

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 7. Text Amendment Application

A. Proposed Text Amendment Summary

<p>Elements & Policies to be revised</p>	<p>Future Land Use Element, Policy 1.5-u</p>
<p>Purpose</p>	<p>The purpose of the proposed text amendment is to include additional locations where Congregate Living Facilities (CLFs) can be located in the Agricultural Reserve Tier, and to include the option for a project to provide the required preserve area entirely onsite.</p> <p>The recently adopted amendment to the Comprehensive Plan (LGA 2021-009) added a new policy, Policy 1.5-u, which allows the Congregate Living Residential (CLR) Future Land Use (FLU) designation in the Agricultural Reserve Tier subject to density, separation, location and preserve area requirements. In particular, Policy 1-5-u:</p> <ol style="list-style-type: none"> 1. Limits sites to locations fronting Lyons Road between Atlantic Avenue and Linton Boulevard; and, 2. Includes requirements that preserve areas be provided through a combination of both onsite and onsite preserve areas. <p>Whilst the adoption of the new Policy goes some way to providing for additional opportunities for residents to age in place in the Agricultural Reserve Tier, there are other locations that are also suitable for a CLR FLU designation and that due to site characteristics, may be able to provide all of the required preserve area onsite.</p> <p>The proposed text amendment also includes additional language to clarify that the required preserve area uses for a multiple use project can be maintained consistent with the preserve area uses in the proposed new Essential Housing Preserve area requirements.</p>
<p>Justification</p>	<p>In 1980, Palm Beach County adopted the Managed Growth Tier System as part of a Comprehensive Planning effort. The purpose of the Tier System is to protect viable existing neighborhoods and communities while directing the location and timing of future development. A significant objective of the Tier System is to “provide development timing and phasing mechanisms in order to prioritize the delivery of adequate facilities and services to correct deficiencies in existing communities and accommodate projected growth in a timely and cost effective manner.”</p> <p>The population of Palm Beach County continues to grow as retirees continue to relocate to South Florida, existing business expand operations and hire additional workforce, and new companies relocate to Palm Beach County bringing new residents to the area. Additionally, many existing residents are aging, generating demand for new housing opportunities in close proximity to their community and services so that they can “age in place”. FLUE Policy 1.1-a states, the County shall develop and implement strategies for each unique community and/or geographic area based upon common characteristics, including physical development patterns and service provision.” To date the Agricultural Reserve has been developed solely with single family residential developments and limited neighborhood commercial uses.</p> <p>Many changes have been made to the Agricultural Reserve Tier since its original adoption. At the time of the adoption of the Agriculture Master Plan in 2000, 51% of the acreage was being utilized for farming. Since 2000, several large farming families have ceased operations and no longer farm, including Whitworth, Winsberg, Mazzoni, Amestoy, and Dubois. Over the past 20 years, these large tracts of former farmland have</p>

been converted into single family residential planned developments, thus significantly impacting the development pattern of the Tier. A majority of the residential developments in the Agricultural Reserve are comprised of single family homes for the more affluent residents of the County. This Tier has limited density of 1 dwelling unit per acre, the resultant outcome now being an area that is very homogeneous.

Other changes to the Agricultural Reserve include increases to the commercial square footage cap 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 originally designated TMDs located at Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road. Other non-residential uses have been developed in the area to support the residents of the Tier. A large regional hospital campus including 135,000 square feet of medical office buildings, several private and charter schools have been approved and developed along the Boynton Beach Boulevard corridor. These institutional uses serve the residents in the area as well as those outside of the Agricultural Reserve Tier.

Over 20 years have passed since the adoption of the Agricultural Reserve Master Plan. Significant changes have occurred in Palm Beach County over this time. The estimated 2021 population for Palm Beach County is 1,497,987 which represents a 32% population increase from 2000.

Recent adopted and proposed changes to the Comprehensive Plan emphasize the current demand for additional uses in the Agricultural Reserve and the ongoing changes in the Tier. These recent adopted and proposed changes all acknowledge the current land use imbalance in the Tier.

In April 2022, the Board of County Commissioners adopted a text amendment to the Comprehensive Plan to allow the CLR future land use designation in the Agricultural Reserve Tier, specifically for the development of congregate living facilities (CLF) subject to the following criteria:

- Limit the location to sites fronting Lyons Road between Atlantic Ave and Linton Boulevard;
- Require a minimum of 5 acres;
- Allow up to 8 units per acre (2.39 beds per unit); and
- Require 50% offsite and 10% onsite preserve areas for multiple use projects.

