



## COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 23-B

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### DEO TRANSMITTAL REPORT, MAY 3, 2023

#### I. General Data

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**Project Name:** Commerce Future Land Use Designation Revisions  
**Element:** Future Land Use Element  
**Project Manager:** Kevin Fischer, Planning Director  
**Staff Recommendation:** Staff recommends **approval** based on the findings and conclusions presented in this report.

#### II. Item Summary

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**Summary:** This proposed County Initiated amendment would revise text specific to the Commerce (CMR) future land use (FLU) designation within the Agricultural Reserve Tier. Specifically, this amendment proposes to:

- Revise the allowable floor area ratio (F.A.R.) for the Commerce future land use designation within the Agricultural Reserve Tier; and
- Add additional clarification to the location criteria.

**Assessment:** This amendment proposes to revise the CMR FLU adopted by the Board in 2022, specifically within the Agricultural Reserve. The CMR FLU allows light industrial uses and includes location criteria to ensure that each project is appropriately located and compatible with adjacent land uses, and ensures that the approval does not introduce heavy industrial uses, which may not be appropriate at the particular location. As with the other industrial future land use designations, the CMR FLU is allowed in the Urban/Suburban Tier and not within the Rural and Exurban Tiers. The CMR FLU is also allowed within the Agricultural Reserve Tier with location requirements and limits any industrial requests in the Tier to the CMR designation. Based on Board direction, this amendment modifies the maximum allowable floor area ratio within the Agricultural Reserve. In addition, staff has proposed revisions to clarify location requirements. If adopted by the Board, the revised policies will apply to new applications requesting the CMR future land use designation. However, the Board's legislative authority allows for reductions on maximum allowable square footage through the future land use amendment for sites currently in process.

### III. Hearing History

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**Local Planning Agency:** *Approval*, motion by Lori Vinikoor, seconded by Sam Caliendo, passed in a 10 to 0 vote at the April 14, 2023 public hearing. Under discussion, the Commission expressed support for the lower floor area ratio and thanked staff for their diligent work in clarifying the Commerce language. There was no public comment.

**Board of County Commissioners Transmittal Public Hearing:** *Transmit*, motion by Commissioner Marino, seconded by Commissioner Woodward, passed in a 5 to 2 vote (with Commissioner Bernard and Commissioner Baxter dissenting) at the May 3, 2023 public hearing. Board discussion included questions related to the adopted Commerce policies, including why Rio Grande Avenue was selected as the southern boundary for eligibility, why the proposed text amendment was initiated and if the amendment impacts applications already in process. Three members of the public spoke supporting the lower floor area ratio and desiring for it to be even lower.

#### **State Review Agencies:**

#### **Board of County Commissioners Adoption Public Hearing:**

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## IV. Intent

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The intent of this amendment is to revise text specific to the Commerce (CMR) future land use (FLU) designation within the Agricultural Reserve Tier. Specifically, this amendment proposes to:

- Revise the allowable floor area ratio (F.A.R.) for the Commerce future land use designation within the Agricultural Reserve Tier; and
- Add additional clarification to the location criteria.

## V. Background

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This amendment proposes to revise the CMR FLU adopted by the Board in 2022, specifically within the Agricultural Reserve. In order to provide the full assessment and analysis of the CMR FLU, much of the Background and Data and Analysis sections of the original CMR FLU staff reported are included. Exhibit 1 includes the proposed text amendments associated with the F.A.R. modifications and location criteria clarification. The maximum F.A.R. currently allowed for Commerce is 0.45. Based on additional Board discussion and a review of the proposed F.A.R. of sites that have applied for Commerce, a maximum of 0.35 is proposed within the Agricultural Tier. A map of sites currently in process for an amendment to Commerce is included in Exhibit 2.

### A. Industrial Future Land Use Background

Prior to the adoption of the CMR FLU, there were two industrial future land use designations within the Comprehensive Plan.

- The Industrial (IND) future land use designation was created in 1989 for lands “*primarily used for manufacturing, assembly, processing, research and development and wholesale distribution and storage of products.*” This designation allows the full range of industrial uses ranging from light to heavy.
- The Economic Development Center (EDC) future land use designation created in 1999 which is only allowed in the Urban/Suburban Tier. The designation is intended to accommodate employment opportunities, research parks, and employment centers. This is distinguished from the traditional industrial designation as it allows for larger, “campus-like” industrial uses to further economic development in the County.

