



## PRIVATELY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

**BCC MEETING, NOVEMBER 5, 2025**

### I. General Data

|                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <b>Project Name:</b>                         | <b>Eternal Light Expanded Civic Text Initiation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Proposed Text Amendment:</b>              | <p>This privately proposed text amendment request is to revise the Future Land Use Element (FLUE) policies regarding the Agricultural Reserve Tier, specifically to:</p> <ul style="list-style-type: none"> <li>• Revise Policy 1.5-t(1) to support the expansion of the Eternal Light Cemetery; and</li> <li>• Revise Policy 1.5.1-i to allow for a reduction in the required preserve area of a 60/40 PUD from 60% to 50% if the development includes an expanded civic area (10% of gross development acreage) that is identified in Policy 1.5-t(1).</li> </ul> |
| <b>Proposed Development Order Amendment:</b> | <p>If the Board initiates this amendment, the applicant will request a development order amendment to the Whitworth PUD approval to 1) add the existing 51 +/- acre cemetery to the development area as a private civic pod; 2) redesignate 26 +/- acres from preserve to the development area as a private civic pod; and 3) remove 79 +/- acres as preserve. Additionally, a site plan for a place of worship will be submitted on a 5 +/- acre parcel following removal of the parcel from the PUD.</p>                                                          |
| <b>Applicant/Owner:</b>                      | NorthStar Cemetery Services of FL, LLC – owner & contract purchaser<br>Boynton Beach Associates 30 LLLP – owner                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Agent:</b>                                | Jennifer Morton, JMorton Planning & Landscape Architecture                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Project Manager:</b>                      | Stephanie Gregory, Principal Planner<br>Bryce Van Horn, Senior Planner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Staff Recommendation:</b>                 | Staff recommends <b>to not initiate</b> the proposed text amendment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

### II. Item Summary

The item before the Board is to consider the initiation of a privately proposed text amendment to the Comprehensive Plan. The text amendment proposes to allow for a reduction in the required preserve area of a 60/40 PUD from 60% to 50% and increase the development area from 40% to 50% if the PUD includes an expanded civic area (10% of gross development acreage). While the amendment represents an opportunity to support and allow for the expansion of an existing institutional use and could increase additional civic site opportunities in the Tier, the proposed amendment represents a policy change from what the Board adopted in 1995 and further reinforced in 2001 following the recommendations of the Agricultural Reserve Master Plan for the 60/40 PUD. In proposing this policy change, it would allow for a reduction in preserve area that has already been set aside and does not further the existing objective of the Tier that the Agricultural Reserve be “*preserved primarily for agricultural use.*”

### **III. Meeting History**

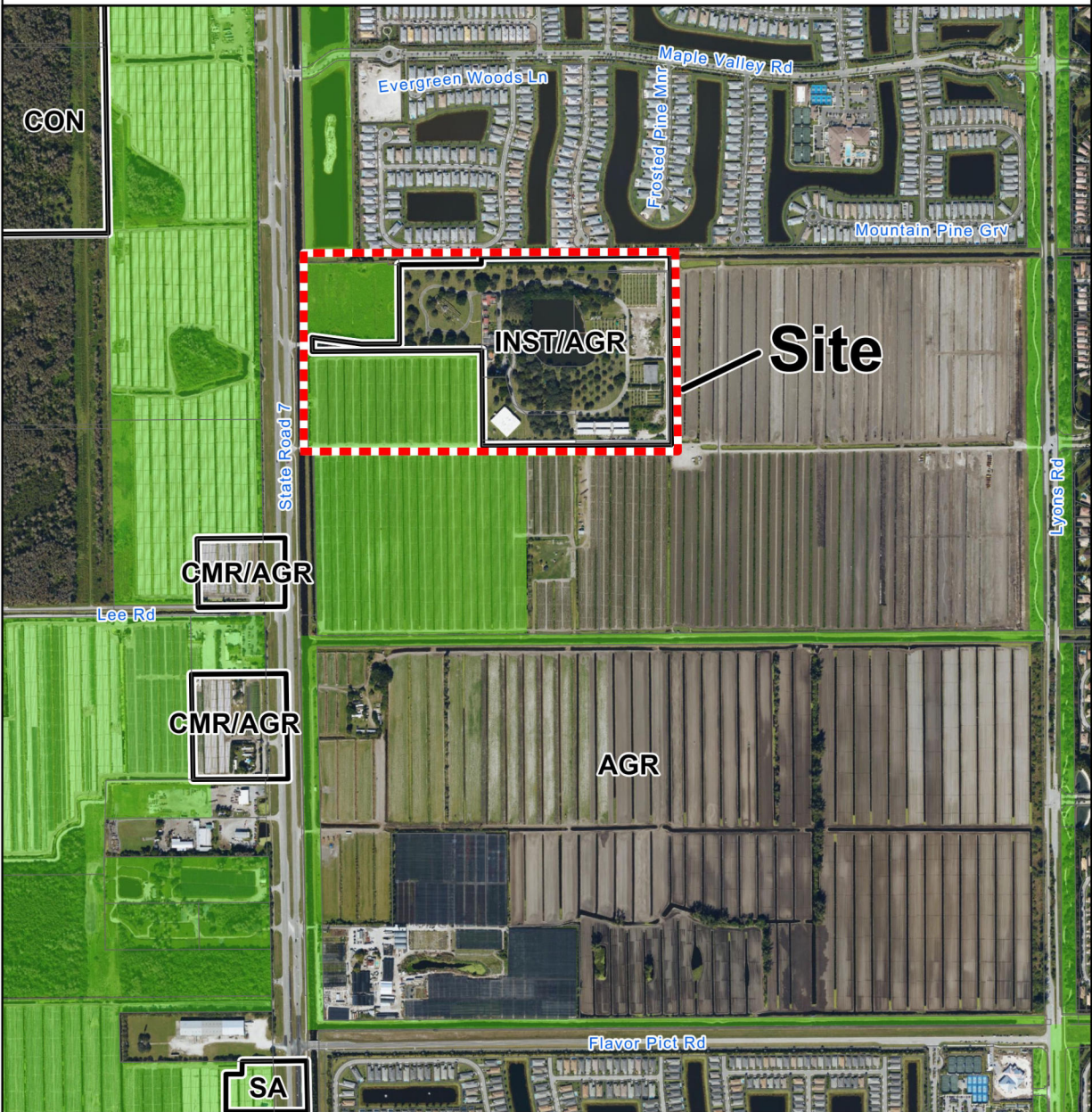
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**Local Planning Agency/Planning Commission (LPA/PLC):** To be provided in agenda.

**Board of County Commissioners (BCC):**

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# Eternal Light Civic Text Initiation



## Site Data

Size: 77.00 acres  
 Existing Use: Agricultural & Cemetery  
 Proposed Use: Cemetery  
 Current FLU: INST/AGR & AGR  
 Proposed FLU: INST/AGR & AGR

## Future Land Use Designations

AGR Agricultural Reserve  
 CMR/AGR Commerce, underlying AGR  
 CON Conservation  
 INST/AGR Institutional and Public Facilities, underlying AGR  
 SA Special Agriculture

Date: 8/19/2025  
 Contact: PBC Planning  
 Filename: T-Planning/AMEND/26-A2  
 Note: Map is not official, for presentation purposes only.

Site  
 AGR Preserves

340 0 340 680 Feet



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



## IV. Private Text Amendment Request

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**Proposed Text Amendment.** The privately proposed text amendment request is to revise Comprehensive Plan policies regarding the Agricultural Reserve Tier specifically to:

- Revise Policy 1.5-t(1) to support the expansion of the Eternal Light Cemetery; and
- Revise Policy 1.5.1-i to allow for a reduction in the required preserve area of a 60/40 PUD from 60% to 50% if the development includes an expanded civic area (10% of gross development acreage) that is identified in Policy 1.5-t(1).

**Associated Development Order Amendment Application.** If the Board initiates this amendment, the applicant will request a development order amendment to the Whitworth PUD approval to 1) add the existing 51 +/- acre cemetery to the development area as a private civic pod; 2) redesignate 26 +/- acres from preserve to the development area as a private civic pod; and 3) remove 79 +/- acres as preserve. Additionally, a site plan for a place of worship will be submitted on a 5 +/- acre parcel following removal of the parcel from the PUD.

## V. Policy Background

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### A. Agricultural Reserve Tier Background

In 1999, the County adopted the Managed Growth Tier system to recognize the County's diverse geographic regions and lifestyles by establishing tiers that have common densities/intensities and public service availability. The subject site is located within the Agricultural Reserve Tier, an area originally established to support very low density residential, as well as agricultural operations and equestrian uses. The Agricultural Reserve Tier consists of approximately 22,000 acres. The Agricultural Reserve Tier is located in the southern portions of the County between Florida's Turnpike and the Arthur R. Marshall National Wildlife Refuge.

The purpose of the Agricultural Reserve Tier is described in the Comprehensive Plan as Objective 1.5 below:

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

The Tier was formally designated as "The Reserve" in the 1980 Comprehensive Plan with an emphasis on the preservation of agriculture. In 1998, the BCC directed development of a Master Plan for the Agricultural Tier which established a goal to *preserve and enhance agricultural activity and environmental and water resources in the Agricultural Reserve, and produce a master development plan compatible with this goal*. The BCC did not adopt the Master Plan, but adopted amendments to the Comprehensive Plan in Round 01-1 incorporating the majority of the recommendations of the final Master Plan.



## **B. Preserve Area Background**

There are three methods to preserving land in the Agricultural Reserve - through the bond referendum, government ownership, and through the preserve requirements for new development. The Bond Referendum approved by voters in March of 1999 provided \$150 million towards a land acquisition program for open space purposes to protect environmentally sensitive lands, land for water resources, greenways, agricultural lands, and open space. The Board of County Commissioners directed that \$100 million of the proceeds of this bond be dedicated to land acquisitions in the Agricultural Reserve and that \$50 million be dedicated to land acquisitions throughout the County for the purchase of natural areas.

