

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	24-B	Intake Date	November 8, 2023
Application Name	Park West	Control No.	1997-120
Acres	61.19 acres	Concurrent Zoning application?	Yes
		Text Amend?	Yes
PCNs	00-42-46-17-01-000-0690, 00-42-46-17-01-000-1020, 00-42-46-17-02-000-0370, 00-42-46-20-01-000-0070		
Location	North and South side of Atlantic Avenue, west of Florida Turnpike and east of Starkey Rd.		
	Current	Proposed	
Tier	Agricultural Reserve	Agricultural Reserve	
Use	Agriculture, Nursery	+/- 661 multi-family units, +/- 135 room hotel, +/- 180,000 SF of commercial uses, and +/- 150,000 SF of light industrial uses	
Zoning	Agricultural Reserve (AGR)	Multiple Use Planned Development (MUPD)	
Future Land Use Designation	Agricultural Reserve (AGR)	Mixed Use Center (MUC) MLU, Commercial Low (CL), Residential High 12 units per acre (HR-12), and Commerce (CMR)	
Underlying Future Land Use Designation	None	None	
Conditions	None	<ol style="list-style-type: none"> 1. Project shall be limited to maximum 661 residential units, 135 room hotel, 180,000 SF commercial uses, and 150,000 SF light industrial uses. 2. Proposed development shall be phased as follows: Phase 1 shall include the 150 SF of light industrial uses. Phase 2 shall include the remaining commercial and residential intensity and density. Phase 2 shall not commence development until Atlantic Avenue ROW improvements are complete. 	
Density Bonus	None	None	
Total Number of Units	10 units	+/- 661 units	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	1 du/5 acres or 0.15 FAR for ag uses	10.8 du/ac
Maximum Dwelling Units¹ (residential designations)	1 du/5 acres x 50.99 ac. = 10 dwelling units	10.8 du/acre x 61.19 ac. = 661 dwelling units
Maximum Beds (for CLF proposals)	Not applicable	Not applicable
Population Estimate	10 max du x 2.39 = 24 people	661 max du x 2.39 = 1,580 people
Maximum Square Feet^{2, 4} (non-residential designations)	0.15 FAR x 61.19 ac. = 399,815 sf of agriculture uses	0.2 FAR x 61.19 ac. = 533,087 SF of commercial uses
Proposed or Conditioned Potential^{3, 4}	----	+/- 661 multi-family units, +/- 135 room hotel, +/- 180,000 SF of commercial uses, and +/- 150,000 SF of light industrial uses
Max Trip Generator	<i>Provide the ITE Use Name & the trip generation rate</i>	<i>Provide the ITE Use Name & the trip generation rate for maximum and proposed potential</i>
Maximum Trip Generation	<i>Provide the trip generation for the maximum potential</i>	<i>Provide the trip generation for the maximum potential AND the proposed potential</i>
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	Jennifer Morton & Lauren McClellan
Company Name	JMorton Planning & Landscape Architecture
Address	3910 RCA Boulevard, # 1015
City, State, Zip	Palm Beach Gardens, Florida 33410
Phone Number	(561) 500-5060 & (561) 721-4463
Email Address	jmorton@jmortonla.com & lmcclellan@jmortonla.com

B. Applicant Information

Name	Paul Okean
Company Name	Morningstar Nursery, Inc.
Address	203 Via Vizcaya
City, State, Zip	Palm Beach, Florida 33480
Phone / Fax Number	
Email Address	pzo@okeanholdings.com
Interest	Owner

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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. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- E. **Disclosure of Ownership Interests**
- F. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- G. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- H. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- I. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- J. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- K. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- L. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- M. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- N. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- O. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- 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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2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 7. Text Amendment Application