Unlike commercial future land use designations, there are no location requirements for the industrial future land use designations, except that the Comprehensive Plan does not allow industrial future land use in the Rural and Exurban Tiers.

### B. Industrial in the Agricultural Tier

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

***OBJECTIVE 1.5, The Agricultural Reserve Tier.*** *Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier. This shall be accomplished*

*by limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development limited to uses serving the needs of farmworkers and residents of the Tier. The Agricultural Reserve Tier shall be preserved primarily for agricultural use, reflecting the unique farmlands and wetlands within it.*

The Tier was formally designated as the Agricultural 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 these goals*. 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. The surrounding area has therefore stayed primarily in agricultural uses and low density single-family residential with limited commercial uses serving the Tier.

In 2015, the Agricultural Reserve was the subject of a year-long “Roundtable” process directed by the BCC to consider changes to policies in the Tier. At the March 2015 Workshop, the BCC considered the input received during the Roundtable process and directed staff to proceed with specific actions and Plan amendments. One of the outcomes of the Roundtable was to process County initiated map and text amendments to address inconsistencies and find solutions to existing commercial and non-residential uses and services that pre-dated the Agricultural Reserve’s provisions.

## **1. Agricultural Reserve Master Plan Industrial Recommendations**

At the time of the creation of the Agricultural Reserve Master Plan, the consultants recommended that industrial uses be allowed in the Agricultural Reserve, using the Economic Development Center future land use designation. The consultants identified two locations, within 1/4 mile of the Florida Turnpike interchanges with Boynton Beach Boulevard and Atlantic Avenue, as appropriate locations for these Economic Development Centers. The consultants recommended requiring developers set aside preserve areas in the same 60/40 ratio of preserve area to open space as the Traditional Marketplace, which had locations identified at the intersections of Lyons Road with Boynton Beach Boulevard and Atlantic Avenue. The Master Plan Phase II Report recommended that the two employment centers shared a maximum of 330,000 square feet of industrial development between the two locations, and that there be an additional 245,000 square feet of office park uses in the Tier. Master Plan Phase II, Section 4.3.4.5 Economic Centers, states that allowing employment centers in the Tier would provide the following:

- *“A greater variety in job opportunities for the residents of the Ag Reserve than are likely to be found elsewhere in the Ag Reserve. These opportunities could reduce traffic impacts outside of the Ag Reserve.*
- *A location for businesses that can offer farmers a second job if they need to supplement their income.*
- *Light industrial uses in two locations that will have the least negative impact on agricultural uses.”*

The Consultants identified the following uses as appropriate within the Employment Centers:

|   |  |
|---|--|
| Automobile Rentals                          | Laboratories                                 |
| Auto Repair, Detailing, Paint and Body Shop | Landscaping Services                         |
| Bottling Plant                              | Light Fabrication                            |
| Brewery                                     | Lumber yards                                 |
| Broadcasting Stations for Radio or TV       | Machine or Welding Shops                     |
| Cabinet Working and Carpentry               | Mini Warehouse/Self-Storage                  |
| Catering Services                           | Motion Picture production Studios            |
| Contractor's Storage Yards                  | Ornamental Metal Workshops                   |
| Farm Equipment Repair                       | Printing Shops                               |
| Glass Installation Services                 | Technical Trade Schools                      |
| Gun Clubs, Enclosed                         | Utility Work Centers, Power & Communications |

The staff recommendation in the Addendum supported this concept, stating: *"The Plan should be amended to acknowledge the ability to utilize the Economic Development Center category for industrial uses in the locations recommended by the Consultant."*

## **2. Agricultural Reserve Industrial Policies – Board Direction**

Upon the conclusion of the Master Planning effort, the BCC did not concur with the consultant's recommendations on industrial land use, and directed that no new industrial future land use designations be permitted in the Agricultural Reserve. Consequently, the 2001 Comprehensive Plan amendment to adopt policies implementing the Master Plan did not establish any policies for new industrial lands. The only provision was related to the .45 floor area ratio for the 64 acres of land with industrial future land use that predated the Master Plan, and were located along the north and south sides of Atlantic Avenue, east of SR-7.

