



PRIVATELY INITIATED TEXT AMENDMENT AMENDMENT ROUND 21-A

BOARD OF COUNTY COMMISSIONERS, JUNE 29, 2020

I. General Data

Project Name:	Agricultural Reserve Multiple Land Use
Request:	To request initiation of a privately proposed text amendment to the Agricultural Reserve Tier policies in the Comprehensive Plan.
Agent:	Bonnie Miskel, Esq. and Beth Schrantz, Land Planner, Dunay, Miskel, and Backman, LLP
Applicant:	Lawrence Suchman, Jade Boynton, LLC
Owner:	Barbara M. Logan, Trustee (Barbara M. Logan Revocable Trust); Cecily DeReuil Fazio and James J. DeReuil, Co-Trustees (Barbara R. DeReuil Revocable Trust); David Bargas, Nancy Jankovsky, and Susan J. Griffin, Co-Trustees (John Bargas Trust)
Project Manager:	Lisa Amara, Principal Planner
Staff Recommendation:	Staff recommends <i>to deny</i> the request for initiation

II. Item Summary

Summary: The item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered “Phase I”. If the amendment is initiated, staff will accept the associated Future Land Use Atlas (FLUA) amendment for processing, proceed with the review and analysis of the proposed amendments, prepare a staff report, and return to the Board with the text and FLUA amendment through the public hearing process as part of “Phase II”.

Text Request: To allow the Multiple Land Use future land use designation with Commercial Low and Medium Residential 5 units per acre (MLU, CL/5) in the Ag Reserve Tier, to allow additional commercial and residential mixed use centers exempt from the commercial cap, allow Transfer of Density Rights and Workforce Housing Program bonus density, with reduced preserve area acreage, addition of new preserve area uses, and units above mixed use to be exempt from density.

Associated FLUA Amendment: To change the Ag Reserve (AGR) future land use designation to Multiple Land Use (Commercial Low and Medium Residential 5) with density bonuses available through the Transfer of Development Rights and Workforce Housing Programs, for 432 dwelling units, 261,360 square feet of commercial uses including retail, restaurant, grocer, office, theater, hotel, light industrial and fitness center. The 39.29 acre site is located at the southeast corner of Boynton Beach Boulevard and Acme Dairy Road.

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

III. Meeting History

Local Planning Agency/Planning Commission (LPA/PLC): *To deny initiation*, motion by Lori Vinikoor, seconded by Dagmar Brahs, passed in a 12 to 1 vote, with Jim Knight abstaining and Spencer Siegel dissenting, at the June 12, 2020 public hearing. The three text amendment requests were presented and discussed together with votes being taken on individual items. Under discussion, commission members expressed concerns regarding the proposed policy implications of the amendments including the reduction or elimination of preserve and increase in density and intensity, that this location was not appropriate for high density, the need to examine the Boynton Beach and Atlantic corridors comprehensively, the cost of housing in the Tier and lack of housing diversity. Sixteen members of the public spoke, with nine speaking in opposition, including representatives from COBWRA, 1,000 Friend of Florida, and the Sierra Club, spoke in opposition to the amendments. One person's comments were read into the record in opposition. Two members of the public spoke in favor of comprehensively addressing the issues in the Tier. Four members of the public spoke, and three comments were read into the record, in support of the amendments. Several emails and letters were received following the printing of the PLC report and added to the Exhibits.

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

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IV. Introduction

Intent of the Amendments

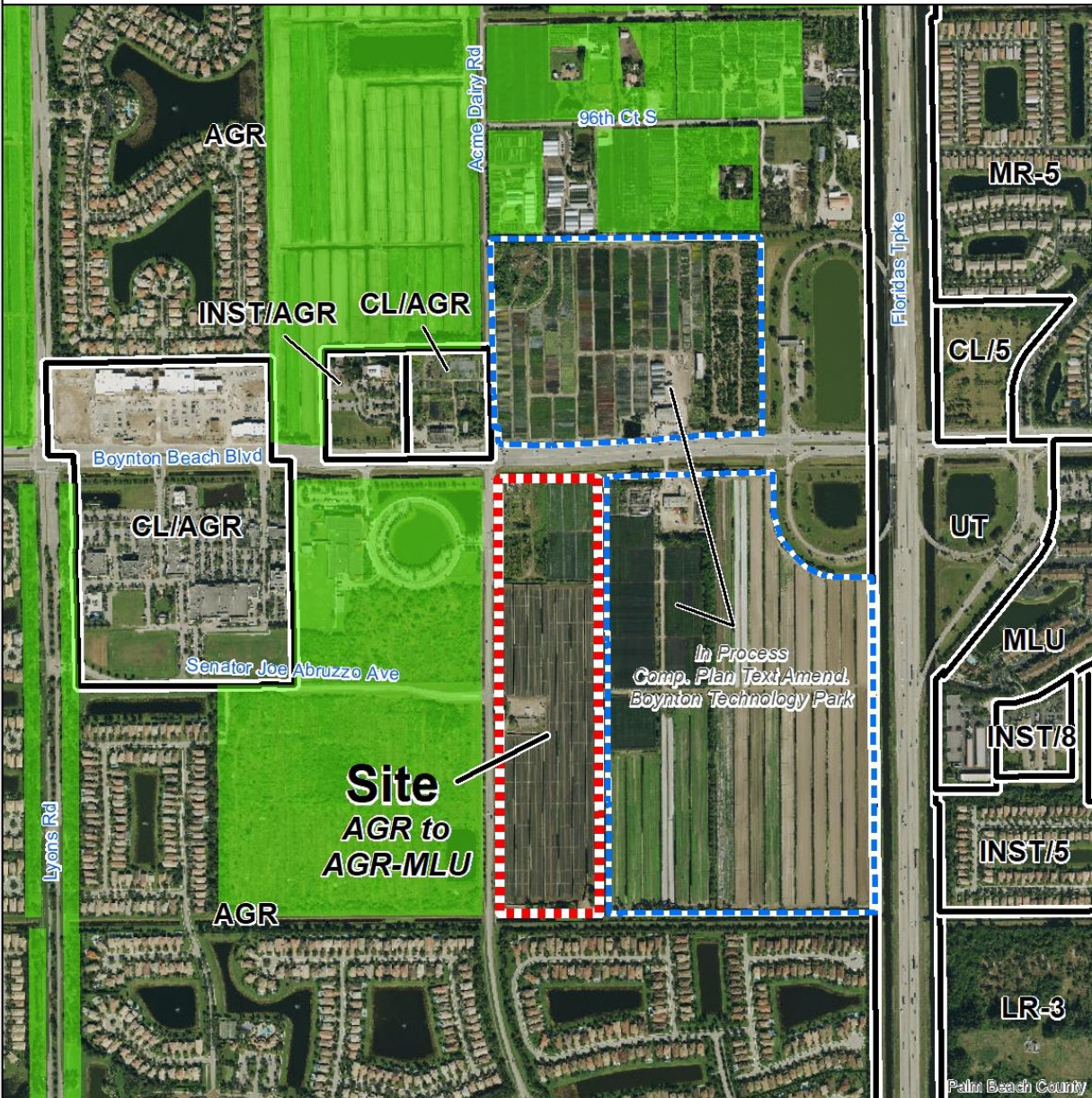
The County allows private property owners to propose amendments to policies in the Comprehensive Plan in order to revise or remove policy restrictions that would not allow their proposed future land use amendments to be processed. In this amendment round, there are three such proposed text amendments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

All three of the amendments requesting initiation are summarized below.

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

Comprehensive Plan Text Amendment

Agricultural Reserve Multiple Land Use



Site Data

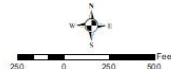
Size: 39.29 acres
 Existing Use: Agriculture
 Proposed Use: Residential and Commercial
 Current FLU: AGR
 Proposed FLU: AGR-MLU

Future Land Use Designations

LR-3	Low Residential, 3 units/acre	INST	Institutional
MR-5	Medium Residential, 5 units/acre	INST/5	Institutional, underlying MR-5
AGR	Agricultural Reserve	INST/8	Institutional, underlying HR-8
CL/5	Commercial Low, underlying MR-5	INST/AGR	Institutional, underlying AGR
CL/AGR	Commercial low, underlying AGR	UT	Utilities and Transportation
MLU	Mixed Land Use		

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

Site
 AGR Preserves



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



V. Policy Background

A. Agricultural Reserve Tier Introduction

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

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

Table 1 - Future Land Use Designations in Agricultural Reserve Tier

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

The Ag Reserve Tier policies are uniquely independent of the other policies in the Comprehensive Plan, and largely captured in adopted Objective 1.5.

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

VI. Issues and Implications

The purpose of this Phase I report is to identify potential issues and implications of the concept proposed by the text amendment, for the Board to consider when making the policy decision on whether to initiate the privately proposed text amendment. This report is not intended to provide all of the information necessary in order to approve or deny the **adoption** of the text and future land use amendments; this report is intended to provide sufficient background information and identification of future topics to be explored in order for the Board to make a decision on whether to **initiate** these amendments.

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

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

A. Preservation of Agriculture and Natural Lands.

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

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

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

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

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

Amendments Proposed:

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

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

B. Planned Development - Clustering and Minimum Size

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

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

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

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

Proposed Amendments:

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

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

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

C. Density

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

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

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

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

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

Proposed Amendments:

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

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

D. Workforce Housing

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

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

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

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

Proposed Amendments:

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

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

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

E. Commercial and Mixed Use Development

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

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

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

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

Table 2 - Commercial Approvals in the Ag Reserve

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

Proposed Amendments:

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

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

F. Preserve Uses and Location

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

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

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

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

Proposed Amendments

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

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

G. Industrial Development.

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

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

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

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

Proposed Amendments:

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

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

H. Traffic Impacts.

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

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

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

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

Proposed Amendments:

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

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

I. Service Delivery

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

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

Changes Over Time: One of the fundamental goals of the 1980 and 1989 Comprehensive Plans, as further expounded upon in the 1999 Managed Growth Tier

System, was to ensure that services for anticipated growth are managed effectively. The Agricultural Reserve Master Planning process included extensive examination by various County departments to predict the impacts and service delivery needs based upon the 1 unit per 1 acre development options in the Tier.

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

Proposed Amendments:

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

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

J. ULDC Implications

The **Ag Reserve MLU** application provides draft ULDC changes that would be necessary to implement the Comprehensive Plan amendment as shown at the end of Exhibit 1. These changes are primarily centered on allowing the Workforce Housing and Transfer of Development Rights Programs in the Tier.

K. Preliminary Coordination and Outreach

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

VII. Staff Recommendation

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

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2. Applicant's Justification	E-9
3. Proposed Applications in the Ag Reserve	E-24
4. Commercial Policy Changes in Ag Reserve Tier	E-26
5. Disclosure	E-28
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Exhibit 1

Applicant's Proposed Text Amendment

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

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

OBJECTIVE 1.5 The Agricultural Reserve Tier

1. **REVISE Policy 1.5-k:** Commercial and mixed uses in the Agricultural Reserve Tier shall be located central to the Tier and designed at a neighborhood or community scale in order to be limited to serving the needs of the farmworker community, existing residents, and future residents in the Tier. An MLU in the Agricultural Reserve Tier shall be located central to the Tier in proximity to roadways with existing infrastructure as further defined and subject to the location requirements in Policy 1.5-m to foster the intensity and mix of uses in a functional sustainable development pattern.

2. **REVISE Policy 1.5-m:** In order to facilitate community growth, reduce traffic, and maintain open space, the County shall limit the locations of new commercial and mixed use future land use designations within the Agricultural Reserve Tier to within specific locations ~~two commercial-mixed use centers~~. These centers are central to the Tier and intended to combine neighborhood shops, community commercial, offices, civic institutions, and housing opportunities. Commercial and mixed-use centers are allowed within the Tier as follows:
 1. The two commercial-mixed use centers define the areas within 1/4 mile of the intersection of Lyons Road and Boynton Beach Boulevard, and the intersection of Lyons Road and Atlantic Avenue.
 2. In addition, the ~~The~~ pre-existing commercial properties identified in Policy 1.5-i are allowed, and the County may consider future land use amendments for sites that share a common property line with pre-existing commercial properties identified in Policy 1.5-i to square off those locations.
 3. The mixed use center with Multiple Land Use (MLU) future land within .40 mile of the Florida Turnpike interchange, south of Boynton Beach Boulevard, and adjacent (as defined by the Introduction and Administration Element) to a publicly owned park of a minimum of 40 acres. At least fifty percent (50%) of an MLU must be within .40 of a mile of the interchange.

3. **REVISE Policy 1.5-n:** The County shall ensure a sustainable development pattern is achieved in the Agricultural Reserve by allowing commercial uses while ensuring that the supply of commercial square footage does not exceed the demand of the farm workers and residents of the Tier. The County may approve a maximum of 1,015,000 square feet of commercial uses (retail, service and office) within the Tier. The commercial cap shall not apply to sites with the MLU future land use designation.

