

ORDINANCE NO. 2018 - 031

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2  
3 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
4 PALM BEACH COUNTY, FLORIDA AMENDING THE 1989  
5 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS  
6 AMENDED; AMENDING THE FUTURE LAND USE ELEMENT (TO REVISE  
7 POLICIES RELATED TO **RESIDENTIAL FUTURE LAND USE**  
8 **DESIGNATIONS** AND RURAL RESIDENTIAL NEIGHBORHOODS); AND  
9 AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL  
10 OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING  
11 FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING  
12 FOR AN EFFECTIVE DATE.  
13

14 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners  
15 adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

16 **WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989  
17 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

18 **WHEREAS**, Section 163.3184(2)(a), Florida Statutes, provides that comprehensive plan  
19 amendments shall follow the expedited state review process except as set forth in Section  
20 163.3184(2)(b) and (c), Florida Statutes; and

21 **WHEREAS**, the Palm Beach County Board of County Commissioners have initiated  
22 amendments to several elements of the Comprehensive Plan in order to promote the health, safety  
23 and welfare of the public of Palm Beach County; and

24 **WHEREAS**, the proposed amendments meet the requirements of Section 163.3184(3)(a),  
25 Florida Statutes, to be processed through the expedited state review process, and are being  
26 processed through the expedited state review process; and

27 **WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearings  
28 on July 13, 2018 to review the proposed amendments to the Palm Beach County Comprehensive  
29 Plan and made recommendations regarding the proposed amendments to the Palm Beach County  
30 Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

31 **WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body  
32 of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes,  
33 on July 23, 2018 to review the recommendations of the Local Planning Agency, whereupon the  
34 Board of County Commissioners authorized transmittal of proposed amendments to the state land  
35 planning agency and review agencies pursuant to Chapter 163, Part II, Florida Statutes; and

36 **WHEREAS**, Palm Beach County received a letter from the state land planning agency dated  
37 August 31, 2018 stating that the agency had identified no comments related to important state  
38 resources and facilities within the Agency's authorized scope of review that will be adversely  
39 impacted by the amendment contained in this ordinance if adopted; and  
40

1           **WHEREAS**, on October 31, 2018 the Palm Beach County Board of County Commissioners  
2 held a public hearing to consider adoption of the amendments; and

3           **WHEREAS**, the Palm Beach County Board of County Commissioners has determined that  
4 the amendments comply with the requirements of the Community Planning Act.

5           **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS**  
6 **OF PALM BEACH COUNTY, FLORIDA, that:**

7           **Part I. Amendments to the 1989 Comprehensive Plan**

8           Amendments to the 1989 Comprehensive Plan are hereby adopted and attached to this  
9 Ordinance is Exhibit 1:

10 **A. Future Land Use Element**, to revise policies and provisions related to the rural  
11 residential future land use designations;

12           **Part II. Repeal of Laws in Conflict**

13           All local laws and ordinances applying to the unincorporated area of Palm Beach County in  
14 conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

15           **Part III. Severability**

16           If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any  
17 reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the  
18 remainder of this Ordinance.

19 Part IV. Inclusion in the 1989 Comprehensive Plan

20           **Part IV. Inclusion in the 1989 Comprehensive Plan**

21           The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach  
22 County Comprehensive Plan. The Sections of the Ordinance may be renumbered or re-lettered to  
23 accomplish such, and the word "ordinance" may be changed to "section," "article," or any other  
24 appropriate word.

25           **Part V. Effective Date**

26           The effective date of this plan amendment, if the amendment is not timely challenged, shall  
27 be 31 days after the state land planning agency notifies the County that the plan amendment  
28 package is complete. If timely challenged, this amendment shall become effective on the date the  
29 state land planning agency or the Administration Commission enters a final order determining this  
30 adopted amendment to be in compliance. No development orders, development permits, or land  
31 uses dependent on this amendment may be issued or commence before it has become effective. If  
32 a final order of noncompliance is issued by the Administration Commission, this amendment may  
33 nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of  
34 which resolution shall be sent to the state land planning agency.



## EXHIBIT 1

**A. Future Land Use Element, Rural Residential Enclaves**

**REVISIONS:** To make changes to policies and provisions related to rural residential future land use designations. The added text is underlined, and the deleted text ~~struck out~~.

1. **REVISE Policy 2.2.1-p: Rural Enclaves in Urban Service Area Application of Rural Standards.** The County recognizes that there are long established rural residential enclave communities and homesteads in locations within the Urban Suburban Tier that have Low Residential future land use designation. The County supports the continuation of these rural areas in order to encourage a high quality of life and lifestyle choices for County residents. In addition, within these areas In the Urban/Suburban Tier, the County may apply the ULDC standards for rural residential development as follows:
  1. in low density areas in Urban Residential future land use categories;
  2. on parcels presently used for agricultural purposes; or
  3. on parcels with a Special Agricultural future land use category.
2. **NEW Policy 2.2.1-w:** The County shall adopt specific overlays in the Comprehensive Plan and/or Unified Land Development Code to protect the character of individual rural enclaves identified through the neighborhood planning process.
3. **REVISE**

**Table 2.2.1-j.1  
Residential Future Land Use - Zoning Consistency<sup>1</sup>**

Future Land Use Designation	Consistent Zoning	
	Zoning District	Planned Development
Agricultural Reserve	AGR	AGR-PUD
Rural Residential	AR <sup>4</sup> , RE <sup>5</sup>	RR-PUD, MHPD, RVPD
Western Communities Residential	AR	PUD
Low Residential	<u>AR<sup>4</sup></u> , RE, RT, RTS, RS <sup>4</sup>	PUD, TND, MHPD
Medium Residential	<u>AR<sup>4</sup></u> , RE, RT, RS, RTU, RM/RH <sup>2</sup>	PUD, TND, MHPD
High Residential	<u>AR<sup>4</sup></u> , RE, RT, RS, RM, RH	PUD, TND, MHPD
Congregate Living Residential <sup>3</sup>	RM	PUD, <del>TND, TMD, MUPD,</del> MXP <sup>3</sup>

**Notes:**

1. The RTS, RTU, and RH zoning districts and the Special Exception for a PUD have been discontinued. Properties with these districts shall not be required to rezone and shall utilize the property development regulations of their equivalent districts which are as follows: RTS equals RT; RTU equals RS; RH equals RM, Special Exception for a PUD equals a PUD.
2. The RM District is consistent with the MR-5 designation only for those areas properties that were zoned RM or RH prior to the Plan's August 31, 1989 adoption or are 3+ acres utilizing the Transfer of Development Rights and/or Workforce Housing Program.
3. The CLR designation is consistent with the TND, TMD, MUPD and MXPD when applied as an underlying designation for a mixed or multiple use project. Residential uses in CLR with RM or PUD zoning is limited to congregate living facilities. Such planned developments shall utilize the ULDC property development regulations for Institutional and Public Facilities future land use MUPD and the uses allowed shall be those allowed by the RM-zoning district.
4. A lot with AR that was legally subdivided shall be considered a conforming lot. Properties with AR zoning with a residential future land use designation in the Urban Suburban Tier are not required to rezone when subdividing for a residential use provided that the newly subdivided density is a maximum of 1 unit per acre, or when developing a non-residential use that is allowed in AR.
5. The RE zoning district is consistent with RR-5, RR-10, and RR-20 only for parcels which held RE prior to the adoption of the 1989 Plan.

**B. Future Land Use Element, Rural Residential Protection and Agriculture**

**REVISIONS:** To make changes to policies and provisions related to rural residential future land use designations. The added text is underlined, and the deleted text ~~struck out~~.

**1. REVISE Policy 2.2.1-m: Non-Residential Uses Allowed in Residential Future Land Use Designations.** Limited non-residential uses are allowed in residential future land use designations through the associated zoning districts as identified in the Unified Land Development Code. Non-residential uses are limited to those that serve the residential area, and may be further limited through the development review process to ensure that the individual projects are appropriate in size, scale, and character with the surrounding residential area. The following land uses may be permitted within areas designated Residential on the Future Land Use Atlas (FLUA), but are further restricted by the Unified Land Development Code (ULDC).

1. Park and Recreation uses designed to serve the residential area;
2. Institutional uses designed to serve the residential area such as schools, child care facilities and adult day care facilities, houses of worship, governmental administration, law enforcement substations, fire protection facilities, libraries, civic centers, community service centers and similar uses. Some uses may be appropriate in residential areas if limited, such as: nursing homes subject to special criteria;
3. Utility and communication facilities designed to serve the residential area and subject to special criteria;
4. Limited commercial uses within a Planned Development District designed for the convenience of the residents;
5. Agricultural uses compatible with the residential area pursuant to Policy 2.2.1-y. ~~In the Rural land use categories, limited agricultural uses are expected to co-exist with residential uses, while in the Urban land use categories, agricultural uses are expected to convert to other uses consistent with the Plan when those agricultural uses are no longer economically viable. Agricultural uses permitted by the Residential land use category must be compatible with the protection of the lifestyle and quality of life of the residents;~~ and,
6. Limited excavation operations.

**2. New Policy 2.2.1-v: Agricultural Uses in Residential Future Land Use Designations in the Rural and Exurban Tiers.** Limited Agricultural uses are expected to co-exist with residential uses. Agricultural uses allowed in the residential future land use designations must be compatible with the protection of the lifestyle and quality of life of the residents. ~~Additionally, the County encourages the continuation and enhancement of the equestrian industry by acknowledging the keeping, raising and training of horses as an agricultural use and shall allow a wide range of related activities and accessory uses in appropriate locations throughout Palm Beach County. [relocated from FLUA regulation section]~~ In addition, the County supports home based and sustainable agriculture by allowing agriculture on residential properties. The ULDC shall be revised to allow horses, poultry, and livestock in residential future land use designations in any Tier subject to regulations based upon parcel attributes rather than the parcel's Tier.

