### **5.2.4.d Traditional Marketplace Street Network**

##### **5.2.4.d(1) Traditional Marketplace Street Network - Interconnected Streets**

The Consultants recommended requiring one stub street every 1/4 mile in each of the four cardinal directions be required, unless the property adjacent to the development was a designated preserve area, for all commercial development in the mixed use centers to provide opportunities for a network of streets and reduce the impact of traffic on the major roads in the Ag Reserve. As recommended, the stub streets would be required to extend to the property line of the development with future adjoining developments required to connect to those stub streets.

Staff concurred in the recommendation to require stub streets in each of the four cardinal directions, but expressed concern that requiring the streets at 1/4 mile intervals was too urban a pattern for the rural character of the Ag Reserve.

The BCC concurred in the staff recommendation.

**Action:** Amend the Comprehensive Plan, and subsequently the Unified Land Development Code, to require at least one stub street in each of the four cardinal directions, unless the property is adjacent to a designated preserve area, in all commercial developments outside of the CCSO in the Ag Reserve with new developments required to connect to existing stub streets.

**Responsible Party:** The Planning Division.

#### **5.2.4.d(2) Traditional Marketplace Street Network - Cul-de-Sacs**

The Consultants recommended an absolute prohibition against cul-de-sacs in the Ag Reserve. Staff did not concur in this recommendation, noting that cul-de-sacs were typically a problem only if a development consisted of a single access road with multiple cul-de-sacs feeding off of it. Developments designed to emphasize cul-de-sacs over other varieties of streets was acknowledged as a problem, but staff recommended focusing on requiring interconnectivity of developed areas rather than a prohibition on a single variety of street.

The BCC concurred in the staff recommendation.

**Action:** None

**Responsible Party:** None.

#### **5.2.4.d(3) Traditional Marketplace Street Network - On-Street Parking**

The Consultants recommended that on-street parking be encouraged in the mixed use centers, by counting such parking toward the total parking requirement of the development, with the width of the space required for on-street parking reduced to eight feet.

**Action:** Revise the Unified Land Development Code to count on-street parking in the mixed use centers toward the total parking requirement of such centers.

**Responsible Party:** The Zoning Division.

#### **5.2.4.d(4) Traditional Marketplace Street Network - Streetscapes**

Landscaping along the streets of the mixed use centers should be limited to use of trees, planted between the roadway and the pedestrian or equestrian pathways. Hedges and continuous plant material discourages nonvehicular access to the centers.

**Action:** Revise the Unified Land Development Code to establish streetscape guidelines for the mixed use centers.

**Responsible Party:** The Zoning Division, in coordination with the Engineering Department.

#### **5.2.4.e. Traditional Marketplace - Buffers**

The Consultants recommended revising the Unified Land Development Code to establish buffer requirements for the mixed use centers. The requirements of compatibility buffers and perimeter landscaping should include provisions for pedestrian pathways, including gates in walls, at least every 400 feet to encourage pedestrian use of the mixed use centers.

**Action:** Revise the Unified Land Development Code to establish buffer requirements for mixed use centers.

**Responsible Party:** The Zoning Division.

#### **5.2.4.f. Traditional Marketplace Preserve Areas**

The Consultants recommended that the total preserve area requirement for commercial development in the mixed use centers be a minimum of 15 acres. They also recommended that the preserve areas of these developments, if not contiguous to the developed area, be located west of State Road 7 or in the central core of the Ag Reserve and contiguous to other designated preserve areas to ensure maintenance of a minimum area suitable for agriculture. As an option to encourage village squares and greens, the Consultants recommended that up to 10% of the total preserve area requirement be allowed within the developed area, and not necessarily contiguous to other preserve areas.

**Action:** Amend the Comprehensive Plan, and subsequently the Unified Land Development Code, to establish the requirements for preserve areas of commercial developments.

**Responsible Party:** The Planning Division and the Zoning Division.

#### **5.2.4.f(1) Traditional Marketplace Preserve Areas - Civic Uses**

Staff noted the identified need for civic uses, including schools, parks, fire stations, and law enforcement facilities. Staff recommended that the preserve areas of the commercial development be permitted to include these uses if the preserve area site was east of State Road 7 and contiguous to other developed areas.

The BCC concurred in the staff recommendation.

**Action:** Amend the Comprehensive Plan, and subsequently the Unified Land Development Code, to establish the guidelines for civic uses in the preserve areas of commercial developments.

**Responsible Party:** The Planning Division and the Zoning Division.

#### **5.2.4.f(2) Traditional Marketplace Preserve Areas - Management**

Management of the preserve areas of commercial development, other than that used for civic uses, so that they do not become infested with invasive exotic species is essential to the protection of the

environmentally sensitive areas within the Ag Reserve and immediately adjacent to it. This is especially critical in those areas where the developer of an Ag Reserve Traditional Marketplace intends to allow the preserve area to lie fallow because no active use of the land has been identified and the land has been previously disturbed by agricultural practices.

**Action:** Revise the Unified Land Development Code to require the preparation of a management plan for the preserve areas of a commercial development in the Ag Reserve, if the preserve area is not being used for civic uses, with the management plan to the Department of Environmental Resources Management and/or the Cooperative Extension Service for review as part of the application materials for the commercial development.

**Responsible Party:** The Zoning Division.

### 5.2.5 Commercial Development - Timing of Applications

The Consultant recommended that requests for commercial development be approved on a first-come, first-served basis.

Staff expressed concern that, given the limited need for this use, granting approvals on a first-come, first-served basis would create the kind of "California gold rush" that had caused the BCC concern in the State Road 7 corridor outside of the Ag Reserve. Staff recommended that no applications for commercial development be accepted until the 2001-2 Comprehensive Plan Amendment Round.

The BCC concurred in the staff recommendation to permit no applications for commercial development until the 2001-2 Amendment Round. The BCC further directed that all applications be required to submit a site plan showing how they would comply with the Unified Land Development Code provisions for the Traditional Marketplace Development in the Ag Reserve and reviewed against those guidelines as well as against one another. The BCC directed that staff then present the applications in the order in which they best met the guidelines, so that only the best projects could be approved.

**Action:** Amend the Comprehensive Plan to require submittal of a site plan showing how well a proposed project satisfied the requirements for an Ag Reserve Traditional Marketplace Development established in the Unified Land Development Code as part of the application materials for commercial Comprehensive Plan amendments in the Ag Reserve and cap the total amount of square footage which may be designated consistent with the Consultants' recommendations.

**Responsible Party:** The Planning Division.

## 5.3 Commercial Recreation Development

Noting that the preservation of open space was critical to sustainable development, opportunities for additional nonagricultural uses which provided open space were evaluated by the Consultants. They concluded that uses such as golf courses would provide visual open space and recommended that freestanding golf courses be allowed in the Ag Reserve provided that (1) the development rights are eliminated from the property; (2) the property becomes designated as protected open space;



and, (3) the application is not associated with an application for new residential or mixed use development using the 60/40 option.