The staff analysis included with the adoption of this amendment noted that there is up to 12,500 dwelling units either approved or allowed (depending on future approvals) and a build out population of up to 40,000 people in the Agricultural Reserve Tier. The report notes the homogeneous character of these uses, all being single family uses.

More specifically to CLFs and relevant to Policy 1.5-u, the Master Plan identified the need for additional forms of institutional uses and housing opportunities as necessary for a balanced and thriving community, as well as the need for additional housing types for an aging population who wish to “age in place”. The Master Plan recognized the immediate need for such uses, as well as the future need as the build out of residential development in the Tier continues. The resultant outcome was the adoption of the new Policy 1.5-u allowing the CLR land use and higher density CLFs in the Tier.

Further justification for the need for additional housing choice and additional locations for CLFs in the Tier is provided through the recent initiation by the Board of County Commissioners at its May 2022 meeting of a proposed text amendment to the Comprehensive Plan to add an Essential Housing FLU category to facilitate higher density residential development in the Agricultural Reserve. The underlying basis of this amendment is that additional housing choice is an immediate need and that particular locations in close proximity to established services, such as the existing marketplaces

	<p>and economic development centers adjacent to the Turnpike interchanges at Boynton Beach Boulevard and Atlantic Avenue, are suitable areas to accommodate higher density.</p> <p>The recent initiation of the text amendment to add to the Essential Housing FLU category reinforces two key factors as it relates to this proposed text amendment to add additional locations for CLF uses in the Agricultural Reserve Tier:</p> <ol style="list-style-type: none"> 1. The demand for additional housing choice is immediate and will only continue to grow into the future, including the desire of residents to “age in place” in the Tier; and, 2. Properties along Boynton Beach Boulevard adjacent to the Florida Turnpike are suitable locations to accommodate additional institutional and higher density uses to cater for this need, in close proximity to established services and without having an adverse impact on the remainder of the Tier. <p>The proposed comprehensive plan text amendment will allow for the development of CLFs along Boynton Beach Boulevard in a corridor that is already characterized by a variety of established and approved commercial and institutional uses. In addition to the established marketplaces at the intersection of Boynton Beach Boulevard and Lyons Road, an elementary school and existing and approved commercial developments are also located in this short corridor. The character of this area is therefore well suited to accommodate additional uses to meet the housing needs of the Tier without adversely impacting on the Tier overall.</p> <p>In addition to the proposed locational requirement, the recent adoption of Policy 1.5-u requires a percentage of the required preserve area to be provided offsite. In the case of smaller properties, it is acknowledged that providing the entire required preserve area onsite may not be possible. However, for a larger property, providing the entire preserve area onsite should still be an option where it is practical to do so. The proposed text amendment provides the option for properties to either provide the preserve area as a combination of onsite and offsite, or entirely onsite. The onsite preserve option is consistent with the approach to preserve areas for other types of development in the Plan and will further the objectives for preserves in the Tier.</p> <p>The objectives of the Agricultural Reserve Tier include the creation of a functional sustainable development pattern that minimizes the costs and impacts to County taxpayers. The current development pattern within the Agricultural Reserve is homogenous and not sustainable. Additional housing options are necessary for residents to “age in place” and in close proximity to established services in the Agricultural Reserve Tier.</p>
Consistency	See Attachment G.
Text Changes	<p>Policy 1.5-u: The Congregate Living Residential (CLR) future land use designation is allowed within in the Agricultural Reserve Tier subject to the following:</p> <ol style="list-style-type: none"> 1. Density. The maximum density is up to 8 units per acre for the land area assigned the CLR designation for the purposes of calculating congregate living facility beds. 2. Separation. Residential uses shall be setback 50 feet from any agricultural use. 3. Location. Sites are limited to locations fronting: <ol style="list-style-type: none"> a. Lyons Road between Atlantic Avenue and Linton Boulevard; and, b. Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Rd. 4. Minimum Acres. The minimum acreage for the CLR future land use designation is 5 acres. 5. Preserve Area. Preserve Areas are required as provided below. <ol style="list-style-type: none"> a. Single Use Project. Projects utilizing the AGR-PUD option shall be subject to the preserve percentage and use requirements of Policy 1.5.1-i, and may represent a portion of a larger AGR-PUD.