A. Proposed Text Amendment Summary

Elements & Policies to be revised	Future Land Use Element, Revised Policies: 1.5-h, 1.5-k, 1.5-m, 1.5-n, 1.5.1-d, and 3.5-d. Revised Table: III.C. Proposed new policy: 1.5.1-v.
Purpose	Currently, the Comprehensive Plan only allows for the development of one Multiple Land Use (MLU) project to be developed within the Agricultural Reserve (Reserve at Atlantic). The Comprehensive Plan also limits the amount of commercial square footage and locations where commercial can be developed. The proposed amendment will allow for another mixed use project which includes commercial and multi-family residential to be developed at the intersection of the Florida Turnpike and Atlantic Avenue. The request will increase the allowable density within the Tier to get a truly mixed use project that will allow the commercial to be supported by pedestrian accessible residential.
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. Until last year, residential development within this Tier had been limited to a density of 1 dwelling unit per acre thus, the area is still very homogeneous. With the approval of the first Essential Housing project, additional housing options are planned and anticipated to be constructed within the next year (Reserve at Atlantic & Logan Ranches).</p> <p>The recently adopted Essential Housing Future Land Use designation allows for higher density while providing critically needed workforce housing units. Mixed use developments are an efficient use of land and development pattern. However, as the County continues to approve more single family and multi-family residential</p>

developments in the Agricultural Reserve Tier the limitation on the amount of commercial uses that can be developed has negative impacts on the area. Residents have limited options for services and often have to travel outside of the Tier to obtain these services, including access to hotels. The addition of neighborhood serving commercial uses will complement the existing TMD's and reduce the amount of roadway trips to neighborhood serving commercial uses further away in the eastern part of the County.

Workforce housing is drastically needed in Palm Beach County and more specifically in the southwestern part of the County. The median home price continues to escalate at exponential rates, putting a further strain on those seeking attainable housing options. In a recent Palm Beach Post Article, "Average PBC Home Price Climbs to Seven Figures" published on May 24, 2024, the "Average sales prices on single-family homes hit \$1.17 million in April." The article further stated that that average home price was a 15% increase from 2023 and the 14th time that the average home price topped \$1 million.

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, several private and charter schools have been approved, developed, and even expanded 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.

It is not uncommon for hospital patients to travel from outside of the area, region, or even state in order to obtain good healthcare. Access to a hotel within close proximity and within the Agricultural Reserve Tier would complement the existing hospital as well as the residents in the area that have visitors. The commercial cap is proposed to be exempted for this new land use designation to provide approximately 300,000 square feet of commercial uses within the proposed project. This amount could be decreased or adjusted based upon the final design of the project.

The proposed commercial mixed use center will provide for preserve consistent with the intent of the Tier. The proposed Mixed-Use MLU option will require 40% of the land to be allocated on site for preservation.

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 Applicant has agreed to phase the project to coincide with the ultimate expansion of Atlantic Avenue. The roadway sections that do meet the Level of Service (LOS) standards for the 2045 Long Range Transportation Analysis are Atlantic Avenue from Hagen Ranch Road to Jog Road and State Road 7 from Flavor Pict Road to Atlantic Avenue. Both of these roadway sections are failures based on the future conditions without the proposed development application. No roadway failures are a result of the proposed future land use change. The section of Atlantic Avenue from Hagen Ranch Road to Jog Road is projected to only be over capacity by 7% with the inclusion of the Park West development in Year 2045. When traffic volumes are only marginally over the generalized LOS thresholds, additional intersection improvements can typically provide the needed traffic capacity mitigation. Additionally, Palm Beach County Traffic utilizes older FDOT LOS thresholds. If the current FDOT LOS thresholds were utilized for Atlantic Avenue which is a State Road, the roadway would meet the Policy 3.5d requirements. The section of State Road 7 from Flavor Pict Road to Atlantic Avenue that is failing assumes no widening beyond 4 lanes between current time and Year 2045. However, the Atlantic Avenue widening improvements scheduled to commence this year will include additional northbound and southbound through lanes (3