4. **NEW Policy 1.5.1-s: Multiple Land Use:** The Multiple Land Use (MLU) future land use designation in the Agricultural Reserve Tier is intended to accommodate the mix of uses required to create an entertainment and employment center to promote a balanced and healthy lifestyle for the farmworker community, existing residents, and future residents of the Agricultural Reserve Tier. The MLU provides cultural elements and vertically

integrated mixed uses that are situated to fit within the context of surrounding development. A proposed MLU site shall meet the MLU requirements of Policy 4.4.2-a, subject to the following:

1. **Acreage.** The total land area shall be a minimum of 35 acres.
2. **Conceptual Plan.** The MLU is exempt from the concurrent zoning process required by Policy 4.4.2-a provided that the adopting ordinances includes a conceptual site plan depicting the location of the various land uses, open space, and linkages which functionally integrate the different land use categories.
3. **Adopting Ordinance** The maximum density, including workforce and transfer of development rights, and the maximum intensity shall be affixed in the adopting ordinance. The minimum percentage of workforce housing units shall be affixed in the adopting ordinance.
4. **Zoning.** The MLU shall utilize MUPD Zoning, or any zoning allowed by Table 2.2-f.1 and Table 2.2.1-j.1 consistent with the underlying future land use designations.
5. **Underlying Future Land Uses.** The allowable underlying future land uses are the future land use designations allowed in the Agricultural Reserve Tier as identified in Table III.C.
6. **Density.** The highest underlying residential future land use designation allowed is Medium Residential, 5 units per acre. Density is calculated on the gross land area of the MLU. Dwelling units that are vertically integrated within the Mixed Use Area shall not be counted towards the maximum residential density.
 - a. **Workforce Housing.** The adopting ordinance shall require a minimum of 25% of the residential units as workforce housing units for household incomes from 60 to 140% of area median income.
 - b. **Density Bonus.** A Workforce Housing Program density bonus up to 100 percent and a Transfer of Development Rights Program density bonus of 1 dwelling unit per acre are allowed concurrent with the approval of the MLU future land use designation.
7. **Development Area**
 - a. The development area may be comprised of a mixed use component and a residential component, as further described herein.
 - b. The development area shall contain uses normally associated with commercial development such as the street system, parking and water retention areas.
 - c. **Mixed Use Component**
 - 1) The entire development area may be comprised of a Mixed Use Component.
 - 2) The Mixed Use Component shall allow vertically and horizontally integrated mixed use development comprised of residential and non-residential uses, including mixed use or stand-alone commercial, industrial, civic, congregate living, entertainment, and cultural uses.
 - 3) The Mixed Use Component is exempt from the MUPD 60% Preserve Area requirement.
 - d. **Residential Component**
 - 1) Up to 50% of the total land area may be comprised of the Residential Component. Of the Residential Component, not more than 40% of the gross acreage may be used for residential uses.
 - 2) A Residential Component is comprised of only residential uses which are not integrated vertically or horizontally with any non-

nonresidential uses through direct pedestrian and vehicular connectivity.

8. Preserve Area

- 1) The Preserve Area shall be subject to the standards and requirements of an AgR-TMD preserves subject to the following:
 - a. The 60% Preserve Area requirement shall be calculated on the gross acreage of the Residential Component rather than the total land area.
 - b. Up to 50 percent of the Preserve Area may be located within the Development Area as open space or greenspace.
 - c. In addition to the preserve uses allowed by Policy 1.5.1-n, commercial recreation, workforce housing, and community center uses are allowed within the Preserve area, but not subject to the agricultural conservation easement required by Policy 1.5.1-o.

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

1. Within the Agricultural Reserve future land use designation with Agricultural Reserve zoning the maximum density is at a density of one dwelling unit per five acres;
2. Within the Agricultural Reserve Tier with a Planned Development zoning, the maximum future land use densities are as follows, with density calculated for the total land area and clustered onto the development area of the projects.
 - a. Agricultural Reserve future land use designation with AgR-PUD zoning, the maximum density is up to one dwelling unit per acre;
 - b. Commercial Low future land use designation with TMD or MUPD zoning, the maximum density is up to one dwelling unit per acre;
 - c. Multiple Land Use with MUPD zoning, the underlying future land use density is up to five units per acre as identified in Table 2.2.1-g.1 for the underlying residential designation.
~~(1DU/5AC), unless the property meets the requirements for an Agricultural Reserve Planned Development (AgR-PDD), Agricultural Reserve Multiple Use Planned Development AgR-MUPD), or Agricultural Reserve Traditional Marketplace Development (AgR-TMD) as described in Future Land Use Sub-Objective 1.5.1, in which case the land may be developed at a density of one dwelling unit per acre;~~

6. REVISE Policy 1.5.1-d: ~~Utilization of these planned development options may result in a maximum density for an AgR-PDD of 1 du/ac for a residential AgR-PDD except that the maximum number of units shall be reduced to reflect the number of farm worker quarters and/or grooms quarters located in the preserve area. For a residential AgR-PDD or an AgR-TMD, the Agricultural Reserve Planned Developments shall be subject to the following minimum preserve area requirements shall be established as:~~

1. ~~a-80/20 AgR-PUD development, 75 percent of the total land area;~~
2. ~~a-60/40 AgR-PUD development, 60 percent of the total land area; and~~
3. ~~a-TMD, 60 percent of the total land; and~~

4. MUPD, 60 percent of the total land area unless exempted by Policy 1.5.1-q & Policy 1.5.1-s.

7. **REVISE Policy 1.5.1-m: Agricultural Reserve Commercial Mixed Use Planned Developments.** All commercial mixed use Planned Developments are intended to provide one or more uses in a manner that is compatible with the scale and character of the surrounding residential uses and designed to promote a sense of place. The commercial and mixed use Planned Developments provide uses that can include shopping, entertainment, business, services, employment, cultural, civic, schools, places of worship, government services, and/or housing opportunities in a manner that increases a sense of community by creating a stronger pedestrian orientation through design, placement and organization of buildings connected to a common public space, while dispersing parking and respecting and maintaining the character of the surrounding area. The commercial mixed use Planned Developments are intended to provide neighborhood and community serving scaled uses. Regional and large-scale big-box uses are not permitted except on sites with an MLU future land use designation.

8. **REVISE Policy 1.5.1-q: ~~AGR-Multiple Use Planned Development.~~ The Multiple Use Planned Development zoning is allowed in the Agricultural Reserve Tier consistent with the future land use designations identified in Table 2.2-f.1 and Table 2.2.1-j.1.** New Agricultural Reserve Multiple Use Planned Developments (~~AgR-MUPD~~) in the Ag Reserve Tier shall meet the following requirements unless otherwise exempted by this Element:

1. Preserve Areas shall not be required for a property that is 16 acres or less in size as of January 1, 2016. For purposes of this policy, the term 'property' is defined as a property control number as configured on January 1, 2016. The acreage shall be exclusive of right-of-way as shown on the Thoroughfare Right of Way Identification Map;
2. Preserve Areas shall be required for a property that is greater than 16 acres in size as of January 1, 2016. For purposes of this policy, the term 'property' is defined as a property control number as configured on January 1, 2016. For such properties, the Development Area shall not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map;
3. The Development Area for commercial and mixed use projects shall meet the Ag Reserve Design Elements; and
4. Required Preserve Areas shall be subject to the standards and requirements of an AgR-TMD preserves.

9. REVISE

**TABLE III.C
FUTURE LAND USE DESIGNATION BY TIER**

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA ¹
Urban Residential	LR, MR, HR	X	---	---	--- <u>X</u> ³	---
Agriculture	AP	---	---	---	---	X
	SA	X	X	X	X	---
	AgR	---	---	---	X	---
	Ag Enclave	---	---	X	---	---
Industrial	IND	X	---	---	X	---
	EDC	X	---	---	---	---
<i>Multiple Land Use</i>		X	---	---	--- <u>X</u>	---
Traditional Town Development &		X	---	---	---	---

1. and 2. Unaltered and omitted for brevity

3. Within the Agricultural Reserve Tier, the Low or Medium Residential land use designations are allowed as an underlying density within the Multiple Land Use future land use designation.

10. REVISE Policy 3.5-d: The County shall not approve a change to the Future Land Use Atlas which:

unaltered text omitted for brevity

This policy shall not be applicable to an Agricultural Enclave adopted pursuant to Policy 2.2.5-d. This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Western Communities Residential Overlay. This policy shall not be applicable to the area designated as Multiple Land Use (MLU) on the southwest corner of Glades Road and 95th Avenue South, Boca Raton, as amended by FLUA Amendment Johns Glades West (LGA 2017-003) Ord. 201714. This policy shall not be applicable to the area designated as Multiple Land Use (MLU) in the Agricultural Reserve Tier amended by FLUA Amendment AgR-MLU Boynton (LGA XXX) Ord. XXX.

OBJECTIVE 2.4 Transfer of Development Rights

11. REVISE Policy 2.4-f: Potential receiving areas shall be inside the Urban/Suburban Tier or inside the Agriculture Reserve Tier limited to sites with the Multiple Land Use (MLU) future land use designation and shall include:

1. Planned Development Districts (PDD) and Traditional Development Districts (TDD) that are requesting an increase in density above their current limits; and,
2. Subdivisions requesting a bonus density above the standard land use designation density.

12. **REVISE Policy 2.4-g:** In order to encourage eastward development and a tapering off of density towards the western edge of the Urban/Suburban Tier and support development within the Urban/Suburban Tier in the Glades, or to protect rural residential areas by concentrating needed housing units where urban residential future land use designations already exist, bonus densities may be applied for as follows:
1. Inside the Urban/Suburban Tier and west of the Florida Turnpike, up to 2 du/acre additional;
 2. Inside the Urban/Suburban Tier, but not in the Revitalization and Redevelopment Overlay, up to 3 du/acre additional;
 3. In the Revitalization and Redevelopment Overlay, up to 4 du/acre additional;
 4. In the Urban/Suburban Tier in the Glades area:
 - (a) But not in a Revitalization and Redevelopment Overlay, up to 3 du/acre additional; or
 - (b) In a Revitalization and Redevelopment Overlay, up to 4 du/acre additional; and
 6. Inside the Agriculture Reserve Tier limited to sites with the Multiple Land Use future land use designation, up to 1 du/acre additional;
 7. Final assignment of TDR bonus density may take into consideration bonus density granted thru the Workforce Housing Program or Affordable Housing Program.

B. Housing Element, Agricultural Reserve MLU

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

1. **REVISE Policy 1.5-g:** The County's mandatory Workforce Housing Program is established to facilitate development of workforce housing. The Program requires new residential developments to provide a percentage of housing units for households with incomes from 60% to 140% of area median income as a means to meet workforce housing needs and to disperse that needed housing in the unincorporated County. The Workforce Housing Program applies in the Urban/Suburban Tier. The program also applies in the Agricultural Reserve Tier to sites with the Multiple Land Use future land use designation.

The Workforce Housing Program shall address specific criteria, including but not limited to:

1. Eligible developments must have a minimum number of 10 permitted units;
2. Workforce units can be both rental units and for sale units;
3. Workforce units built on site will be designed to be compatible with the overall development;
4. Workforce units built on-site can be clustered or integrated within the development;
5. Rental unit and resale unit affordability controls shall be guaranteed for a period to be set forth in the Unified Land Development Code (ULDC);
6. Workforce units may be allowed based on location, and land use compatibility, in any of the following land use categories: Commercial (mixed use); Industrial (mixed use); Economic Development Center; Institutional and Public Facilities, Traditional Town Development (TTD); and Multiple Land Use (MLU).

Incentives may include:

1. For all urban residential land use designations, a density bonus of up to 100%.
2. Traffic performance standards mitigation,
3. An expedited permit, zoning, and land use site plan approval process including engineering platting procedures.
4. A method to effectively offset impact fees and other development fees for the Workforce units.

A density bonus up to 100% shall be permitted when all program criteria are met and the increased density creates no compatibility issues with adjacent properties. For projects requesting greater than a 50% density bonus, the Workforce Housing development evaluation shall consider factors specified in the ULDC including, but not limited to: compatibility with adjacent properties, provision of workforce housing onsite, concentration of workforce housing, and proximity to employment centers.