Staff generally concurred in this recommendation, but also noted the environmental sensitivity of some of the properties adjoining to Ag Reserve. To ensure that the use of pesticides and herbicides on golf courses in the Ag Reserve did not adversely impact these areas, staff recommended that any free-standing golf courses located in the Ag Reserve be required to employ best management practices and to use native plants in their landscaping.

The BCC concurred in the staff recommendation.

**Action:** Amend the Comprehensive Plan to permit freestanding golf courses as the only form of Commercial Recreation development allowed in the Ag Reserve. Provisions to require that all other development rights are eliminated from the property so that it will serve as protected visual open space should be included. Golf courses associated with residential or nonresidential development using the 60/40 cluster option should not be permitted to use this designation. Subsequent revisions to the Unified Land Development Code will also be required.

**Responsible Party:** The Planning Division and the Zoning Division.

## 5.4 Industrial Development

The Consultants recommended that up to 330,000 square feet of industrial uses be allowed in the Ag Reserve, using the Economic Development Center future land use designation. The Consultants identified two locations, within 1/4 mile of the Ronald Reagan 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 ration of preserve area to open space as the Traditional Marketplace.

The Consultants identified the following list of uses as appropriate for the Economic Development Centers:

Automobile Rentals  
Auto Repair, Detailing, Paint and Body Shop  
Bottling Plant  
Brewery  
Broadcasting Stations and Studios for Radio or TV  
Cabinet Working and Carpentry  
Catering Services  
Contractor's Storage Yards  
Farm Equipment Repair  
Glass Installation Services  
Gun Clubs, Enclosed

Laboratories  
Landscaping Services  
Light Fabrication  
Lumber yards  
Machine or Welding Shops  
Mini Warehouse/Self Storage  
Motion Picture production Studios  
Ornamental Metal Workshops  
Printing Shops  
Technical Trade Schools  
Utility Work Centers, Power and Telecommunications

The BCC did not concur in this recommendation and directed that no new Industrial designations be permitted in the Ag Reserve.

**Action:** None.

**Responsible Party:** None.

## 5.5 Agricultural Development

### 5.5.1 Agricultural Uses - General

The Consultants recommended that the following list of agricultural uses should be allowed on land that does not have an agricultural easement within the Ag Reserve, provided there are required buffers from residential uses:

Ag, Bona Fide	development
Ag Related Manufacturing	Fish Pools
Ag Research and Development	Food Processing
Ag Sales and Services, small implements	Fruit and Vegetable Retail Stands
Ag Transshipment	Fruit Packing and Fruit Preserving
Blacksmith/Livery Stables	Green Market
Chipping and Mulching	Grooms Quarters
Community Gardens	Livestock Raising
Composting Facility	Milk Production and Distribution
Distribution Facilities	Pasture
Equestrian Boarding, commercial and private	Plant Nursery
Dude Ranches and Riding Academies, with approval	Potting Soil Manufacturing
Fallow land	Rodeo/Equestrian Arenas
Farm Residences	Refrigerated Storage
Farm Workers Quarters	Rural Restaurants, (quality restaurant)
Feed Store	Seed Drying Facility
Fertilizer Sales: fertilizers, manure, compost shall be kept at least 200 feet from residential	Saddlery
	Wholesale Retail of Agricultural and livestock products

Staff did not support this list of uses, noting that some of the uses, such as restaurants, are more intense uses than those typically associated with maintenance of agriculture. While recognizing the importance of ensuring that farmers have a readily available market, staff expressed concern that implementation of this list would lead to the introduction of relatively intense commercial uses onto agricultural areas. Staff also noted that the recommended uses were inconsistent with the Conservation Fund's recommendations to limit uses in areas where agricultural preservation is the goal. Staff recommended revisiting these uses during development of the Unified Land Development Code provisions for the Ag Reserve.

The BCC concurred in the staff recommendation.

**Action:** Develop a list of agricultural uses appropriate for the Ag Reserve during development of the provisions of the Unified Land Development Code.

**Responsible Party:** The Zoning Division.

## 5.5.2 Agricultural Uses - Preserve Areas

During implementation of the existing regulations governing the Ag reserve, questions have arisen regarding the appropriate agricultural uses which should be permitted on land which was the subject of an agricultural conservation easement as a result of having been platted as part of a development in the Ag Reserve. The Consultants were asked to identify specific uses which were appropriate for such lands.

The Consultants recommended that the following uses should be allowed in designated preserve areas within the Ag Reserve:

Ag, bona fide	Fish Pools
Ag Transshipment	Fruit Packing and Fruit Preserving
Blacksmith/Livery Stables	Golf Courses
Caretakers Quarters	Grooms Quarters
Chipping and Mulching	Livestock Raising
Community Gardens	Milk Production and Distribution
Composting Facility	Parks, Passive
Distribution Facilities	Pasture
Dude Ranches and Riding Academies	Plant Nursery
Equestrian Boarding, Commercial and Private	Potting Soil Manufacturing
Fallow Land	Rodeo/Equestrian Arenas
Farm Residence, limit one	Seed Drying Facility
Fertilizer Sales: fertilizers, manure, compost shall be kept at least 200 feet from residential development	Saddlery
	Uplands and Wetlands
	Water Preserve Areas, as designated by the SFWMD

Staff did not support this list of uses, noting that some of the uses, such as golf courses, did not contribute to the continuation of agriculture. Staff recommended revisiting these uses during development of the Unified Land Development Code provisions for the Ag Reserve.

The BCC concurred in the staff recommendation.

**Action:** Develop a list of agricultural uses appropriate for designated preserve areas in the Ag Reserve during development of the provisions of the Unified Land Development Code.

**Responsible Party:** The Zoning Division.

## 5.6 Parks and Recreation Development

### 5.6.1 County Parks

Noting the importance of recreational opportunities for the nonagricultural development in the Ag Reserve, the Consultants recommended amending the Comprehensive Plan to allow parks in the area. The Consultants recommended that only passive parks be allowed on the land set aside as the preserve areas for development, with active parks required to be located on other property, to avoid the preserve areas from being used by developers as open space with amenities designed to increase the value of their projects.

**Action:** Amend the Comprehensive Plan to permit parks to be located in the Ag Reserve.

**Responsible Party:** The Planning Division.

### 5.6.2 State Park

The State Division of Recreation and Parks has acknowledged that, for improved distribution of park facilities accessible to the population throughout the State, a State Park is needed in southern Palm Beach County. The Division of Parks has identified a 410-acre site within the Ag Reserve, in the general location shown, on which such a park could be developed. Development of a State Park in this area, could permit the County to avoid building a County Regional Park.