More recently, the BCC on May 5, 2021, transmitted a land use amendment request for industrial in the Tier, known as Sunflower Light Industrial (LGA 2021-016). Under discussion of the item, the BCC directed staff to explore the concept of a new light industrial future land use designation and to return for a workshop to discuss additional industrial future land uses in the Tier. Subsequently, the Board adopted the Sunflower amendment on July 28, 2021, with additional conditions and subsequently adopted the Las Farms (LGA 2022-001) amendment on February 2, 2022, with additional conditions, as summarized in section 3 below (Industrial FLUA Amendments in the Agricultural Reserve) of Background/History.

At the October 26, 2021 Agricultural Reserve workshop and continuation on November 3, 2021, the Board expressed support for a new Commerce FLU within the Tier that would be limited to light industrial uses. On February 2, 2022, the Board initiated a text amendment to the Comprehensive Plan for staff to proceed with the review and analysis of the proposed amendments.

## **3. Industrial FLUA Amendments in the Agricultural Reserve**

As previously mentioned, there are 64 acres of industrially designated properties fronting the south and north sides of Atlantic Avenue east of State Road 7. These parcels pre-date the Master Plan. Since the adoption of the Master Plan implementing policies in 2001, the County has processed several privately proposed future land use amendments for industrial, as summarized below.

- **Homrich Commercial (LGA 2016-019).** In 2016, the BCC adopted an amendment to the Future Land Use Atlas on a 13.44-acre site with Agricultural Reserve (AGR) future land use to Commercial Low (CL) with underlying Industrial (IND). A voluntary condition of approval limited development of the site to a maximum of 29,400 square feet of Commercial and 197,100 square feet of Light Industrial uses. Staff recommendation for denial was based in part on a lack of a comprehensive analysis and policy direction considering appropriate locations, uses, extent, and intensity established for new industrial uses in the Tier.
- **West Atlantic Industrial (LGA 2017-017).** The West Atlantic Industrial amendment was privately proposed but withdrawn prior to the July, 26 2017 BCC transmittal hearing. The request proposed changing the future land use designation on a 2.51 acres parcel from AGR future land use to IND/AGR. The site was located on the south side of Atlantic Avenue, approximately 1,100 feet west of Lyons Road. Staff recommended denial due to lack of policy direction for new industrial in the Tier and since the establishment of industrial uses mid-block on a small, isolated parcel would not be compatible with surrounding agricultural uses. At the June 16, 2017 public hearing, the Planning Commission recommended denial in a 10-1 vote.
- **Boynton Technology Park Text.** This privately proposed text amendment for initiation was requesting to allow the Economic Development Center (EDC) future land use in the Tier as a multiple use commercial, industrial and residential Planned Industrial Park Development (PIPD), increase the commercial cap and allow for 3 units per acre with no preserve requirement and including a workforce housing requirement. The 140 acre site is located on the north and south sides of Atlantic Avenue, adjacent to Florida's Turnpike. The text initiation was denied by the Board on June 29, 2020.
- **Star Key Industrial (LGA 2021-015).** This privately proposed text and future land use amendment was withdrawn by the applicant on September 30, 2021, prior to the scheduling of a Planning Commission hearing. The applicant proposed to change the future land use designation for 50.99 acres of land to change from the AGR future land use designation to IND/AGR in order to develop industrial uses, with a maximum potential of .45 floor area ratio (999,506 square feet). The site is located on the north side of Atlantic Avenue, between Starkey Road and the Turnpike. The Zoning application (PDD-2021-00445) requested Planned Industrial Park (PIPD) zoning and was submitted in 2021.
- **Sunflower Light Industrial (LGA 2021-016).** The application proposed a future land use amendment for 8.19 acres of land from the AGR future land use designation to IND/AGR in order to develop industrial uses, with a maximum potential of .45 floor area ratio (160,540 square feet). The site is located on the west side of State Road 7, approximately .25 miles south of Atlantic Avenue. The Board adopted the amendment on July 28, 2021 with conditions of approval limiting the site to:
  1. Uses shall exclude heavy industrial uses which engage in the basic processing, manufacturing, or storage of flammable, hazardous, or explosive materials or products, or processes which potentially involve hazardous or commonly recognized offensive conditions as described in Future Land Use Element Policy 2.2.4-d of the Palm Beach County Comprehensive Plan; and
  2. Uses identified as Commercial in Article 4 of the Unified Land Development Code are prohibited on the site, with the exception of Landscape Service, Self-Service Storage, and accessory uses.

