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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ELEMENT (TO ESTABLISH THE AGRICULTURAL RESERVE TIER); INTRODUCTION AND ADMINISTRATION ELEMENT (TO MODIFY AND ADD DEFINITIONS RELATED TO THE AGRICULTURAL RESERVE TIER); AND MAP SERIES (TO REVISE THE LIMITED URBAN SERVICE AREA CONSISTENT WITH THE AGRICULTURAL RESERVE TIER); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

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WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

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WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

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WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

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WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on February 2, 9, 23 and March 9, 2001 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

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WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 26 and April 10, 2001 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

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WHEREAS, Palm Beach County received on July 1, 2001 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated June 29, 2001 which was the Department's written review of the proposed Comprehensive Plan amendments; and

1 WHEREAS, the written comments submitted by the Department of
2 Community Affairs contained no objections to the amendments contained
3 in this ordinance;

4 WHEREAS, on August 27, 2001 the Palm Beach County Board of County
5 Commissioners held a public hearing to review the written comments
6 submitted by the Department of Community Affairs and to consider
7 adoption of the amendments; and

8 WHEREAS, the Palm Beach County Board of County Commissioners has
9 determined that the amendments comply with all requirements of the
10 Local Government Comprehensive Planning and Land Development
11 Regulations Act.

12 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

14 Part I. Amendments to the 1989 Comprehensive Plan

15 Amendments to the following Element of the 1989 Comprehensive
16 Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

- 17 A. Future Land Use Element, to establish the Agricultural
18 Reserve Tier;
- 19 B. Introduction and Administration Element, to modify and add
20 definitions related to the Agricultural Reserve Tier; and
- 21 C. Map Series, to revise the Limited Urban Service Area
22 consistent with the Agricultural Reserve Tier;
- 23 D. And amending all elements as necessary for internal
24 consistency.

25 Part II. Repeal of Laws in Conflict

26 All local laws and ordinances applying to the unincorporated area
27 of Palm Beach County in conflict with any provision of this ordinance
28 are hereby repealed to the extent of such conflict.

29 Part III. Severability

30 If any section, paragraph, sentence, clause, phrase, or word of
31 this Ordinance is for any reason held by the Court to be
32 unconstitutional, inoperative or void, such holding shall not affect
33 the remainder of this Ordinance.

34 Part IV. Inclusion in the 1989 Comprehensive Plan

35 The provision of this Ordinance shall become and be made a part
36 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the

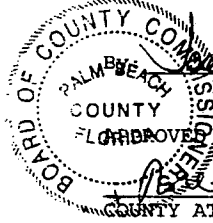
1 Ordinance may be renumbered or relettered to accomplish such, and the
2 word "ordinance" may be changed to "section," "article," or any other
3 appropriate word.

4 Part V. Effective Date

5 The effective date of this plan amendment shall be the date a
6 final order is issued by the Department of Community Affairs or
7 Administration Commission finding the amendment in compliance in
8 accordance with Section 163.3184, Florida Statutes, whichever occurs
9 earlier. No development orders, development permits, or land uses
10 dependent on this amendment may be issued or commence before it has
11 become effective. If a final order of noncompliance is issued by the
12 Administration Commission, this amendment may nevertheless be made
13 effective by adoption of a resolution affirming its effective status,
14 a copy of which resolutions shall be sent to the Department of
15 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
16 Boulevard, Tallahassee, Florida 32399-2100.

17 APPROVED AND ADOPTED by the Board of County Commissioners of Palm
18 Beach County, on the 27 day of August, 2001.

19 ATTEST: PALM BEACH COUNTY, FLORIDA,
20 DOROTHY H. WILKEN, Clerk BY ITS BOARD OF COUNTY COMMISSIONERS

21  By Warren H. Newell
22 Deputy Clerk Warren H. Newell, Chairman
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27 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
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30 COUNTY ATTORNEY
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32 Filed with the Department of State on the 6th day
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34 of September, 2001

EXHIBIT 1

A. Future Land Use Element, Agricultural Reserve Tier

REVISIONS: To establish the Agricultural Reserve Tier. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck-out~~.

Part I, Goals, Objectives and Policies Section, Future Land Use Element

1. REVISED - OBJECTIVE 1.5 The Agricultural Reserve Tier

~~The Agricultural Reserve area is a portion of the County that encompasses~~ unique farmland and wetlands which lie outside the Urban Suburban Tier between Hyfluxo 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 in order to preserve and enhance agricultural activity, environmental and water resources, and open space. This shall be accomplished by limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development limited to uses which serve the needs of farmworkers and residents of the Tier. 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.