	<p>b. Multiple Use Project. Projects utilizing CLR as an underlying designation to Institutional and Public Facilities (INST) future land use designation for a multiple use project shall be subject to the following:</p> <ol style="list-style-type: none"> 1) Preserve Area Uses. Uses allowed shall be those permitted within AgR-TMD preserves by Policy 1.5.1-n <u>or within the EHR preserves by Policy XX.</u> 2) Preserve Area Acreage. <ol style="list-style-type: none"> a) A minimum of 10% of the land area with the CLR designation shall be Onsite Preserve Area; and b) A minimum acreage equivalent to 50% of the acreage of the CLR designation shall be provided as Offsite <u>or Onsite</u> Preserve Area. c) Offsite Preserve Area may retain AGR future land use provided that no density or intensity is transferred to the Development Area and that the preserve is subject to a conservation easement which restricts uses allowed to those permitted within AgR-TMD preserves by Policy 1.5.1-n. 3) Design Features. A development with INST/CLR future land use is not considered mixed use, and is not subject to the Design Elements in Policy 1.5.1-r or Usable Open Space Requirements for Multiple Use Planned Development (MUPD) in the ULDC.
ULDC Changes	None

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Part 1. Amendment Data

A. Amendment Data

Round	23-B	Intake Date	Text Submittal – June 3, 2022
Application Name	Erickson Boynton Beach CCRC	Control No.	2018-186 2018-187
Acres	+/- 92.49 acres	Concurrent Zoning application?	No
		Text Amend?	Yes
PCNs	00-42-43-27-05-054-0022; 00-42-43-27-05-054-0050		
Location	South side of Boynton Beach Boulevard, immediately to the west of the FL Turnpike and approx. 0.63 miles east of Lyons Road.		
	Current	Proposed	
Tier	Agricultural Reserve Tier	No change	
Use	Agriculture	Congregate Living Facility (Continuing Care Facility) and Passive Park	
Zoning	Agricultural Reserve (AGR)	Multiple Use Planned Development (MUPD)	
Future Land Use Designation	Agricultural Reserve (AGR)	Institutional (INST)	
Underlying Future Land Use Designation	None	Congregate Living Residential (CLR)	
Conditions	None	To be determined subject to submittal of Map Amendment application.	
Density Bonus	None	None	
Total Number of Units	None	To be determined subject to submittal of Map Amendment application.	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	1 unit per 5 acres for residential use	8 units per acre (CLF)
Maximum Dwelling Units¹ (residential designations)	1 du / 5 acres x 92.49 ac. = 19 units	Not Applicable
Maximum Beds (for CLF proposals)	1 max du x 92.49 ac x 2.39 = 221 beds (1 unit per acre clustered onto 20% of the land area for a AgR-PDD)	8 max du/ac x 92.49 x 2.39 = 1,768 beds

		(Maximum number of beds to be determined subject to submittal of Map Amendment application)
Population Estimate	19 max du x 2.39 = 45 people	8 max du/ac x 92.49 x 2.39 = 1,768 people
Maximum Square Feet ^{2,4} (non-residential designations)	Not Applicable	Not Applicable
Proposed or Conditioned Potential ^{3,4}	Not Applicable	To be determined subject to submittal of Map Amendment application.
Max Trip Generator	To be determined subject to submittal of Map Amendment application.	To be determined subject to submittal of Map Amendment application.
Maximum Trip Generation	To be determined subject to submittal of Map Amendment application.	To be determined subject to submittal of Map Amendment application.
Net Daily Trips:	To be determined subject to submittal of Map Amendment application.	
Net PH Trips:	To be determined subject to submittal of Map Amendment application.	

1. Maximum units per acre see Future Land Use Element;
2. Maximum FAR see FLUE. 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	Jennifer Morton
Company Name	JMorton Planning & Landscape Architecture
Address	3910 RCA Boulevard, Suite 1015
City, State, Zip	Palm Beach Gardens, FL 33410
Phone / Fax Number	561-500-5060
Email Address	jmorton@jmortonla.com

B. Applicant Information

Name	Dorothy Mazzone (Co-Trustee of William Mazzone Revocable Trust)	William Mazzone (Co-Trustee of William Mazzone Revocable Trust)	Howard Smith (Co- Trustee of William A. Mazzone Revocable Trust)	Steven Montgomery, Authorized Signatory
Company Name				Erickson Living Properties, LLC
Address				701 Maiden Choice Lane
City, State, Zip				Baltimore, MD 21228
Phone / Fax Number				Available upon request of the Agent
Email Address				Available upon request of the Agent
Interest	Owner	Owner	Owner	Contract Purchaser

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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. **Affidavit of Completeness & Accuracy**
- E. **Disclosure of Ownership Interests**
- G. **Consistency with the Comprehensive Plan** (include in PDF & Word)
- Q. **Text Amendment Application** (Part 7, if applicable, in PDF & Word)

Attachment G **Consistency with the Comprehensive Plan**

Introduction

On behalf of the Applicant, JMorton Planning & Landscape Architecture is requesting a Comprehensive Plan Text amendment to Policy 1.5-u of the Comprehensive Plan.