	<p>in each direction) at the intersection of Atlantic Avenue and State Road 7. These intersection improvements will greatly improve capacity of State Road 7 as signalized intersections provide the critical capacity constraints. There are also no traffic signals on State Road 7 between Atlantic Avenue and Boynton Beach Boulevard. This roadway section is typically referred to as an uninterrupted flow roadway facility which has a much higher Level of Service volume threshold. Unfortunately, the 3.5d Long Range Transportation Analysis does not differentiate roadway classifications and the higher LOS volume threshold is unable to be used. From a practical standpoint, the roadway will function substantially better than indicated due to the uninterrupted flow and scheduled intersection improvements. Finally, the Park West project adds less than 1% of the anticipated future trips to this roadway which can be considered a minor impact.</p> <p>By adding more housing options and services to the Agricultural Reserve Tier, travel distance and time is reduced for residents, customers, and employees. 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. Mixed-use development is a well-known planning tool that brings residents and their services together, thus creating a sustainable development pattern. Travel time reduction also benefits the environment as it reduces carbon dioxide gas emissions.</p>
Consistency	<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: 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. Additionally, the increase in residential units will create a need for additional services in the area. A need for a hotel has existed in the area according to several residents. By adding more housing options and services to the Agricultural Reserve Tier, travel distance and time is reduced as many people travel outside of the Tier. 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 commercial mixed use 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 travel times are reduced.</i></p> <p>Policy 1.5-v: "Industrial. The County shall foster employment opportunities in the Agricultural Reserve Tier by allowing light industrial uses as appropriate locations to provide a balance of land uses for current and new residents of the Tier. All new future land use amendments requesting industrial type uses in the Agricultural Reserve Tier shall meet the following requirements:...</p> <p>5. Preserve shall be required for Commerce sites utilizing Light Industrial, Multiple Use Planned Development, or Planned Industrial Park zoning pursuant to FLUE Policy 1.5.1-q and subject to the following:</p> <p>a. The preserve area requirements shall be based upon the acreage over 16 acres, shall be a minimum of 40% of the total land area over 16 acres, and allow water management tracts in preserve areas contiguous to the development area that</p>

	<p>provide enhanced environmental features and improved water quality as demonstrated through the future land use amendment process.”</p> <p><i><u>Response:</u> The proposed text language is utilizing the same preserve requirement for Commerce as Commerce is a part of the proposed MUC-MLU. The 16 acre exemption also applies to Commercial projects, which is also a land use included within the proposed MUC-MLU.</i></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><u>Response:</u> The proposed text language still will allow for the development of an additional mixed use project with additional housing options and more services within the Ag Reserve while still requiring a preservation set aside similar to other planned developments in the AGR Tier.</i></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><u>Response:</u> 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 Starkey Road and Persimmon Road which will contribute to better access to all area properties with existing development approvals and future development projects.</i></p> <p>Objective 4.4 Mixed and Multiple Use Development. Palm Beach County shall encourage the development of a variety of innovative types of mixed uses and multiple use projects.</p> <p><i><u>Response:</u> The proposed text amendment will allow for an innovative mixed use development at the important southwestern transportation node of Atlantic Avenue and the Florida Turnpike. The proposed text amendment will allow for the development of a viable, sustainable, mixed use development project that provides for residential and non-residential uses and ultimately allows for residents of the project to walk or bike to neighbor commercial retail and restaurants. Additionally, locating workforce housing opportunities within the project will ensure that the current and future need for workforce housing within the Tier is met.</i></p> <p>Policy 4.4-1: The County shall encourage and promote sustainable development by establishing mixed use and multiple use future land use designations and planned development districts.</p> <p><i><u>Response:</u> As previously discussed, mixed use development is a sustainable development pattern where land is used efficiently and clustered into a compact area. Common use of infrastructure (roads, water, sewer, etc.) helps multiple use properties use land efficiently, taking advantage of the resources already available in a community and preventing further urban sprawl. By integrating residential and commercial spaces</i></p>
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into one compact area, residents are afforded the convenience of having essential services, job opportunities, and recreational amenities just a few steps away. This reduces commuting time, encourages walking, cycling, and consequently, decreases traffic congestion and emissions.

Policy 4.4.7-a: The purpose of a Multiple Use Planned Development (MUPD) is to provide for the efficient use of land by the integration of multiple uses, or large single uses, within a unified development in order to provide opportunities for enlightened and imaginative approaches to community planning and site design. Buffering between the different uses within an MUPD may be reduced or eliminated to foster interconnectivity between the uses.

Response: *Efficient use of land includes higher densities and intensities integrated into one compact project. Typical mixed use projects often are developed with densities between 15 and 18 units per acre. This density is necessary to ensure that the rest of the project is viable and ultimately supports the surrounding community. The existing Delray Marketplace and Canyon Town Center have struggled since their original development as the residential units needed to support those two projects did not exist. Both of those projects have slowly become more viable as more residential is added to the Agriculture Reserve, however both projects still have vacancies. If those projects were permitted to have higher density residential incorporated into the projects, they most likely would have been more successful in the early days of their development.*

County Goals.