2. NEW - Policy 1.5-a: The following general future land use designations shall be allowed in the Agricultural Reserve Tier:

1. Agricultural; limited to the Agricultural Reserve and Special Agriculture categories;
2. Commercial Low and Commercial Low-Office;
3. Commercial Recreation;
4. Parks and Recreation;
5. Conservation;
6. Institutional and Public Facilities; and
7. Transportation and Utilities.

Existing Uses

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

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

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

4. **REVISED - Policy 1.5-c: 7. Existing Land Uses & Regulatory Items a:** Residential subdivisions and Planned Development Districts (PDDs) located in the Agricultural Reserve Tier and approved by the Board of County Commissioners prior to January 1, 1990 shall be exempt from the Agricultural Reserve Tier provisions of the comprehensive plan related to the Agricultural Reserve and shall be governed by the terms and conditions of their existing approvals. Any modifications to an approved Agricultural Reserve Planned Development District (AgR-PDD) shall comply with the terms of this section.

Agriculture

5. **REVISED - Policy 1.5-d:** The Board of County Commissioners, through the Cooperative Extension Service and the Office of Economic Development, shall establish other programs that promote economic development programs for agriculture that promote development of alternative and niche crops and programs that provide opportunities for cost sharing for improvements in farming practices consistent with the programs described in Economic Objective 1.1, to ensure compatibility with environmental objectives.
6. **REVISED - Policy 1.5-e: 2. Other Programs** The Board of County Commissioners shall develop and implement a land acquisition and/or development rights acquisition program, utilizing the Conservation Land Acquisition Selection Committee with staffing from County departments. These programs will address obstacles to the future sustainability of agriculture. This program shall incorporate mechanisms that permit lands acquired by the County within the Agricultural Reserve Tier to be leased to farmers interested in continuing farm practices. Other methods of acquiring development rights in the Agricultural Reserve, such as the less than fee simple conservation easements may also be considered by the County. 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, 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.
7. **REPEAL-PACE**
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(14)(a), Florida Statutes, to maintain the economic viability of agriculture and other predominantly rural land uses.
- e. **The Purchase of Agricultural Conservation Easement (PAGE) 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 (PAGE) Program.
- 2) **Administration:** The County Commission shall adopt a PAGE Program Ordinance which will:
- (a) include criteria for a standard easement agreement; and
- (b) establish eligibility requirements.
8. **REVISED - Policy 1.5-f: 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 Agricultural Reserve Tier shall be designated as a sending area for the Transfer of Development Rights (TDR) program established under Future Land Use Objective 2.6. TDR credits shall be assigned to lands within the Agricultural Reserve Tier at a transfer rate of one (1) du/acre. Also, the TDR provisions of the ULDC shall be amended to accommodate the concepts contained above.
9. **REVISED - Policy 1.5-g:** Farm worker housing quarters and grooms quarters is critical to continuation of farming in the Agriculture Reserve. provisions shall be made for the adequate accommodation of such housing accommodated within the Agricultural Reserve Tier, provided the property proposed for such purpose has density assigned to it. Farm worker quarters and grooms quarters shall not be located on property on which no residential density is assigned by the Future Land Use Atlas.

10. ~~REVISED - Policy 1.5-h: Other than High-value added agricultural uses (such as packing houses, canneries, specialty food processing, etc), which are buffered with buffering to address compatibility with other permitted uses, will be permitted in the Agricultural Reserve Tier, except on land designated as the preserve area of a planned development designated pursuant to Future Land Use Sub-Objective 1.5.1.~~

Residential

11. ~~REVISED - Policy 1.5-i: 5-Development Alternatives As an alternative to agricultural land use, the following Residential uses shall be permitted within the Agricultural Reserve Area Tier under the Agricultural Reserve land use designation as further regulated by the Unified Land Development Code, consistent with the provisions of Future Land Use Policy 2.1-b and Table 2.1-1. a- The land shall be allowed to develop as Agricultural Residential at a density of one dwelling unit per five acres (1DU/5AC), unless the property meets the requirements for an Agricultural Reserve Planned Development (AgR-PDD) or an Agricultural Reserve Traditional Marketplace Development (AgR-TMD) as described in Future Land Use Sub-Objective 1.5.1, in which case the land may be developed at a density of one dwelling unit per acre. b- The land may be developed at a density of one dwelling unit per acre, in an Agricultural Reserve PDD (AgR-PDD).~~