The 2025 Snapshot that was presented to the Board at an Ag Reserve workshop on May 13, 2025, shows that almost 13,400 total acres (61%) of lands within the Tier have been preserved through the bond, government ownership, and clustering options with the Agricultural Reserve planned developments (AGR-PDDs). The Bond Referendum as part of the Master Plan resulted in the County purchasing approximately 2,400 acres of land currently set aside for natural areas. Approximately 13,885 acres of the Agricultural Reserve Tier have been approved as AGR-PDDs. Of this acreage, approximately 8,053 acres have been set aside as AGR-PDD preserve areas, of which 5,081 acres are privately owned and 3,142 acres are owned by the South Florida Water Management District, Lake Worth Drainage District, or the County.

As previously mentioned, one of the methods for the preservation of agricultural lands and open space is through the preserve requirements for new development. The 80/20 Planned Unit Development (PUD) was added to the Comprehensive Plan in 1980 and the 60/40 PUD was added in 1995, prior to the completion of the Agricultural Reserve Master Plan in 1999. These residential development options require either 80% or 60% of the total land area of the PUD, less dedications, to be set aside as a preserve area and restricted by a conservation easement. There have been no changes to the percentage of preserve requirements for residential 60/40 and 80/20 planned developments in the Tier since they were established in the Plan. However, since 2004, the Board has allowed additional uses in preserves or created preserve requirements for new future land use allowed in the Tier. A summary is provided in Exhibit 4.

## **C. Eternal Light Cemetery Background**

Eternal Light is a 48.46 acre site located on the east side of State Road 7, approximately 1.6 miles south of Boynton Beach Boulevard with an Institutional and Public Facilities (INST) future land use. In 1975, the site received a special exception for a cemetery and mausoleum. The cemetery is one of three institutional uses that pre-date the Agricultural Master Plan and are acknowledged in the Future Land Use Element policy 1.5-t to allow as conforming uses. In 2016, the BCC directed staff to make non-residential sites that existed prior to the Agricultural Reserve Master Plan as conforming uses. Concurrent with the adopted text amendment were eight County-Initiated Future Land Use Atlas (FLUA) site specific amendments to assign the pre-existing commercial and institutional parcels that are east of State Road 7 with a Commercial Low with an underlying AGR (CL/AGR) or Institutional and Public Facilities with an underlying AGR (INST/AGR) future land use designation, respectively. All of the amendments were presented and discussed together. The Board discussed the original intent of accommodating the pre-existing uses and questioned whether the amendments would result in a significant increase in commercial and institutional square footages. The text amendment to the Comprehensive Plan was adopted at the January 27, 2016, public hearing via Ordinance 2016-005 and the site specific amendment to change the future land use of the Eternal Light Cemetery (LGA 2016-011) to the INST designation was adopted on the same day (Ordinance 2016-007).

#### **D. Whitworth 60/40 PUD Background**

As a 60/40 Planned Unit Development, the PUD is required to provide 60% of the total acreage less dedications as preserve area, the remaining 40% is able to be developed as residential at 1 unit per acre calculated over the total gross acreage. This typically results in a net density of 2 to 3 units per acre for the development area. A summary of the current approved site plan is below:

**Development Area.** The 470 acre development area of the Whitworth PUD is located approximately 1.5 miles south of Boynton Beach Boulevard, west of Lyons Road and east of State Road 7. The approved site plan shows 1,177 age restricted units (161 single family and 1,016 zero lot line homes).

**Preserve Areas.** The Whitworth PUD is currently required to provide 60% of the total acreage of the PUD less dedications as preserve area, which results in 704.654 acres of preservation lands. These preserve parcels are located throughout the Agricultural Reserve Tier and includes approximately 26 acres that Eternal Light will purchase to expand their operations and an additional approximately 5 acre site for a place of worship.

**Civic Requirement.** The Whitworth PUD is currently required to provide a civic dedication that is equal to 2% of the gross development area (472.350 acres), which would be 9.45 acres. The current approved site plan shows that 2.88 acres is to be provided as public civic on the north Whitworth site. The remaining 6.57 acres were approved by the Board to be cashed out in 2022, 2024 and 2025.

#### **E. Proposed Text Amendment**

The amendment language provided in Exhibit 1, proposes to revise the 60/40 PUD policy to allow for a reduction in the preserve area requirement from 60% to 50% provided that an expanded civic area for Eternal Light Cemetery is provided. An “expanded civic area” is proposed to be defined as the provision of public or private civic sites consisting of 10% of the total gross development area, which exceeds the 2% minimum currently required. In addition, the applicant is proposing to exclude the expanded civic area from the preserve area calculation.

If the Board initiates the text amendment, there is no associated FLUA amendment proposed as the uses proposed are allowed in Agricultural Reserve (AGR) FLU, which is the current future land use designation. Instead, the applicant will submit a development order amendment to modify the Whitworth PUD 60/40 approval to:

1. Add the existing 51 acre Eternal Light cemetery to the development area of the PUD as a private civic pod;
2. Redesignate 26 acres from preserve to the development area as a private civic pod. These 26 acres will be purchased by Eternal Light from the current property (GL Homes) for the expansion of the cemetery;
3. Remove a 5 +/- acre parcel from the Whitworth PUD which is currently a preserve for the development of a place of worship.

The applicant has submitted justification for the amendment (See Exhibit 2) which is largely based upon the support for the expansion of civic uses in the Tier. The applicant states that the proposed text amendment is needed to “provide the necessary clarity and support to ensure that the Comprehensive Plan facilitates, rather than hinders, the ability of civic uses to continue serving the public interest.”

## F. Unified Land Development Code (ULDC) Implications

The associated ULDC revisions to implement this text amendment to the Comprehensive Plan will be two fold. The ULDC revisions to implement the policies changes within this text amendment do not need a separate Privately Proposed Revision (PPR) to the ULDC. However, the applicant indicates that an administrative application will be submitted for a place of worship located offset from an arterial or collector roadway, but adjacent to a civic use that fronts an arterial or collector roadway. Under the current ULDC, the site proposed for the place of worship does not meet the location requirements for a place of worship. The applicant has submitted a PPR for this change to the ULDC that will be presented to the BCC at the same hearing as this text amendment to the Plan.

## VI. Issues and Implications

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

- **Preserve Area Reduction.** Over the past 20 years, the Board has adopted many changes from the original concepts established for preserve areas in Agricultural Reserve Planned Development Districts including increasing the allowable uses, reducing the minimum acreage requirements, allowing for noncontiguous preserves and establishing preserve requirements for new future land use designations in the Tier (see Exhibit 4). However, this amendment represents the first proposed revision to the required preserve percentage for a residential planned unit development option. In addition, the applicant is proposing to remove the expanded civic area acreage from the preserve area calculation.

While the amendment represents an opportunity to support and allow for the expansion of an existing institutional use and to increase additional civic site opportunities in the Tier, the proposed amendment represents a policy change from what the Board adopted in 1995 and further reinforced in 2001 following the recommendations of the Agricultural Reserve Master Plan for the 60/40 PUD. In proposing this policy change, it would allow for a reduction in preserve area that has already been set aside and does not further the existing objective of the Tier that the Agricultural Reserve be *"preserved primarily for agricultural use."*

## VII. Staff Recommendation

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The item before the Board is to consider the initiation of a privately proposed text amendment to the Comprehensive Plan. The text amendment proposes to allow for a reduction in the required preserve area of a 60/40 PUD from 60% to 50% and increases the development area from 40% to 50% if the PUD includes an expanded civic area (10% of gross development acreage). While the amendment represents an opportunity to support and allow for the expansion of an existing institutional use and could increase additional civic site opportunities in the Tier, the proposed amendment represents a policy change from what the Board adopted in 1995 and further reinforced in 2001 following the recommendations of the Agricultural Reserve Master Plan for the 60/40 PUD. In proposing this policy change, it would allow for a reduction in preserve area that has already been set aside and does not further the existing objective of the Tier that the Agricultural Reserve be *"preserved primarily for agricultural use."*

| <b>Exhibits</b>                                      | <b>Page</b> |
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| 1. Applicant's Proposed Text Amendment               | E-1         |
| 2. Applicant's Justification                         | E-3         |
| 3. Applicant's Disclosure of Ownership Interests     | E-12        |
| 4. Changes to Preserve Area requirements (2004-2025) | E-20        |
| 5. Correspondence                                    | E-23        |



## Exhibit 1

### Applicant's Proposed Text Amendment

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#### A. Future Land Use Element, Agricultural Reserve Tier

**REVISIONS:** To revise policies to support the expansion of the Eternal Light Cemetery and to allow for a reduction in preserve area for 60/40 PUDs that provide an expanded civic area. The revisions are shown below with added text underlined and deleted text in ~~striketrough~~.

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

1. **Eternal Light Cemetery**, 48.46 acres located on the east side of SR7, south of Boynton Beach Boulevard, is allowed for a cemetery and related uses utilizing AGR Zoning with AGR FLU or utilizing Institutional and Public Facilities Zoning with Institutional and Public Facilities FLU.

The County recognizes Eternal Light Cemetery as a longstanding provider of essential services to the community and supports its continued operation and long-term viability. To facilitate the preservation and expansion of this existing institutional use, the site may be rezoned to AgR-PUD in accordance with Policy 1.5.1-i(7).