**3. Policy 2.2.1-n: Non-Residential Uses Criteria.** In areas with a Residential future land use designation, the County may allow non-residential uses allowed in the Parks and Recreation, Institutional and Public Facilities, or Utilities and Transportation future land use designations. Non-residential uses permitted in residential areas shall only be allowed if they meet the criteria below. The ULDC adopted pursuant to this Comprehensive Plan shall ensure that non-residential uses allowed by residential zoning districts shall satisfy the Goals, Objectives and Policies of the Comprehensive Plan. All decisions of the Board of County Commissioners that implement the provisions of the ULDC which allow a non-residential use in a residential area must be based on a determination that:

1. The residential neighborhood is protected from the undesirable impacts of non-residential uses and adjacent and surrounding development;
2. The non-residential use is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan;

3. The non-residential use satisfies any special siting criteria adopted by the Board of County Commissioners; and,
4. The density or intensity is comparable to and compatible with the density of the residential development within areas designated Residential on the FLUA.
5. More intense non-residential uses may be allowed in residential zoning districts along major thoroughfares and roadways that are not residential streets.
6. Conditions of approval are included, if necessary, to ensure compatibility with surrounding residences. ~~Agricultural uses shall be allowed, subject to conditions of approval. These conditions may include but are not limited to: compatibility analysis; controlling objectionable odors; fencing; sound limitations; inspections; reporting or monitoring; preservation areas; mitigation; and, such other conditions of operation or other limitations found in the ULDC. Conditions would be imposed concurrent with development approval either as a conditional use, a site plan, or any other process identified in the ULDC. Failure to meet these standards and conditions shall subject the agricultural use to the enforcement procedures in Article 10 of the ULDC.~~ [Relocated from FLUA regulation section]

**4. DELETE Language from FLUA Regulation Section**

~~**Land Development Regulations in the Urban Service Area-Urban/Suburban Tier.** The County may apply the ULDC standards for rural residential areas in the Urban/Suburban Tier in low density areas in the Residential future land use designations which are used for agricultural purposes, or on parcels with a Special Agricultural (SA) land use category.~~

~~Areas within the Urban Service Area/Suburban Tier may be suitable for agricultural use throughout the implementation period of the Plan. It is not the intent of the Plan to encourage premature urbanization of these areas; however, agricultural uses are expected to convert to other uses consistent with the Plan when those agricultural uses are no longer economically viable. Agricultural uses permitted in the residential land use designation must be compatible with the protection of the residential lifestyle and quality of life.~~

~~The County may permit agricultural land uses and operations in the Urban Service Area /Suburban Tier to support the agricultural industry, provided such land uses and operations are compatible with adjacent and surrounding land uses. existing agricultural use within the Urban Service Area /Suburban Tier shall be considered to be a conforming use. Any expansion of existing agricultural uses, and any new agricultural uses, shall be consistent with all applicable requirements in the ULDC.~~



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

November 8, 2018

Honorable Sharon R. Bock  
Clerk and Comptroller  
Palm Beach County  
301 North Olive Avenue  
West Palm Beach, Florida 33401

Attention: Mr. Timothy Montiglio

Dear Ms. Bock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2018-031, which was filed in this office on November 7, 2018.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb



## COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 18-D

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FINAL REPORT, OCTOBER 31, 2018

### I. General Data

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**Project Name:** Residential Future Land Uses

**Element:** Future Land Use Element

**Project Manager:** Lisa Amara, Principal Planner

**Staff Recommendation:** Staff recommends *approval* based on the findings and conclusions presented in this report.

### II. Item Summary

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**Summary:** This proposed amendment would revise the Future Land Use Element (FLUE) to modify provisions for the Residential Future Land Use designations as follows:

- Recognize that there are Rural Residential areas within the Urban Suburban Tier that provide a valuable contribution to the housing diversity and lifestyle choices in the County.
- Establish that Agricultural Residential zoning is consistent with the residential future land use designations in the County, and allow Low Residential future land use designations to subdivide without rezoning.
- Recognize and support agricultural operations within residential future land use designations, including supporting the agriculture and keeping of livestock.
- Provide additional specificity on the types of non-residential uses allowed in residential land use designations to ensure protection of residential neighborhoods.
- Allow Residential Multifamily Zoning on parcels with Medium Residential, 5 units per acre, future land use for properties using the Transfer of Development Rights or Workforce Housing Programs.

**Assessment:** This amendment is a follow up to the Residential FLU designations amendment adopted in Round 15-2 to continue to address identified issues on residential properties within the Urban Suburban Tier. This amendment will support the preservation of rural communities within the Tier while fostering agriculture. The amendment responds to Board discussion on protecting rural communities from the impacts of non-residential uses in neighborhoods in any Tier, and corresponds with ULDC home based business amendments currently underway. The proposed language is presented for policy direction by the Board to proceed with amendments to the ULDC.

### III. Hearing History

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**Local Planning Agency: *Approval***, motion by Barbara Roth, seconded by Neil Merin, passed in a 9-0 vote at the July 13<sup>th</sup> public hearing. There was minimal discussion. One member of the public spoke in support of the amendment and the continued effort to develop and strengthen the concept further through associated ULDC amendments.

**Board of County Commissioners Transmittal Public Hearing: *Transmit***, motion by Comm. Burdick, seconded by Comm. Kerner, passed in a 7 to 0 vote at the July 23<sup>rd</sup> public hearing. The motion included direction to staff to continue working with residents in rural enclaves to return with stronger language at the adoption hearing, similar to the language presented by the Pioneer Road neighborhood at the meeting (see Exhibit 3). Board discussion included support for rural neighborhoods. Ten members of the public, primarily from the Pioneer Road neighborhood, spoke in support of the amendment and the need to protect their rural way of life and requesting stronger language be considered. A packet of petitions in support was submitted to the clerk.

**State Review Agencies:** The State Land Planning Agency issued a letter dated August 31, 2018 stating the Agency *“identified no comment related to important state resources and facilities within the Department’s authorized scope of review that would be adversely impacted by the amendment if adopted.”* There were no other state agency comments received regarding this amendment.

**Subsequent to Transmittal:** Following Transmittal, staff continued discussions with representatives from the Pioneer Road Neighborhood Plan regarding the concept for adopting specific overlays pursuant to Board direction. Staff has modified the proposed policy to stand alone and allow both a Comprehensive Plan or ULDC overlay. In addition, some corrections were made to other language following discussions with the Zoning Division regarding associated ULDC changes. Changes are shown in double underline, double strike out.

**Board of County Commissioners Adoption Public Hearing: *Adopt***, motion by Comm. Berger, seconded by Comm. Burdick, passed in a 7 to 0 vote at the October 31<sup>st</sup> public hearing. There was minimal Board discussion. Five members of the public representing the Pioneer Road Neighborhood Plan spoke in support of the amendment. **Ord. 2018-031**

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## **IV. Intent**

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This proposed amendment would revise the Future Land Use Element (FLUE) to modify provisions for the Residential Future Land Use designations as follows:

- Recognize that there are Rural Residential areas within the Urban Suburban Tier that provide a valuable contribution to the housing diversity and lifestyle choices in the County.
- Establish that Agricultural Residential zoning is consistent with the residential future land use designations in the County, and allow Low Residential future land use designations to subdivide without rezoning.
- Recognize and support agricultural operations within residential future land use designations, including supporting the cultivation of agriculture and keeping of livestock.
- Provide additional specificity on the types of non-residential uses allowed in residential land use designations to ensure protection of residential neighborhoods.
- Allow Residential Multifamily Zoning on parcels with Medium Residential, 5 units per acre, future land use for properties using the Transfer of Development Rights or Workforce Housing Programs.

Specific changes are shown in strike out and underline in Exhibit 1. The proposed amendment language is presented for policy direction by the Board in order to proceed with concurrent amendments to the ULDC. The specific policy language proposed may change based upon Board direction and considering the outreach and coordination on the ULDC changes between transmittal and adoption.

## **V. Background**

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This amendment was prompted by the data and analysis in the last Evaluation and Appraisal of the Comprehensive Plan in 2012 which identified that current provisions of the Comprehensive Plan and Unified Land Development Code may not adequately address the development of infill parcels in established residential communities. These current policies and regulations were drafted in the 1980s when there were vast tracts of residential land available for development within the Urban Suburban Tier. However, the current amount of developable land consists of small scattered parcels, generally less than 5 acres in size. This amendment will reflect the current characteristics of undeveloped residential land within the unincorporated Urban Suburban Tier and modify regulations in order to promote infill development at densities consistent with the surrounding land use pattern.

## **VI. Data and Analysis Summary**

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This section provides data and analysis, including an examination of consistency with the Comprehensive Plan.

### **A. Residential Future Land Uses & Designations in Palm Beach County**

Exhibit 2 provides a detailed data and analysis regarding the existing residential future land use designations and acreages in the County's unincorporated area. The residential future land use designations (excluding the agricultural related designations) are shown in the table below by Tier. The future land use designations allowed vary by Tier. The allowed designations are identified within an X.

## Residential Future Land Use Designations

Future Land Use Designation		Density	Urban / Suburban	Exurban	Rural	Glades Urban
Rural Residential, 1 du/20 ac.	RR-20	0.05	---	X	X	---
Rural Residential, 1 du/10 ac.	RR-10	0.10	---	X	X	---
Rural Residential, 1 du/5 ac.	RR-5	0.20	---	X	---	---
Rural Residential, 1 du/2.5 ac.	RR-2.5	0.40	---	X	---	---
Low Residential, 1 du/ac.	LR-1	1	X	---	---	X
Low Residential, 2 du/ac.	LR-2	2	X	---	---	X
Low Residential, 3 du/ac.	LR-3	3	X	---	---	X
Medium Residential, 5 du/ac.	MR-5	5	X	---	---	X
High Residential, 8 du/ac.	HR-8	8	X	---	---	X
High Residential, 12 du/ac.	HR-12	12	X	---	---	X
High Residential, 18 du/ac.	HR-18	18	X	---	---	X

There are approximately 90,000 Unincorporated County acres within the Urban Suburban Tier apportioned among into 7 future land use designations. The High Residential, 18 units per acre designation is allowed only on parcels with densities greater than 12 units per acre approved prior to the Comprehensive Plan's 1989 adoption. The table below provides the consistency with the total acres by future land use designation within the Urban Suburban and Urban Suburban Glades Tiers. The current consistent combinations are shown **shaded bold**.