Commercial

12. ~~REVISED - Policy 1.5-j: c- Commercial (retail, office, service) land use uses permitted in the Agricultural Reserve Tier shall be limited to serving those which serve the needs of the farmworker community, existing residents, and future residents of an AgR-PDD. Commercial land uses shall be allowed as a pod within an PDD master plan, provided that it is situated to serve the residents of the PDD as opposed to the general public.~~
13. ~~NEW - Policy 1.5-k: The County shall not approve any land within the Agricultural Reserve Tier for the Commercial Low or Commercial Low-Office designation unless the property is within 1/4 mile of the intersections of Lyons Road with either Boynton Beach Boulevard or Atlantic Avenue or within 1/4 mile of the northeast quadrant of the intersection of State Road 7 and Clint Moore Road. The County shall not approve any land within the Agricultural Reserve Tier for the Commercial Low-Office designation unless the property is within 1/4 mile of the intersections of Lyons Road with either Boynton Beach Boulevard or Atlantic Avenue or within 1/4 mile of the northeast quadrant of the intersection of State Road 7 and Clint Moore Road.~~
14. ~~NEW - Policy 1.5-l: The County may approve a maximum of 80 acres or 750,000 1,400,000 square feet within the Agricultural Reserve Tier with a Commercial land use designation. This maximum acreage shall not include the acreage required as the preserve area of an Agricultural Reserve Traditional Marketplace Development (AgR-TMD) pursuant to Future Land Use Policy 1.5.1-n.~~
15. ~~NEW - Policy 1.5-m: All Commercial Low and Commercial Low-Office development in the Agricultural Reserve Tier shall be in the form of an AgR-TMD, as described in Future Land Use Sub-Objective 1.5.1. All land use amendments seeking Commercial Low or Commercial Low-Office designation in the Agricultural Reserve Tier shall be accompanied by site plans illustrating compliance with the AgR-TMD. Applications for rezoning of property seeking a commercial land use designation shall be filed concurrent with the Plan amendment.~~

Commercial Recreation

16. ~~NEW - Policy 1.5-n: Freestanding golf courses shall be allowed as the only form of commercial recreation in the Agricultural Reserve Tier. All development rights shall be removed from the site seeking the Commercial Recreation (CR) designation. Golf courses associated with residential or nonresidential development using the 60/40 Planned Development Option shall not be permitted to use this designation. Gaming, parimutuel wagering, off-track betting, or events or activities held or broadcast for similar purposes shall be prohibited in the Agricultural Reserve Tier.~~
17. ~~NEW - Policy 1.5-o: All freestanding golf courses designated as Commercial Recreation in the Agricultural Reserve Tier shall have a management plan 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;
3. best management practices which, at a minimum, identify procedures to be followed for the construction, irrigation, operation, and maintenance of the golf course; and
4. a landscape plan utilizing only native or drought tolerant species for all landscape requirements.

Institutional

- 17-a. NEW - Policy 1.5-p:** Institutional and Public Facilities uses shall be allowed in the Agricultural Reserve Tier. Such uses shall not be permitted west of State Road 7.

Planned Developments

18. REVISED - SUB-OBJECTIVE 1.5.1 Planned Developments

~~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 achieve the goal of farmland protection and agricultural perpetuation, unique planned development options which ensure the preservation of significant open space may be permitted. 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. The land and may be developed at a density of one dwelling unit per acre., in an Agricultural Reserve PDD (AgR-PDD)~~

- 19. NEW - Policy 1.5.1-a:** Three planned development options may be permitted in the Agricultural Reserve Tier:

1. the 80/20 AgR-PDD;
2. the 60/40 AgR-PDD; and
3. the AgR-TMD.

~~All proposed planned developments must be able to meet all level of service standards and all relevant criteria, as stated in the Unified Land Development Code.~~

- 20. REVISED - Policy 1.5.1-b:** ~~6- Prior to September 1, 1996, the ULDC, shall be amended to create the Agricultural Reserve PUD (AgR-PUD). The An AgR-PUDD shall be consistent with the Agricultural Reserve Section of the Comprehensive Plan and shall accommodate require the following:~~

- ~~1.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;:~~
- ~~2. that the development area of any AgR-PDD be situated adjacent to other 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. that the development area provide an appropriate buffer between non-agricultural uses and adjacent agricultural uses to ensure that new non-agricultural uses do not adversely affect agricultural uses. When golf courses and similar amenities are provided in the development area, they shall be situated to serve as a buffer between non-agricultural uses and agricultural uses, though water features in an AgR-PDD shall not have to be located adjacent to the buffers of the development;~~
- ~~4.b: that the dedication requirements (e.g. civic use) and calculations for land uses (e.g. commercial non-residential pods) are to be based only upon the development portion of the AgR-PDD;:~~
 - ~~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; and~~
 - ~~e- dedication of land or placement of a conservation easement in lieu of restrictive covenant shall be at the option of the property owner;~~
 - ~~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;~~
- 5.~~(4)~~ that the development area shall use native or drought tolerant species for, at least, 50% ~~60%~~ of any landscape requirement.