UNIFIED LAND DEVELOPMENT CODE (“ULDC”) CHANGES

#	A. Article/Title	B. Proposed Amendment
1	Note 2 of Table 3.E.3.D, MUPD Property Development Regulations	2. The maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted, and shall include all residential and non-residential buildings.
2	3.E.3.F.2, 60/40 Preserve/Development Requirements	2. New applications for an MUPD in the AGR Tier greater than 16 acres in size as of January 1, 2016, as determined by FLUE Policy 1.5.1 of the Plan, shall consist of two areas, the Preservation Area and the Development Area <u>unless exempted by FLUE Objective 1.5 or related policies.</u> Both areas shall be rezoned to the MUPD district and comply with the following:
3	5.G.1.A.1, Workforce Housing Program, Purpose and Intent	The WHP is intended to increase the supply of housing opportunities for persons employed in PBC in jobs that residents rely upon to make the community viable. The WHP implements Policies 1.1-o and 1.5-g of the Housing Element of the Comprehensive Plan, among others, by establishing an inclusionary WHP to provide Low, Moderate 1, Moderate 2, and Middle-Income housing. The program mandates the provision of workforce housing for all new developments in the Urban/Suburban Tier <u>and projects in the Agricultural Reserve Tier with a Multiple Land Use future land use designation on the County’s FLUA</u> with a residential component of ten or more dwelling units; encourages the development of additional workforce housing through a density bonus and other incentives; encourages the equitable geographic distribution of workforce housing units; and, ensures a minimum affordability period. The WHP is implemented by the Planning Division of the Planning, Zoning and Building Department, and the Department of Housing and Economic Sustainability.
4	5.G.1.A.2.d, Workforce Housing Program, Location	<p>d. Location</p> <p>1) Urban/Suburban Tier The WHP applies for all new developments with a residential component in the Urban/Suburban Tier, except as follows: [Ord. 2019-033]</p> <p>a) URA Priority Redevelopment Areas ... b) WCRA ...</p> <p>2) Agricultural Reserve Tier <u>The WHP applies for all new developments with a residential component in the Agricultural Reserve Tier with a Multiple Land Use future land use designation on the County’s FLUA.</u></p> <p>3) Other Tiers The WHP may be required by the Board of County Commissioners in developments in other Tiers through Conditions of Approval. [Ord. 2019-033]</p>

#	A. Article/Title	B. Proposed Amendment
5	5.G.3.C, Transfer of Development Rights, Applicability	This Chapter shall apply to property in unincorporated PBC which is located within designated sending areas, as defined in Art. 5.G.3.F, Sending Areas. Development rights may be transferred from sending areas pursuant to the procedures contained in this Chapter, to property which meets the qualifications to receive such density according to Art. 5.G, Density Bonus Programs, and the standards contained herein. The use of TDR shall be allowed in all residential zoning districts within the U/S Tier <u>and projects in the Agricultural Reserve Tier with Multiple Land Use future land use designation on the County's FLUA</u> , and shall be approved pursuant to this Chapter. TDR units may be utilized for all housing types. Additionally, TDR units may be converted to CLF beds subject to the provisions of Art. 4.B.1.C.1, Congregate Living Facility (CLF), whereby the total approved density, including TDR units, is utilized when calculating permissible CLF occupants per Art. 4.B.1.C.1.d.3), Type 3 CLF.
6	5.G.3.H.2(a), TDR Receiving Areas, Qualify as a Receiving Area	2. Qualify as a Receiving Area <ul style="list-style-type: none"> a. Be located within the U/S Tier; [Ord. 2004-040] [Ord. 2008-003] b. <u>Be located within the Agricultural Reserve Tier limited to projects with the Multiple Land Use future land use designation on the County's FLUA;</u> c. Be compatible with surrounding land uses and consistent with the Plan; d. Meet all concurrency requirements; e. Meet all requirements as outlined in this Code; and, f. Be compatible with adjacent environmentally sensitive lands.
7	5.G.3.I.4(a), Transfer of Development Rights, Standard Density Bonus	a. Standard Density Bonus Approved receiving areas may receive a bonus density as follows: [Ord. 2008-003] [Ord. 2008-037] <ol style="list-style-type: none"> 1) Receiving areas in the U/S Tier west of Florida's Turnpike: up to two dwelling units per acre; [Ord. 2008-003] 2) Receiving areas in the U/S Tier east of Florida's Turnpike, but not in a Revitalization and Redevelopment and Infill Overlay: up to three dwelling units per acre; [Ord. 2008-003] [Ord. 2009-040] 3) Receiving areas in a Revitalization Redevelopment and Infill Overlay: up to four du/acre; or, [Ord. 2008-003] [Ord. 2009-040] 4) The bonus density may be less than the total bonus density indicated in paragraphs 1), 2), and 3) above when an additional WHP or AHP density bonus has also been utilized. (See paragraph d. below). 5) <u>Receiving areas in the Agricultural Reserve Tier with the Multiple Land Use future land use designation: up to one du/acre.</u>

Exhibit 2

Applicant's Justification

**Statement of Use and Justification for
Text Amendment to Palm Beach County ("County") Comprehensive Plan to allow
Multiple Land Use in the Agricultural Reserve
Submitted: February 28, 2020**

ELEMENTS & POLICIES TO BE REVISED

This application requests that the Board of County Commissioners ("BCC") initiate changes to Future Land Use Element Objective 1.5 including Policies 1.5-h, 1.5-k, 1.5-m, and 1.5-n, and Sub-Objective 1.5.1 including Policies 1.5.1-d, 1.5.1-m, 1.5.1-q and 1.5.1-r; Policy 2.4-f; Policy 2.4-g, and Policy 3.5-d; and TABLE III.C; and Housing Policy 1.5-g and to create new Future Land Use Element Policy 1.5.1-s.

PURPOSE

The purpose of the requested text amendment is to allow innovative, sustainable, and contextually appropriate mixed use development at strategic locations within the Agricultural Reserve Tier ("Ag Reserve") in order to provide essential lifestyle services for farm workers and residents of the Ag Reserve and to provide rurally located workforce housing options to ensure that the County's workforce population is afforded attainable housing opportunities in all areas of the County. The significantly increased population within the Ag Reserve since the area's establishment as a preservation and conservation zone 40 years ago has created a need for additional non-residential services, including but not limited to retail, restaurant, entertainment, commercial recreation, community and event centers, and employment generating uses. Further, as the County's population has increased, the cost of housing has also risen while wages for essential workforce personnel have largely remained stagnant. The County is working to provide workforce housing throughout the Urban/Suburban Tier and has not taken advantage of the untapped potential workforce housing opportunities in the Ag Reserve that are attainable by allowing higher densities strategically positioned within mixed use development at major transportation nodes.

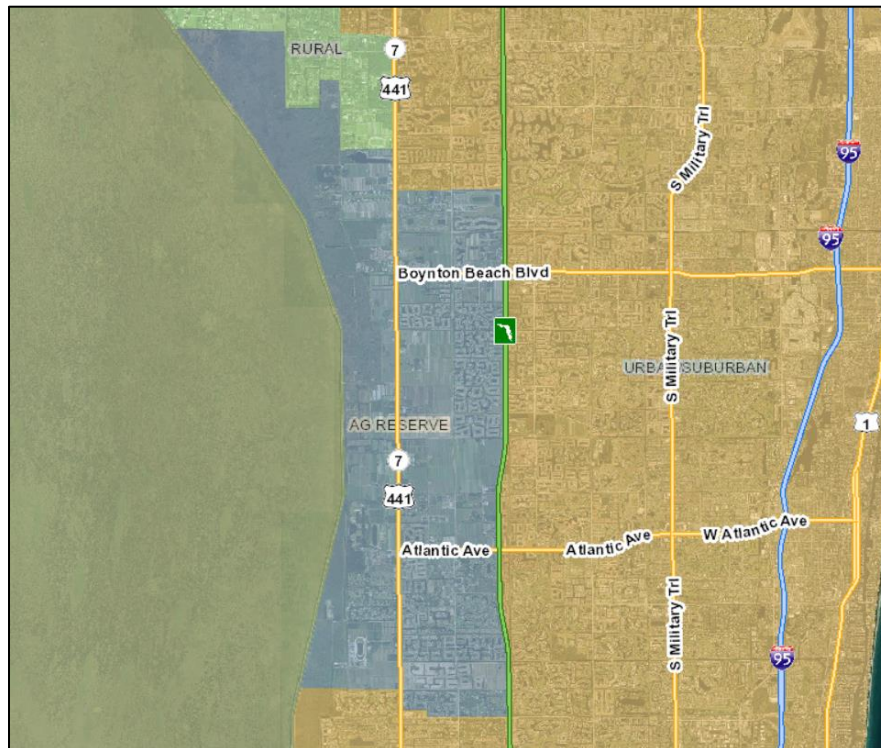
The optimal way to address the County's needs for services in the Ag Reserve and an appropriate variety of workforce housing options is to provide well-planned mixed use development in a carefully selected location that is adjacent to major transportation networks, existing public facilities, civic uses, and recreational opportunities that is designed and programmed to honor the intent and history of the Ag Reserve. It is important that any such development include additional residential density to provide a rurally located and programmed workforce housing opportunity within the County and to further ensure the viability of the non-residential development. The proposed amendment includes a requirement to provide a minimum of 25% of the residential development allowed by the amendment as workforce housing units. This will provide significant workforce housing opportunities and help ensure that the County's workforce population has a range of affordable housing options in diverse locations and are not forced by economics and the current regulatory framework to live solely in the County's denser suburban and urban areas, thereby requiring longer commutes and increasing traffic on the County's roadways. The current regulations established for the Ag Reserve do not provide the flexibility needed to promote the innovative land development techniques needed to create the truly unique and viable mixed use development that is needed to serve the existing population within the Ag Reserve and to allow the County's workforce population rural lifestyle options that are currently missing. As such, the proposed text amendment seeks to allow a Multiple Land Use ("MLU") designation in the Ag Reserve to allow a complementary mix of uses serving the farm workers and residents of the Ag Reserve, provide strict

locational criteria so that any such development is appropriately placed, and establish design objectives to ensure any development is suitable and considerate of the Ag Reserve context. It is proposed that the MUPD zoning will implement the proposed MLU future land use designation in the Ag Reserve.

JUSTIFICATION FOR PROPOSED TEXT AMENDMENT

History of the Ag Reserve

The Ag Reserve consists of 20,923 acres of southern Palm Beach County and spans the area from Lantana Road (extended) to the north, Clint Moore Road to the south, Florida Turnpike to the east, and Arthur R. Marshall Loxahatchee Wildlife Refuge to the west as shown in blue on the aerial graphic below. The Ag Reserve is adjacent to the Urban/Suburban Tier on the north, south, and east, Rural Tier on the north, and Glades Tier on the west.



The agricultural use of the Ag Reserve area began in the early 1900s and the creation of the Lake Worth Drainage District (“LWDD”) in 1915 provided the drainage patterns needed to promote significant agricultural production. By the mid-1950s the area supported approximately 200 vegetable farms, 30 dairy farms, and 35 ranches with nearly 30,000 head of cattle. In the second half of the 20th century, the Ag Reserve allowed for agricultural production of more than 80 varieties of vegetables and 12 different fruits (in addition to citrus) and contributed significantly to the County’s economy, providing 10% of the County’s agricultural production value on 2% of County land devoted to agriculture. Several rural residential developments were also approved between 1970 and 1980 as follows:

- Horseshoe Acres (unrecorded subdivision) – 320 acres and 64 dwelling units
- Tierra Del Rey South (1977) – 83 acres and 26 dwelling units
- Rio Poco PUD (1977) – 157 acres and 92 dwelling units
- Delray Lake Estates PUD (1979) – 128 acres 96 dwelling units
- Willis Gliderport PUD (1980) – 105 acres and 43 dwelling units

In sum, by 1980 residential development in the Ag Reserve comprised only 793 acres (+/- 3.8%) of the land area within the Ag Reserve with an estimated 321 homes approved (less than 800 non-agricultural residents) and agricultural production was still operating in full force and with significant economic benefits to the farmworker community and County at large.

In recognition of the important economic and environmental benefits of the Ag Reserve, the County displayed great foresight and formally designated the Ag Reserve in the County's 1980 Comprehensive Plan ("1980 Plan") in order to preserve a majority of the lands for agriculture and prevent premature development within the Ag Reserve. In order to achieve these goals, the 1980 Plan:

- established maximum residential densities of 1 unit per 5 acres,
- provided an opportunity to increase gross densities to 1 unit per acre for planned developments containing a minimum of 40 acres that clustered all development on 20% of their land area ("80/20 Option"), and
- created a transfer of development rights program by designating the Ag Reserve as a sending area for development rights to be used outside of the Ag Reserve at a rate of 4 units per 5 acres (0.8 units per acre).

In 1989, the County adopted a new Comprehensive Plan ("1989 Plan"), which revised the boundaries of the Ag Reserve by removing 5,000 acres, called for a study of the area, placed a moratorium on non-agricultural development, and designated the lands remaining in the Ag Reserve "to be preserved primarily for agricultural uses, if possible, and if not, to be developed at low residential density." The study of the Ag Reserve referenced in the 1989 Plan was initiated but never completed. In 1995, the moratorium that was placed on development for the duration of the study was lifted and the Comprehensive Plan was amended to create an alternative to the 80/20 Option. The alternative created in 1995:

- provided an opportunity to increase gross densities to 1 unit per acre for planned developments containing a minimum of 250 acres that clustered all development on 40% of their land area and preserved the remaining 60% for agricultural uses ("60/40 Option"),
- permitted the preserved area to be noncontiguous with the developed area provided that the preserve area created a minimum of 150 contiguous acres set aside with no future development rights when combined with adjacent areas, and
- restricted the density increase to properties east of State Road 7 with frontage on Atlantic Avenue, Boynton Beach Boulevard, Clint Moore Road, and Lyons Road north of Boynton Beach Boulevard.