### Urban Suburban & Urban Glades Tiers Residential Future Land Use by Zoning District<sup>1</sup>

FLU	Acres	AP	AR	RE	RT	RTS/U	RS	RM	RH	PUD
LR-1	9,607		2,258	<b>3,694</b>	1,366	387	1,130		7	766
LR-2	14,389		1,579	<b>1,108</b>	1,652	295	5,003	299	91	4,361
LR-3	18,699	1,968	2,516	<b>431</b>	1,683	4,855	4,304	694	20	2,226
MR-5	20,602	1,913	1,274	<b>57</b>	22	409	9,202	2,754 <sup>2</sup>	1,051	3,919
HR-8	19,590	6,430	7,304				1,724	2,142	768	1,221
HR-12	3,590	76	286	<b>6</b>		59	584	1,256	1,265	57
HR-18	1,743	148	-				48	147	1,389	11
	<b>88,219</b>	<b>10,536</b>	<b>15,218</b>	<b>5,296</b>	<b>4,723</b>	<b>6,005</b>	<b>21,995</b>	<b>7,292</b>	<b>4,591</b>	<b>12,561</b>

1. Excludes 1,254 acres of residential future land use with other zoning; eg. Public Ownership, etc.

2. RM is consistent with MR-5 for properties which held this designation in 1989.

Source: PBC Planning Division, UniRes, based upon parcel specific Property Appraiser/Exlu-2014 data

In the Urban Suburban Tier in the eastern portion of the County, there are nearly 12,000 acres of land with an AR zoning district. The acreage with a Special Exception for a Planned Development (SE for PUD) is considered to be a PUD, and therefore consistent with the urban future land use designations. However, the straight zoned AR zoning district acreage is inconsistent with the urban future land use designations. See map in Exhibit 2.

## Urban Suburban Tier Residential Future Land Use Acres with AR Zoning District<sup>1</sup>

FLU	Total Acres	Total AR	AR/ PUD	AR Straight
LR1	9,607	2,258	381	1,877
LR2	14,389	1,579	165	1,414
LR3	16,711	2,516	1,632	856
MR5	18,689	1,274	37	1,224
HR8	9,877	4,168	2,880	1,288
HR12	3,331	160	-	160
HR18	1,463	-	-	-
	<b>74,066</b>	<b>11,955</b>	<b>5,095</b>	<b>6,819</b>

1. Excludes residential future land use with other zoning; eg. Public Ownership, etc.

Source: PBC Planning Division, UniRes, based upon parcel specific Property Appraiser/Exlu-2014 data

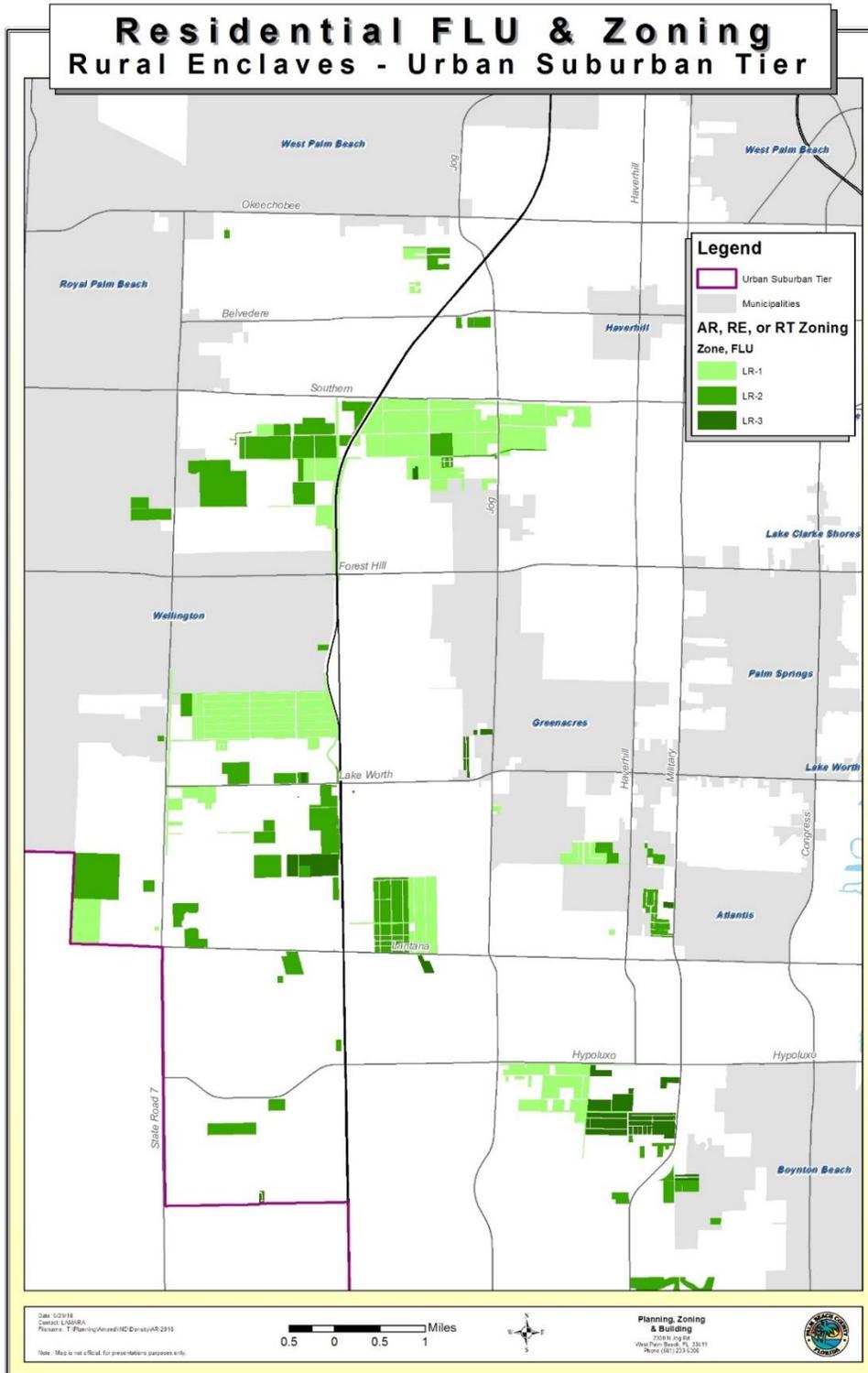
### B. Rural Residential Enclaves in the Urban Suburban Tier

The County's Comprehensive Plan was adopted in 1989. The 1989 Plan continued forward the directives of the 1980 Plan that all of the land within the Urban Service Area should be developed with urban uses, and the land outside should be either undeveloped or used for agriculture, conservation, or rural land uses and densities (1 unit per 10 acres and less). The County rewrote the Unified Land Development Code in 1992 to implement the 1989 Plan, and established that the Agricultural Residential (AR) Zoning district was not consistent with any of the residential future land use designations in the Urban Service Area.

Following the adoption of the 1989 Plan, the 1992 Unified Land Development Code was established to implement the new policies and future land use map. The ULDC established that some of the new future land use designations assigned to properties were no longer consistent with the existing zoning districts on properties. Subsequently, the County adopted County initiated rezoning for all of the land with the Agricultural Productions future land use designation to Agricultural Production Zoning, and the Agricultural Reserve area (with a few exception areas) to Agricultural Reserve Zoning. The County did not pursue County initiated rezonings to rezone any other areas. Rather, the County implemented regulations to require individual property owners seeking new uses or development to apply privately. There remains approximately 15,000 acres of Agricultural Residential (AR) in the Urban Service Area, and approximately 10,000 acres of this land has an inconsistent zoning/future land use combination (the properties with a Special Exception for a planned development are consistent).