21. **NEW - Policy 1.5.1-c:** At least one stub street in each of the four cardinal directions may be required in all AgR-PDDs unless the property is adjacent to a designated preserve area or lies west of State Road 7 or lies adjacent to the Ronald Reagan Turnpike.
22. **New - Policy 1.5.1-d:** Utilization of these planned development options may result in a maximum density for an AgR-PDD of 1 du/ac for a residential AgR-PDD except that the maximum number of units shall be reduced to reflect the number of farm worker quarters and/or grooms quarters located in the preserve area. For a residential AgR-PDD or an AgR-TMD, the preserve area requirement shall be established as:
- 1. a 80/20 development, 75 percent of the total land area;
 - 2. a 60/40 development, 60 percent of the total land area; and
 - 3. a TMD, 60 percent of the total land area.
23. **NEW - Policy 1.5.1-e:** Property owners located along a designated rural parkway in the Agricultural Reserve Tier shall receive credit for the parkway easement as a portion of their required preserve area as described in Future Land Use Policy 1.5.1-d without regard to the minimum contiguous acreage requirement for the preserve area of an AgR-PDD established in Future Land Use Policies 1.5.1-i and 1.5.1-l.
24. **REVISED - Policy 1.5.1-f:** Commercial Nonresidential land uses, limited to those uses which the County allows in residential developments within the Urban/Suburban Tier, shall may be allowed as a pod within the development area of a residential AgR-PDD master plan, provided that it is the nonresidential uses are situated to serve the residents of the AgR-PDD as opposed to the general public.
25. **REVISED - Policy 1.5.1-g:** The County shall designate the designation of protected preserve areas and development areas of all AgR-PDDs if the preserve area is not contiguous to the developed area on the Future Land Use Atlas as an Agricultural Reserve Preserve Map, through a County sponsored Map amendment initiated after approval of an the AgR-PDD; and, if development rights are retained on the preserve area, for purposes of providing farm worker housing quarters or grooms quarters consistent with Future Land Use Policy 1.5.1-k, the number of farm worker housing quarters or grooms quarters which may be located on the preserve area shall also be noted on the Future Land Use Atlas.

80/20 Planned Development Option

26. **REVISED - Policy 1.5.1-h:** a) 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. An 80/20 AgR-PDD shall require the following
- a)1. a the minimum size of the AgR-PDD (80/20) shall be of 40 contiguous acres;:
 - b)2. that the buildable area of the AgR-PDD (80/20) shall be contained in one compact area. It shall and not exceed 20 percent of the gross acreage. However, if 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% percent of the gross acreage;: and
 - 3. that the remainder of the 80-percent gross acreage shall be maintained in agriculture, passive recreation or other open space use, except that water features may only be considered within the preserve area if the feature is designated by the South Florida Water Management District as a Water Preserve Area (WPA). Recreation or other open space uses shall be passive or rural in nature. No other 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 shall be permitted.