[text is omitted for brevity]

2. **REVISED Policy 1.5.1-i:** A 60/40 AgR-PUD with a future land use designation of Agricultural Reserve (AGR) shall require the following:

1. a minimum of 250 acres exclusive of right-of-way as shown on the Thoroughfare Identification Map;
2. that the development area be contained in one compact area and 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 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;
3. the development area and the protected area need not be contiguous;
4. that the development area shall be situated east of State Road 7 with frontage on either State Road 7, State Road 806 (Atlantic Avenue), State Road 804 (Boynton Beach Boulevard), Clint Moore Road, Lyons Road extending north of Boynton Beach Boulevard or Lyons Road extending south of Atlantic Avenue and Acme Dairy Road extending south of Boynton Beach Boulevard to the L-28 canal. Other roadways may be added to this list, by Plan 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 State Road 7; ~~and~~
6. 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 and be maintained in agriculture, passive recreation or other open space use. The preserve area shall:

- a) contain a minimum area of 150 acres; and
- b) be utilized for crop production, pasture, equestrian purposes, retained as fallow land, or serve water management purposes per one or more of the following:
  - 1) designated by the South Florida Water Management District (SFWMD) as either a Water Preserve Area, or certified by SFWMD as serving regional water management purposes; or
  - 2) to serve regional water management purposes as certified by the Lake Worth Drainage District (LWDD). Lands owned by LWDD as of May 5, 2021 shall be limited to lands adjacent to existing preserve areas and limited to a maximum 276.509 acres of preserved area identified in Zoning Application PDD/DOA 2021-0122. For the purposes of this provision, adjacent includes lands separated from existing preserves by lands owned by LWDD. Any changes to the LWDD-owned lands provisions above shall require approval by at least five members of the Board of County Commissioners; or
  - 3) for water management purposes not directly related to the 60/40 AgR-PUD if approved by the Department of Environmental Resources Management, and managed for environmental resource values.
- c) Accessory agricultural structures such as barns and pump structures shall be permitted.
- d) Agricultural support uses such as processing facilities, and the like shall not be accommodated in the protected area of an AgR-PUD, unless the parcel meets the criteria provided in Policy 1.5-h; nor shall new residential uses be accommodated thereon except for farm worker quarters as described in Future Land Use Policy 1.5.1-k and Housing Policy 1.4-d or grooms quarters as described in Future Land Use Policy 1.5.1-k; and
- e) that in cases of preserve areas that are contiguous to the associated development area, these preserves be held in common ownership and control by an HOA or other party for access by, and on behalf of, residents of the AgR-PUD or agricultural users, and operate under common management of an HOA or third party- ; and

7. For projects that provide a minimum of 10% of the gross development area as public and/or private civic area as identified in Policy 1.5-t(1):

- a) The preserve area may be reduced to 50% of the gross acreage less right-of-way identified on the Thoroughfare Identification Map; and
- b) The development area may be increased to 50% of the gross acreage less right-of-way identified on the Thoroughfare Identification Map and less the expanded civic area. The expanded civic area shall be the civic area provided above the minimum PUD required 2%.

## Exhibit 2

### Applicant's Justification for Text Amendment

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| <b>Purpose</b> | <p>The purpose of the proposed text amendment is to support the continued operation and future expansion of existing civic uses by addressing current Comprehensive Plan policies that unintentionally hinder these uses within the Agricultural Reserve. The proposed text amendment is particularly important in the Agricultural Reserve Tier where such uses, including schools, religious institutions, and cemeteries like Eternal Light Cemetery, provide essential community services.</p> <p>Under the current policy framework, civic uses are at a competitive disadvantage compared to residential development. Residential developers are often unwilling to set aside additional land for civic purposes because current regulations require 1.5 acres of preservation for every additional acre of civic land. In addition, civic uses are counted against the required 40 percent maximum Development Area, further discouraging their inclusion or expansion within a Planned Development. As a result, necessary civic uses are constrained, even when there is a demonstrated community need. Eternal Light Cemetery is a clear example of a use that is long-established, serves a vital function, and needs to expand but is unable to do so due to these limitations.</p> <p>The amendment addresses these issues by modifying Comprehensive Plan language to more clearly support the expansion of civic uses. This is accomplished by incorporating language that authorizes additional civic areas (those above the currently required 2 percent) to be included within the Development Area without the penalty of reducing the 40 percent Development Area limit, requiring additional preservation acreage for the additional civic land, or restricting expansion through an inflexible Development Area-to-Preserve Area ratio. Instead, the changes will allow for a different Development Area/Preserve Area ratio to incentivize projects that provide additional civic land, thereby increasing opportunities for necessary community-serving facilities.</p> <p>If the Board of County Commissioners initiates the proposed text amendment, Eternal Light Cemetery will acquire the 26+/- acre parcel located along State Road 7, adjacent to the existing 51+/- acre cemetery. The combined 77+/- acre area would be incorporated into the Development Area of the Whitworth PUD as a private civic pod, allowing for expansion of the existing cemetery to better serve the surrounding community.</p> <p>A Development Order Amendment to the Whitworth PUD would be submitted to the Zoning Division to:</p> <ol style="list-style-type: none"> <li>1. Add the existing 51+/- acre cemetery to the Development Area of the PUD as a private civic pod;</li> <li>2. Redesignate the 26+/- acres from preservation area to private civic pod within the Development Area (for a now combined private civic pod of 77+/- acres); and</li> <li>3. Remove 79+/- acres currently designated as preserve from the PUD.</li> </ol> <p>As amended, the Whitworth PUD would total approximately 1,175 gross acres, with the Development Area comprising approximately 550 acres and the Preserve Area comprising approximately 625 acres. The changes would result in a slight reduction in</p> |
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|                      | <p>the overall PUD acreage (a decrease of approximately 2 acres) and reduce the permitted maximum number of residential units from 1,177 to 1,175.</p> <p>Additionally, a site plan application for a Place of Worship will be submitted to the Zoning Division. With lands now extracted from the Whitworth PUD and unencumbered by preserve an application for a Place of Worship will be submitted for a 5+/- acre parcel of land.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Justification</b> | <p>The proposed text changes are necessary to correct unintended consequences in the current Comprehensive Plan that discourage the inclusion and expansion of civic uses in the Agricultural Reserve. The existing policy structure creates a regulatory imbalance by applying land preservation requirements and Development Area limits in a manner that disproportionately affects civic uses compared to residential development. This has resulted in a lack of flexibility for established civic institutions to grow, even when they provide essential services and have demonstrated community need.</p> <p>Additionally, once 79+/- acres is redesignated as AGR property and the preserve designation is removed, a place of worship will be permitted to be developed on a parcel of land with newly instated development rights.</p> <p>The amendment is justified as a means to remove these structural disincentives and to align the Comprehensive Plan with long-standing planning goals related to community-serving uses, equity in land use, and balanced development. Civic institutions often require expansion over time, and without a clear policy framework that supports them, these uses may become constrained, leading to service gaps in areas already experiencing population growth. The proposed changes provide the necessary clarity and support to ensure that the Comprehensive Plan facilitates, rather than hinders, the ability of civic uses to continue serving the public interest.</p> <p>Recent land use and development trends support the need for policy reform. Between 2015 and 2023, the Agricultural Reserve has seen more than 3,500 residential units approved or constructed through Agricultural Reserve Planned Developments (AgR-PUDs), while no applications for new or expanded public or private civic uses have been processed. This sharp disparity illustrates how the current framework favors residential growth while inadvertently suppressing the integration of essential community facilities.</p> <p>The effect is especially evident in the case of institutions like Eternal Light Cemetery, which has operated within the Agricultural Reserve since 1978. Despite growing demand for services and limited alternative locations for expansion, the cemetery has been unable to pursue expansion under current policy due to escalating land prices, competition with developers and the burdensome requirements that are inconsistent with the community needs.</p> <p>From a planning standpoint, allowing for the reasonable expansion of civic uses promotes land use balance, reduces travel times to essential services, and helps foster complete communities. When civic institutions are excluded or pushed to fringe areas, it increases vehicle miles traveled, places additional burdens on infrastructure, and erodes the sense of place within the Tier.</p> |

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|                    | <p>The proposed text changes are therefore a targeted and appropriate response to these conditions. They help correct structural disincentives, support the long-term viability of essential community services, and ensure that the Agricultural Reserve evolves in a manner consistent with the County’s stated goals of livability, equity, and sustainability.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Consistency</b> | <p><b>Goal 1. Strategic Planning.</b> It is the GOAL of Palm Beach County to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance. <i>Response: Allowing expanded civic sites in exchange for reduced preserve requirements is consistent with Palm Beach County’s stated goal: to recognize the County’s diverse communities, support quality livable communities, and promote the enhancement of areas in need of assistance. Civic uses, such as schools, places of worship, cemeteries, and other community-serving institutions, are essential to the creation and maintenance of livable communities. These uses support the social and cultural infrastructure of neighborhoods and are integral to the lifestyle choices of current and future residents.</i></p> <p><i>Currently, existing civic uses within the Agricultural Reserve face significant limitations when it comes to growth and long-term viability. This is due in large part to land availability and the regulatory burden tied to preservation requirements when incorporated into a PUD. Unlike residential developers, civic institutions often lack the financial leverage or access to land needed in order to develop or expand within the Ag Reserve. As a result, essential services risk becoming stagnant or displaced, creating gaps in access and undermining the County’s vision for vibrant and equitable communities.</i></p> <p><i>The proposed approach to allow for the expansion of existing civic sites with modified preserve requirements provides a targeted and practical strategy to promote the enhancement of community-serving uses without compromising the broader goals of the Comprehensive Plan. By facilitating the responsible growth of institutions that serve educational, spiritual, cultural, and memorial functions, the County can ensure that these critical components of community life remain viable and accessible. In doing so, the County reinforces its commitment to planning policies that are responsive, inclusive, and aligned with the goal of supporting diverse and livable communities across Palm Beach County.</i></p> <p><b>Objective 1.1. Managed Growth Tier System.</b> Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers to:</p> <ol style="list-style-type: none"> <li>1. Ensure sufficient land, facilities and services are available to maintain a variety of housing and lifestyle choices, including urban, suburban, exurban, and rural living;</li> <li>2. Preserve, protect, and improve the quality of natural resources, environmentally sensitive lands and systems by guiding the location, type, intensity, and form of development;</li> <li>3. Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;</li> <li>4. Enhance existing communities to improve or maintain livability, character, mobility, and identity;</li> </ol> |

5. Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;
6. Protect agricultural land for farm uses, including equestrian uses;
7. Strengthen and diversify the County's economic base to satisfy the demands of the population for employment growth, and provide opportunities for agricultural operations and employment centers; and,
8. Provide development timing and phasing mechanisms in order to prioritize the delivery of adequate facilities and services to correct deficiencies in existing communities and accommodate projected growth in a timely and cost effective manner.