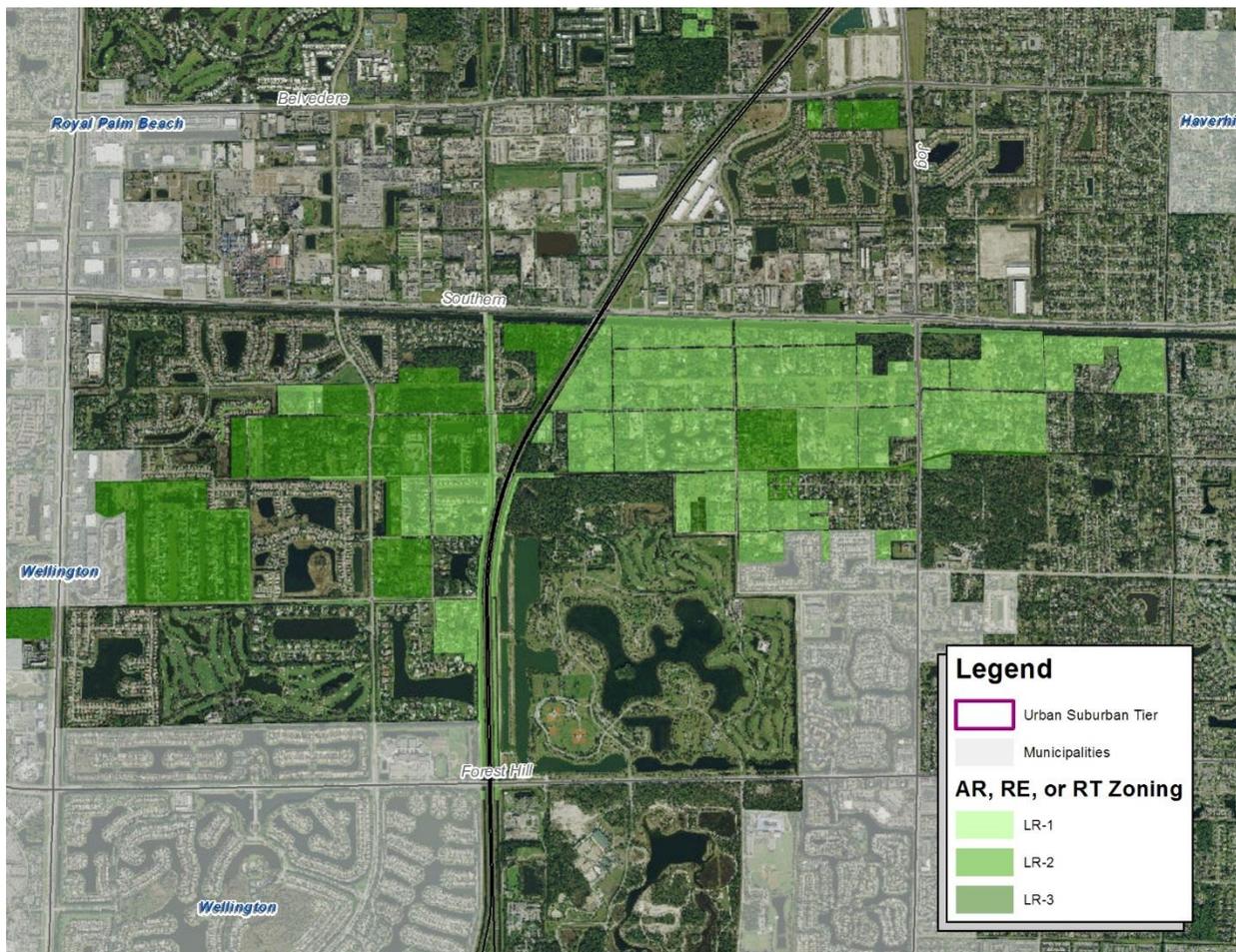
In 1999, the County adopted the Managed Growth Tier System that changed the approach for growth management in the County. The Tier System established policies to recognize each of the various 'tiers' in the County based on their unique attributes, and established that the character of these areas should be preserved in order ensure that the County protects existing neighborhoods, lifestyle diversity, and housing choices. The Tier System recognized the densities of the Acreage and Palm Beach Country Estates by establishing the Exurban Tier, and laid the groundwork for the mixed use projects in the Rural Tier now known as Indian Trail Groves and the City of Westlake. The Tier System promoted infill in the Urban Suburban Tier (Urban Service Area), as further pursued with the Urban Redevelopment Area.

The map on the following page highlights the bulk of the 'rural enclaves' in the Urban Suburban Tier east. These areas have a Low Residential future land use designation, have large lots with an average of one home per acre or greater, and have an Agricultural Residential (AR), Residential Estate (RE) or Residential Transitional (RT) Zoning District. A full map of all of the AR properties in the Urban Suburban Tier is provided in the Exhibits.



The maps below highlight the three areas of the County that can be considered Rural Enclaves. The graphic below highlights the Pioneer Road Neighborhood Planning Area, the Gun Club Road Neighborhood area, and surrounding low density rural neighborhoods located south of Southern Boulevard on either side of the Florida Turnpike. The Pioneer Road area has an average lot size greater than 1 home per 2.5 acres.

### Pioneer Road Area

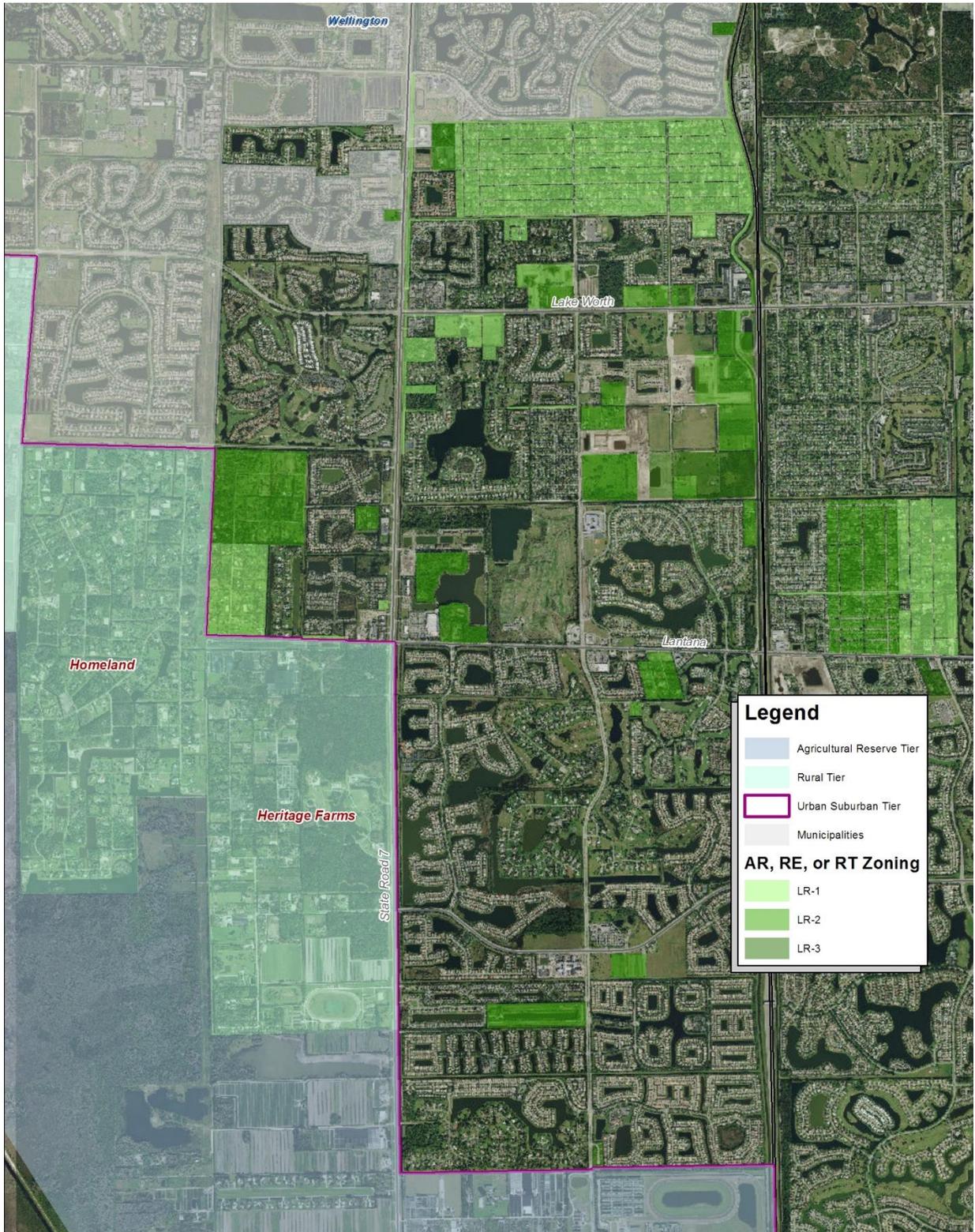


The graphic on the following page highlights the Rural Enclaves in the vicinity of State Road 7, the Florida Turnpike, with the Lantana Road and Lake Worth Road areas. The Lake Worth Road Neighborhood Plan area is currently transitioning from polo fields to planned communities. The Palm Beach Ranchettes neighborhood has an average lot size of 1 home per acre, as does the community west of State Road 7 and north of Lantana Road.

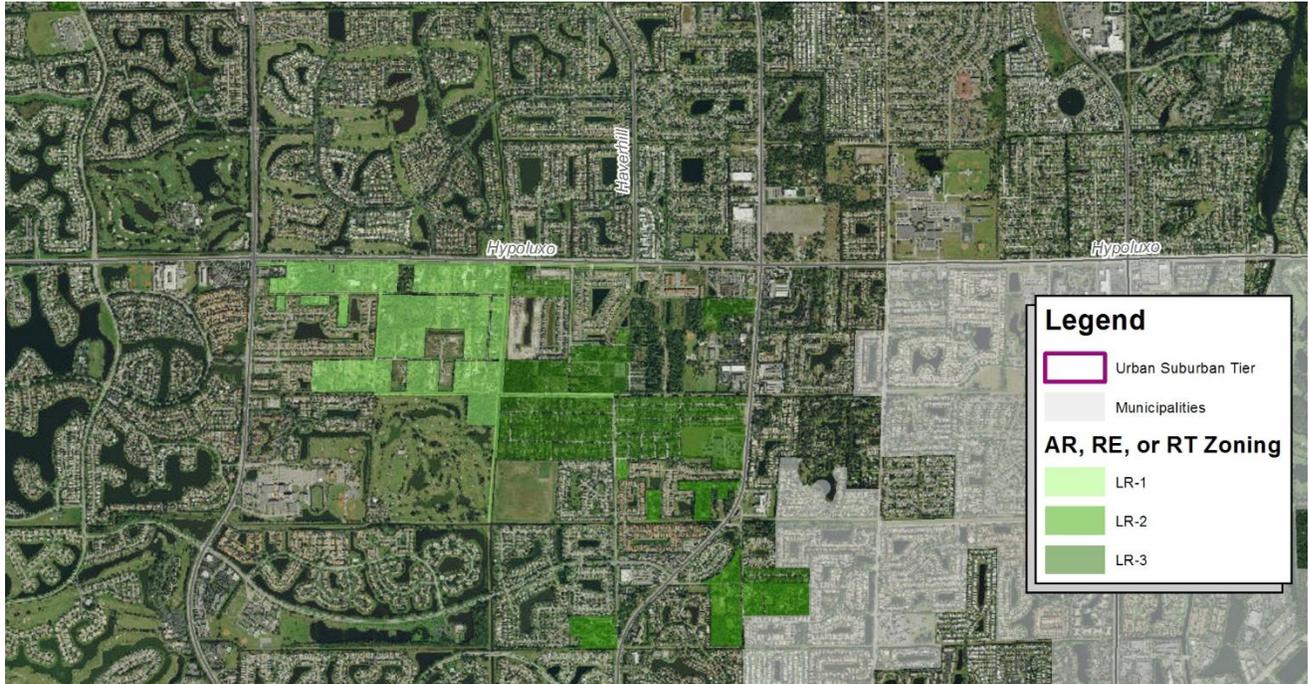
This graphic also highlights the two neighborhoods in the Rural Tier in this part of the County, Homeland and Heritage Farms. As shown, these neighborhoods are located between the Village of Wellington, the Urban Suburban Tier, and the Agricultural Reserve Tier. The Heritage Farms neighborhood has been the subject of much discussion during the course of the review of the Landscape Services ULDC amendments.