#### 5.6.2.a State Park - Land Assembly

The site identified by the State Division of Recreation and Parks as most suitable for development of a State Park was acquired by the South Florida Water Management District (SFWMD) in early 2000 for potential use as a reservoir in conjunction with the Water Preserve Areas. The SFWMD and the U.S. Fish and Wildlife have acknowledged a potential for land swaps to facilitate development of both the reservoir and the park may be feasible.

**Action:** Explore opportunities for land swaps between the South Florida Water Management District and the U.S. Fish and Wildlife Service to facilitate development of a State Park. This effort should be coordinated with the Department of Environmental Protection, Division of Recreation and Parks.

**Responsible Parties:** The South Florida Water Management District, with the Department of Parks and Recreation monitoring the efforts.

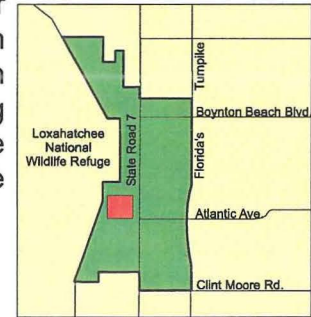
#### 5.6.2.b State Park - Development

The State has announced that their plans are to locate campgrounds, canoe trails, and ancillary uses within the park. This park should be designed to take advantage of nearby environmental features of its proximity to the Arthur R. Marshall Loxahatchee National Wildlife Refuge, and should be focused on providing passive recreational activities, such as hiking, nature walking, bird watching and canoeing. Development of the park is expected to begin by 2005.

One factor which could limit the ability of the State to initiate work on a State Park in this area is the limited capacity of some of the roadways in the area, particularly Atlantic Avenue. The Engineering Department has acknowledged that given the limited capacity of this road, concurrency may limit the ability of State Division of Parks to initiate development of a park on the identified site in the time frame being discussed.

**Action:** Amend Transportation Policy 1.2-f of the Comprehensive Plan to designate segments of Atlantic Avenue as a Constrained Roadway at a Lower Level of Service (CRALLS) with a level of

Figure 5-3



Potential State Park Location

service based upon the additional traffic volumes associated with the development of a State Park in the Ag Reserve.

**Responsible Parties:** The Planning Division and the Engineering Department.

## 5.7 Conservation Uses

Virtually all of the land in the Ag Reserve is currently given the designation of Ag Reserve on the Future Land Use Atlas. Even lands which are used for wildlife management purposes in the area are given the Ag Reserve land use designation rather than the more appropriate, Conservation designation. The U.S. Fish and Wildlife Service has advised the County that they have no objection to their lands in the Ag Reserve being designated Conservation.

**Action:** Amend the Future Land Use Atlas to change the designation of all portions of Arthur R. Marshall Loxahatchee National Wildlife Refuge from Ag Reserve to Conservation.

**Responsible Party:** The Planning Division.

## 5.8 Institutional Development

The Consultants recommended that the institutional uses allowed in areas with a Residential future land use designation be permitted in the Ag Reserve. Among the uses which they suggested were appropriate were the following:

Data Information Processing  
Cemetery  
Fire  
Hospital, Medical Clinic  
Parks, Active and Passive

Police Stations and Sub-stations  
Religious Facilities  
Schools: Public, Special, Private Charter  
Solid Waste Transfer Station  
Water or Wastewater Treatment Plant

**Action:** Amend the Comprehensive Plan to permit Institutional uses within the Ag Reserve consistent with the Institutional uses allowed on land with Residential land use designations consistent with Land Use Policy 2.2.1-d of the Comprehensive Plan.

**Responsible Party:** The Planning Division.

## 5.9 Traditional Town Development

In March 2000, the BCC discussed the idea of creating a Traditional Town Development in the Ag Reserve modeled after the resort community of Chautauqua, New York. Chautauqua is located on the western shore of Lake Chautauqua in southwestern New York State. Founded in 1874 by two leaders of the Methodist church, Chautauqua continues to operate as originally envisioned - a resort offering a blend of fine arts (opera, dance, symphony, theater, and painting), lectures, recreational activities, and religion. As historian David McCullough describes it, "there is no place



like [Chautauqua] . . . It is at once, a summer encampment and a small town, a college campus, an arts colony, a music festival, a religious retreat and the village square."<sup>6</sup>

After researching the potential, staff concluded that, in many respects, the marketplace developments proposed by Dover Kohl and Partners mirrored the physical form of a Traditional Town Development as exemplified by Chautauqua, which sits on 750 acres, with approximately 300 acres taken up by a village development, which, as Dr. McCullough notes, is really a small town with 19 religious houses, nine hotels or tourist facilities, eight restaurants, 28 shops, and hundreds of homes, all built around a series of parks and greens. The gross density of the developed portion of the community is 6-8 units per acre to accommodate the nearly 4,000 permanent residents, 3,500 seasonal residents, and 2,400 day visitors of the resort.



Uses are mixed within the community, with public and commercial uses dominant around the central square, Bestor Plaza, but extending into residential areas with no buffering. Public buildings within the community, other than churches, include a library, post office, police department, utilities department, lecture halls, and the offices of the Chautauqua Institution (which sponsors the lecture series and arts program). Two public schools, an elementary school and a middle school are located on the highway immediately adjacent to the community itself.

The streets are narrow with parking very limited to discourage automobile traffic. Most parking is located along the highway on the outskirts of the community itself in a series of large parking lots. Access within the community is further restricted by the gates which limit automobile entry and encourage pedestrian use of the town.

Staff concluded that the Ag Reserve was not an appropriate location for a Traditional Town Development. Identified obstacles to the creation of such a development were the restrictions on density established by the County and the land values in the Ag Reserve. Finally, the introduction of a Traditional Town Development into the Ag



6

Chautauqua 2000, 2



Reserve was seen as an additional use that could hamper the County's efforts to emphasize agricultural preservation and enhancement in an area already experiencing significant development pressure.

The BCC concurred with staff that Traditional Town Development should not be allowed in the Ag Reserve as a land use designation.

**Action:** None

**Responsible Party:** None.

## **5.10 Roadways**

### **5.10.1 Roadways - Rural Parkways**

The Consultants recommended that Lyons Road and State Road 7 be designated as rural roadways; staff concurred in this recommendation as it related to Lyons Road between Atlantic Avenue and Boynton Beach Boulevard.

Along the designated rural parkway, the number of through lanes should be restricted to two. Undulating berms would be required to be no taller than five feet and landscaped with native vegetation. Walls would not be allowed within the parkway easements, which should be 100 feet in order to accommodate multipurpose pathways.

Developments along a designated rural parkway would be permitted to consider the parkway easement as a part of their required preserve area, so long as they continued to employ the appropriate ratio of preserve to developed area.

The designation of Lyons Road as a Rural Parkway was directed by the BCC on June 27, 2000.