The creation of the 60/40 Option stimulated some residential development in the Ag Reserve and created the regulatory framework to allow the approval of the 892.1 acre, 500 dwelling unit Delray Training Center 60/40 development in 1997 and the 405.5 acre, 149 dwelling unit Rainbow PDD development in 1998. Combined with the residential development approved prior to the establishment of the Ag Reserve, the 60/40 developments approved in the mid-1990s resulted in the residential development within the Ag Reserve more than tripling to allow a total of 970 dwelling units and approximately 2,300 non-agricultural residents.

In July 1998, the BCC directed development of a Master Plan for the Ag Reserve with the purpose of preserving and enhancing agricultural activity and environment and water resources in the Ag Reserve and producing a master development plan compatible with these goals ("Master Plan"). The County selected two consultants to complete the Master Plan; CH2M Hill as the primary consultant and Dover

Kohl and Partners as the design consultant (“Consultants”). The Master Plan was completed in four phases with the 1st and 2nd phases completed by the Consultants and the 3rd and 4th phases completed by County Planning staff. Phase 1 of the Master Plan involved a series of stakeholder meetings and a design charrette to gather input and suggest alternative patterns of development consistent with the BCC purpose for the Master Plan. Phase 1 resulted in a recommendation in December 1998 from the Consultants that the County pursue a conservation land acquisition bond referendum to acquire land for the preservation of open space, including open spaces used for agricultural purposes. Ultimately, a \$150 million bond was placed on the ballot and was approved by voters, with \$50 million to be used for environmentally sensitive lands throughout the County and \$100 million to be used to acquire land in the Ag Reserve in order to reduce the number of potential new residential dwelling units in the Ag Reserve by approximately 4,000 units. The BCC authorized Phase 2 of the Master Plan following the bond approval.

Phase 2 of the Master Plan involved the Consultants making recommendations for implementation of the Master Plan including identification of the lands most suitable for purchase using the bond, incentives for agriculture, and recommendation of specific Comprehensive Plan and Unified Land Development Code (“ULDC”) modifications needed to implement the Master Plan. Phase 2 of the Master Plan specifically called out the need for mixed use centers in order to promote a sustainable form of development; however, the regulations ultimately adopted allowed only mixed non-residential uses and did not provide for the residential housing within the mixed use centers that is needed to stimulate the mix of uses needed to create a town center with a true sense of community.

The BCC then authorized staff to proceed with the Final Phase of the Master Plan, including initiating necessary revisions to the Comprehensive Plan and ULDC, which were focused at maintaining the rural character and the importance of agriculture in the area. The Final Phase of the Master Plan resulted in the creation of the final Master Plan document including Background for Development of the Agricultural Reserve Master Plan, Options to Preserve and Enhance Agricultural Activity, Options to Enhance Environmental Resources, Options to Enhance Water Management Capability, and Options to Produce a Master Plan. The County then adopted policies in the Comprehensive Plan in 2001 in order to implement the recommendations of the Master Plan.

Since the adoption of the Ag Reserve Master Plan, numerous residential developments have been built and the number of residents living within the boundaries of the Ag Reserve has significantly increased. The needs of those residents, as well as good planning practices, have spurred additional changes in the Ag Reserve. These changes included increasing the commercial square footage cap to allow for additional smaller commercial projects, allowing 5-acre standalone preserve parcels, and allowing smaller commercial projects to develop without the need to provide preserve acreage. Additional changes are being proposed to allow the development of congregate living facilities and self-storage facilities within the Ag Reserve.

Change of Circumstances Necessitating Text Amendment

There are several driving factors – increased population, rising housing costs and static incomes, declining economic viability of the domestic farming industry, and suburban sprawl pattern occurring along the Boynton Beach Boulevard corridor – that have created a need for innovative, well planned mixed use development and workforce housing at strategic transportation and recreation nodes within the Ag Reserve.

Today, 40 years after the initial creation of the Ag Reserve, the County’s preservation and conservation efforts have generally been a resounding and award winning success. These efforts have resulted in significant preservation of the County’s agricultural lands and the conservation of the areas needed to

ensure water quality and aquifer recharge. The bond referendum resulted in County control of hundreds of acres of land and reduction of the potential residential development by hundreds of dwelling units. The fundamental Ag Reserve 60/40 Option strategy ensured preservation of privately held lands throughout the Ag Reserve. As such, development in the Agricultural Reserve has largely occurred as anticipated in the Master Plan, which has resulted in significantly increased non-agricultural residential population (approximately 11,125 dwelling units with approximately 27,000 non-agricultural residents), and approximately 56%, or 12,430 acres, of being set aside as preserve area through public ownership and AGR-PUD preserves as detailed in the December 2019 Staff Memorandum to the BCC regarding Agricultural Reserve Preserves. However, the Final 2000 Master Plan did not properly account for the lifestyle, wellness, and cultural needs of the future residents of the Ag Reserve, nor did it anticipate that housing costs would increase at a rapidly faster rate than wages, thus creating a need to provide workforce housing options for the portion of the workforce that desires a more rurally located lifestyle and the opportunity for residing in closer proximity to job (specifically agricultural) which are located within or near the Ag Reserve. As such, while the Ag Reserve is largely a successful initiative, these issues have resulted in an underserved residential population developed in a pattern of suburban sprawl within the Ag Reserve and a workforce population without a full range of housing options within the County. The significant population growth of non-agricultural residents and sprawling development patterns within the Ag Reserve create a need for centralized, conveniently located, non-residential services and amenities, at strategic transportation and recreation nodes that are centrally located within the Ag Reserve.

In addition to the increase of residents and need for rural workforce housing options, and as foreseen by the creators of the Master Plan, external market factors have changed the agricultural climate and made it more difficult for farmers to make a living in the farming industry. As such, the use of areas set aside for agricultural production is no longer sustainable and it is not practically feasible or economically viable to continue creating new preserve areas for agricultural use. The Final 2000 Master Plan acknowledged evolving market forces and anticipated that there would be significant changes to the agricultural industry in the years following the initial establishment of the Ag Reserve. As detailed above, the Ag Reserve was an active and productive area for agricultural production that contributed significantly to the County's economy at the time that the Ag Reserve designation and regulations were adopted in 1980. The warm climate and a drainage system developed to primarily accommodate agriculture allowed for the production of row crops that were very competitive in the national markets. However, the County's *Agricultural Reserve Master Plan* acknowledges that "studies and discussions with some landowners and farmers in the Ag Reserve suggest that the traditional row crops grown in the Ag Reserve may not be feasible over the long run due to factors beyond the control of the County." Further, according to the Master Plan, outside market forces are now combining to adversely impact the dynamics of agriculture in the County, specifically in the Ag Reserve. The continued increase in imported vegetables at a rate of 10% per year place pressures on the domestic vegetable production's demand and prices. The establishment of substantial regulations in agricultural production practices have increased the cost of production, further contributing to the relative advantage of foreign competition. Further, labor shortages have risen in the agricultural industry due to increased dependence on migrant workers paired with federal mandates limiting the number of farm workers from other countries. Currently the Ag Reserve is comprised of 54% preserved lands. While the Ag Reserve has succeeded in preserving lands as open space, it failed in keeping agriculture as the primary use and suburban residential uses are now the predominant use. As such, it is imperative that a holistic modification is made to the regulations for the Ag Reserve in order to address the needs that the population has for local amenities, services and cultural opportunities. The proposed text amendment creates the ability to establish a much needed mixed use wellness and lifestyle development at the southeast corner of Boynton Beach Boulevard and Acme Dairy Road and provides locational criteria in consideration of the context needed for a successful mixed use development that is beneficial to and helps to provide the mix of uses needed to create a complete community serving

the existing residents. The subject property is ideal for such development due to its location at a signalized intersection within one-half mile of the major transportation node of Boynton Beach Boulevard and the Florida Turnpike, adjacency to a large public school and park facility, and proximity to a significant portion of the suburban homes approved and built within the Ag Reserve. A rural lifestyle and wellness town center in this location will allow for a gateway and true entrance to the Ag Reserve to be created to help provide the sense of place and place making that the Ag Reserve is currently lacking. It is important to note that the Boynton Beach corridor is no longer a rural road surrounded by a predominantly agricultural context as shown in the graphic below.



As shown above, the Boynton Beach Boulevard corridor has significantly changed over the past 20 years with the introduction of the Canyon Lakes community to the south. In addition, a Traditional Marketplace Development, the Canyons Town Center, was approved and built at the southeast corner of Boynton Beach Boulevard and Lyons Road, a 16-acre commercial project, Cobblestone Commons, was approved and developed across Boynton Beach Boulevard from the Canyons Town Center Traditional Marketplace, and two schools were approved and developed on the north and south sides of the road to accommodate the increasing number of families with children moving into the Ag Reserve. A certificate of need was approved, and a large hospital was constructed further west at the intersection of Boynton Beach Boulevard and State Road 7. The County has also recognized the pre-existing institutional and commercial uses on Boynton Beach Boulevard through the adoption of several FLUA amendments. All of these changes have been made to address the shifting demographics and the continued influx of residents into the Agricultural Reserve but have not provided the holistic mixed use development needed to serve the Ag Reserve population. This Property is the ideal location to meet this need given the locational criteria described above.

In addition, any resulting development will be designed to give homage to the Ag Reserve, its history, and the farmworker population who built the agricultural industry in the County. It is intended that the development will provide such uses as an agricultural museum, Agri-hood, active retention with natural plantings, and farmer's market. These concepts are graphically demonstrated below.

Concept: Farming Museum



Concept: Agri-Hood



Concept: Active Retention w/Native Plantings



Concept: Farmers Market



In addition, this development will be designed to fit the intended rural context of the Ag Reserve through the use of rustic materials and design features.

Benefits of Mixed Use Development

As detailed above, the significantly increased residential population within the Ag Reserve, decreased agricultural production, increased housing costs making it difficult for essential workforce personnel to continue living in the County, and sprawling development pattern in the Ag Reserve demonstrate a clear and present need for a mixed use lifestyle and pedestrian oriented town center development with on-site workforce housing opportunities to serve the residents within the Ag Reserve. It is imperative in providing a high quality of life for these existing residents and the County's essential workforce population that any proposed development provide cultural, entertainment, recreational, retail, restaurant, and community driven uses. It is important to note that these residents must currently travel +/- 7 miles north to the Wellington Mall, +/- 6 miles south to the Delray Marketplace, or +/- 11 miles east to downtown Delray Beach or Rosemary Square for any entertainment, cultural opportunity, community gathering space, or other valued amenities and services. The lack of services and necessary commercial and cultural uses within the community creates a need for residents to travel significant distances, thus further straining the County's transportation network. Over the past several years, there has been an industry trend away from creating large sprawling communities without common amenities and places to gather and toward the creation of compact developments with higher densities and a complementary mix of uses that allow those who live in or nearby these mixed use town center developments a place where they can truly live, work, and play without having to spend their valuable time transporting between their home and their destination. This is a nationally recognized trend, which is demonstrated in publications from the American Planning Association, the University of Delaware's Complete Communities Toolbox in Benefits

of Mixed-Use Development, American Public Health Association, and Victoria Transport Policy Institute, among others.

An APA brief on Zoning for Mixed Use indicates that: **“Traditional zoning ordinances can result in large-scale, single use, large-lot residential developments. These subdivisions often require costly and redundant municipal infrastructure to function while furthering dependence on non-renewable energy sources.”** Further, the brief also states that **“integrating uses—residential, retail, and childcare in this case—helps to create vibrant neighborhoods in which residents can accomplish several activities walking instead of driving.”** Finally, with regard to traffic, “mixed use zoning can reduce the peak-hour congestion paralyzing urban areas across the nation. It provides the tools necessary to develop areas where people have the opportunity to work, shop, and socialize near their homes. By increasing opportunities to combine trips, mixed uses can reduce the vehicle miles traveled by residents of a community.”

The University of Delaware’s published The Delaware Complete Communities Toolbox in Benefits of Mixed-Use Development and finds that: **“Smart-growth strategies such as mixed-use development are being implemented to mitigate the effects of sprawl, promote a sense of community, and encourage pedestrian-friendly design.** In addition to providing public health benefits, walkable communities that are attractive, convenient, and may also contribute to a sense of place that reaps economic rewards.” They also state that, **“With the incorporation of mixed-use development and smart growth practices, sprawling development patterns could be reduced and quality of life may be enhanced.”** Approval of the proposed regulations would serve to allow a development within the Ag Reserve that will complete the provision of the amenities needed to ultimately ensure no additional development is needed within the area to serve the existing residents.

