

2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 7. Text Amendment Application

A. Proposed Text Amendment Summary

Elements & Policies to be revised	Revise Future Land Use Element, Policies 1.5-h & 1.5.1-d, 3.5-d and Table 2.2.1-g.1 Add Future Land Use Element Policy 1.5.1-t (<i>To follow 60/40 Planned Development Option Policies in FLUE</i>)
Purpose	Allow development of residential density above the maximum 1 du/ac and reduce the minimum PUD size within the Agricultural Reserve Tier for projects providing workforce housing.
Justification	<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.” The population of Palm Beach County continues to grow as retirees continue to relocate to South Florida, existing businesses expand operations and hire additional workforce, and new companies relocate to Palm Beach County bringing new residents to the area. 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 residential development within the Agricultural Reserve has predominantly been single family residential development. Limited neighborhood commercial uses have been developed primarily at the commercial nodes.</p> <p>The Agricultural Reserve Tier is 22,000 acres. The Agriculture Master Plan was adopted in 2000. To date, approximately 13,000 acres have been preserved through the County’s Bond Referendum, government ownership, and clustering options for AgR Planned Developments. The Bond Referendum allowed for the purchase of approximately 2,400 acres. Approximately 7,500 acres are preserved as part of approved AgR Planned Developments.</p> <p>Since 2000, several large farming families have ceased operations and no longer farm, including Whitworth, Winsberg, Mazzonni, Amestoy, and Dubois. Over the past 20 years, these large tracts of farmland have 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 been exempted from the County’s mandatory workforce housing program and has limited density of 1 dwelling unit per acre thus, the area is very homogeneous.</p> <p>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 drawing in others from outside of the Agricultural Reserve Tier.</p> <p>The latest changes to the Agricultural Reserve Tier include allowing sites as small as 5-acres to be utilized for preserve requirements for planned developments. This change allowed for additional development parcels and therefore increased the number of residential units built in the Ag Reserve. The current Ag Reserve Tier now reflects a patchwork development pattern. Many of these 5 acre properties support small nurseries, landscape services, and pastureland for cows,</p>

horses, pigs, chickens, sheep and goats. These properties are often squeezed in between development and other 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.

Twenty years have passed since the adoption of the Agricultural Reserve Master Plan. Significant changes have occurred in Palm Beach County over these same 20 years. The 2020 population for Palm Beach County is 1,466,494 which represents a 30% population increase from 2000. The projected 2030 population will be 1,649,079, an increase of 15% over the period of 10 years.

The Board of County Commissioners and the County Administrator have stated that Palm Beach County has a housing crisis. The County's Workforce Housing Program was recently revised in an attempt to provide more on-site construction of workforce housing and to ensure that units are being constructed and will meet the needs of the workforce population. The average home price in the Agricultural Reserve is approximately \$700,000 which is over 2½ times the \$261,030 home sales price for those in the moderate income category.

Local Housing Solutions (LHS) is a not-for-profit organization created by the National Community of Practice on Local Housing Policy to provide assistance and resources to local governments developing balanced local housing strategies and fostering inclusive neighborhoods. According to the LHS, one of the 4 reasons why housing is unaffordable is due to "government regulation raise production costs and reduce overall supply of all types of housing. For example, limits on density restrict the number of homes that can be built on available land...cause developers to go elsewhere, making it difficult for the supply of housing to keep pace with increases in demand and rising housing prices..." Further this not-for-profit organization states, "to improve housing affordability, community leaders can adopt policies that encourage the production of additional housing units...the most important step is to change land use regulations that limit how much housing can be built." A solution proposed by this organization is to change ordinances and codes to allow for higher residential density. "Zoning codes can limit the number of housing units that can be developed, and those limits should be reassessed in light of what the market and infrastructure will bear."