**Action:** Amend Transportation Policy 1.4-q of the Comprehensive Plan to designate Lyons Road as a Rural Parkway between Atlantic Avenue and Boynton Beach Boulevard.

**Responsible Party:** The Planning Division.

**Action:** Amend the Comprehensive Plan to permit property owners along a designated rural parkway in the Ag Reserve to receive credit for the parkway easement as a portion of their required preserve area.

**Responsible Party:** The Planning Division.

### **5.10.2 Roadways - Thoroughfare Identification Map**

In performing the analysis of the road network required to implement the Master Plan, the Consultants indicated that the County would not need to construct Flavor Pict Road through the

Ag Reserve if the Master Plan was implemented. The Consultants recommended leaving Flavor Pict Road on the Thoroughfare Identification Map (TIM), however, in the event that the Master Plan was not able to be fully implemented and the road was needed.

In their review of the Master Plan, staff reached a similar conclusion that, based upon preliminary modeling, Linton Boulevard would not be needed in the Ag Reserve if the Master Plan was needed.

The BCC directed that staff proceed with the evaluation required to remove roads from the TIM and, if, as a result, it was determined that neither Flavor Pict Road nor Linton Boulevard was needed in the Ag Reserve, both roadways should be removed from the TIM.

**Action:** Evaluate the feasibility of removing Flavor Pict Road and Linton Boulevard from the TIM and amend the Comprehensive Plan accordingly.

**Responsible Parties:** The Engineering Department and the Planning Division.

## 5.11 Funding Options

The Consultants recommended that the County should investigate the potential for creating a Community Development District within the Ag Reserve to shift the burden of providing some of the services and infrastructure required for the area from taxpayers throughout the County and ensure that the actual beneficiaries be responsible for these services.

The County Attorney's Office investigated the feasibility of creating a Community Development District, or other financial mechanism, to fund public services and facilities in the Ag Reserve. Their findings are summarized below:

1. One or more community development districts could be established in the Ag Reserve, so long as each district served at least 1,000 acres. Such districts would have the ability to levy ad valorem taxes to construct, operate and maintain community improvements and facilities and to issue bonds to provide community improvements and facilities, using its taxing authority to repay the bonds. Creation of community development districts requires the written consent of the owner or owners of 100% of the real property included in their area prior to establishment. The district would require its own elected board of supervisors.
2. A municipal service taxing or benefit unit (MSTU) could be created by ordinance as an alternative to a community development district. A municipal service unit may provide a wide range of public services and facilities, including fire protection, law enforcement, recreation, water, streets, drainage and transportation, so long as the properties within the unit specially benefit from the services. These municipal services would be paid for through service charges, special assessments, or taxes, though any taxes levied would count against the millage cap of the property. The Florida Legislature has expressed its intent that municipal service benefit or taxing units should be used as the preferred procedure for providing municipal services in the unincorporated areas

3. A dependent special district, which would require the creation of a board whose members could be the BCC or individuals appointed by the BCC and subject to removal by the BCC, could also be used to address this funding issue. The special district's charter would spell out the specific purpose, powers, functions and duties, geographic boundary, authority and an explanation of why the special district is the best alternative means of providing these functions. The budget of the special district would also be subject to the approval of the BCC. The extensive reporting and other requirements for special district accountability typically discourage the creation of new special districts.

The County Attorney's Office suggested that an MSTU may be the most feasible means of funding the infrastructure and service needs of the Ag Reserve.

The BCC directed that additional research be done to more fully explore all potential funding alternatives.

**Action:** Continue to explore funding alternatives for the Ag Reserve.

**Responsible Parties:** The County Attorney's Office and the Office of Financial Management and Budget.



Appendix A

**Agency Responsibilities**

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## Agency Responsibilities

Numbers in each cell indicate a specific recommendation for which that agency is identified as being responsible for implementation.

Agency	Agriculture	Environmental	Water	Development
<i>County Agencies</i>				
Cooperative Extension Service	2.1.1, 2.1.4, 2.1.5, 2.2, 2.3.1, 2.3.2, 2.3.3, 2.3.4, 2.3.5, 2.3.7, 2.4.1.b, 2.5.1, 2.5.2, 2.5.3, 2.5.4, 2.6	3.1		
County Attorney	2.1.2			5.11
Engineering & Public Works		3.6.2	4.2?	5.2.4.d(4), 5.6.2.b, 5.10.2
Environmental Resources Management		3.1, 3.2, 3.3, 3.4	4.1.1	
Facilities Development - Property & Real Estate Management Division	2.1.1, 2.1.4, 2.1.5, 2.2, 2.3.3, 2.3.4, 2.3.5, 2.3.7, 2.5.4	3.1, 3.2	4.1.1	
Financial Management & Budget				5.11
Parks & Recreation		3.6.1	4.1.3	5.6.2.a
Planning, Zoning & Building - Planning Division	2.1.2, 2.4.2, 2.5	3.1, 3.5, 3.6.2	4.1.1, 4.1.2, 4.3	5.1.1.a, 5.1.2, 5.1.4.b(3), 5.1.4.b(4)(a), 5.1.4.b(6), 5.2, 5.2.1, 5.2.2.b, 5.2.3, 5.2.4.a, 5.2.4.d(1), 5.2.4.f, 5.2.4.f(1), 5.2.5, 5.3, 5.6.1, 5.6.2.b, 5.7, 5.8, 5.10.1, 5.10.2
Planning, Zoning & Building - Zoning Division	2.3.6, 2.4.2		4.1.2, 4.3	5.1.1.b, 5.1.2, 5.1.4.a, 5.1.4.b(3), 5.1.4.b(4)(a), 5.1.4.b(5), 5.1.4.b(6), 5.1.4.b(7)(b), 5.2.1, 5.2.2.a, 5.2.3, 5.2.4.a, 5.2.4.b(1), 5.2.4.b(2), 5.2.4.d(3), 5.2.4.d(4), 5.2.4.e, 5.2.4.f, 5.2.4.f(1), 5.2.4.f(2), 5.3, 5.5.1, 5.5.2
Water Utilities			4.2?, 4.3	
<i>County Consultants</i>				
Palm Beach Soil and Water Conservation District	2.2			
The Conservation Fund	2.1.1, 2.1.3	3.1	4.1.1	
The Nature Conservancy		3.2		



## Agency Responsibilities

Numbers in each cell indicate a specific recommendation for which that agency is identified as being responsible for implementation.

Agency	Agriculture	Environmental	Water	Development
<i>County Advisory Committees</i>				
Agricultural Economic Development Program	2.3.1, 2.3.2, 2.5.1, 2.5.2, 2.5.3			
Conservation Land Acquisition Selection Committee	2.1.1	3.1, 3.2	4.1.1	
<i>Other Agencies</i>				
Lake Worth Drainage District			4.2?	
South Florida Water Management District		3.6.1	4.1.1, 4.1.3, 4.2?	5.6.2.a

Appendix B

**Existing Provisions of the Comprehensive Plan**  
**Objective 1.5 The Agricultural Reserve Tier**

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## **OBJECTIVE 1.5 The Agricultural Reserve Tier**

The Agricultural Reserve area is a portion of the County that encompasses unique farmland and wetlands. It is also an area that may become an urbanized area. It is designated as an area to be preserved primarily for agricultural use if possible, and if not, to be developed only at low residential density.