60/40 Planned Development Option

27. **REVISED - Policy 1.5.1-i:** ~~b)~~ 60/40 option: The purpose of the 60/40 option is to protect farmland and the perpetuate the practice of agriculture within the Agricultural Reserve Area. A 60/40 AgR-PDD shall require the following:
1. ~~The a~~ minimum size of the AgR-PDD (60/40) shall be of 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.
 2. ~~that~~ the development area be contained in one compact area and 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. The development area shall meet the following parameters:
 - ~~(a)~~ be contained in one compact area;
 - ~~(b)~~ 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, and civic center sites, and the like.
 3. the development area and the protected area need not be contiguous;
 4. ~~that~~ the development area shall not be situated west east of SR- State Road 7 with frontage on either SR- State Road 7, SR- State Road 806 (Atlantic Avenue), SR- State Road 804 (Boynton Beach Boulevard), Clint Moore Road, or Lyons Road extending north of Boynton Beach Boulevard or Lyons Road extending south of Atlantic Avenue. Other thoroughfares may be added to this list, by pPlan amendment, consistent with the goal of preservation and perpetuation of agriculture in the Agricultural Reserve Tier;
 5. the development area shall not be situated west of SR- State Road 7; and
 6. ~~that~~ the preserve area. 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 be maintained in agriculture, passive recreation or other open space use. The preserve area shall meet the following parameters:
 - ~~(a)~~ the protected area can be located anywhere in the Agricultural Reserve provided that:
 - a.(1) contain a the minimum contiguous area; of a single protected area created with the AgR-PDD, shall be 150 acres; and or,
 - b.(2) the protected area shall have a common boundary with other lands that aggregate to a total of 150 acres and 1) have a future land use designation of Conservation; or 2) other lands that are designated as an Agricultural Reserve Preserve; or 3) other lands that have had the development rights removed and remain in some type of open space. agricultural lands, fallow land, or land which is projected to otherwise be in an open space land use.
 - c. be utilized (b) it is to be used for crop production, pasture, or equestrian purposes, or may be retained as fallow land or, if designated by the South Florida Water Management District as a Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District or South Florida Water Management District, or for water management purposes not directly related to the 60/40 AgR-PDD if approved by the Department of Environmental Resources Management, managed for environmental resource values. Accessory agricultural structures such as barns and pump structures are shall be permitted. Agricultural support uses such as processing facilities, farm worker housing; and the like shall not be accommodated in the protected area of an AgR-PDD; nor shall new residential uses be accommodated thereon except for farm worker housing quarters or rooms quarters as described in Future Land Use Policy 1.5.1-k.
28. **REVISED - Policy 1.5.1-j:** ~~(c)~~ when If the protected preserve area of a 60/40 AgR-PDD 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 appropriately. on the master plan and plat; fFurther, a restrictive covenant limiting it to such use, made in favor

of Palm Beach County, shall be recorded concurrent with the plat. ~~a~~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) when~~ If the protected preserve area is not contiguous to the development area, the property it shall be platted with a boundary plat as part zoned in an agriculture preservation zoning district simultaneously with approval of the AgR-PDD, with its use shall be restricted with by a restrictive covenant limiting it to such use preservation uses, 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; ~~a~~As an alternative, the protected area may be subjected to an agricultural conservation easement in favor of to Palm Beach County, or it may be deeded to the County, (or such other governmental entity) which may be willing to assume responsibility for the property given the restrictions placed upon its use.

29. NEW - Policy 1.5.1-k: To accommodate the use and delivery of farm worker housing or grooms quarters, some density may be retained on the preserve areas of 60/40 Agricultural Reserve Planned Development Districts (AgR-PDDs). Such housing may be located on these preserve areas at the following densities:
1. Farm residences - one unit per 20 acres
 2. Farm worker quarters - one unit per acre, provided such units are clustered onto a single compact area of the preserve area and are restricted to occupancy by farmworkers
 3. Grooms quarters - the number of grooms quarters shall be based upon the number of stalls in the preserve area with a maximum of 20 grooms quarters allowed with no density requirement. For AgR-PDD Preserve Areas seeking more than 20 grooms quarters, the allowable density of the development area shall be decreased by one unit for each grooms quarter to a maximum reduction of one-half of the number of dwelling units associated with the preserve area property.

All such agricultural support housing shall require that density be left on the site of the preserve area at the time the AgR-PDD is platted, to provide farm worker quarters or a farm residence. Such housing may be located on these preserve areas at a density no greater than one unit per 20 acres for farm residences, if that density is retained on the preserve areas at the time of platting. Farm worker quarters may be developed at a rate of 5 units for each density credit retained on the property if such farm worker quarters is clustered in a single site on the preserve area to maximize the acreage available for agricultural and open space uses.

30. REVISED - Policy 1.5.1-l: The Unified Land Development Code shall require that c. Existing Land Uses & Regulatory Items 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 Agricultural Reserve Tier as a part of a 60/40 AgR-PDD have a management plan shall be developed which, at a minimum, shall contain the following:
1. a) an integrated pest management plan designed to prevent contamination of ground and surface water from pesticides, herbicides, and fertilizers;
 2. b) a water quality and quantity monitoring plan with emphasis on impacts to adjacent wetlands and surface waters; and;
 3. c) best management practices which, at a minimum, identify procedures to be followed for the construction, irrigation, operation, and maintenance of the golf course; and
 - h) ~~Prior to September 1, 1996, the Agricultural Reserve Zoning District shall be amended to accommodate the existing uses as addressed in this Section G.~~
 - 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".~~
 4. a landscape plan utilizing only native or drought tolerant species for all landscape requirements.