The final graphic highlights the communities in the Hypoluxo Road area.

# Lantana Road/SR7 Area



## Hypoluxo Road Area



### B. Proposed Text Amendment

This amendment includes four themes as discussed individually below. The text changes proposed by this amendment are shown in strike out and underline in Exhibit 1 with the supporting analysis for each item presented in Exhibit 2. The following summarizes this amendment by each of the topic areas.

- **Rural Enclaves.** Recognize that there are Rural Residential areas within the Urban Suburban Tier that provide a valuable contribution to the housing diversity and lifestyle choices in the County.
  - Establish that Agricultural Residential zoning is consistent with the residential future land use designations in the County, and allow Residential future land use designations in the Urban Suburban Tier with AR to subdivide without rezoning provided that the maximum density is one unit per acre.
    - **Basis:** It has been nearly 30 years since the 1989 Plan was adopted. The County's Urban Suburban Tier is largely approaching build out of vacant land. Development in the Tier has shifted from low density planned developments large tracts of unbuilt land, to smaller infill projects with higher densities. The Tier System promotes the concept of lifestyle diversity, but did not establish policies to direct growth within the Urban Suburban Tier to specific locations or to protect the rural residential areas within the Urban Suburban Tier. This proposed amendment will establish policy statements to direct growth away from these areas, or towards their edges. Further, this amendment will establish that the AR Zoning district is consistent with the urban residential zoning districts.

- In addition, this proposed amendment will expand upon language regarding non-residential uses within the residential areas to protect the residential character of neighborhoods in any Tier (including the Rural Tier and Heritage Farms).
  - **Urban Agriculture.** Recognize and support agricultural operations within residential future land use designations, including supporting the cultivation of agriculture and keeping of livestock, including in the Urban Suburban Tier.
    - **Basis:** There are 15,000 acres of AR Zoning in Urban Suburban Tier. In 1995, to implement the 1989 Plan, the County separated the AR zoning district into two sets of rules; rules for the Rural Service Area and rules for the Urban Service Area. The rules created more regulation for those in the Urban Service Area (Urban Suburban Tier) in order to discourage agricultural uses and foster the urbanization of these areas. Much of the land that is AR zoning in the Urban Suburban Tier is within rural neighborhoods as shown in the graphics. There are rural enclaves such as the Pioneer Road Neighborhood and Palm Beach Ranchettes that have lot sizes equal to or greater than the Acreage in the Exurban Tier. However, these areas are not allowed by the ULDC to have the same home bases or other agricultural uses as the other Tiers in the County. Again, these rules were set in place to encourage urbanization.
    - Considering the directives of the Tier System to recognize lifestyle diversity, the importance of agricultural uses, and there is no reason to have a different set of agricultural rules based on Tier boundaries. The County has shifted away from the idea that 100% of Urban Suburban Tier must be urbanized to one that supports lifestyle choices for a high quality of life and housing diversity. This amendment proposes to delete outdated language that encourages the conversion of agricultural land within the Urban Suburban Tier to urban uses.
    - In 1995, the County revised to ULDC to split the Agricultural Residential (AR) zoning district to one for the Rural Service Area (AR/RSA) and one for the Urban Service Area (AR/USA), while establishing strict regulations to limit uses in AR/USA. This amendment proposes to merge the AR/RSA and AR/USA back into one zoning district and to allow agricultural uses in the Urban Suburban Tier the same as the Rural and Exurban Tiers. There is no basis for prohibiting agriculture within the urban and suburban areas of the County. Agriculture and livestock regulations are more appropriately based on lot sizes and other attributes rather than a particular Tier.
- **Non-residential uses in Residential Designations.** Ensure that all residential areas are protected from the negative impacts of non-residential land uses allowed within residential zoning districts by providing additional specificity on the types of non-residential uses allowed.
  - **Basis:** This proposed amendment will expand upon language regarding non-residential uses within the residential areas to protect the residential character of neighborhoods in any Tier (including the Rural Tier and Heritage Farms). There has been a lot of discussion on non-residential uses when it comes to the landscape service companies operating in residential neighborhoods. The Comprehensive Plan (see Exhibit 1) is clear that allowing intense non-residential uses within residential future land use designations not allowed. This amendment proposes to add specificity to state that local residential streets shall not be subject to commercial vehicle activity (other than home business), and that more intense non-residential uses in residential zoning shall be limited to those with access to major thoroughfares. This does not

apply to the Agricultural Reserve which is an agricultural future land use designation pursuant to this section of the Comprehensive Plan.

- **Residential Multifamily in Medium Residential.** The County has one ‘medium’ density residential future land use designation called “Medium Residential, 5 units per acre” or MR-5. Currently the Comprehensive Plan limits the use of this designation to either Planned Unit Development (PUD) or Residential Single Family zoning unless the subject property had Residential Multifamily (RM) zoning prior to 1989. The MR-5 future land use designation allows 5 units per acre standard, and up to over 10 units per acre utilizing a combination of the Transfer of Development Rights (TDR) and Workforce Housing Programs (WHP). Densities higher than 7 units per acre are typically developed with ‘attached’ housing types such as townhomes or multifamily rather than detached housing types such single family or zero lot line. Attached housing can currently only be developed with MR-5 future land use if the site is developed as a PUD. This amendment proposes to allow the RM zoning district for new projects with MR-5 future land use that propose a higher density through the TDR or WHP density bonus programs. This change will foster infill development on parcels that may be too small to be developed properly as a PUD. A minimum of 3 acres is established for this option in order to prevent single lots within established subdivisions from increasing density out of character with the neighborhood.

## **B. Consistency with the Comprehensive Plan**

This proposed amendment will further several provisions in the Future Land Use Element (FLUE) of the Comprehensive Plan, including the items listed below. Staff assessment of the consistency with these provisions is provided under the Staff Assessment heading. Unrelated language is omitted for brevity.

**FLUE, C. County Directions.** *The Future Land Use Element was created and has been updated based on input from the public and other agencies through citizen advisory committees, public meetings, interdepartmental reviews, and the Board of County Commissioners. All contributed to the generation of the long-term planning directions, which provide the basis for the Goals, Objectives and Policies of the Future Land Use Element. These directions reflect the kind of community the residents of Palm Beach County desire.*

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.*

4. **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.*
5. **Neighborhood Integrity.** *Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.*
15. **Agricultural and Equestrian Industries.** *Support and enhance agriculture and equestrian-based industries.*

**Staff Assessment:** This proposed amendment will further the four county Directions shown above by promoting the protection of established neighborhoods and fostering agricultural uses. The rural neighborhoods within the Urban Suburban Tier cannot be replaced. Directing growth towards activity nodes and centers, redevelopment and urban infill, and along major thoroughfares will manage growth in a manner to protect these areas. The proposed change to allow RM zoning in MR-5 will foster infill development in appropriate areas of the County.

#### **OBJECTIVE 1.1      *Managed Growth Tier System***

*Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers to:*

1. *Ensure sufficient land, facilities and services are available to maintain a variety of housing and lifestyle choices, including urban, suburban, exurban, and rural living;*
2. *Preserve, protect, and improve the quality of natural resources, environmentally sensitive lands and systems by guiding the location, type, intensity, and form of development;*
3. *Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;*
4. *Enhance existing communities to improve or maintain livability, character, mobility, and identity;*
5. *Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;*
6. *Protect agricultural land for farm uses, including equestrian uses;*
7. *Strengthen and diversify the County's economic base to satisfy the demands of the population for employment growth, and provide opportunities for agricultural operations and employment centers; and,*
8. *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.*

**Staff Assessment:** This proposed amendment will further this objective by maintaining a variety of housing and lifestyle choices, enhancing existing communities, protecting land for agriculture, and providing more opportunities for agriculture.

**Policy 1.2-a:** *Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*

1. *Allowing services and facilities consistent with the needs of urban and suburban development;*
2. *Providing for affordable housing and employment opportunities;*
3. *Providing for open space and recreational opportunities;*
4. *Protecting historic, and cultural resources;*
5. *Preserving and enhancing natural resources and environmental systems; and,*
6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

**Staff Assessment:** This proposed amendment will further these policies by protecting rural enclaves by promoting agriculture and home based uses that are compatible with the neighborhood, while directing increased density away from the center of rural neighborhoods. The proposed change to allow RM zoning in MR-5 will foster infill development in appropriate areas of the County.

This amendment will support the above referenced provisions in the Comprehensive Plan. There are no inconsistencies with the policies in the Comprehensive Plan.

### **C. Unified Land Development Code Implications**

This proposed amendment will require changes to the ULDC that will be developed following transmittal with the Zoning Division, Land Development, with outreach to residents and industry. This amendment has considered and corresponds with the ULDC home based business amendments currently underway. The proposed revisions to the ULDC will be presented in strike out and underline format in the adoption report.

## **VII. Public and Municipal Review**

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**Intergovernmental Plan Amendment Review Committee (IPARC):** Notification was sent to the County's Intergovernmental Plan Amendment Review Committee (IPARC), a clearing-house for plan amendments, on June 22, 2018. At the time of the printing of this report, no calls or written requests for information or objections to the amendment had been received. Additional outreach will occur prior to the transmittal hearing, and through the course of the development and review of the concurrent implementing changes to the ULDC.

