

2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	20-B	Intake Date	November 2, 2019
Application Name	Delray MarketPlace Office	Concurrent?	TBD
Acres	2.05 acres	Text Amend?	Yes
PCNs	00-42-46-18-09-003-0000		
Location	North side of Atlantic Avenue, approximately 1,500 feet west of Lyons Road		
	Current	Proposed	
Tier	Ag Reserve Tier	Same	
Use	Vacant (Preserve Parcel for	Commercial Office	
Zoning	Agricultural Reserve (AGR)	Commercial Low Office (CLO) or Multiple Use Planned Development (MUPD)	
Future Land Use Designation	Agricultural Reserve (AGR)	Commercial Low-Office (CL-O)	
Underlying Future Land Use Designation	Agricultural Reserve (AGR)	Agricultural Reserve (AGR)	
Conditions	None	TBD	

B. Development Potential

	Current FLU	Proposed FLU
Density/ Intensity:	0.15 FAR for agriculture uses	0.20 FAR with MUPD
Maximum Dwelling Units¹ (residential designations)	1 SF dwelling unit 0.20 du/acre x 2.05 ac. = 1 du	1 SF dwelling unit 0.20 du/acre x 2.05 ac. = 1 du
Maximum Beds (for CLF proposals)	Not Applicable	Not Applicable
Population Estimate	1 max du x 2.39 = 2.39	1 max du x 2.39 = 2.39
Maximum Square Feet^{2, 4} (non-residential designations)	0.15 FAR x 2.05 ac. = 13,395 SF of agriculture uses	0.20 FAR x 2.05 ac. = 17,860 SF of commercial office
Proposed or Conditioned Potential^{3, 4}	Not Applicable	TBD
Max Trip Generator	Nursery(Wholesale), ITE Code 818, Daily -19.5 Trips/Acre, AM- 0.26 Trips/Acre, PM- 0.45 Trips/Acre	General Office, ITE Code 710, Daily-Ln(T)=0.97Ln(X)+2.50, AM - T=0.94(X)+26.49, PM - 1.15 Trips/1,000SF

Maximum Trip Generation	40 Daily Trips, 1 AM Trip, 1 PM Trip	180 Daily Trips, 39 AM Trips, 19 PM Trips
Net Daily Trips:	140 Daily Trips (maximum)	
PH Trips:	39 AM, 19 PM (maximum)	

1. Maximum units per acre see Future Land Use Element Table III.C.1;
2. Maximum FAR see FLUE Table III.C.2 for FAR. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;
4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (eg. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

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Part 2. Applicant Data

A. Agent Information

Name	Lauren McClellan / Jennifer Morton
Company Name	JMorton Planning & Landscape Architecture
Address	3910 RCA Boulevard, Suite 1015
City, State, Zip	Palm Beach Gardens, Florida 33410
Phone	(561) 721-4463 / (561) 500-5060
Email Address	lmcclellan@jmortonla.com / jmorton@jmortonla.com

B. Applicant Information

Name	Garrett Bender
Company Name	TG Land LLC
Address	506 Andrews Avenue
City, State, Zip	Delray Beach, Florida 33483
Phone	(954) 501-5440
Email Address	gmb@rasflaw.com
Interest	Property Owner

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Part 3. Site Data

A. Site Data

Built Features	<i>Summarize & provide an inventory & map of all built features on the subject site as Application Attachment F.</i>
PCN	<i>Provide the Legal Description as Application Attachment A. Provide a Survey (dated within 18 months of the intake date) as Attachment P. Acreage and Legal Description must be consistent on the Survey and throughout the application.</i>
Street Address	<i>Indicate the street address of the site, if applicable.</i>
Frontage	<i>Provide the roadway(s) and/or waterway which the site fronts and indicate the number of linear feet. Also provide the depth of the property (e.g., Approx. 1,340 feet of frontage along West Atlantic Ave. and 5,280 feet of depth.)</i>
Legal Access	<i>Identify the current and proposed legal access to the site. See ULDC Definition.</i>
Contiguous under same ownership	<i>Indicate whether there is adjacent property under the same ownership and provide the acreage and pcns for the site(s).</i>
Acquisition details	<i>Indicate the month, day and year the site was acquired, and from whom the site was acquired. Include the manner in which the site was acquired (e.g. purchase, exchange, gift, inheritance, etc.), the cost of acquisition and provide evidence of both (e.g. purchase and sale agreement) and ownership (deed) as Attachment A.</i>
Size purchased	<i>Identify whether the site was part of a larger property acquired from the previous owner. If so, identify the extent of any property contiguous to the subject property, which was of the same ownership as the subject property.</i>