- **Las Farms (LGA 2022-001).** On February 2, 2022, the BCC adopted a future land use amendment request for 6.95 acres of land from the AGR future land use designation to IND/AGR in order to develop industrial uses, with a maximum potential of .45 floor area ratio (136,234 square feet). The site is located on the west side of State Road 7, approximately .5 miles north of Boynton Beach Boulevard. The amendment includes the same conditions of approval as Sunflower Light Industrial above.
- **West Atlantic Industrial Fina (2022-018).** This privately proposed FLUA amendment was submitted in November 2021. The applicant is requesting to change the future land use designation on the 10.11 acre site from AGR to IND/AGR including the same conditions adopted in the Sunflower Light application. The site is located north of Atlantic Avenue, approximately one half mile west of State Road 7. On May 4, 2022, the BCC denied transmittal of the amendment.

The following FLUA amendment applications were submitted requesting for Industrial FLU in May of 2022, prior to the adoption of the Commerce FLU and related Industrial policies in August of 2022. These applications amended their requests to the Commerce FLU in September 2022. In total, these 6 amendments add up to 118.56 acres and 2,324,087 square feet of proposed light industrial uses based on maximum potential of the 0.45 FAR currently allowed in the Tier.

- **Boynton Land Commerce (LGA 2023-001).** The application proposed a future land use amendment on 15 acres of land from AGR to CMR/AGR in order to develop light industrial uses, with a maximum potential of 294,030 square feet (.45 floor area ratio). The site is located on the west side of State Road 7, approximately 1.25 miles south of Hypoluxo Road. The Planning Commission recommended denial in a 10 to 0 vote at the October 14, 2022 Planning Commission Hearing. At the November 28, 2022 BCC Transmittal public hearing, the Board denied transmittal of the amendment in a 4 to 3 vote.
- **Morin/Connolly Commerce (LGA 2023-002).** The application currently in process proposes a future land use amendment on 3.41 acres of land from AGR to CMR/AGR in order to develop light industrial uses, with a maximum potential of 66,843 square feet (.45 floor area ratio). The site is located on the west side of State Road 7, approximately 0.20 miles north of Boynton Beach Boulevard. The Planning Commission recommended approval with modifications with a vote of 9 to 0 at the October 14, 2022 Planning Commission Hearing. At the November 28, 2022 BCC Transmittal public hearing, the Board transmitted the amendment in a 7 to 0 vote. At the March 23, 2023 BCC Zoning public hearing, the Board adopted the amendment in a 6 to 1 vote.
- **EJKJ Industrial (LGA 2023-004).** The application currently in process proposes a future land use amendment on 7.93 acres of land from AGR to CMR/AGR in order to develop light industrial uses, with a maximum potential of 155,444 square feet (.45 floor area ratio). The site is located on the west side of State Road 7, approximately 0.15 miles south of Atlantic Avenue. The Planning Commission recommended approval with modifications with a vote of 8 to 2 at the October 14, 2022 Planning Commission Hearing. At the November 28, 2022 BCC Transmittal public hearing, the Board transmitted the amendment in a 7 to 0 vote.
- **LTG Sports Turf (LGA 2023-007).** The application currently in process proposes a future land use amendment on 5 acres of land from AGR to CMR/AGR in order to develop light industrial uses, with a maximum potential of 98,280 square feet (.45 floor area ratio). The site is located on the north side of 100th Street S (Boynton Beach Boulevard), approximately 0.13 miles west of State Road 7. The Planning Commission recommended

approval with modifications with a vote of 9 to 1 at the October 14, 2022 Planning Commission Hearing. At the November 28, 2022 BCC Transmittal public hearing, the Board transmitted the amendment in a 7 to 0 vote. At the March 23, 2023 BCC Zoning public hearing, the Board adopted the amendment in a 6 to 1 vote.