Traditional Marketplace Development

31. NEW - Policy 1.5.1-m: An Agricultural Reserve Traditional Marketplace Development (AgR-TMD) shall require the following:
1. a minimum of 25 acres;
 2. that the development area be contained in one compact area, except as otherwise specified below, and shall not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map. The development area shall contain uses normally associated with commercial development such as the street system, parking and water retention areas;

3. that the development area shall be located within 1/4 mile of the intersections of Lyons Road and Atlantic Avenue or Lyons Road and Boynton Beach Boulevard or within 1/4 mile of the northeast quadrant of the intersection of State Road 7 and Clint Moore Road; and
4. that the preserve area shall consist of, at least, 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map. Up to 10 percent of the preserve area may be located within the development area for use as open space or public greenspace. Any portion of the preserve area not located within the development area:
 - a. may be contiguous with the developed area; or it may be noncontiguous with the developed area, in which case it shall have a common boundary with other lands that aggregate to a total of 150 acres and 1) have a future land use designation of Conservation; or 2) other lands that are designated as an Agricultural Reserve Preserve; or 3) other lands that have had the development rights removed and remain in some type of open space.
 - b. shall be utilized for crop production; pasture; equestrian purposes; if designated by the South Florida Water Management District as a Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District or South Florida Water Management District, or for water management purposes not directly related to the AgR-TMD; or, if approved by the Department of Environmental Resources Management, managed for environmental resource values or, if located east of State Road 7, for civic purposes such as schools, libraries, or fire stations.

- 32-a. **NEW - Policy 1.5.1-n:** If the preserve area of a 60/40 AgR-TMD is contiguous to the development area, it shall be shown on the AgR-TMD Master Plan and Plat and designated appropriately. 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.

If the preserve area is not contiguous to the development area, it shall be platted with a boundary plat as part of the AgR-TMD, with its use restricted by a restrictive covenant limiting it to preservation uses, made in favor of Palm Beach County. As an alternative, the protected area may be subjected to an agricultural conservation easement in favor of Palm Beach County, or it may be deeded to the County, (or such other governmental entity) which may be willing to assume responsibility for the property given the restrictions placed upon its use.

32-b. **DELETED**

~~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):~~

~~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".~~

~~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.~~

Objective 2.1 Balanced Growth

33. **REVISED - Policy 2.1-b:** The County shall utilize a range of residential future land use categories to accommodate growth and non-residential land use designations to support and serve the residential and tourist populations. The entitlement, minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in Table 2.1-1 and Table 2.1-2 and further described in the Implementation Section.

TABLE 2.1-2
Maximum Floor Area Ratios (F.A.R.s) For Non-Residential Future Land Use Categories

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
Agriculture	AP	not allowed	not allowed	not allowed	not allowed	.10
	SA	.15	.15	.15	.15	.15
	AgR	not allowed	not allowed	not allowed	.15 0 outside CCSO	not allowed
Commercial Low (Neighborhood Commercial)	CL-O	.35 .50 non-retail only	.20	.20	.20 ¹ .40 w/ TMD not allowed	.20
	CL	.20 w/o PDD .25 w/ PDD ^{2,3}	.10 1.0 w/ TMD	.10 1.0 w/ TMD	.10 ¹ .35 w/ CCSO .40 w/ TMD ⁴	.10
Commercial High (Community or Regional Commercial)	CH-O	.35 w/o PDD .50-.85 w/ PDD ⁵	not allowed	not allowed	not allowed	not allowed
	CH	.35 w/o PDD .50-.85 w/ PDD ⁵ .85-1.0 ³	not allowed	not allowed	not allowed	not allowed
Industrial	IND	.45	not allowed	not allowed	.45	.45
	EDC	.45	not allowed	not allowed	not allowed	not allowed
Commercial Recreation		.10-.50	not allowed	.05	.05 not allowed	.05
Parks & Recreation		.10-.45	.10	.10	.10 not allowed	.10
Conservation		.05	.05	.05	.05 not allowed	.05
Institutional & Public Facilities		.1-.45	.20	.10	.10 not allowed	.10
Transportation & Utilities		.10-.45	.10	.05	.05 not allowed	.05
Traditional Town Development		1.0	not allowed	not allowed	not allowed	not allowed

Notes:

1. Only existing future land use designations of Commercial Low or Commercial Low-Office located in the Agricultural Reserve Tier shall be allowed to develop at this F.A.R. For Commercial Low, the FAR is ~~.40~~ except for the CCSO which allows an FAR up to ~~.35~~. (Subsequent footnotes are re-numbered)
2. When a subject tract is contiguous on at least two sides to a residential FLU of HR-8 or greater, the maximum allowable FAR threshold is .25. In all other cases, the maximum FAR is .20.
3. Provided development furthers the objectives and policies of the Comprehensive Plan, an exception to the FAR, up to 1.0 may be permitted to allow for: ~~1a) infill development; 2b) mixed-use development; or 3c) Traditional Neighborhood Development (TND); or 4d) Traditional Market Place Development (TMD).~~
4. For Ag Reserve TMDs the FAR is calculated on the total area of the development, including both the developed and preserve area. ~~Provided development furthers the objectives and policies of the Comprehensive Plan, an exception to the FAR, up to 1.0 may be permitted to allow for TMDs to allow for rural mainstreets.~~
5. For Commercial High (CH) and Commercial High Office (CH-O), the maximum allowable FAR is .50 for MUPD planned developments and .85 for MXPD planned developments, as defined in the ULDC.