To preserve the area for agricultural use, it is an area for sending of Transfer of Development Rights (TDRs); it is an area where a Purchase of Agricultural Conservation Easement (PACE) program and similar programs are offered, and it is an area where unique development options all are targeted to achieving the goal of farmland protection and agricultural perpetuation. It is through this combination of public action and the private development that a viable program for the protection of farmlands and the perpetuation of agriculture will occur.

### **1. Maintenance & Enhancement of Agriculture**

The Palm Beach County Board of County Commissioners is committed to maintaining and enhancing agriculture in the Agricultural Reserve Area and recognizes the Florida Legislature's intent, expressed in paragraph 163.3177(11)(a), Florida Statutes, to maintain the economic viability of agriculture and other predominantly rural land uses.

#### **a. The Purchase of Agricultural Conservation Easement (PACE) Program**

- 1) Implementation.** To maintain and enhance agricultural use in the Agricultural Reserve Area, the Board of County Commissioners shall work to establish and fund a voluntary Purchase of Agricultural Conservation Easement (PACE) Program.
- 2) Administration.** The County Commission shall adopt a PACE Program Ordinance which will:
  - a) include criteria for a standard easement agreement;
  - b) establish eligibility requirements.

### **2. Other Programs**

The Board of County Commissioners shall develop and implement programs to address obstacles to agriculture identified by the Agricultural Reserve Citizens' Committee. These programs shall include revisions to Land Development Regulations to facilitate farming and ensure compatibility with surrounding land uses.

Other programs may include economic development of agriculture and cost sharing for improvements in farming practices to ensure compatibility with environmental objectives.

Additional programs which are to be pursued include land exchange opportunities, land acquisition, tax exempt financing, linkages to the Linked Open Space Program, wetlands creation, and similar activities which are compatible with the protection and perpetuation of agriculture.

### 3. Agricultural Land Uses

Uses permitted in the Agricultural Production Category are allowed within areas designated as Agricultural Reserve where permitted by the terms of the Palm Beach County Unified Land Development Code (ULDC). Other high-value added agricultural uses (such as packing houses, canneries, specialty food processing, etc), with buffering to address compatibility, will be permitted pursuant to amendments to the ULDC.

### 4. ULDC Modifications

Prior to September 1, 1996, the Agriculture Reserve Zoning District shall be amended to accommodate the additional agricultural uses as addressed above. Also, the TDR provisions of the ULDC shall be amended to accommodate the concepts contained above.

### 5. Development Alternatives

As an alternative to agricultural land use, the following residential land uses shall be permitted within the Agricultural Reserve Area as further regulated by the Unified Land Development Code:

- a. The land shall be allowed to develop as Agricultural Residential at a density of one unit per five acres (1DU/5AC);
- b. The land may be developed at a density of one dwelling unit per acre, in an Agricultural Reserve PDD (AgR-PDD), under the following options:
  - 1) **80/20 Option:** The purpose of the 80/20 option is to provide for the reasonable development of land in such a manner which provides compatibility and does not detract from the protection and perpetuation of agriculture within the Agricultural Reserve Area.
    - a) The minimum size of the AgR-PDD (80/20) shall be 40 acres.
    - b) Buildable area of the AgR-PDD (80/20) shall be contained in one compact area. It shall not exceed 20 percent of the gross acreage. However, land dedicated as rights-of-way for the County's Thoroughfare System, land allocated for the internal street system, and water areas required for on-site drainage retention may be deducted from the 80 percent. However, in no event, shall the buildable area be increased to greater than 25% of the gross acreage.
    - c) The remainder of the 80 percent shall be maintained in agriculture, passive recreation or other open space use. Recreation or other open space uses shall be passive or rural in nature. No open space or recreational use that is intensive in nature, such as a golf course; or, that which would interfere with the future practice of

agriculture on the subject property, or continued practice of agriculture on adjacent properties, is acceptable.

- 2) **60/40 Option:** The purpose of the 60/40 option is to protect farmland and to perpetuate the practice of agriculture within the Agricultural Reserve Area.
- a) The minimum size of the AgR-PDD (60/40) shall be 250 acres exclusive of right-of-way as shown on the Thoroughfare Identification Map. The calculation of the development area (40%) and the protected area (60%) shall be based upon the PDD acreage, less the right-of-way;
  - b) The development area of the AgR-PDD (60/40) shall not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map and shall meet the following parameters:
    - (1) be contained in one compact area;
    - (2) shall contain uses normally associated with a PDD such as the street system, water retention areas, water amenity areas, active recreational areas (including golf courses), open space which is integral to the PDD, civic center sites, and the like;
    - (3) the development area and the protected area need not be contiguous;
    - (4) the development area must be situated with frontage on either SR-7, SR-806 (Atlantic), SR-804 (Boynton Beach Boulevard), Clint Moore Road, or Lyons Road extending north of Boynton Beach Boulevard. Other thoroughfares may be added to this list, by plan amendment, consistent with the goal of preservation and perpetuation of agriculture in the Agricultural Reserve;
    - (5) the development area shall not be situated west of SR-7.
  - c) The protected area of the AgR-PDD(60/40) shall consist of, at least, 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map and shall meet the following parameters:
    - (1) the protected area can be located anywhere in the Agricultural Reserve provided that:

- (i) the minimum contiguous area, of a single protected area created with the AgR-PDD, shall be 150 acres; and,
    - (ii) the protected area shall have a common boundary with other agricultural lands, fallow land, or land which is projected to otherwise be in an open space land use;
  - (2) it is to be used for crop production, pasture, or equestrian purposes, or may be retained as fallow land. Accessory structures such as barns and pump structures are permitted. Agricultural support uses such as processing facilities, farmworker housing, and the like shall not be accommodated in the protected area of an AgR-PUD; nor shall new residential uses be accommodated thereon;
  - (3) when the protected area is contiguous to the development area, it shall be shown on the AgR-PDD(60/40) Master Plan and Plat and designated for the purpose of agriculture land use on the master plan and plat; further, a restrictive covenant limiting it to such use, made in favor of Palm Beach County shall be recorded concurrent with the plat; as an alternative, the protected area may be subjected to an agricultural conservation easement to Palm Beach County, or may be deeded to the County;
  - (4) when the protected area is not contiguous to the development area, the property shall be zoned in an agriculture preservation zoning district simultaneously with approval of the AgR-PDD, its use shall be restricted with a restrictive covenant limiting it to such use, made in favor of Palm Beach County, and a boundary plat shall be recorded with a reservation on the face of the plat limiting it to such use; as an alternative, the protected area may be subjected to an agricultural conservation easement to Palm Beach County, or may be deeded to the County.
- d) The design of an AgR-PDD shall provide for the following:
- (1) when golf course, water areas, and similar amenities are provided in the development area, they shall be situated to serve as a buffer between residences and agricultural land uses;
  - (2) Development areas of one AgR-PDD should be situated adjacent to existing, planned, or projected development areas. The protected areas shall be situated so as to



provide for a common boundary with other agricultural lands, fallow land, or land which is projected to otherwise be in an open space land use;

- (3) an appropriate buffer between residences and adjacent agricultural uses, shall ensure mutual compatibility such that new residential uses do not adversely affect agricultural uses;
- (4) the development area shall use native or drought tolerant species for, at least, 50% of any landscape requirement.