The proposed comprehensive plan text amendment will allow for the development of age restricted multi-family units, unrestricted multi-family units, attainable rental units for residents of all ages from millennials to seniors. To date, the housing being provided in the Agricultural Reserve Tier serves the top 5% of Palm Beach County residents. The proposed amendments will allow for the additional density needed to develop attainable housing while still utilizing the 60/40 Planned Unit Development option. Workforce housing is needed in the Agricultural Reserve to meet the demand for additional housing options for the people working at the existing hospital, schools, post office, solid waste facility, retail, and restaurants located within the Tier.

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 not sustainable as it requires most residents to travel into the Urban/Suburban Tier for services and employment opportunities while a majority of the workers within the Agricultural Reserve Tier come from the Urban/Suburban Tier. Many of the traffic related issues on Atlantic Avenue are caused by people traversing in and out of the Agricultural Reserve for services and/or housing. If additional housing options were available within the Ag Reserve Tier, much of the workforce would have the opportunity to live close to their place of employment.

The proposed exemption for Policy 3.5-d is being requested as a precaution as the Florida Department of Transportation is currently in process of widening various links of Atlantic Avenue. The timing of this expansion project for the portion of Atlantic Avenue east of the Florida Turnpike is currently unknown. By adding more housing options to the Agricultural Reserve Tier, travel distance and time is reduced. This reduction would lessen the impacts on the major rights-of-way

	<p>in the Tier, thus decreasing the burden for service provision on County taxpayers. Reducing travel times also benefits the environment as it reduces carbon dioxide gas emissions.</p>
<p>Consistency</p>	<p>This proposed Comprehensive Plan Text Amendment is consistent with the intent, objectives and policies of the Comprehensive Plan and Agricultural Reserve Master Plan, as follows:</p> <p>Objective 1.5 Agricultural Reserve Tier - “Create a functional sustainable development pattern” and “minimize costs/impacts to County taxpayers”.</p> <p><i>Response:</i> As mentioned above, if additional housing options were available within the Ag Reserve Tier, much of the workforce would have the opportunity to live close to their place of employment. By adding more housing options to the Agricultural Reserve Tier, travel distance and time is reduced. This reduction would lessen the impacts on the major rights-of-way in the Tier, thus decreasing the burden for service provision on County taxpayers. Water and sewer lines have been installed along Atlantic Avenue to serve the various residential projects being developed within the Agricultural Reserve. All property owners with frontage along Atlantic Avenue were required to pay assessments for the extension of these water and sewer lines. Allowing development of the Property with a workforce housing project would be an efficient use of these existing public facilities. Another contribution to a sustainable development pattern would be the reduction of carbon dioxide gas emissions as travels times are reduced.</p> <p>Sub-Objective 1.5.1 Planned Developments – “To achieve the goal of farmland protection and agricultural perpetuation, unique planned development options, which ensure the preservation of significant open space may be permitted.”</p> <p><i>Response:</i> The proposed WHR AgR-PDD Option will allow for the development of an additional housing type within the Ag Reserve while still requiring a preservation set aside similar to all other planned developments in the AGR Tier.</p> <p>Policy 1.5.1-b: A residential AgR-PDD shall require the following:</p> <ol style="list-style-type: none"> 1. That the development area be compact, contiguous, and arranged as a unified whole and appropriately buffered so as not to interfere with the continued or future function of the preserve area. 2. That the development area be situated adjacent to other existing, planned, or projected development areas. 5. That preserve areas be used only for agriculture or open space uses. <p><i>Response:</i> The proposed development will provide the appropriate percentage of preserve area similar to other planned developments within the AGR Tier. The proposed project is located on Atlantic Avenue. The proposed project will accommodate the future planned road alignment for Smith Sundry and Half Mile Roads which will contribute to better access to all area properties with existing development approvals and future development projects.</p> <p>County Goals.</p> <p>Balanced Growth and Land Planning. Balanced growth is one of the key elements for good land use planning. Balanced growth refers to the amount, distribution and inter-relationships of appropriate land uses, which provide for the physical, social, cultural and economic needs of a community within the constraints of environmental conditions.</p> <p><i>Response:</i> Allowing additional housing opportunities within the Agricultural Reserve will encourage balanced growth. The Agricultural Reserve is comprised of affluent residents living in single family homes, most of which are planned gated communities. This is a homogeneous development pattern with little to no economic diversity. The recent changes to the Agricultural Reserve Master Plan have allowed increased services to be developed to support the increasing amount of residential development. However, no accommodation of housing for those working in the service, education, and healthcare industries has been provided.</p>