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.

Response: *Allowing additional housing opportunities and services within the Agricultural Reserve will encourage balanced growth. The proposed location of the mixed use project at the node of Atlantic Avenue and Florida Turnpike is logical as the lands east of the Turnpike are completely developed. Accommodating this type of use at the existing node also discourages urban sprawl by keeping the intensity near the transportation corridors.*

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 housing options and services to be developed to support the increasing amount of residential development. However, few opportunities to accommodate more housing and services for those working in the service, education, and healthcare industries have been provided.

County Directions

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.

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.*

	<p><i>Incorporating various housing types and more services ensures that those who work in the service, education, and healthcare industries are able to live close to their employment. Additionally, by providing additional restaurants, retail establishments and a hotel ensure that fewer people have to leave the Tier in order to obtain varied consumer products and services that are demanded.</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><u>Response:</u> Until recently, multi-family was only approved within the two approved TMDs. Now with the creation of the Essential Housing Future Land Use category, the opportunities to create a sustainable Tier have been increased. The proposed text amendment changes will further a sustainable development pattern by creating an additional mixed-use development option. The proposed project will provide additional housing options and services within the AGR Tier that were originally contemplated but were never able to be developed. The proposed project location at the previously identified Economic Development Center location of the Turnpike and Atlantic Avenue will ensure the intent of the AgR Master Plan is realized.</i></p>
Text Changes	<p>Policy 1.5-h: Residential uses shall be permitted within the Agricultural Reserve Tier 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:</p> <ol style="list-style-type: none"> 1. Within the Agricultural Reserve future land use designation with Agricultural Reserve zoning, the maximum density is 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. <ol style="list-style-type: none"> a. Agricultural Reserve future land use designation with AgR-PUD zoning, the maximum density is up to one dwelling unit per acre; b. Commercial Low future land use designation with an underlying AGR FLU and TMD or MUPD zoning, the maximum density is up to one dwelling unit per acre; c. Multiple Land Use future land use designation with MUPD zoning, the underlying future land use designation pursuant to Policy 1.5.1-s and <u>Policy 1.5.1-v</u>; and d. <u>Essential Housing</u> future land use designation with 60/40 AgR-PUD, MUPD or TMD zoning, the maximum density is 8 units per acre. <p>Policy 1.5-k: Commercial and mixed uses in the Agricultural Reserve Tier shall be located central to the Tier <u>or at the intersection of the Florida's Turnpike and Atlantic Avenue</u> and-designed at a neighborhood or community scale in order to be limited to</p>

serving the needs of the farmworker community, existing residents, and future residents the Tier.

Policy 1.5-m: In order to facilitate community growth, reduce traffic, and maintain open space, the County shall limit the locations of new commercial and mixed use future land use designations within the Agricultural Reserve Tier to within ~~two~~ three commercial-mixed use centers. These centers are ~~central to the Tier and~~ intended to combine neighborhood shops, community commercial, offices, civic institutions, and housing opportunities. The ~~two~~ three commercial-mixed use centers define the areas within ¼ mile of the intersection of Lyons Road and Boynton Beach Boulevard, ~~and the intersection of Lyons Road and Atlantic Avenue, and the intersection of the Florida's Turnpike and Atlantic Avenue.~~ In addition, the pre-existing commercial properties identified in Policy 1-5-i are allowed, and the County may consider future lands use amendments for sites that share a common property line with pre-existing commercial properties identified in Policy 1.5-i to square off those location.

Policy 1.5-n: The County shall ensure a sustainable development pattern is achieved in the Agricultural Reserve by allowing commercial uses while ensuring that the supply of commercial square footage does not exceed the demand of the farm workers and residents of the Tier. The County may approve a maximum of 1,015,000 square feet of commercial uses (retail, service, and office) within the Tier. Self-storage uses and office uses allowed within the Commerce future land use designation are not subject to the commercial cap. The Mixed-Use Center MLU specified in Policy 1.5.1.v shall be exempt from this square footage cap.