6. Prior to September 1, 1996, the ULDC, shall be amended to create the Agricultural Reserve PUD (AgR-PUD). The AgR-PUD shall be consistent with the Agricultural Reserve Section of the Comprehensive Plan and shall accommodate the following:

- a. that the development area shall be compact, contiguous, and arranged as a unified whole and appropriately buffered so as not to interfere with the continued or future function of the protected area. For this purpose, a meandering or intrusion of the development area into the protected area would only be considered in an equestrian community.
- b. dedication requirements (e.g. civic use) and calculations for land uses (e.g. commercial pods) is to be based only upon the development portion of the AgR-PDD.
- c. In order to appropriately service the development areas which are contemplated by the above development options, PBC Utilities Department may allow extension of water and/or sewer facilities to the development area. Any such water and sewer mains shall run within the rights-of-way for the roadways identified in Section B.2.b.2).d); and, the point(s) of service connection shall be at the interface between the development area and the adjacent roadway. The cost of utilities shall be borne by the development without benefit of public installation with developer pay-back provisions (this exception does not prohibit payback arrangements among private parties), nor bonding or financing conducted under the auspices of Palm Beach County or its Utilities Department. However, this requirement shall not preclude the extension of water mains in other locations when necessary for system integrity e.g."looping".
- d. the designation of the protected areas and development areas on the Future Land Use Map, through a County sponsored Map amendment initiated after approval of an AgR PDD.
- e. dedication of land or placement of a conservation easement in lieu of restrictive covenant shall be at the option of the property owner.

## 7. Existing Land Uses & Regulatory Items

- a. Residential subdivisions and Planned Development Districts (PDDs) located in the Agricultural Reserve and approved by the Board of County Commissioners prior to January 1, 1990 are exempt from the provisions of the comprehensive plan related to the Agricultural Reserve and are governed by the terms and conditions of their existing approvals.
- b. Within the Agricultural Reserve there are existing land uses which are benign to the purposes of the Reserve and/or which provide essential services for farmworkers and residents of the Reserve. The uses below are to be accommodated as a part of the continuation of the Reserve.

- Eternal Light Cemetery
- Faith Farms
- 4 Points Market
- 3 Amigos Convenience Store
- Fina Gas Station-Hey 4 U Trucking
- limited community serving commercial services in the vicinity of SR 806 and SR 7 as allowed by the Unified Land Development Code (ULDC)
- Churches, farm worker housing, and social service facilities.

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

- c. Commercial (retail, office, service) land use is to be limited to serving the needs of the farmworker community, existing residents, and future residents of an AgR-PDD. Commercial land use shall be allowed as a pod within a PDD master plan, provided that it is situated to serve the residents of the PDD as opposed to the general public.
- d. Farmworker housing is critical to continuation of farming in the Agriculture Reserve, provisions shall be made for the adequate accommodation of such housing.
- e. As a means to perpetuate agriculture, as noted in Section A.3, agricultural processing and high-value added uses are to be accommodated.
- f. For any golf course which is constructed in the Agriculture Reserve, a management plan shall be developed which, at a minimum, shall contain the following:
- 1) an integrated pest management plan designed to prevent contamination of ground and surface water from pesticides, herbicides, and fertilizers;

- 2) a water quality and quantity monitoring plan with emphasis on impacts to adjacent wetlands and surface waters; and,
  - 3) best management practices which, at a minimum, identify procedures to be followed for the construction, irrigation, operation, and maintenance of the golf course.
- g. The AgR may receive, from Palm Beach County, facilities and services at a lesser level of service than is provided in the Urban Service Area. Code and development order provisions shall be created which state this situation; and, which provide that special development district or other developer created programs and assessments may be imposed in order to provide facilities and services at the Urban Service Area level.
  - h. Prior to September 1, 1996, the Agricultural Reserve Zoning District shall be amended to accommodate the existing uses as addressed in this Section C.
  - i. When creating the ULDC provisions, consideration shall be given to providing minimum standards or performance criteria with respect to the use of the terms "contiguous" and "common boundary".

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Appendix C

**Existing Provisions of the Unified Land Development Code**  
**Section 6.8.B.8 The Agricultural Reserve**  
**Planned Unit Residential Development**

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**6.8.B. 8. Agricultural reserve.** The Agricultural Reserve Planned Unit Residential Development (AGR-PUD) regulations have been created to fulfill requirements of the Agricultural Reserve provisions in the Future Land Use Element of the Comprehensive Plan which establishes the Agricultural Reserve and sets forth the allowable development options therein. The two PUD options which are available for the development of land in the AGR are an 80/20 AGR-PUD and a 60/40 AGR-PUD.

- a. **Purpose and intent.** In order to accommodate low density residential development options in conjunction with preservation of agriculture, wetlands or other significant open space areas, the AGR-PUD is created. It is intended that an AGR-PUD will provide for residential development of land in a manner compatible with agriculture, wetlands or other significant open space and which does not detract from the protection and perpetuation of such uses in the Agricultural Reserve. Notwithstanding these particular purposes, the purpose and intents as contained in Sec. 6.8.A.1. and 6.8.B.1. above, shall also be accommodated in the design and application of the AGR-PUD.
- b. **General.**
  - (1) **Zoning and Future Land Use Map designations.** At the time that the PUD designation is affixed to the Official Zoning Map pursuant to Sec. 6.8.A.17., a Preservation Area which is not contiguous to the Development Area shall be shown with the designation AGR-PUD/P or, if appropriate, as a Conservation Zone District. A non-contiguous Development Area shall be shown as AGR-PUD/D. When the Development Area and the Preservation area are contiguous, they may be shown in total as an AGR-PUD or with separate designations with the suffix of P or D, as appropriate. Following a designation on the Official Zoning Map, the County shall process a remedial future land use map amendment which shall identify the Development Area and the Preservation Area as AGR/D and AGR/P, respectively.
  - (2) **Preliminary Development Plan (PDP), site plan and plat designations.** The PDP, site plan and plat shall depict the Preservation Area as specified below. The plats for the preservation areas shall be recorded simultaneously with the first plat within the Development area.
    - (a) **Contiguous areas.** When the Preservation Area is contiguous to the buildable area, the preservation area shall be shown and designated on the PDP and all applicable site plans and plats at the same scale and in the same detail as is the Development Area.
    - (b) **Non-contiguous areas.** When the Preservation Area is not contiguous to the Development Area, as allowed in a 60/40 AGR-PUD, then the preservation area shall be referenced by a location sketch and notes on the master plan and the land shall be described on a boundary plat which limits the land to the intended preservation use(s) and which is duly recorded.
  - (3) **Perpetuation of preservation areas.** In addition to showing the Preservation Area on the PUD plan documents as required above, provisions shall be made for establishment of the Preservation Area in perpetuity. After certification, by the DRC, of the PDP or Final Site Plan but prior to recordation of the plat, the Preservation Area shall be established in perpetuity in one of the following manners and in a form acceptable to the Office of the County Attorney.