III. Development History

Previous FLUA Amendments	<i>Identify any previous future land use amendment that were proposed and withdrawn, denied, or adopted on the site or any portion of the site.</i>
Zoning Approvals, Control Number	<i>Provide a list of resolutions & detail latest approval. Indicate whether there is a valid development order for the site or whether there was a development order that had been revoked or abandoned. Identify whether a previously proposed development was denied. If the property received development approval from another local, state, or federal agency, please identify agency, type of development order granted, and indicate if the approval is still valid.</i>
Concurrency	<i>Indicate whether the site is currently subject to a concurrency exemption or has obtained a concurrency reservation and provide documentation. This information is available from the County's Zoning Division at (561) 233-5214.</i>
Plat, Subdivision	<i>Indicate whether the site has been platted, subject to a master plan, or subdivided and indicate the record book and page number, if applicable.</i>

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Part 4. Consistency

A. Consistency – Provide responses in Attachment G as G.1 through G.5. *If a text amendment is proposed, the following must be written for BOTH the text and FLUA amendment as a whole.*

<p>Justification Provide as G.1.</p>	<p>Provide a justification for the amendment as required by Future Land Use Element Policy 2.1-f. The adopted designations are presumed to be correct, and the justification statement must demonstrate that a change is warranted. The justification <u>list all of the following headings with responses in order to be found sufficient for processing.</u> To be considered adequate, the justification must demonstrate consistency with the factors 1 and 2.</p> <p>1) The proposed use is suitable and appropriate for the subject site; and</p> <p>2) There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:</p> <ul style="list-style-type: none"> • Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site; • Changes in the access or characteristics of the general area and associated impacts on the subject site; • New information or change in circumstances which affect the subject site; • Inappropriateness of the adopted FLU designation; or • Whether the adopted FLU designation was assigned in error.
<p>Residential Density Increases Provide as G.2.</p>	<p>Per Future Land Use Element Policy 2.4-b, provide a written analysis of the following:</p> <ul style="list-style-type: none"> • Demonstrate a need for the amendment. • Demonstrate that the current FLUA designation is inappropriate. • Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.
<p>Compatibility Provide as G.3.</p>	<p>Provide written data and analysis to demonstrate compatibility with the surrounding and adjacent land uses.</p>
<p>Comprehensive Plan Provide as G.4.</p>	<p>Optional: The applicant has the option of including written data and analysis to demonstrate consistency with specific objectives and policies in the Comprehensive Plan, and Special Plans or Overlays identified in the Future Land Use Element (see the Special Planning Areas Map, LU 3.1).</p>
<p>Florida Statutes Provide as G.5.</p>	<p>Optional: The applicant has the option of including written data and analysis to demonstrate consistency with Chapter 163.3177, F.S..</p>

B. Surrounding Land Uses. Indicate the following for each surrounding property:

- **Uses.** Indicate the existing land use, subdivision name, and existing density (residential) or square footage (non-residential).
- **FLUA Designations.** Indicate the future land use designations. No acronyms.
- **Zoning.** Indicate the Zoning and petition numbers. No acronyms.