*Response: Allowing expanded civic sites in exchange for reduced preserve requirements is consistent with Palm Beach County's Comprehensive Plan objective to implement the Managed Growth Tier System strategies. This policy framework is intended to balance preservation, agricultural protection, and community development by directing the form, timing, and location of future growth. Facilitating the expansion of existing civic uses directly supports multiple elements of this objective in the following ways:*

1. *Ensuring sufficient land and services for diverse lifestyles: Civic institutions such as schools, cemeteries, and places of worship are foundational to supporting the full spectrum of lifestyle choices across urban, suburban, exurban, and rural communities. In the Agricultural Reserve, where land is scarce and competition from residential development is high, the ability of civic uses to expand is constrained. Providing flexibility in preserve requirements and incentivizing the development of civic uses helps ensure that residents have continued access to necessary facilities regardless of their preferred living environment.*
2. *Preserving natural resources while guiding sustainable development: Rather than introducing new development areas for civic uses or limiting the uses to remnant smaller parcels or encouraging dispersed land use, the proposed strategy focuses on the targeted expansion of existing civic sites. This supports compact and efficient development patterns, guiding growth where it already exists and limiting further environmental disturbance such as development on the west side of State Road 7.*
3. *Accommodating growth while limiting sprawl: Civic uses do not contribute to residential sprawl and often anchor communities by providing centralized, long-term services. Allowing these uses to expand within their current footprint or in adjacent areas helps accommodate population growth while reinforcing orderly, sustainable development.*
4. *Enhancing livability and character: Civic institutions contribute to community identity, connectivity, and cohesion. Enabling their expansion strengthens neighborhoods by enhancing access to services that define community character and improve quality of life. Without this flexibility, essential uses may become insufficient, negatively impacting community livability.*
5. *Facilitating infill and coordinated infrastructure delivery: Supporting the expansion of existing civic sites promotes infill development and avoids unnecessary infrastructure extensions into undeveloped areas. It leverages existing utility and transportation networks, aligning with the County's objective for efficient service delivery and cost-effective growth.*



6. *Protecting agricultural land while balancing public needs: The Agricultural Reserve was designed to protect agricultural uses, and that remains a central goal. However, certain civic functions such as cemeteries or religious institutions are low-impact and often compatible with surrounding agriculture. To this point Eternal Light has been in operation since 1978 and has served the needs of the community before the Agricultural Reserve Tier was established. The proposed flexibility adjusts the balance to accommodate essential public services without undermining the broader intent of farmland protection.*
7. *Supporting economic and institutional diversity: Civic uses contribute to the County's economic base not only through employment but also by meeting the demands of the population for education, spiritual needs, and other services. Allowing reasonable expansion supports institutional longevity and keeps land available for uses that benefit the broader public.*
8. *Aligning development with service availability: By focusing on existing civic sites, the proposed text amendment ensures that expansion occurs where infrastructure and access already exist. This approach supports the County's efforts to match development with adequate facilities and avoids overextension of public resources by encouraging developers and community service providers to work together for the good of the community.*

*In summary, the proposed modification aligns with the Managed Growth Tier System by enhancing livable communities, maintaining sustainable development patterns, and supporting essential civic infrastructure without compromising the overarching goals of environmental stewardship and agricultural preservation.*

**Policy 1.5-s:** Institutional and Public Facilities uses shall be allowed in the Agricultural Reserve Tier. Such uses shall not be permitted west of State Road 7. Institutional related uses, including but not limited to, churches and social service facilities shall be allowed within the AGR Zoning District as a part of the continuation of the Tier.

*Response:* *The proposed amendment is consistent with the Comprehensive Plan policy allowing Institutional and Public Facilities uses in the Agricultural Reserve Tier while explicitly prohibiting such uses west of State Road 7. The revised text maintains this restriction by clearly stating that the expansion of existing civic uses through the proposed provisions is not permitted west of State Road 7, ensuring continued alignment with the policy's geographic limitation. The amendment focuses solely on providing flexibility for existing civic uses located east of State Road 7, where institutional uses have long been recognized as appropriate and supportive of the Agricultural Reserve Tier's intent. The revision does not introduce new locations for institutional development, nor does it alter the allowable use framework within the AGR Zoning District. Instead, it addresses a policy gap that currently limits the ability of existing civic uses such as churches, schools, and cemeteries to expand and continue serving the surrounding community. By preserving the boundary set by the State Road 7 restriction and reinforcing the continuation of institutional uses only east of this clear line of demarcation, the proposed amendment remains fully consistent with the Comprehensive Plan policy. It strikes a balance between maintaining the spatial integrity of the Tier and supporting the essential role that civic uses play in sustaining livable, functional communities.*

**Goal 2. Land Planning.** It is the GOAL of Palm Beach County to create and maintain livable communities, promote the quality of life, provide the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the material and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

*Response: The proposed text amendment supports the County's overarching goal to create and maintain livable communities by ensuring that essential civic uses such as schools, religious institutions, and cemeteries are not unintentionally constrained by regulations that favor residential development alone. These civic institutions are foundational to the physical, social, and cultural fabric of communities, and their ability to grow in response to demand is critical to long-term livability. The amendment promotes a more equitable distribution of land uses within the Agricultural Reserve Tier by enabling civic uses to coexist with residential and agricultural development, thereby achieving the Plan's objective of offering a diversity of land uses at appropriate intensities. Current regulations make civic uses disproportionately difficult to establish or expand, which limits community options and disrupts the intended land use balance.*

*In terms of social and cultural needs, these uses, especially long-established ones like Eternal Light Cemetery, provide vital services that residents rely on across generations. Facilitating their continued operation and expansion ensures that the County maintains access to meaningful institutions that serve both current and projected populations.*

*From a public facilities and services standpoint, the amendment improves the County's ability to provide those services in a timely and cost-effective manner. Allowing civic institutions to expand avoids the need to seek new sites, keeps families together, undergo additional infrastructure extensions, or increase travel burdens for residents. This helps reduce the cost of service delivery and contributes to more efficient land use patterns. Finally, by removing unnecessary barriers to civic expansion, the amendment respects and maintains a diversity of lifestyle choices. It supports the full range of community needs including religious, educational, and cultural, within a growing and diversifying population.*

**Objective 2.1. Balanced Growth.** Palm Beach County shall designate on the Future Land Use Atlas sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth. This shall be done to plan for population growth and its need for services, employment opportunities, and recreation and open space, while providing for the continuation of agriculture and the protection of the environment and material resources through the long-range planning horizon.

*Response: The proposed text changes directly support the County's objective of achieving Balanced Growth by promoting a more equitable and functional distribution of land uses within the Agricultural Reserve Tier. While current policy strongly supports residential and agricultural uses, the regulatory framework has inadvertently hindered the ability to accommodate essential civic uses that serve the growing population. This*

*imbalance limits the capacity of communities to meet the full spectrum of service needs associated with long-term growth. The amendment helps to correct this imbalance by clarifying the role of civic uses within the Agricultural Reserve, thereby supporting the County's ability to direct development to appropriate locations in a way that includes not just housing, but also the services, institutions, and community facilities that residents depend on. This aligns with the Objective's intent to manage land use designations to support population growth and its need for services, without undermining environmental or agricultural priorities. Importantly, the proposed changes allow for limited, appropriate expansion of civic uses within already planned development areas ensuring that service delivery keeps pace with residential development. This is a strategic adjustment that better aligns long-term land use planning with population trends and demonstrated community needs. By improving the policy framework to allow for the reasonable expansion of civic institutions, the amendment strengthens the County's ability to maintain a balanced growth pattern that incorporates residential, agricultural, civic, and open space functions each of which plays a critical role in sustaining a complete and well-functioning community.*

**Objective 2.2. Future Land Use Provisions – General.** Palm Beach County shall ensure development is consistent with the County's diverse character and future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provision of facilities and services shall be consistent with the property's future land use designation, and the applicable Goals, Objectives and Policies of this Element.

*Response: The proposed text amendment is consistent with the County's objective to ensure that development aligns with both the County's diverse character and its future land use designations. Within the Agricultural Reserve Tier, the Future Land Use Element already contemplates a balanced mix of uses that includes not only agriculture and residential development, but also civic and institutional uses that serve the broader public interest. The amendment does not alter the intended character of the Tier. Instead, it provides policy clarity to ensure that the Comprehensive Plan supports the continuation and appropriate expansion of existing civic uses such as schools, religious institutions, and cemeteries that are consistent with the existing Future Land Use designation and have operated consistently and compatibly within the Agricultural Reserve for decades. By explicitly supporting these uses, the amendment ensures that both public and private development activities remain in harmony with the Goals, Objectives, and Policies of the Future Land Use Element. It facilitates the provision of facilities and services where they are needed and avoids regulatory outcomes that unintentionally conflict with the County's intent to support livable, complete communities within designated growth areas. Furthermore, the amendment reinforces the County's commitment to coordinated land use planning by enabling civic institutions to align their long-term operational plans with the Comprehensive Plan, ensuring consistency, predictability, and continued compatibility within the existing development framework.*

**Policy 2.2.8-a:** Institutional and Public Facility uses may be allowed in all future land use designations, provided the uses are consistent with the provision of the Comprehensive Plan and ULDC. Animal Shelters, Animal Control Facilities, and Humane Societies (as defined by the ULDC) shall be limited to Commercial, Industrial,

Institutional and Public Facilities, and Transportation and Utilities categories, and may include co-located veterinary clinics operated by a licensed veterinarian for the care of the animals kept in its shelter facility and which may also offer services to the public.