- (a) **Dedication and acceptance.** Dedication of the Preservation Area to the Board of County Commissioners and acceptance of the dedication by the BCC.
  - (b) **Recordation of a conversation easement in Agricultural Conservation Easement.**
  - (c) **Restrictive covenant.** Recordation of a restrictive covenant, made in favor of Palm Beach County, stating the basis for and limiting the land to the intended preservation use.
- c. **AGR-PUD development options.**
- (1) **General.** Two residential planned unit development options are provided for in the Agricultural Reserve. The two options are an 80/20 AGR-PUD and a 60/40 AGR-PUD. Each AGR-PUD shall consist of two areas, the Preservation Area and the Development Area. Pods shall be contained within the Development Area.
  - (2) **Land uses.**
    - (a) **General.** The maximum residential density for the overall AGR-PUD shall be based on its gross area and calculated at one dwelling unit per acre (1 du/ac). The residential density within the Development Area is not restricted except as necessary to meet development standards and assure compatibility with adjacent land use. All components of development and associated pods shall be located with the Development Area. Land area allocation (acreage) for the Preservation Area and for the Development Area shall be based on the ratio (80/20, 60/40) specified for each development option and as described below.
      - (i) **80/20 formula<sup>1</sup>.** A minimum of eighty percent (80%) of the gross site area shall be retained as the Preservation Area, the remaining land area may be used for all development, e.g., residential, recreational, civic, and commercial pods. However, up to an additional five percent (5%) of the gross site area may be allocated to the Development Area where said allocation can be accounted for as being rights-of-way for streets, and required on-site water retention areas. In no event shall the Development Area, including rights-of-way, and water retention areas exceed twenty-five percent (25%) of the gross site area of the AGR-PUD.
      - (ii) **60/40 formula<sup>2</sup>.** A minimum of sixty percent (60%) of the gross site area shall be retained as the Preservation Area. The remaining land area shall be used for all development, e.g., residential, recreational, civic and commercial pods. There shall not be any credit given which would reduce the size of the Preservation Area for encroachment allowed therein for rights-of-way, water retention, open space, or natural habitat preservation areas which are situated in the Development Area.
    - (b) **Land use, development area.** The Development Area shall contain all the development related pods, residential, recreational, civic, and commercial as described in Section 6.8.B.4.a. Uses allowed within the Development Area

1

Example: Gross site area 50 acres. 50 ac x 80% = 40 acres to be preserved; 50 ac x 20% = 10 acres for development. However, 5% of the gross site area (.05 x 50) or an additional 2.50 acres, if justified, can be added to the development area. Resulting in 12.50 acres for the Development Area; and 37.50 acres for the Preservation Area.

2

Example: Gross site area 280 acres. 280 ac x 60% = 168 acres to be preserved; 280 x 40%=112 acres for development.

are listed in the Use Regulation Schedule, Figure 6.8.A-2. The use mix shall be pursuant to Section 6.8.A.

- (c) **Land use, preservation area.** Land use within the preservation area shall be compatible with the nature and intent of the preservation use. Uses allowed within the Preservation Area are as listed in the Use Regulation Schedule, Figure 6.8.A.-2 .
- (3) **Property development regulations.** When general and referenced provisions and regulations for PDDs conflict with specific standards and requirements as set forth in this subsection (3), the provisions of this subsection shall govern.
  - (a) **Development area.**
    - (i) **General.** Uses within the Development Area shall comply with all applicable property development regulations as specified for each use in Section 6.8.A. and 6.8.B.
    - (ii) **Buffer.** A Type 3 compatibility buffer shall be required between the Development Area and all adjacent properties zoned AGR, AP, SA, or AR, whether vacant or supporting an existing agricultural land use. The buffer shall be a minimum 50 feet wide and installed satisfying the planting requirements of a Type 3 Compatibility Landscape Buffer in accordance with Sec. 7.3. Buffer reductions shall not be permitted along the entire perimeter of the Development Area except there may be a fifty percent (50%) reduction in width if:
      - a) the buffer is within a nonresidential pod of the PUD adjacent to a R-O-W greater than fifty (50) feet in width;
      - b) the buffer is adjacent to another platted PUD buffer a minimum of twenty (20) feet in width, with existing landscaping within the buffer; or
      - c) the buffer is adjacent to another PUD with a spatial separation greater than fifty (50) feet in width, e.g., a canal, lake.
  - (b) **Preservation Area - general.** All agricultural uses and accessory structures within the preservation area shall comply with the AGR use regulations. Uses, other than agriculture, shall comply with the property development regulations, as determined by the Zoning Director, which are most closely associated with the nature of the use. Preservation sites, as defined and identified pursuant to the native vegetation set-a-side requirements as specified in Article 9.5, and which are contained in the Development Area shall not be considered as part of the Preservation Area as defined herein.
  - (c) **Minimum land area.** The minimum land area for the AGR-PUD 80/20 option is 40 acres and the minimum land area for the AGR-PUD 60/40 option is 250 acres gross site area.
  - (d) **Locational and siting requirements.** The location of AGR-PUDs shall advance the primary purpose of preserving agriculture in the Agriculture Reserve. The site design of either PUD option shall provide for the separation and buffering of the Development Area and the Preservation Area. These objectives shall be accommodated, in part, through the following.
    - (i) **Locational requirements.**
      - a) **Prohibited locations.** The Development Area for a 60/40 AGR-PUD shall not be situated west of S.R.7 (U.S. 441).
      - b) **Access and frontage.** All Development Areas shall have frontage, in an



amount as required by Sec. 7.3, on either SR-7, SR-806 (Atlantic Ave.), SR-804 (Boynton Beach Boulevard), Clint Moore Road, or on that part of Lyons Road which extends north of Boynton Beach Boulevard. Preservations Areas which are non-contiguous to a Development Area do not have to meet access and frontage requirements and may be situated anywhere within the Agricultural Reserve, provided that they are accessible by R-O-W road easement and accommodate the configuration requirements which follow.