	<p>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.</p> <p><i>Response: As described above, the proposed comprehensive plan text amendment will allow for the development of multi-family units, rental workforce housing units as well as age restricted multi-family housing including an attainable housing component. Workforce housing is needed in the Agricultural Reserve to provide much needed housing options for the people working at the existing hospital, schools, post office, solid waste facility, retail, and restaurants located within the Tier.</i></p> <p>County Directions</p> <p>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 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.</p> <p><i>Response: Development in the Agricultural Reserve is comprised mainly of exclusive gated communities developed with single family homes. This homogeneous development pattern does not contribute to smart growth or an efficient use of land. Incorporating various housing types ensures that those who work in the service, education, and healthcare industries are able to live close to their employment. As described above limiting density discourages the development of various housing types and ensures no provision for workforce housing.</i></p> <p>Agricultural Reserve Master Plan</p> <p>The Ag Reserve Master Plan recognized the need for affordable housing within the Ag Reserve by allowing and encouraging vertical and horizontal integration of residential units within the Traditional Marketplace Developments. However, this type of forced design was not affordable, feasible or marketable, especially at a density of 1 dwelling unit per acre. The Consultant recommended that the County permit density bonuses as a means of encouraging vertical integration and ensuring a greater diversity of housing types.</p> <p>The Master Plan originally intended for development to be concentrated and radiate outward from two nodes (Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road). Preservation parcels were anticipated to be located west of State Road 7 and within the core of the Agricultural Reserve. The proposed text amendment will allow for development to occur along Atlantic Avenue in an area originally designated by the Master Plan as a location for development.</p> <p><i>Response: The development of multi-family residential units will not occur in the AGR Tier unless density rates are increased. Initially, multi-family was intended to locate within the two approved TMDs. The residential units have yet to be constructed within these two projects. The proposed project will provide additional housing options within the AGR Tier that were originally contemplated but were never able to be developed. These units will be located within close proximity of the TMDs to ensure the intent of the AgR Master Plan is realized.</i></p>
<p>Text Changes</p>	<p>See Attached Exhibit.</p>
<p>ULDC Changes</p>	<p><i>Changes to AgR-PUD to incorporation criteria as detailed below:</i></p> <p><i>Art. 3.E.2.F.2.c.3) WHR AgR-PDD Option</i></p> <p><i>The preserve area shall be required to be 60 percent of the gross land area of the PUD. If the workforce housing units include a deed restricted for-sale product, the maximum density may be increased to 8 dwelling units per acre.</i></p> <p><i>Art.3.E.2.F.4.b.2) WHR AgR-PDD Requirements</i></p> <ul style="list-style-type: none"> <i>• Provide a minimum of 25% of the total units as workforce housing</i> <i>• Provide civic or institutional services to support the residents of the development (i.e. daycare, place of worship, or similar uses)</i> <i>• Located within ¼ mile (walking distance) of employment opportunities (TMD or IND)</i>