*Response: The proposed text amendment is consistent with the Comprehensive Plan policy allowing Institutional and Public Facility uses in all future land use designations, provided they align with the overall provisions of the Plan and the Unified Land Development Code (ULDC). The amendment supports this policy by removing unintended barriers to the continued operation and expansion of civic uses such as schools, religious institutions, and cemeteries that are fully consistent with both the intent and criteria of the Comprehensive Plan and ULDC. These uses are already recognized as appropriate in a variety of future land use designations, including within the Agricultural Reserve Tier. The amendment does not propose new uses or categories of development but rather clarifies and reinforces the ability of these existing civic institutions to expand in a way that remains compatible with the character and policy intent of the Tier. The proposed changes are narrowly focused on civic uses that provide essential community services and have historically operated in compliance with both Plan and Code requirements. By ensuring that the Comprehensive Plan more clearly supports these uses where appropriate, the amendment enhances internal consistency across Plan policies and enables the County to more effectively implement its land use vision while continuing to protect compatibility, environmental resources, and public interest.*

**Objective 3.1. Service Areas – General.** Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.

*Response: The proposed text amendment is consistent with the policy establishing graduated service areas, as it supports the continued provision of appropriate services within the Agricultural Reserve Tier while maintaining the distinct character and development pattern of the area. The amendment helps align service delivery with actual community needs by facilitating the expansion of long-standing civic uses such as cemeteries, religious institutions, and schools that are essential to protecting the health, safety, and welfare of both residents and visitors. The Agricultural Reserve Tier is a unique service area with a development pattern that emphasizes lower residential densities, agricultural preservation, and environmental protection. However, this low intensity character must still accommodate the functional needs of a growing population. The proposed amendment provides a planning mechanism that allows civic institutions serving the public good to grow in place, rather than forcing them to relocate or duplicate services in other Tiers, which would undermine cost-effective service provision. By supporting civic uses that already exist and operate within the Agricultural Reserve, the amendment reduces the need for additional infrastructure expansion and improves service accessibility for nearby residents. This approach is fully consistent with the County's objective to provide graduated levels and types of services tailored to each Tier's characteristics, while ensuring that the needs of the community can be met without altering the fundamental land use intent of the area. In this way, the amendment*

|  |                                                                                                                                                                                                                  |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <i>strengthens the County's ability to plan for and deliver services efficiently and equitably, without compromising the Agricultural Reserve's distinct identity or the long-term goals of the Tier system.</i> |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

# Exhibit 3

## Applicant's Disclosure of Ownership Interests

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PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

### DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

*[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]*

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared  
Timothy A. Birch, hereinafter referred to as "Affiant," who  
being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ EVP Northstar Cemetery Services of Florida LLC [position - e.g., president, partner, trustee] of Northstar Cemetery Services of Florida LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1900 Saint James Place  
Suite 300  
Houston, TX 77056
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Tim Birch  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF ~~FLORIDA~~ <sup>Connecticut</sup>  
COUNTY OF ~~PAINE BEACH~~ <sup>fairfield</sup>

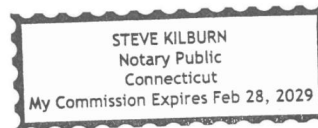
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 25<sup>th</sup> day of July, 2025 by Tim Birch (name of person acknowledging). He/she is personally known to me or has produced Driver License (type of identification) as identification and did ☒ did not take an oath (circle correct response).

Steve Kilburn  
(Name - type, stamp or print clearly)

Steve Kilburn  
(Signature)

My Commission Expires on: 02/28/2029

NOTARY'S SEAL OR STAMP



**EXHIBIT "A"****PROPERTY**

A PARCEL OF LAND BEING ALL OF TRACTS 13 THROUGH 15, INCLUSIVE, TRACTS 33 THROUGH 41, INCLUSIVE, AND A PORTION TRACTS 9 THROUGH 12, INCLUSIVE, TRACTS 16, 31, 32, 42 AND A PORTION OF ROAD, DYKE AND DITCH RESERVATIONS 30 FEET IN WIDTH, LYING BETWEEN SAID TRACTS 13 THROUGH 16, INCLUSIVE AND SAID TRACTS 33 THROUGH 36, INCLUSIVE, AND LYING BETWEEN TRACTS 32 AND 41 AND TRACTS 33 AND 40, ALL LYING WITHIN BLOCK 60, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT 48, THENCE SOUTH 89°32'21" WEST, ALONG THE SOUTH LINE OF TRACTS 42 THROUGH 48, A DISTANCE OF 2043.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°32'21" WEST, ALONG THE SOUTH LINE OF SAID TRACTS 37 THROUGH 42, A DISTANCE OF 3191.67 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT "A" FOR FUTURE REFERENCE; THENCE NORTH 01°00'31" WEST, ALONG THE WEST LINE OF SAID TRACTS 12, 13, 36 AND 37, A DISTANCE OF 2646.72 FEET; THENCE, ALONG THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT L-26 CANAL RIGHT-OF-WAY, ACCORDING TO DEED BOOK 113, PAGE 225, DEED BOOK 113, PAGE 246 AND OFFICIAL RECORDS BOOK 6495, PAGE 761, ALL OF SAID PUBLIC RECORDS, FOR THE FOLLOWING SEVEN (7) COURSES, SAID PUBLIC RECORDS, NORTH 89°36'36" EAST, A DISTANCE OF 607.39 FEET; THENCE SOUTH 00°31'48" EAST, A DISTANCE OF 0.15 FEET; THENCE NORTH 89°36'36" EAST, A DISTANCE OF 660.46 FEET; THENCE NORTH 00°31'20" WEST, A DISTANCE OF 0.28 FEET; THENCE NORTH 89°36'36" EAST, A DISTANCE OF 661.39 FEET; THENCE SOUTH 00°30'52" EAST, A DISTANCE OF 0.28 FEET; THENCE NORTH 89°36'36" EAST, A DISTANCE OF 275.59 FEET; THENCE SOUTH 00°23'24" EAST, A DISTANCE OF 219.52 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 908.00 FEET, A CENTRAL ANGLE OF 06°37'51"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 105.08 FEET TO A POINT OF TANGENCY; THENCE SOUTH 07°01'15" EAST, A DISTANCE OF 671.67 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 45°58'06"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 80.23 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 92°18'15"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 161.10 FEET TO A POINT OF NON-RADIAL INTERSECTION WITH A LINE; THENCE SOUTH 06°38'35" WEST, A DISTANCE OF 44.03 FEET TO THE POINT OF NON-RADIAL INTERSECTION WITH A CURVE, CONCAVE SOUTHERLY, HAVING A RADIAL BEARING OF SOUTH 05°12'12" WEST, A RADIUS OF 1990.00 FEET AND A CENTRAL ANGLE OF 02°46'09"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 96.18 FEET TO A POINT OF TANGENCY; THENCE SOUTH 82°01'38" EAST, A DISTANCE OF 801.04 FEET; THENCE SOUTH 07°58'22" WEST, A DISTANCE OF 33.66 FEET; THENCE SOUTH 00°23'25" EAST, A DISTANCE OF 98.07 FEET; THENCE NORTH 89°36'35" EAST, A DISTANCE OF 93.36 FEET; THENCE SOUTH 00°23'25" EAST, A DISTANCE OF 229.62 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 2092.00 FEET, A CENTRAL ANGLE OF 04°31'37"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 165.29 FEET TO A POINT OF TANGENCY; THENCE SOUTH 04°08'12" WEST, A DISTANCE OF 282.68 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1908.00 FEET, A CENTRAL ANGLE OF 04°35'51"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 153.10 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°27'39" EAST, A DISTANCE OF 300.05 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PARCEL OF LAND BEING ALL OF TRACTS 61, 62, 81, 82, 83, 86, 87 AND 88 AND A PORTION TRACTS 56, 59, 60, 65, 80, 84, 85, 89 AND A PORTION OF ROAD, DYKE AND DITCH RESERVATIONS 30 FEET IN WIDTH, LYING BETWEEN SAID TRACTS 61 THROUGH 65, INCLUSIVE AND SAID TRACTS 80 THROUGH 84, INCLUSIVE, AND LYING BETWEEN TRACTS 57, 64, 81 AND 88 AND TRACTS 56, 65, 80 AND 89, ALL LYING WITHIN BLOCK 60, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE AFOREMENTIONED POINT "A"; THENCE SOUTH 01°00'31" EAST, A DISTANCE OF 64.00 FEET TO THE POINT OF BEGINNING; NORTH 89°32'21" EAST, ALONG THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT L-27 CANAL RIGHT-OF-WAY, ACCORDING TO DEED BOOK 148, PAGE 472, SAID PUBLIC RECORDS, A DISTANCE OF 584.75 FEET; THENCE SOUTH 00°31'48" EAST, ALONG THE EAST LINE OF SAID TRACT 60, A DISTANCE OF 16.00 FEET; THENCE NORTH 89°32'21" EAST, ALONG THE SOUTH LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 9459, PAGE 762, SAID PUBLIC RECORDS, A DISTANCE OF 78.92 FEET; THENCE, ALONG THE WESTERLY, SOUTHERLY AND EASTERLY BOUNDARY OF ETERNAL LIGHT MEMORIAL GARDENS ACCORDING TO WARRANTY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 24910, PAGE 419 AND OFFICIAL RECORDS BOOK 24910, PAGE 424 ALL OF SAID PUBLIC RECORDS, FOR THE FOLLOWING EIGHT (8) DESCRIBED COURSES, THENCE SOUTH 00°27'39" EAST, A DISTANCE OF 560.20 FEET; THENCE SOUTH 89°32'21" WEST, A DISTANCE OF 268.06 FEET; THENCE NORTH 82°20'41" WEST, A DISTANCE OF 354.14 FEET; THENCE SOUTH 01°00'31" EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 89°32'21" EAST, A DISTANCE OF 1199.52 FEET; THENCE SOUTH 00°31'20" EAST, A DISTANCE OF 675.20 FEET; THENCE NORTH 89°32'21" EAST, A DISTANCE OF 1336.70 FEET; THENCE NORTH 00°30'24" WEST, A DISTANCE OF 1302.40 FEET; THENCE NORTH 89°32'21" EAST, ALONG THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT L-27 CANAL RIGHT-OF-WAY ACCORDING TO OFFICIAL RECORDS BOOK 6495, PAGE 761, SAID PUBLIC RECORDS, A DISTANCE OF 331.90 FEET; THENCE SOUTH 00°26'28" EAST, A DISTANCE OF 2638.85 FEET; THENCE SOUTH 89°36'30" WEST, ALONG THE SOUTH LINE OF SAID TRACTS 85 THROUGH 89, A DISTANCE OF 2847.68 FEET; THENCE, ALONG THE EASTERLY LINE OF LAKE WORTH DRAINAGE DISTRICT L-28 CANAL RIGHT-OF-WAY ACCORDING TO SAID OFFICIAL RECORDS BOOK 1585, PAGE 505, OFFICIAL RECORDS BOOK 2517, PAGE 1549 AND DEED BOOK 118, PAGE 518, SAID PUBLIC RECORDS, FOR THE FOLLOWING THREE (3) COURSES, NORTH 01°00'31" WEST, A DISTANCE OF 1333.08 FEET; THENCE SOUTH 89°32'21" WEST, A DISTANCE OF 40.00 FEET; THENCE NORTH 01°00'31" WEST, A DISTANCE OF 1301.46 FEET TO THE POINT OF BEGINNING.