## **VIII. Assessment and Conclusions**

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This amendment is a follow up to the Residential FLU designations amendment adopted in Round 15-2 to continue to address identified issues on residential properties within the Urban Suburban Tier. This amendment will support the preservation of rural communities within the Tier while fostering agriculture. The amendment responds to Board discussion on protecting rural communities from the impacts of landscape services in neighborhoods in any Tier, and corresponds with ULDC home based business amendments currently underway. The proposed language is presented for policy direction by the Board to proceed with concurrent amendments to the ULDC. The specific policy language proposed may change based upon Board direction and considering the outreach and coordination on the ULDC changes between transmittal and adoption.

**Attachments**

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Exhibit 1 – Proposed changes in strike out and underline format	E - 1
Exhibit 2 – Map of AR in Urban Suburban Tier	E - 5
Exhibit 3 – Correspondence	E - 6

## Exhibit 1

### A. Future Land Use Element, Rural Residential Enclaves

**REVISIONS:** To make changes to policies and provisions related to rural residential future land use designations. The added text is underlined, and the deleted text ~~struck out~~.

1. **REVISE Policy 2.2.1-p: Rural Enclaves in Urban Service Area Application of Rural Standards.** The County recognizes that there are long established rural residential enclave communities and homesteads in locations within the Urban Suburban Tier that have Low Residential future land use designation. The County supports the continuation of these rural areas in order to encourage a high quality of life and lifestyle choices for County residents. In addition, within these areas ~~In the Urban/Suburban Tier~~, the County may apply the ULDC standards for rural residential development as follows:
  1. in low density areas in Urban Residential future land use categories;
  2. on parcels presently used for agricultural purposes; or
  3. on parcels with a Special Agricultural future land use category.
  
2. **NEW Policy 2.2.1-w: The County shall adopt specific overlays in the Comprehensive Plan and/or Unified Land Development Code to protect the character of individual rural enclaves identified through the neighborhood planning process.**
  
3. **REVISE**

**Table 2.2.1-j.1**

**Residential Future Land Use - Zoning Consistency<sup>1</sup>**

Future Land Use Designation	Consistent Zoning	
	Zoning District	Planned Development
Agricultural Reserve	AGR	AGR-PUD
Rural Residential	AR <sup>4</sup> , RE <sup>5</sup>	RR-PUD, MHPD, RVPD
Western Communities Residential	AR	PUD
Low Residential	<u>AR<sup>4</sup></u> , RE, RT, RTS, RS <sup>4</sup>	PUD, TND, MHPD
Medium Residential	<u>AR<sup>4</sup></u> , RE, RT, RS, RTU, RM/RH <sup>2</sup>	PUD, TND, MHPD
High Residential	<u>AR<sup>4</sup></u> , RE, RT, RS, RM, RH	PUD, TND, MHPD
Congregate Living Residential <sup>2</sup>	RM	PUD, <del>TND, TMD</del> , MUPD, MXPDP <sup>3</sup>

**Notes:**

1. The RTS, RTU, and RH zoning districts and the Special Exception for a PUD have been discontinued. Properties with these districts shall not be required to rezone and shall utilize the property development regulations of their equivalent districts which are as follows: RTS equals RT; RTU equals RS; RH equals RM, Special Exception for a PUD equals a PUD.
2. The RM District is consistent with the MR-5 designation only for those areas ~~properties that were~~ zoned RM or RH prior to the Plan's August 31, 1989 adoption or are 3+ acres utilizing the Transfer of Development Rights and/or Workforce Housing Program.

3. The CLR designation is consistent with the ~~TND, TMD,~~ MUPD and MXPD when applied as an underlying designation for a mixed or multiple use project. Residential uses in CLR with RM or PUD zoning is limited to congregate living facilities. Such planned developments shall utilize the ULDC property development regulations for Institutional and Public Facilities future land use MUPD and the uses allowed shall be those allowed by the RM zoning district.
4. A lot with AR that was legally subdivided shall be considered a conforming lot. Properties with AR zoning with a residential future land use designation in the Urban Suburban Tier are not required to rezone when subdividing for a residential use provided that the newly subdivided density is a maximum of 1 unit per acre, or when developing a non-residential use that is allowed in AR. The Agricultural Residential zoning district is consistent with the Low, Medium, and High residential future land use designations. Properties with AR and Medium or High Residential future land use designations are required to rezone when subdividing. Properties with AR and a Low Residential future land use designation are not required to rezone provided that the maximum subdivided density does not exceed one unit per acre.
5. The RE zoning district is consistent with RR-5, RR-10, and RR-20 only for parcels which held RE prior to the adoption of the 1989 Plan.

**B. Future Land Use Element, Rural Residential Protection and Agriculture**

**REVISIONS:** To make changes to policies and provisions related to rural residential future land use designations. The added text is underlined, and the deleted text ~~struck out~~.

1. **REVISE Policy 2.2.1-m: Non-Residential Uses Allowed in Residential Future Land Use Designations.** Limited non-residential uses are allowed in residential future land use designations through the associated zoning districts as identified in the Unified Land Development Code. Non-residential uses are limited to those that serve the residential area, and may be further limited through the development review process to ensure that the individual projects are appropriate in size, scale, and character with the surrounding residential area. The following land uses may be permitted within areas designated Residential on the Future Land Use Atlas (FLUA), but are further restricted by the Unified Land Development Code (ULDC).
  1. Park and Recreation uses designed to serve the residential area;
  2. Institutional uses designed to serve the residential area such as schools, child care facilities and adult day care facilities, houses of worship, governmental administration, law enforcement substations, fire protection facilities, libraries, civic centers, community service centers and similar uses. Some uses may be appropriate in residential areas if limited, such as: nursing homes subject to special criteria;
  3. Utility and communication facilities designed to serve the residential area and subject to special criteria;
  4. Limited commercial uses within a Planned Development District designed for the convenience of the residents;
  5. Agricultural uses compatible with the residential area pursuant to Policy 2.2.1-v. ~~In the Rural land use categories, limited agricultural uses are expected to co-exist with residential uses, while in the Urban land use categories, agricultural uses are expected to convert to other uses consistent with the Plan when those agricultural uses are no longer economically viable. Agricultural uses permitted by the Residential land use category must be compatible with the protection of the lifestyle and quality of life of the residents;~~ and,

6. Limited excavation operations.

2. **New Policy 2.2.1-v: Agricultural Uses in Residential Future Land Use Designations in the Rural and Exurban Tiers.** *Limited Agricultural uses are expected to co-exist with residential uses. Agricultural uses allowed in the residential future land use designations must be compatible with the protection of the lifestyle and quality of life of the residents. Additionally, the County encourages the continuation and enhancement of the equestrian industry by acknowledging the keeping, raising and training of horses as an agricultural use and shall allow a wide range of related activities and accessory uses in appropriate locations throughout Palm Beach County. [relocated from FLUA regulation section] In addition, the County supports home based and sustainable agriculture by allowing agriculture on residential properties. The ULDC shall be revised to allow horses, poultry, and livestock in residential future land use designations in any Tier subject to regulations based upon parcel attributes rather than the parcel's Tier.*

3. **Policy 2.2.1-n: Non-Residential Uses Criteria.** In areas with a Residential future land use designation, the County may allow non-residential uses allowed in the Parks and Recreation, Institutional and Public Facilities, or Utilities and Transportation future land use designations. Non-residential uses permitted in residential areas shall only be allowed if they meet the criteria below. The ULDC adopted pursuant to this Comprehensive Plan shall ensure that non-residential uses allowed by residential zoning districts shall satisfy the Goals, Objectives and Policies of the Comprehensive Plan. All decisions of the Board of County Commissioners that implement the provisions of the ULDC which allow a non-residential use in a residential area must be based on a determination that:

1. The residential neighborhood is protected from the undesirable impacts of non-residential uses and adjacent and surrounding development;
2. The non-residential use is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan;
3. The non-residential use satisfies any special siting criteria adopted by the Board of County Commissioners; ~~and,~~
4. The density or intensity is comparable to and compatible with the density of the residential development within areas designated Residential on the FLUA.
5. More intense non-residential uses may be allowed in residential zoning districts along major thoroughfares and roadways that are not residential streets.
6. Conditions of approval are included, if necessary, to ensure compatibility with surrounding residences. ~~Agricultural uses shall be allowed, subject to conditions of approval. These conditions may include but are not limited to: compatibility analysis; controlling objectionable odors; fencing; sound limitations; inspections; reporting or monitoring; preservation areas; mitigation; and, such other conditions of operation or other limitations found in the ULDC. Conditions would be imposed concurrent with development approval either as a conditional use, a site plan, or any other process identified in the ULDC. Failure to meet these standards and conditions shall subject the agricultural use to the enforcement procedures in Article 10 of the ULDC.~~ [Relocated from FLUA regulation section]

4. **DELETE Language from FLUA Regulation Section**

~~**Land Development Regulations in the Urban Service Area-Urban/Suburban Tier.**  
The County may apply the ULDC standards for rural residential areas in the~~

~~Urban/Suburban Tier in low density areas in the Residential future land use designations which are used for agricultural purposes, or on parcels with a Special Agricultural (SA) land use category.~~

~~Areas within the Urban Service Area/Suburban Tier may be suitable for agricultural use throughout the implementation period of the Plan. It is not the intent of the Plan to encourage premature urbanization of these areas; however, agricultural uses are expected to convert to other uses consistent with the Plan when those agricultural uses are no longer economically viable. Agricultural uses permitted in the residential land use designation must be compatible with the protection of the residential lifestyle and quality of life.~~

~~The County may permit agricultural land uses and operations in the Urban Service Area /Suburban Tier to support the agricultural industry, provided such land uses and operations are compatible with adjacent and surrounding land uses. existing agricultural use within the Urban Service Area /Suburban Tier shall be considered to be a conforming use. Any expansion of existing agricultural uses, and any new agricultural uses, shall be consistent with all applicable requirements in the ULDC.~~

**Exhibit 2**  
**Map of AR Zoning in Urban Suburban Tier**

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## Exhibit 3 Correspondence

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**PIONEER ROAD PROPERTY  
OWNERS ASSOCIATION, INC.  
6781 Pioneer Road  
West Palm Beach, FL 33413**

July 19, 2018

### **Request of the Pioneer Road Property Owners Association is to add stronger language to proposed Policy 2.2.1-p, with highlighted language below**

#### **Policy 2.2.1-p: Rural Enclaves in Urban Service Area Application of Rural Standards.**

The County recognizes that there are long established rural residential enclave communities and homesteads in locations within the Urban Suburban Tier that have Low Residential future land use designations. The County supports the continuation of these rural areas in order to encourage a high quality of life and lifestyle choices for County residents. The County shall adopt ULDC provisions by a specific overlay to protect the rural or exurban character of any intact, compact, large rural enclave in the Urban Suburban Tier which has a Low Residential designation and is subject of a Neighborhood Plan listed in FLUE Policy 4.1-c. In addition, within rural-residential-enclave communities and homesteads in the Urban Suburban Tier, the County may apply the ULDC standards for rural residential development as follows:

1. in low density areas in Urban Residential future land use categories;
2. on parcels presently used for agricultural purposes; or
3. on parcels with a Special Agricultural future land use category.