- **SR 7 Business Plaza (LGA 2023-006).** The application currently in process proposes a future land use amendment on 40 acres of land from AGR to CMR/AGR in order to develop light industrial uses, with a maximum potential of 784,080 square feet (.45 floor area ratio). The site is located on the north side of Happy Hollow Road, fronting State Road 7, approximately 0.3 miles west of Smith Sundry Road. The Planning Commission recommended approval with conditions with a vote of 7 to 3 at the November 4, 2022 Planning Commission Hearing. At the November 28, 2022 BCC Transmittal public hearing, the Board transmitted the amendment in a 6 to 1 vote.

In addition, there are two sites in process for initiation of text amendments to the Future Land Use Element. If initiated by the Board, these sites would request the Commerce future land use.

- **Bedner Farms Agriculture Marketplace.** This privately proposed text initiation is requesting to define Agriculture Marketplace in the Introduction and Administration Element and to allow the agriculture marketplace use within the preserve area of an AGR-MUPD. If the Board of County Commissioners initiates this text amendment, the applicant will seek a land use amendment from Agricultural Reserve (AGR) to Commerce (CMR) on a 5-acre site to the north and 9-acre site to the south of the Marketplace. The text initiation is scheduled for the April 14<sup>th</sup> Planning Commission and May 3<sup>rd</sup> BCC meeting.
- **Gold Coast Logistics.** This privately proposed text initiation is requesting to revise location criteria in the Agricultural Reserve Tier to allow the Commerce future land use on eligible sites along State Road 7 located north of La Reina Road. If the text amendment is initiated by the Board, the applicant will submit a future land use amendment on the 6.33-acre site to change the future land use designation of the site from Agricultural Reserve (AGR) to Commerce, with an underlying Agricultural Reserve (CMR/AGR). The text initiation is scheduled for the April 14<sup>th</sup> Planning Commission and May 3<sup>rd</sup> BCC meeting.



## VI. Data and Analysis Summary

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This section provides data and analysis, including an examination of consistency with the Comprehensive Plan.

### A. Industrial Land Uses in Palm Beach County

There are approximately 21,000 acres of industrially designated land in Palm Beach County, of which approximately 69%, or 14,683 acres, are located within Unincorporated County. Table 1 outlines the unincorporated industrial future land uses.

**Table 1. Industrial Future Land Uses**

| Future Land Use       | Total Acres   | Urban Suburban | U/T Overlay  | Ag Reserve | Glades - Urban | Glades     |
|-----------------------|---------------|----------------|--------------|------------|----------------|------------|
| Industrial            | 13,541        | 1,909          | 8,441        | 79         | 3,049          | 63         |
| Underlying Industrial | 681           | 518            | 147          | 13         | 3              | 0          |
| Economic Dev. Center  | 461           | 63             | 260          | 0          | 0              | 138        |
| <b>Total</b>          | <b>14,683</b> | <b>2,490</b>   | <b>8,848</b> | <b>92</b>  | <b>3,052</b>   | <b>201</b> |

Source: 2021 Existing Land Use layer, Future Land Use layer

Industrial lands in unincorporated Palm Beach County largely fall into four geographic locations. All but 3% of the industrial land, or 383 acres, is located within one of these four areas.

- **United Technology Corporation (Pratt-Whitney) Protection Overlay.** Approximately 6,700 of the 8,848 acres in the Overlay are set aside as preserve lands.
- **Glades.** Of the 3,052 acres in the Glades Urban Suburban Tier, approximately 1,600 acres are part of the Sugar Cane Cooperative Protection Overlay. The rural community of Lake Harbor holds approximately 63 acres.
- **Southern/Turnpike.** The Southern Boulevard and Florida Turnpike area, including up to the Vista Center, contain approximately 1,600 acres.
- **Blue Heron/I-95.** Approximately 230 acres of industrial land use are located east of I-95 in the Blue Heron Boulevard area surrounded by municipalities.