**EXHIBIT "B"****DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

**Name****Address**

|                               |                                                      |
|-------------------------------|------------------------------------------------------|
| Northstar Cemetery Group, LLC | 1900 Saint James Place, Suite 300, Houston, TX 77056 |
|-------------------------------|------------------------------------------------------|

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**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared N. Maria Menendez, hereinafter referred to as "Affiant," as Vice President of Boynton Beach 30 Corporation, a Florida corporation, the general partner of Boynton Beach Associates 30, LLLP, a Florida limited liability limited partnership, who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Vice President of Boynton Beach 30 Corporation, a Florida corporation, the general partner of Boynton Beach Associates 30, LLLP, a Florida limited liability limited partnership, that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



N. Maria Menendez, as Vice President of Boynton Beach 30 Corporation, a Florida corporation, the general partner of Boynton Beach Associates 30, LLLP, a Florida limited liability limited partnership, Affiant

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 4<sup>th</sup> day of September 2025, by N. Maria Menendez, as Vice President of Boynton Beach 30 Corporation, a Florida corporation, the general partner of Boynton Beach Associates 30, LLLP, a Florida limited liability limited partnership, [X] who is personally known to me or [ ] who has produced \_\_\_\_\_ as identification and who did take an oath.



Notary Public

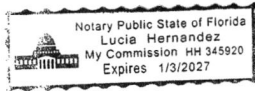
Lucia Hernandez

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 1/3/27



**EXHIBIT "A"****PROPERTY**

A +/- 26-ACRE PORTION OF THE PROPERTY FURTHER DESCRIBED AS:

A PARCEL OF LAND BEING ALL OF TRACTS 61, 62, 81, 82, 83, 86, 87 and 88 AND A PORTION TRACTS 56, 59, 60, 65, 80, 84, 85, 89 AND A PORTION OF ROAD, DYKE AND DITCH RESERVATIONS 30 FEET IN WIDTH, LYING BETWEEN SAID TRACTS 61 THROUGH 65, INCLUSIVE AND SAID TRACTS 80 THROUGH 84, INCLUSIVE, AND LYING BETWEEN TRACTS 57, 64, 81 AND 88 AND TRACTS 56, 65, 80 AND 89, ALL LYING WITHIN BLOCK 60, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE AFOREMENTIONED POINT "A"; THENCE SOUTH 01°00'31" EAST, A DISTANCE OF 64.00 FEET TO THE POINT OF BEGINNING; NORTH 89°32'21" EAST, ALONG THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT L-27 CANAL RIGHT-OF-WAY, ACCORDING TO DEED BOOK 148, PAGE 472, SAID PUBLIC RECORDS, A DISTANCE OF 584.75 FEET; THENCE SOUTH 00°31'48" EAST, ALONG THE EAST LINE OF SAID TRACT 60, A DISTANCE OF 16.00 FEET; THENCE NORTH 89°32'21" EAST, ALONG THE SOUTH LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 9459, PAGE 762, SAID PUBLIC RECORDS, A DISTANCE OF 78.92 FEET; THENCE, ALONG THE WESTERLY, SOUTHERLY AND EASTERLY BOUNDARY OF ETERNAL LIGHT MEMORIAL GARDENS ACCORDING TO WARRANTY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 24910, PAGE 419 AND OFFICIAL RECORDS BOOK 24910, PAGE 424 ALL OF SAID PUBLIC RECORDS, FOR THE FOLLOWING EIGHT (8) DESCRIBED COURSES, THENCE SOUTH 00°27'39" EAST, A DISTANCE OF 560.20 FEET; THENCE SOUTH 89°32'21" WEST, A DISTANCE OF 268.06 FEET; THENCE NORTH 82°20'41" WEST, A DISTANCE OF 354.14 FEET; THENCE SOUTH 01°00'31" EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 89°32'21" EAST, A DISTANCE OF 1199.52 FEET; THENCE SOUTH 00°31'20" EAST, A DISTANCE OF 675.20 FEET; THENCE NORTH 89°32'21" EAST, A DISTANCE OF 1336.70 FEET; THENCE NORTH 00°30'24" WEST, A DISTANCE OF 1302.40 FEET; THENCE NORTH 89°32'21" EAST, ALONG THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT L-27 CANAL RIGHT-OF-WAY ACCORDING TO OFFICIAL RECORDS BOOK 6495, PAGE 761, SAID PUBLIC RECORDS, A DISTANCE OF 331.90 FEET; THENCE SOUTH 00°26'28" EAST, A DISTANCE OF 2638.85 FEET; THENCE SOUTH 89°36'30" WEST, ALONG THE SOUTH LINE OF SAID TRACTS 85 THROUGH 89, A DISTANCE OF 2847.68 FEET; THENCE, ALONG THE EASTERLY LINE OF LAKE WORTH DRAINAGE DISTRICT L-28 CANAL RIGHT-OF-WAY ACCORDING TO SAID OFFICIAL RECORDS BOOK 1585, PAGE 505, OFFICIAL RECORDS BOOK 2517, PAGE 1549 AND DEED BOOK 118, PAGE 518, SAID PUBLIC RECORDS, FOR THE FOLLOWING THREE (3) COURSES, NORTH 01°00'31" WEST, A DISTANCE OF 1333.08 FEET; THENCE SOUTH 89°32'21" WEST, A DISTANCE OF 40.00 FEET; THENCE NORTH 01°00'31" WEST, A DISTANCE OF 1301.46 FEET TO THE POINT OF BEGINNING.

**EXHIBIT "B"****DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

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

## Exhibit 4

### Changes to Preserve Area Requirements (2004-2025)

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The following reflects revisions to preserve requirements adopted by the Board following text amendments to the Comprehensive Plan in 2001 incorporating the majority of the recommendations of the final Master Plan.

- **Appolonia Farms 60/40 AGR-PUD Approval SFWMD Lands as preserves (2004).** This development approval included a total of over 1,500 acres of which 610 acres were proposed as the development area and 918 acres, owned by the South Florida Water Management District, proposed as offsite preserve area. The utilization of SFWMD lands to meet the preserve area requirement of AGR-PUD's was not contemplated. Those SFWMD lands were in fact excluded during the formulation of the Master Plan with respect to the potential units that could be built in the Ag Reserve. However, the inclusion of the Strazzula tract as preserve was associated with the County's acceptance of 547 acres of land in north County for conservation purposes. The BCC therefore determined that there was a greater good served by allowing the Strazzula tract to be approved as preserve area only for the Appolonia Farms AGR-PUD.
- **SFWMD Lands as Preserves (2005-2006).** In 2005 to 2006, several GL Homes projects included several hundred acres of SFWMD lands again to meet the preserve requirements without utilizing any units associated with those preserve areas. This concept of allowing the inclusion of SFWMD lands, and not the units, had been done before with the approval of Appolonia Farms PUD. For the new approvals, the SFWMD reached a roughly 20 million dollar agreement with GL Homes. The County was supportive given the intent of the SFWMD was to then obtain a flowage/conservation easement over 335 acres of property near the Bee Line Hwy, known as the Gentle Ben property. Subsequent to the 2005 and 2006 approvals, based on another agreement between GL Homes and the SFWMD wherein the district received additional money, roughly 10 million, the district then agreed to allow GL Homes to utilize any units associated with those same district owned lands approved as preserve in 2005 and 2006 and some additional lands, a total of over 1,300 acres. The agreement did not include the 2004 approved Strazzula tract. Since the agreement, nearly all of those lands, and the units associated with them, have been included in GL Homes AGR-PUD approvals to not only meet the preserve requirements but also to utilize the units associated with the preserve areas to increase densities in the development areas.
- **Packing Plants in Preserves (2012).** In 2012, at the Board's request, staff coordinated tours and workshops to provide the Board with information and status report on each of the tiers of the MGTS. Following a workshop on January 17, 2012, the Board re-affirmed support for the continuation of Ag Reserve policies and directed staff to enhance agriculture and support for farmers by allowing packing plants in preserve areas. Text amendments to the Comprehensive Plan were adopted by the Board to implement this direction on July 27, 2012.
- **Contiguity Requirements for Preserve Areas (2014).** Following a 2014 BCC workshop on the Agricultural Reserve, staff met with various interest groups, to prepare "roundtable" discussions for representatives of each interest group, and to bring the results to the BCC for discussion and direction at a future workshop. In the course of the Roundtable process, a number of additional concepts and ideas emerged, many reflected in the comments

provided at various steps in the process. At the September 29, 2014 Roundtable, community groups and organizations were encouraged to formally outline their recommendations, to allow those to be posted for public viewing and to be provided to the BCC for consideration. One of the items discussed was to revise the current requirements for preserve areas of 60/40 PUDs to eliminate the current requirement that a preserve property be at least 150 acres or be contiguous to preserved property totaling 150 acres. The text amendment offered an additional option for smaller parcels, consistent with the 1 unit per acre density option to allow free-standing preserve areas of less than 150 acres to serve as preserves associated with Agricultural Reserve 60/40 planned developments. Prior to this change, parcels of less than 150 acres could only be eligible to sell development rights and become preserves if adjacent to preserves totaling 150 acres or more. This change allowed smaller, isolated parcels to become eligible to be preserves which, while not the intent of the original provisions when adopted, could facilitate the perpetuation of small-scale agricultural operations in the area, both existing and new. This change did not create additional units in the Tier, as these were anticipated in the conceptual Master Plan prepared for the Agricultural Reserve. This amendment was adopted at the October 26, 2015 BCC Hearing.