Objective 2.2 Future Land Use Provisions - General

2.2.5 Agricultural

34. REVISED - Policy 2.2.5-a: The County shall designate properties with one of the three agricultural categories to ensure compatibility with surrounding future land uses, and to prevent encroachment of incompatible uses into agricultural areas. These three categories are depicted on the Future Land Use Area Atlas and include:

1. Special Agriculture (SA). The SA category shall primarily be used as a transitional agricultural classification and is utilized for more intense agricultural uses and related services. Limited commercial activities that provide a convenience to the rural or agricultural community may be permitted within this category;
2. Agricultural Production (AP). The AP category shall be applied to the Everglades Agricultural Area to protect areas for bona fide agriculture and related farming operations, particularly where conditions favor continued agricultural production. Agricultural Production uses shall be protected from encroachment of incompatible urban land uses;
3. Agricultural Reserve (AGR). The AGR category shall be applied within the Agricultural Reserve Tier and shall limit uses to agriculture and conservation with residential development restricted to low densities, as further described in Land Use Objective 1.5.

Objective 2.4 Mixed-Use Development

35. REVISED - Policy 2.4-a: The County may permit the mixed-use development patterns identified in Table 2.4-1 within the appropriate Tiers.

**TABLE 2.4-1
MIXED-USE DEVELOPMENT PATTERNS**

Mixed-use Development Pattern	Reference	Tiers				
		Urban/ Suburban Obj. 1.2	Exurban Obj. 1.3	Rural Obj. 1.4	Ag Reserve Obj. 1.5	Glades Obj. 1.6
TTD Traditional Town Development	Sub-Objective 2.2.10	X	--	--	--	--
TMD Traditional Marketplace Development	Policies 1.2.1-d, 2.4-c	X	X	X	X	--
TOD Transit Oriented Development	Policy 2.4-d	X	--	--	--	--
TND Traditional Neighborhood Development	Policy 1.2.1-e	X	--	--	--	--
PUD PRD Planned Unit Residential Development (Residential)	Policy 1.2.1-g	X	X	X	X	--
MXP Mixed-use Planned Development	Policy 1.2.1-i	X	--	--	--	--
PIP Planned Industrial Park Development	Policy 1.2.1-k	X	--	--	--	--

OBJECTIVE 3.3 Limited Urban Services Area (LUSA)

Palm Beach County shall allow for a mix of urban and rural levels of service in the Limited Urban Service Area.

36. REVISED - Policy 3.3-a: The Limited Urban Service Area shall include the following areas ~~once a centralized water and/or sewer system is installed:~~

1. the area described as the United Technology-Pratt and Whitney Overlay;
2. the area defined as the General Aviation Facility/ North County Airport; ~~and~~

3. the Agricultural Reserve Tier; and
4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer ~~may be designated as LUSAs~~ following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation.

The LUSA shall be depicted on the Service Areas Map and the Future Land Use Atlas in the Map Series upon designation through a Plan amendment.

III. Implementation

37. REVISED - Other Mixed-Use Development Types Traditional Marketplace Development

The purpose of a Traditional Marketplace Development (TMD) is to provide the community with an alternative Commercial development pattern that promotes concentrated area for shopping, entertainment, business, cultural and housing opportunities. This shall be accomplished by allowing for a mix of uses in a manner that creates a stronger pedestrian orientation through design, placement and organization of buildings and common public space while dispersing parking. This alternative form of development provides a more efficient pattern of development, and more cost effective delivery of service while increasing the sense of community. The County shall provide for a Traditional Marketplace Planned Development in the Urban/Suburban, Exurban, Agricultural Reserve and Rural Tiers and shall ensure that it is designed to be compatible with the Tier of development. The basic principles are described below shall be used as a guide to create standards to implement this alternative Commercial development pattern.

The Traditional Marketplace Development shall be comprised of community commercial land uses. These land uses may include, but will not be limited to, shops and services, retail, office, restaurant, and civic uses such as schools, places of worship, and government services. The compact design, low intensity land use does not permit the siting of outparcel retail, or "big box" commercial.