The justification and proposed text language are included as Attachment Q to this application package.

Comprehensive Plan

The proposed Text Amendment is consistent with various goals, objectives, and policies in the Palm Beach County Comprehensive Plan as detailed below.

County Directions – The proposed text amendment furthers the following County Directions, as described below:

1. **Livable Communities** - Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.
2. **Growth Management** - Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.
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.

***Response:** The proposed amendment will further the above County Directions by providing additional locations for existing and future residents of the Agricultural Reserve Tier to age in place. The proposed text amendment will establish an additional location for CLFs in close proximity to existing services, ensure adequate opportunity is retained for required preserve areas and locate these uses in areas that will provide for a balance of land uses to serve the Agricultural Reserve Tier, rather than the homogenous single family uses that exist today. The location is also well suited to ensure land use compatibility, as the Boynton Beach Boulevard corridor between the Florida Turnpike Interchange and Lyons Road includes a mix of commercial and institutional uses, including more intense marketplace uses as anticipated in the Agricultural Reserve Master Plan.*

Goals – The proposed text amendment furthers the County’s goals as described below.

- **Strategic Planning** – “...to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.”

Response: Approval of this proposed text amendment will continue to implement recent strategies to provide for a more diverse community and variety of land uses to meet the needs of residents in the Agricultural Reserve Tier. It will ensure opportunity is provided to meet the need for additional housing choices as the needs of the aging population change over time. This proposed text amendment will ensure that the Agricultural Reserve Tier remains a diverse community that can meet the needs of existing the existing and future residents within the Tier.

- **Land Planning** – “...to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, and environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities.”

Response: The Property is located within the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA) where services and public facilities are already available. The proposed addition of properties along Boynton Beach Boulevard, a major transportation route, with proximity to the Florida Turnpike interchange and access to the marketplace on Lyons Road contributes to timely, cost effective service provision. The proposed text amendment will allow for development of a use that will better serve the immediate and future needs of the community as it will provide additional housing choice for seniors and existing and future residents of the Agricultural Reserve.

Objectives – The proposed text amendment furthers the County’s objectives as further described below.

- **FLUE 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.”

Response: The recent adoption of Policy 1-5-u already allows additional density to accommodate CLFs in the Tier, however limits the location to one geographic area in the central part of the Tier along Lyons Road between Atlantic Avenue and Linton Boulevard. The proposed text amendment adds an additional location for CLFs under Policy 1.5-u on a relatively short section of Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Road in the northern portion of the Tier. This corridor is already characterized by existing commercial and institutional uses between Acme Dairy Road and Lyons Road to the west. The nature of the proposed amendment is such that future development will be clustered in a part of the Tier where the established development pattern is able to support increased densities without adversely impacting the remainder of the Tier. Additionally, the proposed inclusion of the option for CLFs to provide the preserve area entirely onsite is consistent with the more typical 60/40 calculations for preserve areas for planned developments in the Tier.

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

Response: *The proposed text amendment furthers this objective, by promoting balanced growth and providing a diversity of housing choices and level of care options for residents of the Tier and locating development along established corridors. The recent adoption of Policy 1.5-u supports the need to address an underserved use in the Tier and the proposed text amendment will establish an additional location for development of CLFs to meet that need.*

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

Response: *A change to the Policy 1.5-u will allow for the development of additional CLF uses to support the growing and aging residential communities within the Agricultural Reserve by providing additional opportunities for senior housing in close proximity to existing services and major transportation routes.*

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

Response: *The proposed additional location is within the Agricultural Reserve Tier, which is a Limited Urban Service Area (LUSA) with services and public facilities available. Development of CLF uses on this short segment of Boynton Beach Boulevard is consistent with the existing development pattern towards Lyons Road. The proposed text amendment will allow for the development of senior housing uses that will provide additional housing choice to existing and future residents of the Tier.*

Policies – The proposed text amendment furthers the County’s policies as further described below.

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

Response: *The proposed text amendment is consistent with this policy as it does not make any changes to the institutional uses allowed in the Tier.*

- **FLUE Policy 1.5-u:** The Congregate Living Residential (CLR) future land use designation is allowed within in the Agricultural Reserve Tier subject to the following:
 1. **Density.** The maximum density is up to 8 units per acre for the land area assigned the CLR designation for the purposes of calculating congregate living facility beds.
 2. **Separation.** Residential uses shall be setback 50 feet from any agricultural use.
 3. **Location.** Sites are limited to locations fronting Lyons Road between Atlantic Avenue and Linton Boulevard.
 4. **Minimum Acres.** The minimum acreage for the CLR future land use designation is 5 acres.
 5. **Preserve Area.** Preserve Areas are required as provided below.
 - a. **Single Use Project.** Projects utilizing the AGR-PUD option shall be subject to the preserve percentage and use requirements of Policy 1.5.1-i, and may represent a portion of a larger AGR-PUD.