Policy 1.5.1-d: Agricultural Reserve Planned Development shall be subject to the following minimum preserve area requirements:

1. 80/20 AgR-PUD, 75 percent of the total land area;
2. 60/40 AgR-PUD, 60 percent of the total land area; ~~and~~
3. TMD or MUPD, 60 percent of the total land area pursuant to Policy 1.5.1-s and 1.5.1-q; ~~and~~
4. MUPD, 40 percent of the total land area pursuant to Policy 1.5.1-v.

Mixed-Use Center (MUC) MLU Option

Policy 1.5.1-v: The Mixed-Use Center (MUC) MLU Option is intended to provide for a sustainable development that will meet the needs of the existing and future community to ensure that the Agricultural Reserve is livable and supportive of economic, social and ecological resilience in the face of a changing natural environment. The County shall foster the provision of mixed uses including workforce housing in the Agricultural Reserve Tier by allowing densities greater than one unit per acre for planned developments with the Multiple Land Use future land use designation (FLUE 4.4.2-a). This option is subject to the following:

1. **Location.** The Development Area is limited to sites with frontage on Atlantic Avenue east of Starkey Road/Persimmon Road, and within one quarter (1/4) mile of Florida's Turnpike.
2. **Acreage.** The total land area, consisting of the Development area and Preserve area, shall be a minimum of 60 acres.
3. **Preserve.** Notwithstanding the requirements of Policy 1.5.1-q, the following regulations shall apply to preservation areas of the MUC:
 - a. The Preserve Area shall consist of at least 40 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map.
 - b. The preserve area of an MUC shall be subject to an agricultural conservation easement in favor of Palm Beach County or deeded to the County.

- c. Community vegetable gardens, as defined in the Unified Land Development Code, shall be permitted in the preserve area.
- d. The preserve area requirements shall be based upon the acreage over 16 acres, shall be a minimum of 40% of the total land area over 16 acres, and allow water management tracts in preserve areas contiguous to the development area that provide enhanced environmental features and improved water quality as demonstrated through the future land use amendment process.
- e. Preserve areas shall be provided on-site. The exchange of preserve areas shall be prohibited.
- 4. **Density.** A maximum density is allowed up to 10.8 units per acre for the total land area.
- 5. **Workforce Housing.** A minimum of 25 percent of the total units are required to be built on-site as workforce housing units for household incomes from 60 to 140% of area median income.
- 6. **Sustainable Design.** In addition to Ag Reserve Design Elements as detailed in Policy 1.5.1-r, elements of a Mixed-Use Center shall be incorporated as conditions of approval and shall include, but not be limited to, block structures, pedestrian and vehicular connectivity within the site, structured parking, and public, usable open spaces. Design shall be compact, connected, and walkable to ensure ease of access to goods, services, and amenities. Vertical integration shall be encouraged, and design shall foster accessibility to and integration of open space, green space and recreation activities. Sustainable materials shall be used when possible, including green walls, green infrastructure, electric vehicle charging stations, and energy efficient systems that reduce carbon footprints.
- 7. **Uses.** The Mixed-Use Center shall consist of a mix of uses, of which one must be residential. Additional uses may include commercial retail, personal service, office, hotel, and light industrial.

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

- 1) Results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c), and d): ...

...This policy shall not be applicable to an Agricultural Enclave adopted pursuant to Policy 2.2.5-d. This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Western Communities Residential Overlay. This policy shall not be applicable to the areas designated as Multiple Land Use (MLU) on the southwest corner of Glades Road and 95th Avenue South, Boca Raton, as amended by FLUA Amendment Johns Glades West (LGA 2017-003) Ord. 2017-14. This policy shall not be applicable to the area designated as a Mixed-Use Center MLU, as amended by FLUA Amendment Park West (LGA 2023-xx).