The floors above the shops and offices have the potential to may provide either housing or residential/business - live/work units through a density conversion.

The Traditional Marketplace Development shall be located to front on at least a collector roadway. Gateways and entryways shall be designed as an integral component of the development to create an identity for the community.

B. Introduction and Administration Element, Agricultural Reserve Tier

REVISIONS: To modify and add definitions related to the Agricultural Reserve Tier. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck-out~~.

38. REVISED-Water Preserve Area - Lands which have been designated by the South Florida Water Management District as a Water Preserve Area (WPA) and which will provide one or more of the following water management functions: wetland, reservoir, stormwater attenuation, water quality treatment or groundwater recharge or other uses deemed necessary upon completion of the Water Preserve Area Feasibility Analysis being conducted by the South Florida Water Management District and the United States Army Corps of Engineers.

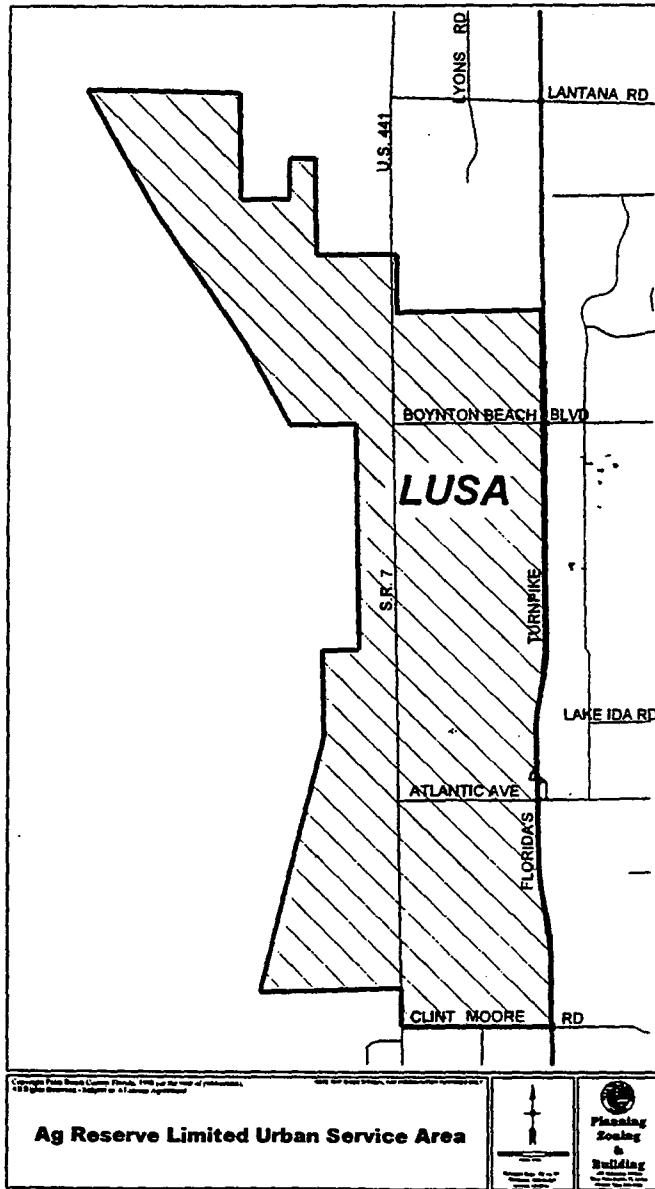
38-a. NEW - Farm Workers Quarters - One or more residential structures located on the site of a bona fide agricultural use and occupied by year-round farm workers employed by the owner of the farm.

38-b. NEW - Farm Residence - A dwelling unit, other than a mobile home, located on a parcel of land used for a bona fide agricultural use and occupied by the owner or operator of the farm operation.

38-c. NEW - Grooms Quarters - On-site living quarters for persons responsible for grooming and caring for horses boarded at the stable.

C. Map Series, Agricultural Reserve Tier

REVISIONS: To revise the Limited Urban Service Area on Service Areas Map, LU 2.1 and the Future Land Use Atlas (FLUA) consistent with the Agricultural Reserve Tier.



STATE OF FLORIDA, COUNTY OF PALM BEACH
 I, DOROTHY H. WILKEN, ex-officio Clerk of the
 Board of County Commissioners certify this to be a
 true and correct copy of the original filed in my office
 on August 27, 2001
 DATED at West Palm Beach, FL on 8/20/01
 DOROTHY H. WILKEN, Clerk
 By: Dorothy Wilken D.C.