Adjacent Lands	Use	Future Land Use	Zoning
North			
South			
East			
West			

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Part 5. Public Facilities Information

A. Traffic Information		
<p><i>In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets Policy 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030.</i></p>		
	Current	Proposed
Max Trip Generator	<i>Provide the Use Name & the trip generation rate</i>	<i>Provide the Use Name & the trip generation rate for maximum and proposed potential</i>
Maximum Trip Generation	The trip generation for the maximum potential	The trip generation for the maximum potential AND the proposed potential
Net Daily Trips:	_____ (maximum minus current) _____ (proposed minus current)	
Net PH Trips:	_____ AM, _____ PM (maximum) _____ AM, _____ PM (proposed)	
Significantly impacted roadway segments that fail Long Range		
Significantly impacted roadway segments for Test 2		
Traffic Consultant		
B. Mass Transit Information		
Nearest Palm Tran Route (s)	<i>Identify the number(s) of the nearest Palm Tran Route(s) that service the property, if any.</i>	
Nearest Palm Tran Stop	<i>Identify the location of the nearest bus stop, in tenths of a mile from the site.</i>	
Nearest Tri Rail Connection	<i>Identify the nearest connection to the Tri-County Commuter Rail Feeder Bus Route.</i>	
C. Portable Water & Wastewater Information		
<p><i>The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as Attachment I. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the</i></p>		

<i>increase of density/intensity of the proposed amendment.</i>	
Potable Water & Wastewater Providers	<i>Summarize Provider Letter here and provide as Application Attachment I. The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter stating the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.</i>
Nearest Water & Wastewater Facility, type/size	<i>Summarize Provider Letter here and refer to Attachment I.</i>
D. Drainage Information	
<i>Summarize Drainage Statement here and refer to Application Attachment J which must provide:</i>	
<ol style="list-style-type: none"> <i>1. Identify the drainage provider for the site and attach a drainage statement with an engineer's seal prepared within 90 days of submittal. Drainage providers include drainage districts, improvement districts, water control districts, the South Florida Water Management District, and the Florida Department of Transportation (for properties fronting on I-95 or the Florida Turnpike).</i> <i>2. Indicate in which drainage basin the subject property is located (e.g. C-18 basin; C-51 basin; and the Hillsboro Canal basin).</i> <i>3. Identify the drainage facility that would service the subject property and the point of legal positive outfall to that facility. Facilities include swales, ditches, canals, and storm sewers.</i> <i>4. Describe the level of protection standard established for the site as identified in the Stormwater Management Sub-Element in the Comprehensive Plan. Identify what measures will be taken to assure that the volume, rate, timing, and pollutant load of runoff based on the proposed FLUA designation of the property do not exceed those which occurred based on the property's current FLUA designation. LOS information is available in Stormwater Management Sub-Element in the Comprehensive Plan.</i> 	
E. Fire Rescue	
Nearest Station	<i>Identify the fire rescue station (number and address) that provides service to the site. This information is available from the County's Fire-Rescue Department.</i>
Distance to Site	<i>Identify the distance, in tenths of a mile, from the above referenced fire-rescue station to the site.</i>
Response Time	<i>Identify the average response time of the above referenced fire-rescue station.</i>
Effect on Resp. Time	<i>Identify the impacts on response time at the maximum development potential of the application and attach a letter from the Fire-Rescue Department identifying the impact on the extended response time, if any, as Application Attachment K.</i>
F. Environmental	
Significant habitats or species	<i>Summarize here and provide as Application Attachment L an inventory and map any listed animal and/or plant species and habitats of significant value that utilize the property. Significant habitats may include coastal habitats or surface waters and resources including vegetation or vegetated community, quality, and location of the resource. Listed species include endangered, threatened, and species of concern. If listed species are present, provide a brief discussion of measures that will be taken to avoid or minimize adverse impacts to their habitat. If there are no</i>

	<i>known occurrences, indicate whether listed species could reasonably be expected to be present based on the site-specific habitat characteristics and provide a brief discussion.</i>
Flood Zone*	<i>Indicate if site is located within a flood zone and provide the name if applicable.</i>
Wellfield Zone*	<i>Indicate whether the site is located in a wellfield protection zone per County Water Utilities Department or Department of Environmental Resources Management. Summarize here and provide map as Application Attachment M.</i>

** If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.*

G. Historic Resources

Summarize Historic Resources Evaluation letter here and provide as Application Attachment N. The application must include a Historic Resources Evaluation letter containing the information below. Contact the County Archaeologist at (561) 233-5300.