### B. Proposed Amendment

This amendment revises the maximum allowable F.A.R. for the CMR FLU within the Agricultural Reserve Tier. Secondly, additional language has been proposed to better clarify location requirements within the Tier. Specific strike out and underline changes to the Comprehensive Plan shown in **Exhibit 1**.

### C. Consistency with the Comprehensive Plan - General

This proposed amendment will modify the maximum allowable F.A.R. for the CMR FLU within the Agricultural Reserve Tier. The following consistency analysis was included in the staff report for the adoption of the new CMR FLU and is included in this staff report to provide context related to this amendment.

**FLUE, Introduction.** Seven broad principles guide sustainable land use planning and development:

- (2) Prevent urban sprawl through establishing urban development areas and encouraging urban revitalization and redevelopment;
- (6) Promote sustainable economic development initiatives in the County to diversify its economic base and enhance the quality of life of current and future County generations.

**Staff Assessment:** With regards to Principal 2, the new CMR future land use designation will allow new light industrial uses to be approved in urban areas thereby encouraging infill. With regards to Principal 6, this amendment will support sustainable economic development initiatives in the County to diversify its economic base.

**FLUE, C. County Directions.** *The Future Land Use Element was created and has been updated based on input from the public and other agencies through citizen advisory committees, public meetings, interdepartmental reviews, and the Board of County Commissioners. All contributed to the generation of the long-term planning directions, which provide the basis for the Goals, Objectives and Policies of the Future Land Use Element. These directions reflect the kind of community the residents of Palm Beach County desire.*

1. **Livable Communities.** *Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.*
2. **Growth Management.** *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.*
4. **Land Use Compatibility.** *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

**Staff Assessment:** This proposed amendment will further the three County Directions shown above by establishing criteria for light industrial uses in the Urban/Suburban Tier and in the Agricultural Reserve Tier to allow employment based uses at suitable locations along major thoroughfares, ensuring land use compatibility. The introduction of the Industrial (IND) future land use designation can open up a site to a long list of allowable uses, including very intense industrial uses as provided in Exhibit 2. In addition, within the Urban/Suburban Tier, the Economic Development Center (EDC) future land use designation is intended for larger, “campus” like industrial users. Therefore, the new CMR FLU will foster additional opportunities for smaller, low-trip generating light industrial and/or employment generating uses.

## **D. Consistency with the Agricultural Reserve Tier Policies**

Future Land Use Element Objective 1.1, Managed Growth Tier System, states that “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....”

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

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

**Staff Analysis:** The primary objective of the Agricultural Reserve Tier is the preservation of agricultural and environmental lands, while allowing for development in a planned manner that is consistent with the Master Plan and associated policies within the Comprehensive Plan that direct the locations and amounts of allowable development. Currently there are no policies in the Plan directing the appropriate locations, extent, intensity and uses for industrial in the Tier. Therefore, the new CMR future land use will provide policy guidance for future requests for industrial including location requirements limiting the designation to major corridors, prohibiting heavy industrial uses, and requiring the provision for a preserve area for sites greater than 16 acres.

This amendment will support the above referenced provisions in the Comprehensive Plan. There are no inconsistencies with the policies in the Comprehensive Plan.

## **E. ULDC Implications**

The CMR FLU amendment has resulted in revisions to the ULDC to Articles 3 and 4 of ULDC to revise applicable zoning districts for consistency with the new CMR future land use designation. In addition, the ULDC revisions will separate the current industrial uses into ‘light’ and ‘heavy’ sections, and separate the types of commercial uses into sections.

## **VII. Public and Municipal Review**

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**Intergovernmental Plan Amendment Review Committee (IPARC):** Notification was sent to the County’s Intergovernmental Plan Amendment Review Committee (IPARC), a clearing-house for plan amendments, on March 24, 2023.

Notification of this amendment and other amendments in process related to the Agricultural Reserve Tier was provided to the Agricultural Reserve email list of interested parties on March 27, 2023.