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Part 1. Amendment Data

A. Amendment Data

Round	TBD	Intake Date	January 15, 2021
Application Name	Reserve at Atlantic	Control No.	TBD
Acres	39.77 acres	Concurrent Zoning application?	TBD
		Text Amend?	Yes
PCNs	00-42-46-61-90-01-000-0050		
Location	Southeast corner of Atlantic Avenue and Half Mile Road		
	Current	Proposed	
Tier	Agricultural Reserve	Agricultural Reserve	
Use	Agriculture	520 residential units, daycare, and +/- 85,000 SF self-storage	
Zoning	Agricultural Reserve (AGR)	Agricultural Reserve Planned Unit Development (AgR-PUD) on +/- 35 acres & Light Industrial (IL) on +/- 5 acres	
Future Land Use Designation	Agricultural Reserve (AGR)	Agricultural Reserve (AGR) on +/- 35 acres & Industrial (IND) on +/- 5 acres	
Underlying Future Land Use Designation	None	Agricultural Reserve (AGR)	
Conditions	None	None	
Density Bonus	None	New Code Language allows increase	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	8 units	520 units & +/-85,000 SF of industrial uses
Maximum Dwelling Units¹ (residential designations)	1 du / 5 acre x 39.77 ac. = 8 units	8 du/acre x +/-100 ac. (includes preserve area) = +/-800 units
Maximum Beds (for CLF proposals)	None	None
Population Estimate	8 max du x 2.39 = 19 people	520 max du x 2.39 = 1,243 people
Maximum Square Feet^{2, 4} (non-residential designations)	0.15 FAR x 39.77 ac. = 259,857 SF of agriculture uses	0.45 FAR x +/- 4.5 ac. = +/- 88,209 SF
Proposed or Conditioned Potential^{3, 4}	----	520 units & +/- 85,000 SF industrial
Max Trip Generator	TBD	TBD
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)	

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

B. Applicant Information

Name	Linda Woodworth
Company Name	The Taheri Grandchildren's Irrevocable Trust dated 12/28/92
Address	1700 South Dixie Highway
City, State, Zip	Boca Raton, Florida 33432
Phone Number	(734) 904-1637
Email Address	lindawoodworth@gmail.com
Interest	Property Owner

Name	Gabriel Bove
Company Name	Bove Development LLC
Address	354 Royal Tern Road South
City, State, Zip	Ponte Vedra, Florida 32082
Phone Number	(904) 219-9095
Email Address	gabe@bovecompany.com
Interest	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. Applicant's Ownership Affidavit**
- D. Applicant's Notice Affidavit, Property Appraiser List, and Labels**
- E. Disclosure of Ownership Interests**
- F. Text Amendment Application**

Exhibit

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

REVISIONS: To introduce attainable, workforce housing within the Agricultural Reserve Tier. The revisions are shown below with the added text underlined and the deleted text in ~~strike out~~.

Essential Housing Residential Option

1. **NEW Policy 1.5.1-t:** The County shall foster the provision of workforce housing in the Agricultural Reserve Tier by allowing densities greater than one unit per acre for planned developments utilizing the Essential Housing Residential (EHR) Option. The EHR Option is an AgR-PUD 60/40 that is subject to the following:

1. The 250 minimum acres for an AgR-PUD is reduced to 70 minimum acres;
2. The density calculation is up to 8 units per acre for the total land area;
3. A minimum of 25% percent of the units shall be built onsite as workforce housing units for household incomes from 60 to 140% of area medium income.
4. The Development Area is limited to east of State Road 7 with frontage on Atlantic Avenue and within ¼ mile of an AgR-TMD or IND future land use designation.
5. The Preserve Area minimum acreage is reduced from 150 to 40 acres.

2. **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 or up to eight units per acre for AgR-PUDs utilizing the EHR Option;
 - b. Agricultural Reserve future land use designation with AgR-PUD zoning using the EHR Option, the maximum density is up to eight dwelling units per acre;
 - c. Commercial Low future land use designation with TMD or MUPD zoning, the maximum density is up to one dwelling unit per acre;

~~(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;~~

3. **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. ~~60/40 AgR-PUD with EHR Option, 60 percent of the total land area; and~~
4. ~~a-TMD, 60 percent of the total land area.~~

4. **REVISE**

**Table 2.2.1-g.1
Residential Future Land Use Designation Maximum Density**

Future Land Use Designation		Dwelling Units per Gross Acre ⁵
Agricultural Reserve	AGR	0.20 / 1 ³ / 8 ³

3. See Agricultural Reserve Policy 1.5-h.

5. **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 Reserve at Atlantic amendment (LGA 2021-xxx).