- 1. Identify any historic or architecturally significant resources located on or within 500 feet of the site, including buildings, structures and other objects.*
- 2. Identify any archaeological resources located on or within 500 feet of the site, including aboriginal mounds, forts, earthworks, village locations, campsites, middens, burial mounds, missions, or other artifacts at least seventy-five years old.*

H. Parks and Recreation - Residential Only

Indicate the name and location of each of the applicable parks. Information is available from Parks and Recreation at (561) 966-6600. Indicate the population change from Development Potential Data and Analysis Multiply the population change by the LOS

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional		0.00339		
Beach		0.00035		
District		0.00138		

I. Libraries - Residential Only

Indicate the name and location of the closest County Library. Information is available from the Library Department at (561) 233-2600. Indicate the population change from Development Potential Data and Analysis. Multiply the population change by the LOS.

Library Name			
Address			
City, State, Zip			
Distance	<i>Indicate the distance from the site to the nearest library.</i>		
Component	Level of Service	Population Change	Change in

			Demand
Collection	2 holdings per person		
Periodicals	5 subscriptions per 1,000 persons		
Info Technology	\$1.00 per person		
Professional staff	1 FTE per 7,500 persons		
All other staff	3.35 FTE per professional librarian		
Library facilities	0.34 sf per person		

J. Public Schools - Residential Only

Summarize School Comment Letter here and provide as Application Attachment O. Please contact Joyce Cai or Angela Usher at the Palm Beach County School Board at (561) 434-8000 to obtain a comment letter. Identify the name of the public schools that would educate potential school age children based on the current boundaries and the distance from each to the site. This information is available from the Palm Beach County School Board at (561) 434-8000.

	Elementary	Middle	High
Name			
Address			
City, State, Zip			
Distance			

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Part 6. Attachments

- A. **PCN's, Legal Description and Warranty Deed** (include Legal in PDF & Word)
- B. **Agent Consent Form**
- C. **Applicant's Ownership Affidavit**
- D. **Applicant's Notice Affidavit, Property Appraiser List, and Labels**
- E. **Disclosure of Ownership Interests**
- F. **Built Feature Inventory & Map**
- G. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- H. **Traffic Approval Letter & Traffic Study**
- I. **Water & Wastewater Provider LOS Letters**
- J. **Drainage Statement**
- K. **Fire Rescue Letter**
- L. **Natural Feature Inventory & Map**
- M. **Wellfield Zone**
- N. **Historic Resource Evaluation Letter**
- O. **Palm Beach County School District LOS Letter**
- P. **Survey**
- Q. **Text Amendment Application** (Part 7, if applicable, in PDF & Word)

Forms for Attachments B, C, D, and E are located on the web at:

<http://www.pbcgov.org/pzb/planning/Pages/Comprehensive-Plan-Amendment-Applications.aspx>

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2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 7. Text Amendment Application