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

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve ³	Glades RSA ¹
Rural Residential	RR-20	---	X	X	---	---
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
Western Communities Residential	WCR	---	---	X	---	---
Urban Residential	LR, MR, HR	X	---	---	---	---
Agriculture	AP	---	---	---	---	X
	SA	X	X	X	X	---
	AgR	---	---	---	X	---
	Ag Enclave	---	---	X	---	---
Commercial Low	CL-O	X	X	X	X	---
	CL	X	X	X	X	---
Commercial High	CH-O	X	---	---	---	---
	CH	X	---	---	---	---
Industrial	IND	X	---	---	X	---
	EDC	X	---	---	---	---
Commercial Recreation		X	---	X	X	X
Parks & Recreation		X	X	X	X	X
Conservation		X	X	X	X	X
Institutional & Public Facilities		X	X	X	X	---
Spoil		X	---	---	---	X
Transportation & Utilities		X	X	X	X	X
Traditional Town Development & Multiple Land Use		X	---	---	---	---

- 1) Within the rural towns of Lake Harbor and Canal Point, the following additional future land use designations shall be allowed: Residential from RR-2.5 through MR-5; CL; CL-O; IND; EDC; and INST.
- 2) Within the Glades Area Protection Overlay, 138.21 acres of EDC future land use designation is allowed
- 3) Within the Agricultural Reserve Tier, residential future land use designations are allowed as an underlying density within the Essential Housing Residential MLU Option pursuant to Policy 1.5.1-s and the Mixed-use Center MLU Option pursuant to Policy 1.5.1-v.
- 4) Within the Trotting Center Overlay, the LR-2 future land use designation is allowed for sites that meet Objective 1.4.1 and criteria in Policy 1.4.1-b.

<p>ULDC Changes</p>	<p>Allow Hotel within Multiple Use Planned Development (MUPD) Zoning designation with a Commercial Low (CL) Future Land Use designation. Amendment to Table 4.B.2.A reflecting Hotel as Class A conditional use.</p> <p>Art 4.B.2.C.</p> <p>17. Hotel or Motel</p> <p>a. Definition An establishment typically licensed by the State of Florida, used, maintained, or advertised as a place where furnished sleeping accommodations are supplied to the guest for a short period of time.</p> <p>b. Approval Process 1) TMD District – U/S Tier The use may be Permitted by Right when located in the CH FLU designation. [Ord. 2020-020] 2) MUPD District- AGR Tier <u>Subject to Class A Conditional Use approval when located in the CL FLU designation</u></p> <p>c. Zoning District – PO District 1) An existing Hotel located in the PO district shall be considered a conforming use. 2) Collocated Hotel</p> <p>a) Approval Process – PARK FLU A Hotel may be allowed as a collocated use to a PBC Regional Park with a PARK FLU, subject to Class A Conditional Use approval.</p> <p>b) Park Resource Base The Regional Park shall include a resource base which promotes heritage tourism, ecotourism, or is otherwise planned to attract patrons from a Countywide or greater population for historical, cultural, scientific, educational, or other similar purposes. Such resource base shall be operational prior to approval of a Hotel, or approved and permitted concurrently with a Hotel.</p> <p>c) Conceptual Master Plan A Hotel shall be a component of a Conceptual Master Plan or equivalent that is approved by the Board of County Commissioners.</p> <p>d) Frontage and Access The Regional Park in which a Hotel is located shall have frontage on an Arterial or Collector Street(s). Vehicular access to a Hotel shall be prohibited from any Residential Street abutting the park, unless approved by the BCC as part of the Conditional Use approval for the Hotel.</p> <p>e) Site Plan – Affected Area When a Site Plan is not required for the overall park site, the required Site Plan for the Hotel shall regulate only the development area for the Hotel and access related thereto.</p> <p>d. Accessory Services Hotels and Motels may provide services and facilities, such as food and beverage, recreational, meeting, or conference rooms, ballrooms, and laundry.</p> <p>e. Commercial Pod of a PUD</p> <p>1) Approval Process A Hotel or Motel may be allowed in a Commercial Pod of a PUD subject to a Class A Conditional Use approval and the following requirements: [Ord. 2021-039] a) Compliance with Art. 3.E.2.E.2, Commercial Pod; and [Ord. 2021-039] b) The Hotel or Motel shall be subject to the following location criteria: [Ord. 2021-039] (1) Shall be located abutting a Recreation Pod with a Golf Course; and [Ord. 2021-039] (2) Shall be located within a 1,000-foot radius of a Golf Course clubhouse facility, and pedestrian access shall be provided to connect these uses. [Ord. 2021-039]</p>
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