The American Public Health Association published Urban Sprawl, Smart Growth, and Deliberative Democracy and finds that: “An urban development pattern that necessitates automobile use will produce more air pollutants, such as ozone and airborne particulates, than a pattern that includes alternatives to automotive transportation... [Smart growth] promotes an urban development pattern characterized by high population density, walkable and bikeable neighborhoods, preserved green spaces, mixed-use development (i.e., development projects that include both residential and commercial uses), available mass transit, and limited road construction. Smart growth was originally conceptualized as an aesthetically pleasing alternative to urban sprawl that would offer residents a high quality of life and the convenience of local amenities, but it also has many potential health benefits, such as diminished air pollution, fewer motor vehicle accidents, lower pedestrian mortality, and increased physical exercise. **Smart growth is different from the concept of “garden suburbs” because it addresses issues of population density and transportation, not just availability of green space and preservation of agricultural land.”** As such, the proposed development will not only provide better services to the Ag Reserve residents, it will also promote a healthier community in the County at large by reducing the number and length of trips originating from the Ag Reserve residents.

Consistent with the scholarly and institutional findings detailed herein, the Chester County Planning Commission has created a Planning Toolbox for Mixed Use Developments and identifies the following advantages of Mixed Use Development:

- “Energy conservation-mixed-use development inherently conserves energy because it promotes efficient land use, reduced reliance on the use of vehicles, and establishes walkable communities based on Smart Growth principles.
- Create a sense of place in a community.

- Achieve higher densities while creating more amenities, and usable and pleasant public open space, which sometimes cannot easily be achieved by single-purpose projects.
- Can result in shared infrastructure (ex. parking), thereby making possible economies of scale in development and operating costs.
- Achieve greater long-term appreciation in land and property values.
- Stimulate revitalization by encouraging redevelopment activity in downtowns, and urban and suburban infill locations.
- Provide a focus for growth in more suburban communities.
- Provides opportunities for increased use of public transit.
- Work in conjunction with tools such as Effective Agricultural Zoning or as a receiving area for Transfer of Development rights to promote growth in the most appropriate areas in conjunction with existing or planned infrastructure including, but not limited to public water and sewer facilities.”

Considering the foregoing, approval of this request will allow for implementation of a widely accepted and utilized strategy of providing compact mixed use development with higher densities, a complementary mix of non-residential, open space, and cultural uses, and additional workforce housing in order to meet the needs of the existing Ag Reserve community. Adoption of regulations that allow mixed use development will have a positive impact on the surrounding area and will ultimately increase property values of surrounding homes and commercial properties as people want to work and live in or near activity centers that provide convenient goods, services, food and beverage, entertainment, hospitality, and employment opportunities.

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposed text amendment is consistent with and promotes the County Directions enumerated within the Future Land Use Element as follows:

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.*

Applicant’s Response: The Ag Reserve is a unique area within the County; however, the current regulatory framework does not provide the vision or flexibility needed to allow for a harmonious balance of land uses, efficient provision of services, open space organized such that it is usable and preserves natural features, or distinct community design elements unique to the Ag Reserve. The requested amendment provides for the allowance of the MLU future land use designation in the Ag Reserve, which will promote innovative mixed-use development that creates a rural town center with a strong agricultural sense of place and workforce housing opportunities for the County’s essential personnel. Approval of the proposed text amendment will allow for the needed balance of uses by allowing the provision of much-needed, centralized local services with the amenities, usable open space and recreation areas, cultural facilities, placemaking, and employment opportunities needed in close proximity to higher density residential uses essential to promoting pedestrian activity, reducing number and length of trips and improving the existing pattern of

suburban sprawl that has taken place within the Ag Reserve since its inception. The design standards for the proposed MLU in the Ag Reserve will help to ensure that the proposed development will be designed in a form that is complementary to the surrounding residential uses in the area. The density proposed for the MLU in the Ag Reserve will allow for both market rate and workforce housing thereby ensuring the long term economic viability of the proposed cultural enrichment offerings and employment options. In sum, the proposed MLU in the Ag Reserve is intended to accommodate the mix of uses required to create the entertainment and employment center that is needed to promote a balanced and healthy lifestyle for the farmworker community, existing residents, and future residents of the Ag Reserve. As such, the proposed text amendment will promote the enhancement, creation, and maintenance of livable communities throughout the County and specifically within the Ag Reserve.

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.*

Applicant's Response: Approval of the proposed text amendment will direct development that respects the characteristics of the Ag Reserve to the most appropriate location for mixed use and allow for the timely development of the type and intensity of uses needed to serve the Ag Reserve community. The proposed text amendment will promote the increase in density through the County's Workforce Housing and Transfer of Development Rights programs. The design of any development allowed by the proposed text amendment will be designed to assure smart growth, protection of natural resources, prevention of urban sprawl, provision for efficient use of land, balance of land uses, and provision for facilities and services in a cost efficient and timely manner. Any development allowed by the text amendment will promote Smart Growth principles and will offer residents a high quality of life through convenient access to lifestyle and wellness amenities and services, cultural offerings, employment options, and entertainment opportunities. The development will also provide many potential health benefits such as diminished air pollution, fewer motor vehicle miles traveled for daily local activities, and increased pedestrian and physical activity through the centralization of local services and the provision of extensive active open space and recreational areas. Considering the foregoing, approval of the proposed text amendment will provide for sustainable communities and lifestyle choices.

Infill, Redevelopment and Revitalization. Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.

Applicant's Response: Approval of the proposed text amendment will allow for positive infill development of a property that is ideally situated along one of the County's major transportation networks, adjacent to a large school and park facility, and surrounded by suburban housing development that lacks basic lifestyle and wellness amenities and services. This infill development is adjacent to existing public facilities and services and promotes the efficient use of land and public facilities.

3. *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.*

Applicant's Response: Approval of the proposed text amendment is not in conflict with the intensities of land uses with those of surrounding areas. The surrounding context is along a major transportation corridor adjacent to an elementary school, public park, and suburban single-family residential communities. This is not characteristic of a rural area, nor an agricultural area. This is a suburban context, which by its nature is contrary to meeting many of the other goals described in the Comprehensive Plan for the Agricultural Reserve. The proposed text amendment requires a minimum land area of 35 acres, thereby ensuring that any development allowed by this text amendment will not be piecemeal and will create a cohesive mixed-use development. Any development allowed by the proposed text amendment will be programmed and designed to deliver much-needed community amenities in a complimentary scale, density, and intensity of uses situated to fit within the context of surrounding developments. Specifically, development of a unified mixed-use MLU in the Ag Reserve will require that all uses be located and designed to ensure harmony with the existing surrounding context with passive and active open space with ample recreational activity offerings and residential uses buffering the existing residences and commercial and entertainment uses situated closer adjacent to the major thoroughfares. Considering the foregoing, the densities and intensities of land uses allowed through the proposed text amendment will not be in conflict with those of surrounding areas.

4. *Neighborhood Integrity. Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.*

Applicant's Response: Approval of the proposed text amendment will respect the integrity of the surrounding suburban neighborhoods, including their geographic boundaries and social fabric. As detailed above, the resulting development is intended to honor the history and intent of the Ag Reserve through the provision of a farming museum, Agri-hood, active lakes with native plantings, and farmers markets. As demonstrated above by the University of Delaware, mixed-use developments are being implemented to mitigate the impacts and externalities of sprawl and to strengthen a sense of community. The densification of residential uses with the provision of lifestyle, wellness, and cultural amenities and services in close proximity will alleviate the demand for space throughout the County to serve the residents of the Ag Reserve and work to prevent further urban sprawl. These aspects and the ultimate design of the development will respect the integrity of the surrounding neighborhoods and become a key part of their social fabric.

5. *Economic Diversity and Prosperity. Promote the growth of industries that have relatively high wages and that can diversify the economic base.*

Applicant's Response: The proposed text amendment will promote the growth of industries that have relatively high wages and that can diversify the economic base. The Project proposes to provide an entertainment and employment center with cultural elements and vertically integrated mixed uses, as well as standalone commercial, industrial, civic, cultural, and residential uses. Specifically, the proposed cultural arts center, ample recreational and entertainment activity opportunities will create a development that is uniquely poised to bring a level of economic vitality and new employment opportunities that currently do not exist within the Ag Reserve. As such, the Project will not only be a driver of new, sustainable economic activity in the area, but will also significantly diversify the economic base for the farmworker community, existing residents, and future residents of the Ag Reserve. Considering the foregoing, the proposed text amendment will promote the growth of industries that have relatively high wages and that can diversify the economic base.

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

Applicant's Response: The proposed text amendment will ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of workforce housing within the Ag Reserve. The proposed text amendment requires that any MLU development in the Ag Reserve participate in, and utilize, the Workforce Housing Program and Transfer of Development Rights Programs offered by the County. A minimum of 25 percent of the dwelling units proposed will be required to be provided as Workforce Housing units equitably distributed among income categories. Workforce housing opportunities do not currently exist in the Ag Reserve and the rural lifestyle options afforded in this area are only available to the County's wealthier residents. Implementation of the Workforce Housing and Transfer of Development Rights programs within the MLU in the Ag Reserve will ensure that the County's essential workforce population have housing options in all areas of the County and are not forced by economics to reside in the eastern urban and suburban areas. As such, the proposed text amendment will ensure that housing opportunities are compatible with the County's economic opportunities and that the County's Workforce Housing Program is adequately and equitably distributed throughout the County.

7. *Economic Activity Centers. Encourage the development of Planned Industrial Developments primarily designed to accommodate and promote manufacturing industry and other value-added activities.*

Applicant's Response: The proposed text amendment is not within an Industrial Land Use designated area and does not entail the development of Planned Industrial Developments. As such, the text amendment does not impact this County Direction. However, it is important to note that the proposed mixed use context of development allowed by the MLU in the Ag Reserve text amendment will encourage economic activity centers and value added activities.

8. *Research and Development Communities. Support the location of regional economic development activities in the County, which promote science and/or technology uses and other significant employment opportunities and educational initiatives resulting in new technologies and manufacturing activities.*

Applicant's Response: The proposed text amendment does not entail the location of a Research and Development Community. As such, the text amendment does not impact this County Direction.

9. *Level of Service Standards. Establish specific, public facility level of service standards that are directly linked to the Capital Improvement Program, to accommodate an optimum level of public facility and service improvements needed as a result of growth.*

Applicant's Response: The proposed text amendment directs development to areas served by existing public facilities so that the County's public facilities would not have to be extended in order to serve any MLU development in the Ag Reserve. As such, approval of this text amendment would allow for the location of development in order for the County to provide an optimum level of public facility while accommodating growth occurring in the County.

10. *Linear Open Space and Park Systems. Enhance the appearance of the County by providing an open space network that will become a visual and functional organizer of recreational activities, natural resources and other open space areas. This should include public lands, passive as well as active recreation areas, beaches and conservation areas.*

Applicant's Response: Approval of the proposed text amendment will enhance the appearance of the County by providing an open space network that will become a visual and functional organizer of recreational activities, natural resources and other open space areas. MLU development in the Ag Reserve will be designed to be thoughtfully linked to the adjacent Canyon Community Park for additional green and field recreation, walking and biking. In addition, the Project will supply access to active retention lakes and community scale agricultural activities. Specifically, the intended provision of a active and passive open space opportunities alongside the Canyon Community Park will work together create a strong sense of place while contributing to the functional organization of recreational open space and natural resources for the greater community. Considering the foregoing, the proposed text amendment is needed in order to allow for the provision of an open space network that will become a visual and functional organizer and asset of recreational activities, natural resources and other open space areas to provide a northern gateway to the Ag Reserve.

11. *Environmental Integrity. Encourage restoration and protection of viable, native ecosystems and endangered and threatened wildlife by limiting the impacts of growth on those systems; direct incompatible growth away from them; encourage environmentally sound land use planning and development and recognize the carrying capacity and/or limits of stress up-on these fragile areas.*

Applicant's Response: Much of the existing Ag Reserve land is reserved for agricultural uses. Traditional preserve areas are frequently blighted, overgrown parcels, with no use or direct benefit to the community. Rather than establishing 60 percent of open space to be reserved per the Ag Reserve standards, the Project proposes greater usable open spaces and water bodies that will help with water retention and improve water quality treatment. In addition, the Design Guidelines will include lateral planting and cultivation practices for the use and benefit of the community. With the above foregoing, the proposed Text Amendment will encourage and promote environmental integrity.

12. *Design. Promote the concept of design to direct development, in rural and urban areas. Design is used to prepare and implement policies and plans that guide the physical development of the built environment and make such development functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accept-ed community goals.*

Applicant's Response: Approval of the proposed text amendment will promote the concept of design to direct development, in rural and urban areas. As discussed in greater detail above, MLU development in the Ag Reserve will be designed to employ Smart Growth design principles with a thoughtful, organized mix of uses that are visually appealing while bringing an authentic sense of place that honors the history and intent of the Ag Reserve. MLU development in the Ag Reserve will be designed to make the uses functional, orderly, efficient, and situated to fit within the context of surrounding development and to create a sustainable pattern of development that allows the design to direct development. Considering the foregoing, the proposed text amendment will promote the concept of design to direct development, in rural and urban areas.