A. Proposed Text Amendment Summary

Elements & Policies to be revised	<p>Future Land Use Element, <u>Option 1:</u> Revise Policy FLUE 1.5-n; <u>or</u> <u>Option 2:</u> Add new FLUE Policies 1.5-u & 1.5-V and amend FLUE Table II.C.2 and Policy 1.5.1-a; <u>or</u> <u>Option 3:</u> Amend FLUE Policy 2.2.8-e.</p>
Purpose	<p>Allow development of additional professional and medical office square footage within the Ag Reserve Tier. The three options being proposed include: Option 1 - increasing the commercial square footage cap for the proposed office project; Option 2 - exempting Commercial Low-Office (CL-O) from the Ag Reserve Tier square footage cap and; Option 3 – specifically identify the subject Property and Site Specific Large Scale Land Use Amendment Application in the list of IND designated parcels allowed to have medical/dental office.</p>
Justification	<p>Many changes have been made to the Agricultural Reserve Tier since it's original adoption. The commercial square footage cap has been increased in order to meet the demand for retail, restaurants and other services by the residents of the Agricultural Reserve. This has allowed for more commercial parcels to be developed in addition to the two TMDs located at Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road.</p> <p>Small 5-acre preserve parcels are now permitted to meet the preserve requirements for planned developments. This change has allowed for additional acreage to be utilized as development parcels and therefore increased the number of residential units built in the Ag Reserve. The current Ag Reserve Tier reflects a patchwork development pattern. The properties are squeezed in between development and preserve parcels which has resulted in incompatible and unsustainable development patterns. The increasing number of residents moving into the Ag Reserve creates more traffic along the main thoroughfares because the residents are required to drive east for services. In addition, the car and resident traffic conflicts with farm vehicles and other farming activity.</p> <p>The proposed text amendment will allow a 2.05-acre parcel to be developed with office uses. The Property is currently one of the preserve parcels for the Delray MarketPlace TMD and is located immediately to the west of the Delray MarketPlace and east of a vet clinic/kennel. The Applicant intends to remove the Property from the Delray MarketPlace TMD and replace that preserve acreage with another property in the Ag Reserve.</p> <p>As a preserve parcel of the Delray MarketPlace TMD, the Property is not consistent with Policy 1.5.1-n. This Policy states that any portion of the preserve area “shall be utilized for crop production; pasture; equestrian purposes; if designated by the South Florida Water Management District as Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District, or for water management purposes not directly related to the AgR-TMD; or, if approved by the Department of Environmental Resources Management, managed for environmental resource values.” This 2.05-acre Property is not utilized for any of the cited uses, thus is not consistent with this preserve parcel policy and never should have been designated as a preserve parcel.</p> <p>The subject Property is currently a small 2.05 acre preserve squeezed in between the Delray MarketPlace TMD to the east and approved kennel currently under construction to the west. Next to the kennel is an additional 10 acre parcel with a Commercial Low</p>

(CL) Future Land Use designation. The series of land uses and development along Atlantic Avenue demonstrates a patchwork development pattern. The Property is not appropriate for a farming operation as it is very narrow in width, located between two developed parcels and has been fallow for too long to be farmed. Although the Applicant is able to provide the additional preserve acreage to incorporate the Property into the TMD, it is not appropriate to incorporate this Property into the approved Delray MarketPlace TMD due to the numerous site design requirements for Traditional Marketplace Developments. The proposed office buildings would not be able to meet the block structure design guidelines and would therefore be a free-standing building which is not allowed in the TMD. The existing TMD already exceeds the maximum square footage for free-standing buildings. The requirement for buildings to front on the main street is no possible because the main street terminates approximately 450 feet away and is blocked from being extended by an existing building and the Public parking lot. Additionally, the TMD has strict architectural guidelines such as requiring building transparency and pedestrian arcades.

The Applicant would provide cross access and connections to the approved Delray MarketPlace TMD should the developer and Publix agree to providing a connection in the future. In addition, the architectural style and landscape details can be included to create a consistent and cohesive design for the project.

Sustainable development patterns are those that keep services located near the residents that utilize those services thus reducing the number and length of trips on the roads and reducing the amount of carbon dioxide released into the air. The proposed text amendment will allow for the development of office uses within the western Atlantic Avenue Corridor, thus meeting the needs of the surrounding communities and reducing their trips east on Atlantic Avenue.

The Applicant is proposing three options for amending the Comprehensive Plan text each option is further described and justified below.

Option 1 – Text amendment to raise the commercial cap

The Ag Reserve Master Plan identified a need for various commercial uses within the Ag Reserve Tier to serve the workers and residents of the Tier. These commercial uses were intended to include retail, services and office. Much of the existing commercial square footage has been allocated to retail uses, therefore a need for office still exists within the Tier, especially along Atlantic Avenue.