**Correspondence received the week of the Adoption Public Hearing**

**Additional Correspondence**

**3.C.1. Residential Future Land Use Designations**

**5.B. Initiation of Amendments – Pioneer Overlay**

**From:** Barbara Reed <reed\_weed@bellsouth.net>

**Sent:** Monday, October 29, 2018 12:24 PM

**Cc:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; larghemo@pbcgov.org; Lisa Amara A. <LAmara@pbcgov.org>

**Subject:** Fwd: My letter..OK?

Monday October 28, 2018

Dear Commissioners,

I have been a resident of the Pioneer Road Neighborhood for 16 years. During these years our community has successfully fought off two development projects that were deemed inconsistent with the current uses and density. In that same time period , multiple hi density developments have been built within 1.5 miles of Pioneer Road, creating a difficult traffic pattern for our one exit/entrance 500 acre community as well as a loss of natural wildlife.

With this in my I appeal to you for your continued support to protect our large lot, rural, agricultural lifestyle and the protected habitat of our unique ecology. **The approval by your Commission of staff recommended Items 3.C.1 Residential Future Land use Designations and 5B Proposed County Initiated Amendment will promote a diversity of lifestyle choices and recognize a uniquely located rural area of large lot residences and agricultural uses in the Urban Suburban Tier.**

Please protect the Pioneer Road Area. It is the largest area encompassing these unique characteristics remaining in Palm Beach County east of the turnpike. Once gone, it is gone forever.

**Neighborhoods like ours can only be destroyed, not created.**

Thank You,

Barbara Reed  
7439 Pioneer road  
West Palm Beach, FL 33413

--

Reed's Weeds & Flower Farm, Inc.  
Wholesale Landscape Nursery  
561- 436-4609  
7439 Pioneer Rd  
West Palm Beach, FL 33413

**From:** Michelle Lamoureux <mdl@diversifiedenergyinc.com>  
**Sent:** Monday, October 29, 2018 11:59 AM  
**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>; Lisa Amara A. <LAmara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; larghemo@pbcgov.org  
**Cc:** PR POA <pioneerrdpoa@gmail.com>  
**Subject:** Pioneer Road Neighborhood

Dear Commissioners,

We have been residents of the Pioneer Road Neighborhood for 10 years. We stoutly request the continued support of the County Commission to protect our large lot, rural lifestyle and the protected habitat of our unique ecology. The approval by your Commission of Items 3C1 and 5B will promote a diversity of lifestyle choices and recognize a uniquely located rural area of large lot residences and agricultural uses in the Urban Suburban Tier.

Please protect the Pioneer Road Area. It is the largest area encompassing these unique characteristics remaining in Palm Beach County east of the turnpike. Once gone, it is gone forever.

Neighborhoods like ours can only be destroyed, not created.

*Thank you for your attention & consideration in this very intricate & paramount matter,  
Mr. & Mrs. S. Lamoureux*

Cc'd to:

"Palm Beach County Commissioners" [BCC-AllCommissioners@pbcgov.org](mailto:BCC-AllCommissioners@pbcgov.org)

"Lisa Amara" <[LAmara@pbcgov.org](mailto:LAmara@pbcgov.org)>, "Pat Rutter" <[prutter@pbcgov.org](mailto:prutter@pbcgov.org)>, "Lorenzo Arghemo" <[larghemo@pbcgov.org](mailto:larghemo@pbcgov.org)>, PR POA <[pioneerrdpoa@gmail.com](mailto:pioneerrdpoa@gmail.com)>

---

**From:** Humphries <wgcrpoa@bellsouth.net>  
**Sent:** Monday, October 29, 2018 10:52 AM  
**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>  
**Cc:** larghemo@pbcgov.org; Lisa Amara A. <LAmara@pbcgov.org>  
**Subject:** Comprehensive Plan Amendment, items 3C1 and 5B on the October 31, 2018, Commission Agenda.

The West Gun Club Road Property Owners Association would like to express its support for the Comprehensive Plan Amendment, items 3C1 and 5B on the October 31, 2018, Commission Agenda. Our members are strongly committed to protecting the rural lifestyle in our community and in that of our neighbors to the west. Please vote in favor of this item.

Sincerely,  
Penny Humphries  
Interim President

**From:** Jeff Leibowitz <jeff@laredogroup.com>

**Sent:** Monday, October 29, 2018 11:17 AM

**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>

**Cc:** Lisa Amara A. <LAmara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; larghemo@pbcgov.org

**Subject:** Approval of the Staff Recommendation on Items 3C1 and 5B

**Importance:** High

Dear Commissioners,

I respectfully but strongly request the continued support of the County Commission to protect the large lot, rural lifestyle and protected habitat of unique ecology in the Pioneer Road area. We have only been residents of the Pioneer Road Neighborhood for just over 1 year, but moved to this area specially due to its uniquely spacious and rural flavor. My home is particularly unique in that I am adjacent to both the Cleary Street water run-off channel (which I take great care of) and the West Palm Beach Canal, on which I have a well-maintained dock behind my house.

The approval by your Commission of Items 3C1 and 5B will promote a diversity of lifestyle choices and recognize a uniquely located rural area of large lot residences and agricultural uses in the Urban Suburban Tier.

Please protect the Pioneer Road Area. It is the largest area encompassing these unique characteristics remaining in Palm Beach County east of the turnpike. Once gone, it is gone forever. Neighborhoods like ours can only be destroyed, not created. Please approve Items 3C1 and 5B so that our decision to relocate here from Broward County a year ago for the wonderful rural lifestyle we enjoy in the Pioneer Road area will not have been in vain.

Respectfully submitted,  
Jeff & Leslie Leibowitz  
6963 Wilson Road  
West Palm Beach, FL 33413-2339  
561-771-6208

Jeff Leibowitz, CEO  
The Laredo Group, Inc.  
Direct 561-609-1800  
[jeff@laredogroup.com](mailto:jeff@laredogroup.com)  
Cell 954-290-1655  
Main Office 561-331-3300  
Fax 561-331-3306  
[www.laredogroup.com](http://www.laredogroup.com)

*The Laredo Group, Inc.*  
*Instructional Design, Training and Consulting Services Since 1996*

**From:** Steve <steve@arminternational.com>

**Sent:** Monday, October 29, 2018 10:54 PM

**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>

**Cc:** Lisa Amara A. <LAmara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; Lorenzo Aghemo <LAghemo@pbcgov.org>

**Subject:** Rural Enclave Amendment-Items 3C1 , 5B

Dear Commissioners,

We appreciate that Items 3C1 and 5B on the October 31, 2018 agenda are present. The fact that they are indicates a record of understanding, agreement and clear message that there are some areas in this county that are rare and valuable. The Pioneer Road neighborhood is one of those gems. With over 80% of our neighborhood lining up to sign on to our Neighborhood Plan and your adoption of it into the Comprehensive plan over 4 years ago, to reach this milestone now, is exemplary of government working with its citizens. Thank you.

From here, we anticipate further meaningful collaboration to codify the uses and allowed densities that will provide solid ground for the future security and harmony that we all desire for our unique community and others like ours.

So for this day, we urge your **approval of the Staff recommendation on both items 3C1 and 5B.**

Respectfully submitted,

Steven G Hansen  
President, PRPOA  
6781 Pioneer Road  
West Palm Beach, FL 33413  
[steve@arminternational.com](mailto:steve@arminternational.com)  
561-683-3111  
561-683-3110 FAX  
561-329-2309 cell, text

**From:** Michele Malooley <Michele@malooleyinsurance.com>  
**Sent:** Monday, October 29, 2018 10:46 PM  
**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>  
**Cc:** Lisa Amara A. <LAmara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; larghemo@pbcgov.org  
**Subject:** Pioneer Road Neighborhood

Dear Commissioners,

I have been a resident of the Pioneer Road Neighborhood for 12 years. I strongly request the continued support of the County Commission to protect our large lot, rural lifestyle and the protected habitat of our unique ecology. The approval by your Commission of Items 3C1 and 5B will promote a diversity of lifestyle choices and recognize a uniquely located rural area of large lot residences and agricultural uses in the Urban Suburban Tier. As a community, we have come together to show solidarity in expressing how important our lifestyle choices are to us, the wildlife, and our community.

Please protect the Pioneer Road Area. It is the largest area encompassing these unique characteristics remaining in Palm Beach County east of the turnpike. Once gone, it is gone forever.

Neighborhoods like ours can only be destroyed, not created.

Thank You for your time and your service.