13. *A Strong Sense of Community. Encourage citizen involvement, neighborhood spirit, and local pride in the County, and a commitment to working constructively on community problems.*

Applicant's Response: The proposed text amendment will promote a strong sense of community, encourage citizen involvement, neighborhood spirit, and local pride in the County, and a commitment to working constructively on community problems. MLU development in the Ag Reserve will be designed to create a sense of place and community for residents within and surrounding the Ag Reserve. MLU development in the Ag Reserve will provide an entertainment and employment center with cultural elements and vertically integrated mixed uses, as well as

standalone commercial, industrial, civic, cultural, and residential uses. The combination of commercial, entertainment and residential uses alongside active open spaces will activate a sense of community and create an entertainment and employment center for the farmworker community, existing residents, and future residents of the Ag Reserve. Considering the foregoing, the proposed Text Amendment will promote a strong sense of community.

14. *Agricultural and Equestrian Industries. Support and enhance agriculture and equestrian-based industries.*

Applicant's Response: As detailed above, the proposed MLU development in the Ag Reserve will pay homage to the history and benefits of the agricultural community in the County through the provision of well programmed and designed community spaces and amenities that honor agricultural industries. The education and visibility provided to the agricultural industry will help to support and enhance those uses.

15. *Historic Preservation. Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage. Retain the local sense of place by preserving and protecting historic places, buildings and structures.*

Applicant's Response: The proposed text amendment does not entail historic preservation, as the Project is not located within a historically designated area. As such, the text amendment does not impact this County Direction.

16. *Climate Change. Increase resilience through appropriate land use strategies for adaptation and mitigation of climate change impacts.*

Applicant's Response: The proposed text amendment will increase resilience through appropriate land use strategies for adaptation and mitigation of climate change impacts. As aforementioned, MLU development in the Ag Reserve will be designed to utilize Smart Growth design principles in a mixed-use district. Smart growth not only curbs urban sprawl, but it also has many potential health and environmental benefits, such as diminished air pollution, reduced motor vehicle miles traveled for daily activities, and increased pedestrian activity and physical exercise. The Project will entail compact development which will efficiently utilize land and infrastructure resources, while its mix of uses will promote walkability and more efficient transportation behavior for the area by creating a single 'hub' for services and amenities. Considering the foregoing, the proposed text amendment will increase resilience through appropriate land use strategies for adaptation and mitigation of climate change impacts.

17. *Externalities. Recognize major negative externalities and attempt when economically feasible to place economic negative externalities away from neighborhoods.*

Applicant's Response: The proposed Text Amendment recognizes major negative externalities and attempts to place economic negative externalities away from neighborhoods. The Ag Reserve is suffering from major negative externalities including decline of agricultural production due to external market forces, steadily increasing population within the County, rising housing costs combined with static wages, and a suburban growth pattern that has dominated the Boynton Beach corridor within the Ag Reserve. Mixed-use developments utilizing Smart Growth design principles are powerful in curbing negative externalities that result from inefficient land use practices and urban sprawl, including unintended health and environmental impacts related to a lifestyle of automobile reliance that stem largely from traditional, decentralized development patterns. As demonstrated above by APA's brief *Zoning for Mixed Uses*, "In addition to providing public health benefits, walkable communities that are attractive, convenient, and may also contribute to a sense

of place that reaps economic rewards. With the incorporation of mixed-use development and smart growth practices, sprawling development patterns could be reduced and quality of life may be enhanced.” The proposed MLU in the Ag Reserve is poised to strengthen the area’s economic vitality, provide attainable housing to the County’s workforce and ultimately create a more sustainable community that offers convenient access to local services and amenities in close proximity to one another, as well as to existing and planned residences. The proposed MLU in the Ag Reserve will result in fewer and shorter vehicular trips in the area and promote a balanced and healthy lifestyle for the farmworker community, existing residents, and future residents of the Ag Reserve. Considering the foregoing, the proposed text amendment will help the County combat major negative externalities and attempts to place economic negative externalities away from neighborhoods.

The proposed text amendment is consistent with the County Directions as described above and is therefore consistent with the County’s Comprehensive Plan.

Exhibit 3

Proposed Applications in the Ag Reserve Tier

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

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

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

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

Specific information by proposed application is provided below with links:

Reserve at Atlantic

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

Application:

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

Boynton Technology Park

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

Application:

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

Ag Reserve MLU

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

Application:

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

Delray Marketplace Office

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

Application:

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

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

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

Faith Farm

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

Application:

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

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

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

Poet's Walk

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

Application:

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

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

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

West Boynton Center

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

Application:

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

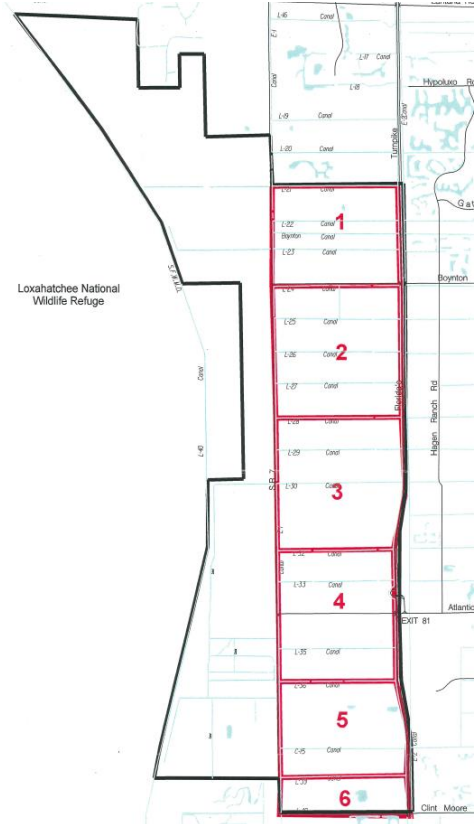
Transmitted Report link provided below. The item was already initiated and had its first public hearing at BCC. The tentative adoption hearing date for both the Comprehensive Plan (future land use and text) and zoning applications is at the BCC Zoning Hearing on July 30, 2020.

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

Exhibit 4 Commercial Cap History

History of the Commercial maximum square footage.

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



Phase II Master Plan Graphic Status Quo Potential Build-out

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

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

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

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

Exhibit 5

Disclosures

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Lawrence Suchman, Manager of Jade Boynton, LLC, 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 Manager *[position—e.g., president, partner, trustee]* of Jade Boynton, LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]*, (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 1550 Madruga Avenue, Suite 230, Coral Gables, FL 33146

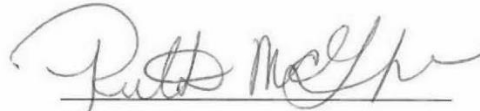
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



Lawrence Suchman, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 6th day of February
20 20, by Lawrence Suchman, Manager of Jade Boynton, LLC, [] who is personally
known to me or who has produced FLA. DRIV. License
as identification and who did take an oath.



Notary Public

Ruth McGlynn

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____

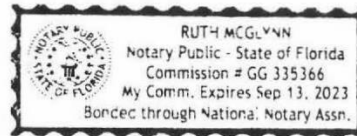


EXHIBIT "A"

PROPERTY

TRACTS 7, 8, 25, 26, 39, 40, 57 AND 58, BLOCK 54, OF PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH THAT CERTAIN 30 FOOT ROAD, DYKE AND DITCH RESERVATION LYING BETWEEN SAID TRACTS 25-26 AND 39-40, BLOCK 54, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION OF SAID TRACTS 7 AND 8, DESCRIBED AS PARCEL 106 IN THAT CERTAIN ORDER OF TAKING, RECORDED IN OFFICIAL RECORDS BOOK 6366, PAGE 721 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THE 15 FOOT RIGHT-OF-WAY FOR ACME DAIRY ROAD, AS CONVEYED IN DEED BOOK 692, PAGE 78 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND THAT CANAL RIGHT-OF-WAY AS SHOWN ON INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1732, PAGE 612, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 39.293 ACRES, MORE OR LESS

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the 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	
Lawrence Suchman	1550 Madruga Avenue, Suite 230, Coral Gables, FL 33146	100%

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 David Bargas, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] Trustee *[position - e.g., president, partner, trustee]* of John Bargas Trust dtd 3/10/04 *[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: David Bargas, 2425 NW 40th Circle, Boca Raton, FL 33431
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.



David Bargas _____, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 19 day of February, 2020, by David Bargas, Trustee of John Bargas Trust dtd 3/10/04, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Notary Public

GLENN LEWIS

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 7/28/2023

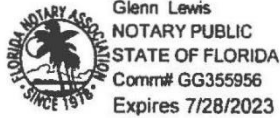


EXHIBIT "A"

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LESS AND EXCEPT THAT PORTION OF SAID TRACTS 7 AND 8, DESCRIBED AS PARCEL 106 IN THAT CERTAIN ORDER OF TAKING, RECORDED IN OFFICIAL RECORDS BOOK 6366, PAGE 721 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THE 15 FOOT RIGHT-OF-WAY FOR ACME DAIRY ROAD, AS CONVEYED IN DEED BOOK 692, PAGE 78 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND THAT CANAL RIGHT-OF-WAY AS SHOWN ON INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1732, PAGE 612, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 39.293 ACRES, MORE OR LESS

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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Name	Address
<u>Barbara M. Logan Revocable Trust dated August 22, 2007, as amended - Barbara M. Logan, Trustee -</u>	<u>651 Village Drive, #502, Pompano Beach, FL 33060 - 50% ownership of property</u>
<u>The Unrecorded Barbara R. DeReuil Revocable Trust Agreement dated October 6, 2009 - Cecily DeReuil</u>	<u>Fazio, Co-Trustee - 1864 River Road, Jacksonville, FL 32207 - trust has 25% ownership interest in</u>
<u>property - no individuals have 5% or more ownership interest in the property</u>	
<u>John Bargas Trust dated 03/10/2004 - 25% ownership of property individually owned as follows:</u>	
<u>Nancy Jankovsky - 6 Old Dodginton Road, Redding, CT 06896 - 8.33% interest in property</u>	
<u>Susan J. Griffin - 5036 SW 8th Place, Cape Coral, FL 33914 - 8.33% interest in property</u>	
<u>David Bargas - 2425 NW 40th Circle, Boca Raton, FL 33431 - 8.33% interest in property</u>	

Exhibit 6

Correspondence



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

May 27, 2020

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Paul Gellis
Al Miller
Philip Leslie
Kenneth Sanden
Dr. Richard Carrington

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

Re: June 12 Planning Commission Meeting

Dear Mayor Kerner:

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

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

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

Sincerely,

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

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

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

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

Dear Mayor Kerner,

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

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

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

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

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

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

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

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

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

Thank You

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

From: Kari Smith <ksumisu@gmail.com>

Sent: Thursday, June 11, 2020 4:00 PM

To: BCC-All Commissioners; Ruth C. Moguillansky; Chrystal G. Mathews; Patricia Behn; Bryan Davis; Lisa Amara A.; Stephanie Gregory; Maria Bello; Jon MacGillis; Kevin Fischer; Ramsay Bulkeley

Subject: Planning Commission June 12th Ag Reserve

Hello All,

Apologies if you are not a part of the Planning Commission; I had trouble figuring out who might be a part of it.

I'm a resident here in PBC and I'm concerned about the proposed plan to change the Agricultural Reserve. While I agree 100% we need more affordable housing in PBC I don't think this is the best way to do it. What about renovating city properties that are unused and becoming eyesores? Driving around in the county I am sometimes saddened by how much wasted space we have. And I never consider nature preserves wasted space.

Additionally, putting affordable housing so far out west probably wouldn't be doing favors to the people who need said housing. If you make \$8 an hour in food service, you may be working several jobs. You need to live close to those jobs, not an hour+ away. You have to consider what long drives does to the maintenance costs on people's vehicles. I've also hear of developers creating expensive housing and only creating the minimum allowed amount of affordable homes. Any promise of affordable homes by a builder should generate a lot of homes; I'd hate to see a situation where homes are built but very few of them are affordable. As a personal anecdote, I work for the county and take home 24,000 a year. This is very difficult to live on because housing is so expensive; if I did not have a significant other I would not be able to afford to live as a single adult (something we all hope to be doing in our 30s). I cannot imagine how difficult it is for those of us living on so much less.

I hope you can find a path forward that rejuvenates some of our less utilized spaces and provides for the people who need housing while still preserving our agricultural and natural spaces.

Thank you so much,

Kari Smith

From: Jessica Reynolds <dreamcorcooling@gmail.com>
Sent: Thursday, June 11, 2020 1:39 PM
To: Ryan Vandenburg <RVandenburg@pbcgov.org>
Subject: Zoning questions

Hello, this is Jessica we just spoke about the zoning in Boca. I found this information that they are talking about changing the zoning from agricultural to residential. We have property in that area and if this is correct and they are going to have a meeting on it I would like to attend. Please get back to me about this issue at your earliest convenience.