Option 2 – Exempt CL-O from the commercial cap

Commercial Low-Office (CL-O) is a future land use designation that is consistent with the Goals and Objectives of the Ag Reserve Tier. Commercial Low-Office can serve as a transitional use between Commercial Low and agriculture or residential uses. Should Option 2 be the preferred text amendment, the Applicant is proposing to limit Commercial Low-Office designations to be adjacent to existing Commercial Low or Commercial Low-Office future land use designations.

The addition of language to FLUE Policy 1.5.1-a will require small infill commercial development to co-locate adjacent to existing mixed-use commercial developments, rather than develop as small free-standing projects scattered within the Ag Reserve Tier.

The Comprehensive Plan defines Commercial Low-Office as a category which “shall include a limited range of neighborhood-oriented office and accessory uses intended to provide services to adjacent residential areas.” Therefore, it is the Applicant’s intent to provide additional land and square footage to meet the needs and demands of the residents and workers of the Agricultural Reserve Tier as originally intended by the Master Plan.

	<p><u>Option 3 – Add another location for medical and dental office within INST</u></p> <p>Medical office is permitted within the Institutional FLUA designation for the Bethesda Hospital Property on Boynton Beach Boulevard. Residents located along and south of the Atlantic Avenue Corridor do not drive north to Boynton Beach Boulevard for services but rather drive east along Atlantic Avenue to the Delray Medical Center. This fact is proven by the existing traffic counts along Atlantic Avenue. Therefore, by locating medical office along Atlantic Avenue the services would be convenient to the surrounding residential and should reduce the number of trips traveling east on Atlantic Avenue, an already failing roadway.</p> <p>A Future Land Use Amendment to Institutional for the Bethesda Medical Center was approved by the Board of County Commissioners and introduced into the Ag Reserve Tier on August 22, 2005. In addition to the Bethesda Medical Center, additional medical office was approved on the same property and was exempted from the commercial square footage cap. The Comprehensive Plan provides for medical office within the Institutional Future Land Use along Boynton Beach Boulevard. The Atlantic Avenue corridor should be given equal treatment as the Boynton Beach Boulevard corridor thus ensuring that the needs of the residents in the southern Ag Reserve have access to the same services as the residents in the northern Ag Reserve.</p> <p>The Agriculture Reserve Master Plan intended to allow various uses within the Tier to support the farmworkers and residents of the Tier. The Atlantic Avenue corridor lacks the same services as the Boynton Beach Boulevard corridor therefore not adequately meeting the needs of the residents and farmworkers within Tier as originally intended.</p>
<p>Consistency</p>	<p>This proposed Comprehensive Plan Text Amendment is consistent with the intent, objectives and policies of the Comprehensive Plan, as follows:</p> <p>Characteristics of a Livable Community</p> <p>Among the County Directives is the concept of a Livable Community. A Livable Community comprises certain characteristics that contribute to sustainability and a high quality of life. The primary characteristics include:</p> <p>For all tiers:</p> <p>...</p> <p>2. Employment opportunities...</p> <p>Commercial centers addressing the neighborhoods daily needs include:</p> <p>1. Limited mix of neighborhood-based commercial uses compatible with the character of the tier...</p> <p><i>Response: The amount of residential development within the Agricultural Reserve Tier has significantly grown over the past 10 years. Allowing additional office uses within the Ag Reserve Tier contributes to potential employment opportunities thus ensuring that the residents of the Tier do not need to travel outside of the Tier for work or to locate their business. Additionally, office uses will provide the opportunity for a variety of services to be available to the residents of the Tier. Currently lawyer, accountant, insurance and doctor offices compete for the limited amount of available commercial space with retailers, restaurants, etc.</i></p> <p><i>The additional office square footage will contribute to the continuation of the Ag Reserve as a livable community.</i></p> <p>Objective: Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and</p>