- **Farm Residence (2016).** Also as a result on the 2014 roundtable, the BCC directed staff to address concerns raised by owners residing on small agricultural properties in the AGR, who cannot sell development rights from the 5 acres needed to meet the density requirement for the home. Based on BCC discussions, the amendment established this option only for properties that can demonstrate an active agricultural use. As with other preserve properties, the transfer of development rights would occur at a rate of one per acre, but would exclude the acreage associated with the existing or planned residence and any other uses not permitted in preserve areas (a minimum of one acre). The proposed amendment also includes provisions to prevent the parceling of existing and future preserves for the purposes of accommodating residences. The amendment was revised to address the issue of the “snapshot timeframe” and to allow for eligible properties to obtain a Letter of Determination, valid for three years, verifying an active agricultural use and the ability to transfer of development rights. Revisions provided an alternative means to demonstrate an active agricultural use, in addition to an agricultural tax classification. The BCC adopted the amendment at the April 27, 2016 public hearing.
- **Additional Commercial (2016).** On April 27, 2016, the BCC adopted a text amendment which allows for additional commercial square footage in the Tier for sites meeting the commercial location criteria and exempts sites under 16 acres from the 60% preserve requirement. This amendment was directed by the BCC in order to allow neighborhood serving commercial uses to be considered in the Tier on a case by case basis.
- **Lake Worth Drainage District (LWDD) Canals as Preserves (2021).** The LWDD appealed the County Planning Director’s determination letter dated April 19, 2016 that stated that canal rights-of-way owned by a public agency and utilized for right-of-way purposes are not eligible to be Preserve Areas for an Agricultural Reserve Planned Development (AGR-PDD) for acreage calculations or for density purposes. On September 9, 2016, the Planning Commission upheld the Planning Director’s determination, and subsequently the LWDD appealed the decision to the BCC. LWDD requested several postponements prior to the review by the BCC from the hearings on October 26, 2016, January 30, 2017, July 26, 2017 and August 27, 2020. In January 2021, the Zoning Division received an application to utilize LWDD canal rights-of-way as AGR-PDD Preserve Areas. The Planning Division added a sufficiency issue based on the inability of the AGR-PDD to meet the 60% preserve requirement since the 2016 Planning

determination, upheld by the Planning Commission, stated that they cannot be used for preserve area or density. On January 25, 2021, the Planning Director issued a second letter with same determination as in 2016. Subsequently on February 23, 2021, LWDD again requested an appeal. At the April 9, 2021 hearing, the Planning Commission voted to grant the appeal of the Planning Director's administrative determination. On May 5, 2021 the BCC upheld the Planning Commission finding. Subsequent text amendments were adopted by the Board on November 3, 2021 to ensure that no additional canals and/or rights of way are eligible for preserve area in the future, pursuant to Board direction.

- **Commerce Future Land Use (2021).** With the creation of the Commerce future land use designation for light industrial uses in the Tier, the Board established preserve requirements that exempted sites under 16 acres. For sites over 16 acres, the first 16 acres are exempted and the remaining acreage must provide a 40% preserve. In addition, water management tracts that provide enhanced environmental features and improved water quality are allowed within the preserve area.
- **Essential Housing Future Land Use (2022).** With the creation of the Essential Housing future land use designation for multifamily residential in the Tier, the Board established a 60% preserve requirement. In addition, up to 10% of the preserve area is allowed to have water management tracts that provide enhanced environmental features and improved water quality.
- **Congregate Living Residential (2021 & 2023).** With the creation of the Congregate Living Residential future land use designation for congregate living facilities in the Tier, the Board established a requirement of 50% offsite and 10% onsite preserve areas for multiple use projects and in 2023 added an onsite preserve option.
- **Agricultural Marketplace in AGR-MUPD Preserves (2024).** In 2024, the property owner of the Bedner's Market (LGA 2024-003) on the west side of State Road 7 and south of Lee Road, submitted a text amendment to allow the agricultural marketplace as an allowable use within a preserve area of an Agricultural Reserve Multiple Use Planned Development (AGR-MUPD). This would allow the property owner to replace the preserve status of a 5 acre parcel at the northwest corner of State Road 7 and Lee Road with the 5 acre Bedner's Market/Agricultural Marketplace to the south. The property owner also submitted a FLUA amendment to change the FLU designation of 14 acres to Commerce. The Board adopted the text and FLUA amendment on August 22, 2024



## Exhibit 5 Correspondence

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### Correspondence provided at the October 10<sup>th</sup> Planning Commission Meeting

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Bruce S. Grundt  
700 NE 34<sup>th</sup> Street  
Boca Raton, FL 33431

October 6, 2025

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

Dear Mayor Marino & Commissioners:

I am writing to express our strong support for the proposed Eternal Light Civic Text Amendment. The amendment is intended to provide civic institutions, such as the Eternal Light Cemetery and the Chabad of West Delray, with a more flexible policy framework that allows for their continued operation and future expansion within the Agricultural Reserve.

Under current policies, civic uses face limitations that can restrict necessary growth, even when there is clear community demand. The proposed text amendment addresses these challenges by creating a more balanced approach that encourages the inclusion and expansion of community-serving facilities, while still respecting the County's preservation and development objectives.

We believe this amendment will help ensure that essential civic services remain accessible, support the long-term viability of established institutions like Eternal Light Cemetery and the Chabad of West Delray, and contribute to the overall quality of life in the Agricultural Reserve. It aligns with the County's goals of equitable land use, livable communities, and sustainable growth.

For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,



Bruce Grundt

October 6, 2025

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

Dear Mayor Marino & Commissioners:

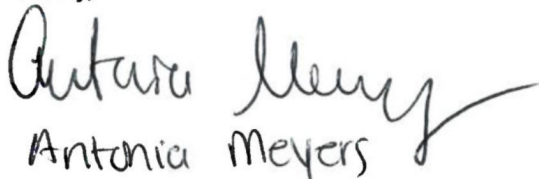
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Sincerely,

A handwritten signature in dark ink, appearing to read "Antonia Meyers", with a long, sweeping horizontal stroke extending to the right.

Antonia Meyers  
2779 Ravella Way  
Palm Beach Gardens FL 33410

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

Dear Mayor Marino & Commissioners:

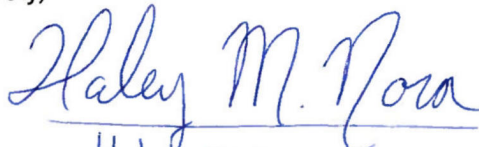
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For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,

  
Haley M. Nora

6442 Lauderdale St.  
Jupiter, FL 33458

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

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For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,

  
250 Congress Park Dr  
Apt 228  
Delray Beach, FL 33445



Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

Dear Mayor Marino & Commissioners:

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For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,



AAINA BLANDER  
332 JAVARANDA DRIVE  
JUPITER, FL 33458

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

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For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,



726 Selkirk St, West Palm Beach, FL 33405



Hartsell | Ozery PA  
Attorneys at Law

61 N.E. 1st Street, Suite C  
Pompano Beach, Florida 33060  
(954) 778-1052  
www.HartsellOzery.com

October 9, 2025

**Board of County Planning Commission**

Palm Beach County, Florida  
2300 N Jog Road  
West Palm Beach, FL 33411-2741

**Submitted Via Email:**

SGregor1@pbc.gov; PZB-PlanPOC@pbc.gov; JGagnon@pbc.gov; WCarroll@pbc.gov

***Re: October 10, 2025, Palm Beach County Planning Commission  
Commissioners; Public Comments Agenda Item IV.A.1 – Eternal Light  
Expanded Civic Text Initiation.***

Dear Palm Beach County Planning Commissioners:

On behalf of our Client, 1000 Friends of Florida, a Florida non-profit corporation (“**1000 Friends**”), please kindly accept these comments to the Palm Beach Planning Commissioners (“**PBPC**”) and include them in the public record for the upcoming October 10, 2025, meeting regarding the following Agenda Item IV.A.1 – Eternal Light Expanded Civic Text Initiation (“**Text Initiation**”) to revise the Future Land Use Element policies regarding the Agricultural Reserve Tier (“**Ag Reserve**”). 1000 Friends respectfully requests that the PBPC recommend a **not to initiate** the proposed text amendment.

1000 Friends is a statewide 501(c)(3) smart growth advocacy nonprofit organization with a substantial number of members that live and work in Palm Beach County (“**County**”). Its members advocate for preservation of agricultural resources that are a much-needed buffer for the environmental vitality of the County’s Ag. Reserve and preservation of the rural character of the residential communities without encroachment of high-density uses, such as industrial. 1000 Friends has been actively following and participating in County-wide planning for decades and engaged in planning the Ag Reserve since its inception. 1000 Friends has consistently provided planning expertise and local knowledge to the Commission on many occasions regarding the Ag Reserve, and will continue to do so.

All members of 1000 Friends residing within the County are afforded the protections of the County Comprehensive Plan and will be directly affected by any amendments passed altering the Agricultural Reserve Tier.

#### ***The Agricultural Reserve Tier Must Remain Preserved***

The goal of the Ag Reserve is to preserve unique farmland and wetlands in order to **enhance** agricultural activity, environmental and water resources, and open space **within the Tier**, by **limiting** uses to agriculture, conservation, **low-density** residential development, and non-residential uses which serve the needs of **farmworkers and residents** of the Ag Reserve Tier. *See* Objective 1.5.

It is undisputed that Palm Beach County will experience an increase in population and demand for development. However, smart and sustainable land development practices, such as those already enshrined in the Comprehensive Plan, will ensure that growth does not mean the upheaval of the Ag Reserve Tier but focuses on urban infill and redevelopment.

It must be understood that while the small land-use changes may seem minor to resolve immediate issues, these changes can result in a cumulative impact that will shape the future landscape of Florida. Remaining steadfast in growth management guided by these principles is of the utmost importance in protecting the original intent of the Ag Reserve. The Planning Commission must “Stick with the Plan” as currently delineated in the Comprehensive Plan for the Ag Reserve and refrain from yielding to requests for increased intensities.