Jessica Reynolds 561-722-7098

The screenshot shows a mobile application interface with a 'Digest' section. At the top, there are status icons for AT&T 5G E, the time 1:08 PM, and a battery icon. Below this is a navigation bar with a back arrow and the word 'Digest'. The main content area is titled 'Today's top posts' and features a post about an 'Agricultural zoning meeting'. The post text reads: 'Spencer Palmer, Florida Gardens · I just received this email below from my Beekeepers association. For those interested in attending the meeting to prevent this from happening please attend. This Friday the zoning commission is having a meeting to discuss the recommendation to the county to change the ag reserve from Boca to Lantana west of the turnpike from Ag to Residential. This will change your ability to keep bees and cause a huge increase in the property taxes for those that own land in the area. This Friday 6/12 there is a 9am meeting at the Vista Center building at 2300 N. Jog Rd West Palm Beach, FL That is on Jog road just North of Okeechobee blvd.' Below the text is a navigation bar with icons for Home, Groups, Businesses, Notifications (with a red '2' badge), and More. The right side of the image shows a partial view of another screen with similar elements, including a back arrow, 'Digest' title, and the start of the same text.

From: gerri seinberg <gerri10126@yahoo.com>
Sent: Monday, June 08, 2020 3:36 PM
To: Lisa Amara A.
Cc: Patricia Behn
Subject: PLC meeting/hearing dates

Lisa Amara, Principal Planner
Palm Beach County Planning Division
2300 N. Jog Road
West Palm Beach, Florida 33433

Good Afternoon,

With COVID-19 numbers on the rise in Palm Beach County I question if many residents will want to chance exposure to attend the public hearings and express their thoughts and opinions regarding the privately proposed text amendments to the Comprehensive Plan Ag Reserve Tier which will be discussed.

I respectfully request additional time and means for attendance and comments be explored and evaluated so that a more balanced picture of the situation may be heard by Staff and the Commissioners.

Thank you for considering my request.

Cordially,

Gerri Seinberg
10126 Armani Drive
Mizner Falls
Boynton Beach, Florida 33437
gerri740312@yahoo.com

From: Julian Chapman <j_r_chapman@msn.com>
Sent: Tuesday, June 09, 2020 7:30 AM
To: Patricia Behn
Subject: Ag reserve west of Boynton

I am opposed to any changes in the ag reserve west of Boynton Beach. We spent many years setting that up and we should keep the guide lines for its use in tack. It was designed for low density and agriculture use. That's what the people in the area wanted . We should keep it that way. Sincerely, Dr Julian R Chapman (Resident in that area)
Sent from my iPad

From: Lenore <lcialone@comcast.net>
Sent: Wednesday, June 10, 2020 4:52 PM
To: Patricia Behn
Subject: Ag Reserve

<

I am tired of our “preserved” lands disappearing by the hands of our commissioners who are just interested in the money the sale will bring. These lands were set aside for a reason. Will there no longer be farming in FL and especially in Palm Beach County?

I am opposed to this happening.

Lenore Cialone, Tara Estates
Sent from my iPhone

From: Heidi Mehaffey <heidi@hartsell-law.com>
Sent: Thursday, June 11, 2020 12:07 PM
To: Patricia Behn
Cc: Kevin Fischer; Ramsay Bulkeley; robert@hartsell-law.com
Subject: Comments re: June 12 2020 Agenda Items III. B. 2; IV. A. 1. – 3. Attachments: 20200611 Ag Reserve Comments.pdf

Dear Director Behn,

On behalf of our clients, 1000 Friends of Florida and Sierra Club Loxahatchee Group, please kindly submit these comments to the Planning Commission and include them in the public record for the upcoming June 12, 2020 meeting regarding the following Agenda Items: III. B. 2: Faith Farm Ministries Ag Reserve Private Text; IV. A. 1.: Reserve at Atlantic; IV. A. 2.: Boynton Technology Park; and IV. A. 3.: Ag Reserve Multiple Land Use.

I have also registered to speak remotely during the public comment section of the agenda before the Planning Commission, please kindly let me know if there were any issues with the online registrations that were submitted both yesterday and this morning.

Respectfully,
Heidi Mehaffey, Esq.
Colorado Bar No: 53879
Florida Bar No: 118806
North Carolina Bar No: 54284

Robert N. Hartsell, P.A.
61 NE 1st Street, Suite C
Pompano Beach, Florida 33060



ROBERT N. HARTSELL, P.A.
61 N.E. 1st Street, Suite C
Pompano Beach, Florida 33060
(954) 778-1052
www.Hartsell-Law.com

June 11, 2020

Patricia Behn, Planning Director
Palm Beach County Planning Division
2300 N Jog Road
West Palm Beach, FL 33411-2741
Phone: 561-233-5300
Fax: 561-233-5365

Submitted via email: pbehn@pbcgov.org; kfischer@pbcgov.org; rbulkeley@pbcgov.org

*Re: Proposed Palm Beach County Comprehensive Plan Amendments in the Agricultural Reserve:
Agenda Items III. B. 2; IV. A. 1. – 3.*

Dear Director Behn:

On behalf of our clients, 1000 Friends of Florida (“1000 Friends”) and Sierra Club Loxahatchee Group (“Sierra Club”), please kindly submit these comments to the Planning Commission and include them in the public record for the upcoming June 12, 2020 meeting regarding the following Agenda Items: III. B. 2: Faith Farm Ministries Ag Reserve Private Text; IV. A. 1.: Reserve at Atlantic; IV. A. 2.: Boynton Technology Park; and IV. A. 3.: Ag Reserve Multiple Land Use.

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. Similarly, Sierra Club is a national 501(c)(3) grassroots environmental organization with the Loxahatchee Group comprised of a substantial number of members that live and work in Palm Beach County. The members of both non-profit environmental organizations advocate for preservation of agricultural resources that are a much-needed buffer for the environmental vitality of the communities without encroachment of increased high density residential, commercial, mixed-uses, and industrial uses. All members of these organization residing within Palm Beach County are afforded the protections of the Palm Beach County Comprehensive Plan and will be directly affected by any amendments passed altering the Agricultural Reserve.

1

As you may be aware, 1000 Friends has been actively following and participating in Palm Beach County wide planning for decades and specifically engaged in planning the Agricultural Reserve (Ag Reserve) since its inception. By invitation, 1000 Friends participated as a stakeholder in the Ag Reserve workshop in 2015 resulting in directive from the Board of County Commissioners (“BOCC”) upon which all future Ag Reserve planning would be based. 1000 Friends consistently provided planning expertise and local knowledge to the commission on many occasions regarding the Ag Reserve.

Since the 2015 workshop directives were issued, specific amendments were made to the comprehensive plan in solidarity with overarching Objective 1.5 “...to preserve unique farmland and wetlands in order to enhance agricultural activity, environmental and water resources, and open space, by limiting uses to agriculture, conservation, low density residential development, and non-residential uses which serve the needs of farmworkers and residents of the Ag Reserve Tier.”

1000 Friends and Sierra Club have recently been made aware of the above-mentioned applications for comprehensive plan text amendments proposed within the Ag Reserve Tier. As will be further detailed below, 1000 Friends and Sierra Club respectfully request that the Planning Commission recommend **denial** of these proposed amendments due to the resulting incompatibility with the surrounding agricultural communities that will be adversely affected by the increased intensity and density of commercial, mixed-use, industrial and residential uses as well as the reduction, or in some cases the elimination, of preserve requirements that directly conflict with the Comprehensive Plan and policy directives aimed at preserving this agricultural community.

1000 Friends and Sierra Club have long raised concerns to the BOCC regarding future amendments in the Ag Reserve that summarily reduce, segregate, or altogether eliminate agriculture, conservation, and very low-density residential development in favor of higher density developments that are in direct contradiction to the spirit of the Ag Reserve. Specifically, 1000 Friends’ position has remained steadfast since its participation in 2015 with the Ag Reserve workshop, in that contiguity and minimum size are fundamental requirements absolutely necessary to protect agriculture with the understanding that elimination of these requisites **would encourage development of the reserve** and discourage, and quite possibly endanger, the continued existence of farming by **chipping away at the critical mass necessary for continued viable farming operations**.

The approval of these proposed text change amendments fly in the face of Objective 1.5 as any increased residential development within preserve areas would significantly undermine the public investment within the Ag Reserve by reducing the critical mass of preserved agricultural land, while increasing land use conflicts between agriculture and residential development. It is of great importance that no additional residential uses, let alone the expansion of commercial, mixed-use, and industrial uses, should be allowed on preserve lands.

Preceding amendments make clear that it is the County's intent to maintain allowable densities and intensities that are extremely moderate in order to provide equity to the farmers who sought limited flexibility to develop neighborhood commercial and additional affordable housing units, of which affordable housing has been supported by 1000 Friends and Sierra Club with the caution that such developments must be located in appropriate locations and not to the detriment of preserves. However, in no uncertain terms was the intent or result of the prior amendments for the purpose of changing the character or purpose of the Ag Reserve as is now being proposed as further detailed below.

Agenda Item: III. B. 2: Faith Farm Ministries Ag Reserve Private Text

The applicant, Ft Lauderdale Rescue Tabernacle, Inc., represented by agent GL Acquisitions Corporation, is seeking approval for a portion (rear 24.74-acres of the total 87.28-acres) of the Faith Farm Ministries to be rezoned as Ag Reserve Planned Unit Development (AgR-PUD) preserve area while proportionally reducing the future allowable maximum development potential within its site, and expanding non-institutional uses. Faith Farm has not expanded to its maximum allowable development due to a claim of lack of funds, and recently sold its development rights of the 24.74-acres "for use as AGR PUD preservation area within an AGR PUD" to GL Acquisitions Corporation.

While the application on its face does not seek to "fundamentally" change the purpose of the Ag Reserve Tier, it is founded on a dangerous practice of selling developmental rights in exchange for the creation of preserves that then allow residential developments the ability to increase their density and intensity in an already dense area, rather than on a more remote location such as Faith Farms. This creates a loophole for incompatible increases of density and intensities that will not uphold the spirit of the Ag Reserve's preservation initiatives to "preserve unique farmland and wetlands in order to enhance agricultural activity, environmental and water resources, and open space, by limiting uses to agriculture, conservation, low density residential development, and non-residential uses which serve the needs of farmworkers and residents of the Ag Reserve Tier," as it does little to benefit the agricultural community and well-needed environmental buffer of preserved areas to maintain the character of the Ag Reserve Tier. The exchange of developmental rights for preserves is an alarmingly rising practice that all too often creates feigned preservation growth without recognizing the underlying advantages to large scale residential developments that could become more rampant.

Accordingly, 1000 Friends and Sierra Club, respectfully request that the Planning Commission recommend denial of this application to stem this dangerous practice from altering the character and purpose of the Ag Reserve and discourage these exchanges in the future that lead to an increase in densities much higher than the surrounding residential developments, and are out of character with the abutting agricultural uses.

Agenda Item: IV. A. 1.: Reserve at Atlantic

The application by Bove Development LLC, represented by agent JMorton Planning & Landscape Architecture, purports to provide a greater residential density and reduction of preserve in order to provide “workforce housing” on the proposed site, which is currently used solely for agricultural purposes. The applicant offers a concerning argument that a reduction in large-scale farms, increase in housing developments, and expansion of businesses justifies a departure from the founding objectives of the Ag Reserve Tier to protect the agricultural community.

Essentially, the proposed comprehensive text amendment would allow the expansion of the current FLU density / intensity from 8 units to 480 residential units in addition to +/- 85,000 square feet of industrial uses that would be developed over reduced preserve areas. Additionally, this text amendment would severely reduce the preserve acreage from 150 acres to 7 acres and allow for an incompatible expansion of density and intensity thereby nullifying the very spirit of the Ag Reserve and, as pointed out by County Staff, would result in piecemeal development throughout this Tier that would, ultimately, alter the foundation of the Ag Reserve Tier wholly inconsistent with the Comprehensive Plan.

This would create a dangerous precedent for future developmental requests of the same nature and thereby further the skewed mindset that since large farming is in decline the Ag Reserve no longer needs the protections of preserved space, when in fact the very opposite is true. Developers should not look to the Ag Reserve for exemptions from the fundamental preserve and density requirements unique to this Tier.

Accordingly, 1000 Friends and Sierra Club, respectfully request that the Planning Commission recommend denial of this application consistent with the County Staff recommendations as the application represents an overwhelming departure from the fundamental Policies and purposes of the Ag Reserve Tier.

Agenda Item: IV. A. 2.: Boynton Technology Park

Currently, this site is being used as a nursery/agricultural unit and the application by Morton Group Realty, LLC, represented by agent JMorton Planning & Landscape Architecture, seeks to turn the site into an “economic development center” that has industrial, residential and commercial use characteristics through text amendment and zoning change from AGR to PIPD “Planned Industrial Park.” The development potential for this project proposes changes to the maximum density from 1du/5 acres with a 0.15 FAR (AGR) to 3du/acre with a 0.45 FAR (PIPD). It also would increase the maximum number of dwelling units from 140 (AGR) to 420 (PIPD).

Essentially, the proposed amendment change would (1) allow commercial, industrial and residential future land use on the proposed site, (2) increase the commercial cap from 1,015,000 to 1,200,000 square footage, (3) allow the density to increase to 3 units/acre with **no preserve requirement**, and (4) include a requirement for workforce housing.