**(ii) Siting.**

- a) **Adjacency.** Development Areas shall be located, to the greatest extent practical, adjacent to existing, planned or projected Development Areas, while Preservation Areas are similarly to be located next to other existing, planned, or projected Preservation Areas.
- b) **Contiguity and non-contiguity.** A Development Area shall be situated in only one location and it shall be contiguous within itself. A Development Area and a Preservation Area of the same AGR-PUD shall be contiguous to one another. However, a Preservation Area of a 60/40 AGR-PUD may be located remote from its associated Development Area provided that at least one of the following conditions are met:
  - (i) it is a Preservation Area containing at least 150 acres and otherwise meets the configuration requirements in Section 6; or
  - (ii) it shares at least one common boundary with an existing Preservation Area, or an agricultural area preserved under the PACE program, or a designated wetland which is in public ownership; and which when combined with the adjacent existing area has a land area equal to or greater than 150 acres.
- (iii) **Configuration, Development Area.** The Development Area shall be a single, compact, contiguous area which possessed the characteristics listed below. An equestrian community may deviate from these characteristics only to the extent that dedicated pasture land may meander, in a contiguous fashion, throughout the residential area.
  - a) at least two sides of the Development Area shall share a common boundary with the perimeter of the AGR-PUD.
  - b) designed as a unified whole within a tightly compact area with continuous common boundaries among the various pods.
  - c) neither isolated Development Areas nor isolated Preservation Areas shall be created within a contiguous AGR-PUD.
  - d) lakes, water retention areas, golf courses, and other similar amenities shall be situated within the Development Area to provide a buffer between the residential, civic, and commercial uses of the Development Area and the Preservation Area.
- (iv) **Configuration, Preservation Area.** The Preservation Area for the 60/40 PUD shall be a minimum 150 acres and be contiguous to, but not intrusive into, the Development Area, with the exception of equestrian communities where pasture area may meander, in a contiguous

fashion, throughout the residential community. Preservation Areas shall be arranged in a unified whole so as to maximize the purpose, function, and perpetuation of the preservation use. This shall be accomplished, in part, through the following.

- a) **Agriculture.** Agricultural area shall have boundaries which allow for the most efficient agricultural operation. They shall not be encroached upon by a Development Area.
- b) **Wetlands.** The boundary of preserved wetlands shall be determined by the ecological function of the viable wetland area, as determined by the Board of County Commissioners upon recommendations from the Department of Environmental Resources Management and/or the South Florida Water Management District. Wetland areas shall be preserved in the order of performance: adjacent to off-site wetlands; open space; fallow land; or, agricultural land. Primary consideration shall be given to preserve wetland areas adjacent to off-site wetlands.
- (v) **Buffer for Preservation Areas.** A buffer shall be provided between residential, commercial, and civic land use in the Development Area and Preservation Area to ensure mutual compatibility such that the development does not adversely affect the Preservation Area, including the perpetuation of agriculture uses. This buffer shall be located in the Development Area and adhere to the provisions of subsection 6.8.B.8.c.(3)(a) ii above.

d. **Special provisions.**

- (1) **Rural service area designation.** The AGR district is situated in the Rural Service Area and thus it may not have the same level of services as provided in the Urban Services Area.
- (2) **AGR-PUD water and sewer service.** All Development Areas of an AGR-PUD shall utilize central water and wastewater service provided by the Palm Beach County Water Utilities Department. Any such water and wastewater service mains shall run within the rights-of-way for the roads listed in Sec. 6.8.B.8.c.(3)(e)(i)(b) above. The use of private and public package treatment facilities is not allowed. The Property Owner shall enter into a Standard Development Agreement with the Palm Beach County Water Utilities Department to reserve system capacity prior to final approval of the AGR-PUD. All required on and off site improvements shall be paid for and installed by the Property Owner in accordance with the Uniform Policies and Procedures Manual of the Palm Beach County Water Utilities Department. However, the above shall not preclude the extension of water and sewer mains in locations other than the cited roadways when necessary for system integrity, e.g., looping of mains.

Appendix D

**Letter from South Florida Water Management District  
Declining to Lead Study of Integrated Water Management Plan  
October 11, 2000**

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## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

PALM BEACH COUNTY SERVICE CENTER 3301 Gun Club Road, West Palm Beach, Florida 33406  
(561) 682-6302 • FL WATS 1-800-432-2045, ext. 6302 • TDD (561) 697-2574, ext. 6302 • Fax (561) 682-5302  
Mailing Address: P.O. Box 24680, mail stop #2148, West Palm Beach, FL 33416-4680 • www.sfvmd.gov

**GOV 08-28**

October 11, 2000

Frank M. Duke, Director  
Palm Beach County Planning Division  
Department of Planning, Building & Zoning  
100 Australian Avenue  
West Palm Beach, FL 33460

Dear Mr. Duke:

*Frank*

Subject: Integrated Water Management System  
Agricultural Reserve Master Plan

On June 21, 2000 District staff met with Ms. Verdenia Baker regarding the Agricultural Reserve Master Plan. At that meeting she was advised the modeling work on the Water Preserve Area was not complete. The modeling work for the Water Preserve Area will serve as a basis for more detailed modeling and analysis of areas adjacent to the Water Preserve Area, especially the Agricultural Reserve area. Therefore, District staff is unable to make any specific recommendations regarding the integrated Water Management System proposed in the Agricultural Reserve Master Plan. Our commitment to Palm Beach County is for technical assistance once our modeling work is completed. The District will make the model available to the County and/or the Lake Worth Drainage District (LWDD), and also train their staff, if necessary, in model applications.

At this point, because of shifting priorities necessitated by our focus in implementing the Comprehensive Everglades Restoration Program, we are unable to make a commitment to take a lead in assessing the technical feasibility of the Integrated Water Management System as depicted in the Agricultural Reserve Master Plan. However, after the modeling work is completed, we will provide the technical tool and assistance to the County and LWDD or their consultants, if they choose to take the lead in the feasibility assessment.

I want to take this opportunity to repeat our commitment to continue to work in close cooperation with Palm Beach County, and state and federal agencies in implementing other action items of the Agricultural Reserve Master Plan pertaining to the Water Preserve Area, the proposed state park, and land acquisition partnerships.

Please call me at 682-6302 if you have any questions.

Sincerely,

*Pat*

Patricia Walker, Director  
Palm Beach County Service Center

- c. Verdenia Baker, Assistant County Administrator, Palm Beach County  
Dominic Sims, Executive Director, Planning, Zoning and Building, Palm Beach County  
Ron Crone, Assistant Manager, LWDD  
James Blount, Chief of Staff, SFWMD

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