	<p>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.</p> <p><i>Response: The proposed text amendment to allow additional office uses will not negatively impact preservation of farmland or wetlands. Commercial office uses are generally low impact uses which provide needed services and opportunities for adjacent residents to work close to home. Well planned communities are those that incorporate office uses as transitional uses between residential and more intense uses such as farming, commercial or industrial uses. It is anticipated that the additional office square footage will serve the residents and workers within the Ag Reserve. It is the Applicant's intent to replace the preserve acreage for the approved TMD concurrent with the removal from the TMD, thus remaining consistent with this Objective of the Agricultural Reserve Tier.</i></p> <p>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 of the Tier.</p> <p><i>Response: The Applicant is proposing to change the 2.05-acre parcel located immediately adjacent to the Delray MarketPlace TMD. This specific property location is central to the Tier. If County Staff and/or the BCC initiates the proposed text amendment, the Applicant is proposing location criteria which will ensure that the office uses are located central to the Tier and adjacent to existing commercial nodes. As previously indicated, the small Property is very narrow and squeezed in between two developed parcels. Allowing the Property to develop with office will create an infill development along the Atlantic Avenue corridor.</i></p> <p>Commercial Office Uses – Commercial Low and Commercial High. The CL-O category shall include a limited range of neighborhood-oriented office and accessory uses intended to provide services to adjacent residential areas. The CH-O category shall include higher intensity office and accessory uses, intended to serve a community and/or regional commercial demand. Offices for administrative, professional and business purposes; banking and financial institutions; membership organizations; and, uses that are accessory to the office use including restaurants, personal services and health clubs may be permitted in any of the four Commercial categories.</p> <p><i>Response: The proposed office use will provide office space in close proximity to where people live. All of the uses classified as office will ensure that the residents of the Ag Reserve have access to a variety of services such as dentists, chiropractors, and primary care physicians within close proximity of their homes while minimizing the number of trips on the roadways.</i></p>
Text Changes	<p><u>Option 1</u> 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</p>

residents of the Tier. The County may approve a maximum of ~~4,015,000~~ 1,028,395 square feet of commercial uses (retail, service and office) within the Tier.

Or

Option 2

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) in the Commercial Low future land use designation within the Tier

New Commercial Office

New Policy 1.5-v: Commercial Low-Office future land use designations shall be limited to sites which share a common property line with a property designated as Commercial Low or Commercial Low-Office.

Table III.C.2 Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories and Non-Residential Uses

Future Land Use	FLU Category	Tier				
		U/S	Exurban	Rural	AGR	Glades
Commercial Low (Neighborhood Commercial)	CL-O	.35	.20	.20	.15 w/o MUPD .20 w/ MUPD ⁴	.10

Policy 1.5.1-a: 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, with the exception of 1) Residential subdivisions predating the Ag Reserve Tier and those that are subdivided at 1 unit per 5 acre density; 2) pre-existing commercial sites identified in Policy 1.5-i which develop at the square footages identified within the Policy; ~~and~~ 3) the sites which received an industrial future land use designation as part of the adoption of the 1989 Comprehensive Plan; and 4) are sites less than 3 acres, utilized for medical office and which share a common property line with commercial future land use on Atlantic Avenue.

Or

Option 3

Policy 2.2.8-e: Institutional Future Land Use. Uses allowed in the Institutional and Public Facilities future land use designation include a full range of institutional uses including, but not limited to, the following:

1. *through 7 and 9 through 10. Omitted for brevity*

8. Medical uses for the purposes of medical treatment, health care, and rehabilitation including the following:

a) and b) omitted for brevity

	<p>c) Medical and dental offices. Medical and dental office is an allowable use on parcels with INST FLU only within the following locations:</p> <p>a. Within the site plans of projects with approval for a “Hospital” use (as defined by the ULDC);</p> <p>b. The following site specific FLUA amendments:</p> <ul style="list-style-type: none"> • <u>LGA 2019-xxx in Ordinance No. 2020-xxx (2.05 acres);</u> <i>unaltered text omitted for brevity</i>
ULDC Changes	<p>Option 3 would require ULDC Changes as proposed below:</p> <p>An amendment to Article 4-Use Regulations, Medical or Dental Office to add the subject Property and Site Specific Large Scale Land Use Amendment Application in the list of INST designated parcels allowed to have medical/dental office.</p>