The applicant attempts to justify the increase in density and intensity due to population growth, reduction of farming and other agricultural uses, and “patchy” increase of developments that purportedly warrants a shift away from agriculture and towards commercial and residential developments. In effect, the approval of the application will provide a route for future applicants to use this case-by-case method to create a piecemeal concept that will fundamentally change the Ag Reserve Tier.

Approving this economic development center, and allowing for future industrial parks in the Ag Reserve, would eviscerate nearly all this Tier’s Policies directly set in place that preserve the Ag Reserve 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 this Tier, and which specifically limit commercial and mixed uses to two centers. Rather, this amendment would create a commercial-industrial sector in its stead while removing the requirement for preservation and mandating it a policy of the County to “foster” commercial and mixed-use developments.

Accordingly, 1000 Friends and Sierra Club, respectfully request that the Planning Commission recommend denial of this application consistent with the County Staff recommendations as the application represents “major departures from nearly all of the fundamental policy concepts directed by the Board of County Commissioners, and adopted into the Comprehensive Plan, including requiring preserve area and limiting development in the Tier.”

Agenda Item: IV. A. 3.: Ag Reserve Multiple Land Use.

The applicant, which are property owners represented by agent Dunay, Miskel, and Backman, LLP, seek to change the use and zoning of this site, which is currently zoned as AGR, and being used for agricultural, residential, and preserve, to MUPD (Multiple Land Use Planned Development) with a future land use designation of MLU and an underlying future land use designation of Commercial: CL/5. Additionally, the applicant is seeking to exempt the proposed project from the commercial cap and allow Transfer of Density Rights and Workforce Housing Program bonus density with **reduced preserve requirements**. Specifically, the site plan is to develop 432 residential dwelling units, and 261,360 square footage of commercial uses such as: retail, restaurant, grocer, office, theater, hotel, light industrial and fitness center. If approved, the density would change to 5 units/acre to accommodate the plans for the parcel.

The applicant, similar to the other private comprehensive plan text amendment applicants, seeks to justify the need for the project by referencing “increased population, rising housing costs and static incomes, declining economic viability of the domestic farming industry, and suburban sprawl pattern occurring along the Boynton Beach Boulevard corridor.” Further, the applicant states that the area is no longer conducive to farming and therefore “it is not practically feasible or economically viable to continue creating new preserve areas for agricultural use.” These purported justifications are not only unreasonable, but also inaccurate as agricultural use is still a very viable venture and therefore should not be considered by the Commission.

Further, this is a dangerous mindset and approval can lead to a precedent that will forever alter the Ag Reserve in direct contravention to the protections afforded to the agricultural community within this Tier, by encouraging high density developments and commercial uses.

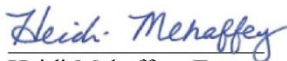
An approval of the MLUD will undoubtedly lead to further degradation of the purposes of the Ag Reserve and similar applications to chip away at preserved areas rather than preserving and enhancing agriculture, environmental resource value, or water management capability as is the stated purpose of the Ag Reserve as codified in the Comprehensive Plan.

Accordingly, 1000 Friends and Sierra Club, respectfully request that the Planning Commission recommend denial of this application consistent with the County Staff recommendations as the application departs from nearly all fundamental policies in place for the Ag Reserve Tier, an exemption from the preserve requirements would initiate a piecemeal concept that is not conducive to the purpose of the Tier, there should remain a focus on the Agricultural Reserve's foundation to limit the commercial establishments in the Tier to promote the agricultural and residential purposes of the Ag Reserve Tier.

The purpose of the Ag Reserve is to preserve unique farmland and wetlands in order to enhance agricultural activity, environmental and water resources, and open space, by limiting uses to agriculture, conservation, low density residential development, and non-residential uses which serve the needs of farmworkers and residents of the Ag Reserve Tier. It is through a strict adherence to the purpose of the Ag Reserve, and the clear intent of the County, that Planning Commission should recommend the denial of Agenda Items: III. B. 2: Faith Farm Ministries Ag Reserve Private Text; IV. A. 1.: Reserve at Atlantic; IV. A. 2.: Boynton Technology Park; and IV. A. 3.: Ag Reserve Multiple Land Use.

Thank you for your time and consideration of these comments.

Respectfully,



Heidi Mehaffey, Esq.
Robert N. Hartsell, P.A.
Fla. Bar No. 118806

CC: 1000 Friends of Florida
Sierra Club Loxahatchee Group

Alliance keeps Delray vigil



KEEPING TABS: The Alliance's leadership includes, from left, Edwin Goldwasser, first vice president; Bob Schulbaum, president; and Frank Behrman, executive vice president. Staff photo/Mark Randall

"We don't want to see [the Ag Reserve] paved from one end to the other or a lot of strip malls and commercial developments go up along 441."

BOB SCHULBAUM

PRESIDENT OF THE ALLIANCE OF DELRAY RESIDENTIAL ASSOCIATIONS

MEMBER COMMUNITIES

Abbey Village
 Addison Reserve
 Addison Trace
 Aspen Ridge
 Barwick Ranch
 Boca Delray
 Bonaire Village
 Bridgeview
 Bristol Pointe
 Camelot Village
 Casabella
 Clearbrook
 Cloister Del Mar
 Coco Wood Lakes
 Country Lake
 Crosswinds of Delray
 Deauville Village
 Delaire Country Club
 Delray Grande
 Delray Harbor Club
 Delray Lakes Estates
 Delray Villas Plat 1
 Delray Villas Plat 4/5
 Delray West Townhouses
 Evergreen 1
 Floral Lakes
 Glencagles Country Club
 Grand Orchid Estates
 Greensward Village 1
 Hamilton House
 Hamlet Country Club
 High Point of Delray East 1
 High Point of Delray East 2
 High Point of Delray West 1
 High Point of Delray West 2
 High Point of Delray West 4
 Huntington Lakes Sec 4
 Huntington Lakes Sec 5
 Hunters Run Country
 Huntington Pointe
 Huntington Towers
 International Club
 Kings Point
 Lakes of Delray
 Lakeview Gardens
 Las Verdes
 Legacy at Sherwood Forest
 Lexington Club
 Mizner Country Club
 Monterey Lakes
 Newport Bay Club
 Newport Cove
 Oliveleaf
 Palm Beach Bath & Tennis
 Palm Greens
 Pelican Harbor
 Pines of Delray North
 Pines of Delray West
 Pine Ridge
 Pinewood Cove
 Polo Trace Country Club
 Rainberry Bay
 Rio POCO
 Saturnia Isles
 Seven Bridges
 Shadywoods
 Spanish Wells
 Stone Creek Ranch
 The Bridges
 The Club
 Tierra Del Rey
 Tierra Verde
 Tropic Bay
 Tropic Isle
 Tuscany
 Valencia Falls
 Valencia Palms
 Villa Borghese
 Village at Swinton Square
 Villaggio Reserve
 Vizcaya
 Waterways
 Whisper Walk
 Woodlake

Alliance of Delray Residential Associations, Inc.

10290 West Atlantic Avenue #480504
 Delray Beach, FL 33448
 Phone: 561.495.9670 Fax: 561.495.0888
 www.allianceofdelray.com



June 11, 2020

Palm Beach County Board of Commissioners
 301 North Olive Avenue West Palm Beach, Florida
 Palm Beach County Planning Commission
 2300 North Jog Road West Palm Beach, Florida

RE: Three Text Amendments to be presented to the Planning Commission on June 12, 2020

Dear Commissioners:

Fifteen years following the implementation of the plan for the Agricultural Reserve, the Roundtable discussions of 2014/2015 were a comprehensive effort at addressing the Tier as a whole. Included in the County's efforts following the Roundtable discussions were actions which affected the approximate 500 acres of existing non-residential uses. Such actions included providing pre-existing uses priority in obtaining full entitlement and efforts to correct land use/zoning. Limited additional commercial was also approved at appropriate locations near existing commercial and specifically near the intersections of Lyons Road and Atlantic Avenue and Lyons Road and Boynton Beach Boulevard.

Those discussions, workshops and hearings are still fresh in the public's mind. The Alliance supported the efforts of the Board of County Commissioners and the BCC's direction to Staff which was to assess possible changes to the Tier with the perspective of maintaining agriculture and to consider minimum changes to existing conditions.

The Alliance does not support increasing intensity or density in the Agricultural Reserve at this time however, two of the three sites which are the subject of the Amendments are located in the vicinity of the major intersection of The Florida Turnpike and Boynton Beach Boulevard. This major node as well as the Florida Turnpike/Atlantic Avenue node can benefit from the County's detailed planning process so that these two gateways to the Agricultural Reserve can be sculpted in order to provide amenities for the western Boynton Beach and Delray Beach communities.

The Alliance of Delray was a pioneer in shaping the Agricultural Reserve and continuing to work in protecting the rich and sensitive farm lands (see attached Sun Sentinel Article from July 2000).

We look forward to participating in all the venues that the public can be heard including any Planning Commission subcommittee meetings concerning the Agricultural Reserve and/or specifically the Turnpike/ BBB/Atlantic Ave nodes, workshops, public hearings, and eventual County Commission meeting.

Thank you Commissioners, for always considering the public's concerns in your decisions and all your work in making Palm Beach County a better place in which to live, work, and enjoy all the amenities it has to offer.

Sincerely,

Bob Schulbaum

Bob Schulbaum, President

OFFICERS AND DIRECTORS OF THE ALLIANCE:

Robert Schulbaum, *President*
 Lori Vinikoor, *Executive Vice President*
 Norma Arnold, *Vice President* Allen Hamlin, *Vice President*
 Arnold Katz, *Vice President* Ken Markowitz, *Vice President*
 Evelyn Spielholz, *Secretary* Deborah Borenstein, *Treasurer*
 Directors: Paul Finkelstein Carol Klausner Phyllis Levine Susan Zuckerman
 Assistants to the President: Rose DeSanto Madalyn Freund John Gentithes Rhoda Greifer Karen Rose Joel Vinikoor
 Legal Counsel: Joshua Gerstin

Sent via e mail to: Mayor D. Kerner, Vice Mayor R. Weinroth, Commissioners M. Berger, M. Bernard, M. McKinlay, G. Weiss, H. Valeche
 Planning Dir. Patricia Behn, PZB
 Exec. Dir. R. Bulkeley, Admin. V. Baker, Assist. Admin. P. Rutter, County Staff: Prin. Planner Lisa Amara

By the PLC hearing on June 12, 2020, over 2,000 of the form letter below, each signed by a different member of the public, had been sent to the Planning Director.

Patricia Behn

From: Phyllis Rubin <butch728@comcast.net>
Sent: Thursday, June 11, 2020 1:04 PM
To: Patricia Behn
Subject: Statement Opposing Three Privately Initiated Text Amendments on Planning Commission Agenda

***** Note: This email was sent from a source external to Palm Beach County. Links or attachments should not be accessed unless expected from a trusted source. *****

To: Patricia Behn, Palm Beach County Planning Director
Also sent to:
Ramsay J. Bulkeley, Esq., Director, Palm Beach County Planning, Zoning & Building Department
Palm Beach County Commissioners

Dear Ms. Behn,

As a resident of Palm Beach County, I am very concerned about attempts to undermine the integrity and intent of the Ag Reserve Master Plan currently being considered for approval.

On June 12, 2020, the Palm Beach County Planning Commission will consider three **privately initiated** text amendments that, if approved, would undermine the Ag Reserve Master Plan. Palm Beach County Planning Division Staff recommends **DENIAL** of the three text amendments.

Please be advised that **I support the Palm Beach County Planning Division Staff recommendation for DENIAL** of all three privately initiated text amendments.

I respectfully request that you distribute this letter to the Planning Commissioners.

Thank you for your consideration.

Sincerely,

Phyllis Rubin
7259 Mistral Court
Boynton Beach, Florida 33437
(561) 742-2784

From: Contact at Ellen Joseph CPA [<mailto:contact@EllenJosephCPA.com>]
Sent: Thursday, June 11, 2020 3:50 PM
To: PZB Planning POC <PZB-PlanPOC@pbcgov.org>
Subject: Comments on Ag Reserve for Planning Meeting schedule on June 12

The Ag Reserve is a unique and vital part of Palm Beach County's landscape and the zoning and land use categories for the area should be maintained as is. The Ag Reserve already provides a diversity of jobs and housing under the existing land use and zoning. The proposed changes would negatively impact existing agricultural uses, increase traffic, decrease aquifer recharge, reduce and fragment natural habitats, and create pressure on the remaining Ag Reserve lands to likewise intensify development to the detriment of the entire county. Diversity in landscapes is necessary and healthy, for both the economy and the environment. The Ag Reserve provides a necessary element of that diversity, with sufficient flexibility within the current land use and zoning to support jobs, housing, agriculture, and natural resources.

Please do NOT change the Agricultural Reserve!

Thank you!
Ellen Joseph



Ellen L. Joseph CPA Chartered
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Phone: +1 (954) 242-1200
www.EllenJosephCPA.com