- b. **Multiple Use Project.** Projects utilizing CLR as an underlying designation to Institutional and Public Facilities (INST) future land use designation for a multiple use project shall be subject to the following:
- 1) **Preserve Area Uses.** Uses allowed shall be those permitted within AgR-TMD preserves by Policy 1.5.1-n.
 - 2) **Preserve Area Acreage.**
 - a) A minimum of 10% of the land area with the CLR designation shall be Onsite Preserve Area; and
 - b) A minimum acreage equivalent to 50% of the acreage of the CLR designation shall be provided as Offsite Preserve Area.
 - c) Offsite Preserve Area may retain AGR future land use provided that no density or intensity is transferred to the Development Area and that the preserve is subject to a conservation easement which restricts uses allowed to those permitted within AgR-TMD preserves by Policy 1.5.1-n.
 - 3) **Design Features.** A development with INST/CLR future land use is not considered mixed use, and is not subject to the Design Elements in Policy 1.5.1-r or Usable Open Space Requirements for Multiple Use Planned Development (MUPD) in the ULDC.”

***Response:** This policy is the subject of the proposed text amendment. The only proposed changes are to allow an additional location for CLF uses utilizing the INST/CLR FLU designation, make available the option for development to provide its required preserve area entirely onsite, and to ensure preserve area uses are consistent with the proposed preserve area permitted uses for other higher density FLU categories. The density, separation and minimum acreage requirements of the policy are unchanged. The proposed text amendment will support the County’s objectives of providing additional opportunities for senior housing in appropriate locations while preserving a transition between residential and non-residential uses.*

- **FLUE Policy 1.5.1-q:** “AGR-Multiple Use Planned Development. New Agricultural Reserve Multiple Use Planned Developments (AgR-MUPD) in the Ag Reserve Tier shall meet the following requirements:
 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.

***Response:** Preserve areas for any future development resulting from the proposed text amendment that will utilize an MUPD zoning will comply with this policy.*

FLUE Policy 2.1-1: “Future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area and shall also not underutilize the existing or planned capacities of urban services.”

Response: *The proposed text amendment will include property on Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Road that is near all of the necessary urban services including, but not limited to, a hospital, the roadway network, water/wastewater and drainage facilities, mass transit opportunities, etc. Development resulting from the proposed text amendment will sufficiently utilize the existing urban services within the area, allowing land elsewhere within the Tier more appropriate for agricultural activities to be preserved.*

- **Policy 2.1-g:** “The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.”

Response: *As discussed, the proposed text amendment will allow for the INST/CLR FLU designation on Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Road, providing much needed additional senior housing opportunities to existing and future residents in the Agricultural Reserve Tier. The allocation of additional land area as suitable for future CLF uses will assist with countering somewhat the imbalance of homogenous single family uses created by the development of AgR-PUDs in the Agricultural Reserve and provide additional opportunity for residents (existing and future) of the Agricultural Reserve to “age in place”.*

- **Policy 2.2.1-b:** “Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintained to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.”

Response: *The proposed text amendment is consistent with this policy as it maintains the separation, density and minimum acreage requirements as recently adopted in Policy 1.5-u. These requirements have been established to ensure adequate regulations are in place to address compatibility with surrounding uses. Additionally, the proposed inclusion of an option to provide the entire preserve area onsite will provide an additional mechanism to address compatibility.*

- **FLUE Policy 2.2.8-d:** “The County shall maintain the Unified Land Development Code to provide for zoning districts to accommodate health and human service needs such as hospitals, public clinics, emergency health shelters, child care facilities, adult day care facilities, group homes, foster homes, congregate living facilities and other residential care.”

Response: *The proposed text amendment is consistent with this policy as it will provide additional opportunities for CLFs, which are a permitted use in the AgR-MUPD zoning district.*

Conclusion

As described above, the proposed text amendment to Policy 1.5-u is consistent with the Goals, Objectives, and Policies of Palm Beach County’s Comprehensive Plan. The proposed amendment will facilitate future development which addresses the imbalance of land uses in the Agricultural Reserve Tier, serves the needs of the aging existing and future residents, is compatible with the surrounding area, and will not negatively impact service provision.