#### ***IV.A.1***

##### ***Eternal Light Expanded Civic Text Initiation***

The property at issue is a cemetery and is located on the east side of State Road 7, approximately 1.5 miles south of Boynton Beach Boulevard. The current property is about 77 acres and surrounded by preserve and agriculture uses except for a residential development on the northern boundary. The applicant is requesting an amendment to revise the Comprehensive Plan policies to:

- Revise Policy 1.5-t(1) to support the expansion of the Eternal Light Cemetery; and
- Revise Policy 1.51-i to allow for a reduction in the required preserve area of a 60/40 PUD to 50/50 if the development includes an expanded civic area (10% of gross development acreage) that is identified in Policy 1.5-t(1).

If the BOCC initiates the amendment, the applicant will request a development order amendment to the PUD for approval to 1) add the existing 51-acre cemetery to the development area as a private civic pod; 2) redesignate 26 acres from preserve to development area as a private civic pod; and 3) remove 79 acres as preserve. Additionally, a site plan for a place of worship will



be submitted on a 5-acre parcel following removal of the parcel from the PUD.

This proposal, much like the many that have come before the County, is a fundamental departure from the long-standing principles set out in the Comprehensive Plan for the preservation of the Ag Reserve. The law is clear that a comprehensive plan is to act as “a constitution for all future development,” *Machado v. Musgrove*, 519 So.2d 629, 631 (Fla. 3d DCA 1987), and is to be enforced by citizens and not the State. *Pinecrest Lakes, Inc. v. Shidel*, 795 So.2d 191, 199 (Fla. 4<sup>th</sup> DCA 2001).

According to County Staff, this is the first proposal that seeks to revise the required preserve percentage of a residential Planned Unit Development (“**PUD**”). Such a change can be a negative catalyst for other to request similar adjustments in future applications within the Ag Reserve. Additionally, the applicant plans to remove the expanded civic area from the preserve area calculation. County Staff has noted that the Text Initiation is a huge policy change from previous Palm Beach County Board of County Commissioners’ adopted recommendations for the Ag Reserve Master Plan. Florida Statute §163.3161 (6) provides:

It is the intent of this act that adopted comprehensive plans shall have the legal status set out in this act and that **no public or private development shall be permitted except in conformity with comprehensive plans, or elements or portions thereof, prepared and adopted in conformity with this act.**

Fla. Stat. §163.3161(6) (2025) (**emphasis added**).

*Payne v. City of Miami*, provides that an amendment must be consistent with a comprehensive plan’s goals, objectives, and policies, preserve the internal consistency of the plan, and ensure compatibility with the surrounding land uses. *See generally Payne v. City of Miami*, 52 So.3d 707 (Fla. 3d DCA 2010). The mandate of the Ag Reserve Tier as provided in Comprehensive Plan Objective 1.5 provides:

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

Staff has noted within its report that “[i]n proposing this policy change, it would allow for a reduction in preserve area that has already been set aside and does not further the existing objective of the Tier that the Agricultural Reserve be ‘*preserved primarily for agricultural use.*’” (Eternal Light – Staff Report 2025) (Hereinafter, “**Staff Report**”). To allow the proposed Text Initiation to proceed would be inconsistent with the Comprehensive Plan and in direct

contravention with Florida law.

The applicant argues that “[a]llowing expanded civic sites in exchange for reduced preserve requirements is consistent with the Palm Beach County’s stated [Strategic Planning] [G]oal.” Staff Report, Pg. E-5. “[E]xisting civic uses within the Agricultural Reserve face significant limitations when it comes to growth and long-term viability. **This is due in large part to land availability and the regulatory burden tied to preservation requirements when incorporated into a PUD.**” *Id.* (emphasis added).

The argument that this Text Initiation is consistent with the comprehensive plan is completely unfounded. It is directly opposed to the Objectives of the Tier and requests a significant alteration to the long-standing 60/40 rule, which was established to preserve the region. The 60/40 rule is one of the few methods in ensuring that land is being preserved within the Ag. Reserve, which is one of the goals of the Tier. Without the rule, the area would largely be developed, and the agricultural industry would have been eliminated.

Additionally, for the applicant to claim that preservation requirements burden civic activities is absurd, as the Tier was specifically designated to promote and enhance agricultural activities and the applicant was grandfathered into the Ag Reserve as a preexisting business. However, there are multiple existing civic uses within the Tier that are not acknowledged. The applicant provides within its justification that “no applications for new or expanded public or private civic uses have been processed.” (Staff Report Pg. E-4). The applicant goes on to argue that there is a need for additional civic activities within the Tier but fails to provide any required relevant data and analysis to show how the proposed Text Initiation would meet the goal of the Master Plan: to preserve and enhance agricultural activities and environmental and water resources in the Ag. Reserve. *See* Fla. Stat. §163.3177 (f). The Policies, Objectives, and Directive assessed by the County must relate back to the overall Goal. The proposed Text Initiation fails to provide how it will meet the goal of the Tier. The need for civic activities is a misleading argument, as it could also be easily concluded that applications have not been filed as there is no need nor desire for additional civic uses within the Tier. The growth of residential units is not a measure for the need of civic activities. Even, *arguendo*, that there is a need for additional civic activities, this can still be accomplished within a PUD without an adjustment to the 60/40 preservation requirement. The developer is free to incorporate civic uses within the 60/40 PUD and the County can certainly require it.

The PBPC must recommend **not to initiate the proposed** Eternal Light Expanded Civic Text Amendment as it does not adhere to the goal of the Agricultural Tier nor Objective 1.5 of the Comprehensive Plan: to preserve and enhance agricultural activity and our natural resources

The Ag Reserve Tier has achieved the preservation of acreage that would otherwise have been overdeveloped, with the recreational and environmental benefits forever lost. There is still a need to maintain the integrity of the Tier to ensure that all that has been preserved is not degraded by increased densities and intensities of uses inappropriate for this unique agricultural area endowed with recreational, environmental and water resources, and open spaces to act as a rural “safe

haven” and environmental buffer from the urban and suburban tiers.

Applicants should not look to the Ag Reserve for exemptions from the fundamental preserve, density, and intensity requirements unique to this Tier. “Balanced growth” does not mandate that the guiding policies and objectives of the Comprehensive Plan be displaced; rather, smarter and more sustainable development must be achieved in conformity with the regulations already set forth to protect the Ag Reserve Tier.

*1000 Friends of Florida respectfully requests that the Palm Beach County Planning Commission recommend **not to initiate** the Eternal Light Expanded Civic Text Amendment.*

Thank you for your time and consideration of these comments.

Respectfully,

/s/ Jordan K. Snyder  
Jordan K. Snyder, Esq.  
Fla. Bar No. 1020263  
Jordan@HartsellOzery.com  
Robert N. Hartsell, Esq.  
Florida Bar No. 636207  
Robert@HartsellOzery.com  
Howard P. Clark III, Esq.  
Florida Bar No. 1017959  
Howard@HartsellOzery.com  
**HARTSELL OZERY, P.A.**

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33441

Re: Eternal Light Civic Text Initiation Application

Dear Mayor and Commissioners:

My wife Jodi and I are longtime Palm Beach residents (over 30 years) and I am the recently retired COO of Lennar Corporation (the Florida based publicly traded homebuilder). My children have grown up in the county and my wife and I take a lot of pride living in such a wonderful community.

I am writing today to express strong support for the proposed Eternal Light Civic Text Amendment. As you may know, this amendment will provide civic institutions such as Eternal Light Cemetery and the Chabad of West Delray, with a more flexible framework that allows for their continued operation and future expansion within the Agricultural Reserve. In fact, I strongly believe that the Text Amendment will contribute to the overall quality of life in the Agricultural Reserve.

These two organizations benefit our community in so many ways that it is hard to list all the good that they do. We should do everything within reason to support their operations and growth while still maintaining the integrity of our beautiful county. I believe the proposed amendment will accomplish exactly that by creating a more balanced approach that encourages the inclusion and expansion of community-serving facilities while still respecting the very good cause of preserving our open spaces and controlling over development. Frankly, there is simply no good reason to deny the amendment.

Accordingly, I respectfully ask that at the November 5th BCC Hearing that you support the proposed Text Amendment, which in turn will support the long-term viability of such established institutions like Eternal Light Cemetery and the Chabad of West Delray. Thank you for your consideration.

Sincerely,

  
Fred B. Rothman, Delray Beach Florida

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

Dear Mayor Marino & Commissioners:

On behalf of Eternal Light Memorial Gardens, I am writing to express our strong support for the proposed Eternal Light Civic Text Amendment. The amendment is intended to provide civic institutions, such as the Eternal Light Cemetery and the Chabad of West Delray, with a more flexible policy framework that allows for their continued operation and future expansion within the Agricultural Reserve.

Under current policies, civic uses face limitations that can restrict necessary growth, even when there is clear community demand. The proposed text amendment addresses these challenges by creating a more balanced approach that encourages the inclusion and expansion of community-serving facilities, while still respecting the County's preservation and development objectives.

We believe this amendment will help ensure that essential civic services remain accessible, support the long-term viability of established institutions like Eternal Light Cemetery and the Chabad of West Delray, and contribute to the overall quality of life in the Agricultural Reserve. It aligns with the County's goals of equitable land use, livable communities, and sustainable growth.

For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan By". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

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For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,



Marcia Rayman (Oct 7, 2025 16:05:51 CDT)  
Marcia Rayman

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

Dear Mayor Marino & Commissioners:

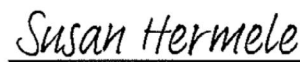
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Sincerely,

  
Susan Hermele (Oct 8, 2025 06:09:24 EDT)



Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

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For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,



Joyce Horowitz (Oct 7, 2025 16:02:38 EDT)

Joyce Horowitz

Palm Beach County Board of County Commissioners  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Eternal Light Civic Text Initiation Application

Dear Mayor Marino & Commissioners:

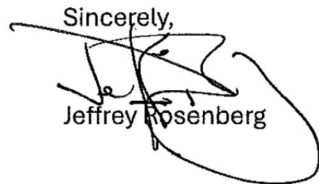
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For these reasons, we respectfully support the proposed Text Amendment and encourage the Board of County Commissioners to initiate this amendment at the November 5, 2025 BCC Hearing.

Sincerely,



Jeffrey Rosenberg