## VIII. Assessment and Conclusions

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This amendment proposes to revise the CMR FLU adopted by the Board in 2022, specifically within the Agricultural Reserve. The CMR FLU allows light industrial uses and includes location criteria to ensure that each project is appropriately located and compatible with adjacent land uses, and ensures that the approval does not introduce heavy industrial uses, which may not be appropriate at the particular location. As with the other industrial future land use designations, the CMR FLU is allowed in the Urban/Suburban Tier and not within the Rural and Exurban Tiers. The CMR FLU is also allowed within the Agricultural Reserve Tier with location requirements and limits any industrial requests in the Tier to the CMR designation. Based on Board direction, this amendment modifies the maximum allowable F.A.R within the Agricultural Reserve. In addition, staff has proposed revisions to clarify location requirements. If adopted by the Board, the revised policies will apply to new applications requesting the CMR future land use designation. However, the Board's legislative authority allows for reductions on maximum allowable square footage through the future land use amendment for sites currently in process.

As such, staff recommends **approval** of this amendment.

### Attachments

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|---|-----|
| Exhibit 1 – Proposed revisions in <del>strike-out</del> and <u>underline</u> format | E-1 |
| Exhibit 2 – Commerce Amendments in Process Map                                      | E-3 |

## Exhibit 1

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### A. Future Land Use Element, Commerce FLU within the Agricultural Reserve Tier

**REVISIONS:** To revise F.A.R. requirements and clarify location criteria in the Agricultural Reserve Tier. The added text is underlined, and the deleted text ~~struck out~~.

#### Industrial

1. **REVISE Policy 1.5-v: Industrial.** The County shall foster employment opportunities in the Agricultural Reserve Tier by allowing light industrial uses at appropriate locations adjacent to specified roadways to provide a balance of land uses for current and new residents of the Tier. All new future land use amendments requesting industrial type uses in the Agricultural Reserve Tier shall meet the following requirements:

1. Limited to the Commerce (CMR) future land use designation;
2. Located with frontage and access on State Road 7 (north of Rio Grande Avenue), Atlantic Avenue, Boynton Beach Boulevard or have access to these roadways through an existing commercial or industrial site. Sites located west of State Road 7 along the Boynton Beach Boulevard (100<sup>th</sup> Street South) and Atlantic Avenue corridors must share a common border with a property with commercial or industrial future land use;
3. Be accompanied by a concurrent zoning application and conceptual site plan in order to demonstrate that the proposal meets the design, scale, and character requirements of the Tier;
4. Have a minimum of 3 acres and a maximum of 50 acres (with the exception of lands dedicated to rights of way); and
5. Preserve shall be required for Commerce sites utilizing Light Industrial, Multiple Use Planned Development, or Planned Industrial Park Development zoning pursuant to FLUE Policy 1.5.1-q, ~~and~~ subject to the following exceptions:
  - a. The preserve area requirements shall be based upon the acreage over 16 acres, shall be a minimum of 40% of the total land area over 16 acres, and allow water management tracts in preserve areas contiguous to the development area that provide enhanced environmental features and improved water quality as demonstrated through the future land use amendment process.

## 2. REVISED

**TABLE 2.2-e.1,  
Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories and  
Non-Residential Uses**

*(unaltered rows omitted for brevity)*

| Future Land Use       | FLU Category | Tier                 |             |             |   |                           |
|-----------------------|--------------|----------------------|-------------|-------------|---|---------------------------|
|                       |              | Urban/Suburb         | Exurban     | Rural       | Ag Reserve                                    | Glades                    |
| Industrial            | IND          | .45-.85 <sup>9</sup> | not allowed | not allowed | .45   | .45                       |
|                       | EDC          | .45-.85 <sup>9</sup> | not allowed | not allowed | not allowed                                   | not allowed <sup>11</sup> |
|                       | CMR          | .45-.85 <sup>9</sup> | not allowed | not allowed | <del>.45</del><br><u>.35-.45<sup>13</sup></u> | not allowed               |
| Commercial Recreation |              | .50                  | not allowed | .05         | .05   | .05                       |

**Notes:**

1. to 12. Omitted for brevity

13. Commerce properties are limited to an FAR of .35, unless the property received a Commerce future land use designation prior to August 30, 2023, in which case the property is limited to a maximum FAR of .45.



## Exhibit 2 Commerce Amendments in Process Map