Michele Malooley

Michele Malooley, LPRT, CSA

**Recipient of the Dan Yount Outstanding Floridian of the Year 2016-2017**

**From:** Clifford Fort <turkeytrot.cf@gmail.com>

**Sent:** Monday, October 29, 2018 9:42 PM

**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>; Lisa Amara A. <LAMara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; larghemo@pbcgov.org; Steve Hansen <steve@arminternational.com>; Barbara Reed <reed\_weed@bellsouth.net>; eob3@bellsouth.net; bigjohnkern@bellsouth.net; Cristina Gray <solidgray.gray@gmail.com>; Doc Gillis <csgllc\_1@comcast.net>; Clifford Lee Fort <turkeytrot.cf@gmail.com>

**Subject:** October 31, 2018 Rural Enclaves Protection – Vote to support Agenda Items 3C1 and 5B.

**PIONEER ROAD PROPERTY OWNERS ASSOCIATION**

**CLIFFORD L. FORT**

**161 ELAINE ROAD**

**WEST PALM BEACH FL 33413**

**October 29, 2018**

**BOARD OF COUNTY COMMISSIONERS**

Thank you for your support of Rural Enclaves Protection-Agenda Items 3C1 and 5B

I have been an active member of the Pioneer Road Property Owners Association since 2013 when we wrote our Neighborhood Plan and a resident since 2003, The Pioneer Road Community is the largest average lot size within the Urban Suburban Tier within all of Palm Beach County at an average of 2.76 acres per dwelling. 558.92 Acres of our community is surrounded by barriers on four sides and abounds with native and exotic flora and fauna. Because of our low density, stewardship of the land and diversity of habitat we continue to have the highest density of wildlife within the Urban Suburban tier. Several endangered species still call Pioneer their home including Pileated woodpecker, cockated woodpecker, otter, gopher tortoise and a broad spectrum of birds of prey, The list of reptiles and butterflies is impressive. Okeeheeless Park hosts many species that feed here as well as the Pine Jog Environmental Center on Jog making Pioneer a key component in the wild life corridor.

There is one primary way in and out of our community. We are bordered by Okeeheelee Park to our Southwest, the Southern canal and drainage easement to the North and the Pine Jog Environmental Center to the Southeast.

Protecting the largest, most unique "Rural Enclave" and its ecology within the urban suburban tier from high density development is the right thing to do. It is a win win for the eco system and the residents that have been fighting to develop this language into that which will be the legacy for our children's children. This way of life has virtually disappeared from Palm Beach County..Our community offers a "one of a kind" life style with farm animals, nurseries, eatable landscapes, fruit orchards and a myriad of farm animals which in turn compliments the wildlife. It truly is a symbiotic relationship that has worked despite the encroaching zero lot line housing that stretches for miles in every direction.

Please, continue to protect this enclave and Neighborhood Plan.

Sincere Appreciation,

Clifford L. Fort

**From:** Joy Ostaffe <jostaffe@yahoo.com>

**Sent:** Tuesday, October 30, 2018 8:58 AM

**To:** Lisa Amara A. <LAmara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; larghemo <larghemo@pbcgov.org>

**Subject:** Fwd: Requesting Support for Items 3C1 and 5B on the October 31, 2018 Agenda

Dear Commissioners,

We have lived in the Pioneer Road community in Unincorporated Palm Beach County for 23 years. During those years, the County Commissioners have been supportive of our endeavors to maintain and protect our rural lifestyle. We appreciate that you have been willing to listen to our concerns and work with us on protecting the integrity of our community.

We are writing today to urge your vote in favor of Agenda Items 3C1 and 5B on the October 31, 2018 Commission Agenda. Approving Agenda Items 3C1 and 5B will help to promote a diversity of lifestyle choices in a uniquely-located rural area that accommodates both large-lot residences and agricultural uses.

If the Pioneer Road area is allowed to be developed into small-lot residential communities, not only will the rural lifestyle-choice be eliminated, but the unique ecology of the area will be lost. Please help us protect our neighborhood, which is the largest area with these unique characteristics that remains east of the turnpike in Palm Beach County. Once gone, we can never regain the rural integrity of this area with all of its unique flora and fauna.

We urge your **approval of the Staff recommendation on both items 3C1 and 5B.**

Thank You,

John and Joy Ostaffe  
320 Sand Run Road  
West Palm Beach, FL 33413

**From:** William LoIacono <Bill@actionacsofla.com>  
**Sent:** Tuesday, October 30, 2018 9:36 AM  
**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>  
**Cc:** Lisa Amara A. <LAmara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; larghemo@pbcgov.org  
**Subject:** FW: Pioneer Road Neighborhood

Dear Commissioners,

I have been a resident of the Pioneer Road Neighborhood for 12 years. I strongly request the continued support of the County Commission to protect our large lot, rural lifestyle and the protected habitat of our unique ecology. The approval by your Commission of Items 3C1 and 5B will promote a diversity of lifestyle choices and recognize a uniquely located rural area of large lot residences and agricultural uses in the Urban Suburban Tier. As a community, we have come together to show solidarity in expressing how important our lifestyle choices are to us, the wildlife, and our community.

Please protect the Pioneer Road Area. It is the largest area encompassing these unique characteristics remaining in Palm Beach County east of the turnpike. Once gone, it is gone forever.

Neighborhoods like ours can only be destroyed, not created.

Thank You for your time and your service.

Bill Loiacono  
6887 Monmouth Road  
West Palm Beach FL 33413

**From:** Phillips, Sherry H <Sherry.Phillips@flhealth.gov>  
**Sent:** Tuesday, October 30, 2018 2:35 PM  
**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>  
**Cc:** Lisa Amara A. <LAmara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; LArghemo@pbcgov.org  
**Subject:** Re: BCC Meeting 10/31/18

October 29, 2018

Dear Commissioners,

I am a resident of the **Pioneer Road Community**. I am also a 3<sup>rd</sup> generation Floridian born and raised in West Palm Beach. I am asking you to **vote in favor of Agenda Items 3C1 and 5B** on the agenda this Wednesday, October 31<sup>st</sup>.

We are so grateful for the support we have received in the past from the County Commissioners in helping us to protect our rural lifestyle in this area. If you have lived here for a while, you see the over-development, the stagnant and unused strip malls, and the land that will never, ever be the same once it's developed--like is happening all over Palm Beach County. Protecting the last remaining large and intact

rural community in the Urban-Suburban Tier helps promote preservation of the lifestyle we chose when moving into this area.

If Pioneer Road Community is allowed to be developed with small lot residential (instead of the current unique large lot residential and agricultural usage), it will destroy the ecology and the lifestyle we chose when we moved into this area; once gone, it will be lost forever. It makes me so sad to see the current state of our county regarding development with disregard to plant and wildlife. Neighborhoods like ours can only be destroyed, not created.

I am pleading with you to **approve the staff recommendation on both items 3C1 and 5B.**

With Sincere Thanks and Gratitude for Your Support,

Sherry Phillips  
6699 Wilson Road  
WPB, FL 33413  
[wadejo@aol.com](mailto:wadejo@aol.com)  
561/684-5636

**From:** Phillips, Sherry H <Sherry.Phillips@flhealth.gov>  
**Sent:** Tuesday, October 30, 2018 2:35 PM  
**To:** BCC-All Commissioners <BCC-AllCommissioners@pbcgov.org>  
**Cc:** Lisa Amara A. <LAMara@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; LArghemo@pbcgov.org  
**Subject:** Re: BCC Meeting 10/31/18

October 29, 2018

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I am pleading with you to **approve the staff recommendation on both items 3C1 and 5B.**

With Sincere Thanks and Gratitude for Your Support,

Sherry Phillips  
6699 Wilson Road  
WPB, FL 33413  
[wadejo@aol.com](mailto:wadejo@aol.com)

561/684-5636

Dennis P. Hickie

7280 Pioneer Road  
West Palm Beach, Florida 33413

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October 29, 2018

**RE: Pioneer Road - Approval of the Staff recommendation on both items 3C1 and 5B.**

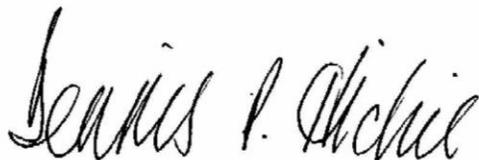
Dear Commissioner(s):

I am a resident and member of the Pioneer Road Property Owners Association and respectfully request your vote in favor of Agenda Items 3C1 and 5B on the October 31, 2018 Commission Agenda.

I selectively moved to this area 5 years ago because of the rural setting and quiet disposition of this community. This is now under threat of being compromised by an increase in the existing zoning restrictions. I find it incredible that anyone would want to destroy such a serene and natural wildlife habitat with high density housing that will for sure signal the extinction of the local flora & fauna. In addition the adverse effects to the neighborhood of already overcrowded schools, increased traffic & safety concerns, strain on public services, resources and infrastructure not to mention the well-established fact that higher density housing results in increased crime, decreased property values and seriously disfigures the character of the neighborhood.

Your consideration of the foregoing when voting would be most appreciated.

Sincerely,



**From:** Juan Restrepo <juan@32westrealty.com>  
**Sent:** Tuesday, October 30, 2018 5:11 PM  
**To:** Lisa Amara A. <LAmara@pbcgov.org>  
**Subject:** Pioneer Road

Dear Commissioner

My family and I are residents of the Pioneer Road Community. Seven years ago I did not know this area existed and a month after our discovery we moved to the area. On behalf of my family and I, we urge your vote in favor of Agenda Items 3C1 and 5B on the October 31, 2018 Commission Agenda. This community has been a blessing to us, and also a blessing to the community by providing an area for nature to persevere.

We appreciate the strong support the of County Commission in protecting the rural lifestyle choice for the Pioneer Road Community. In Protecting the last remaining large and intact rural community in the Urban-Suburban Tier helps promote a diversity of lifestyle choices and recognizes a uniquely-located rural area accommodating a mix of large-lot residences and agricultural uses.

If the Pioneer Road area is allowed to be developed with small-lot residential communities, not only will the rural lifestyle-choice be eliminated, but the unique ecology of the area will be lost, both being lost forever.

We urge your **approval of the Staff recommendation on both items 3C1 and 5B.**

Juan C Restrepo

# Residential FLU & Zoning

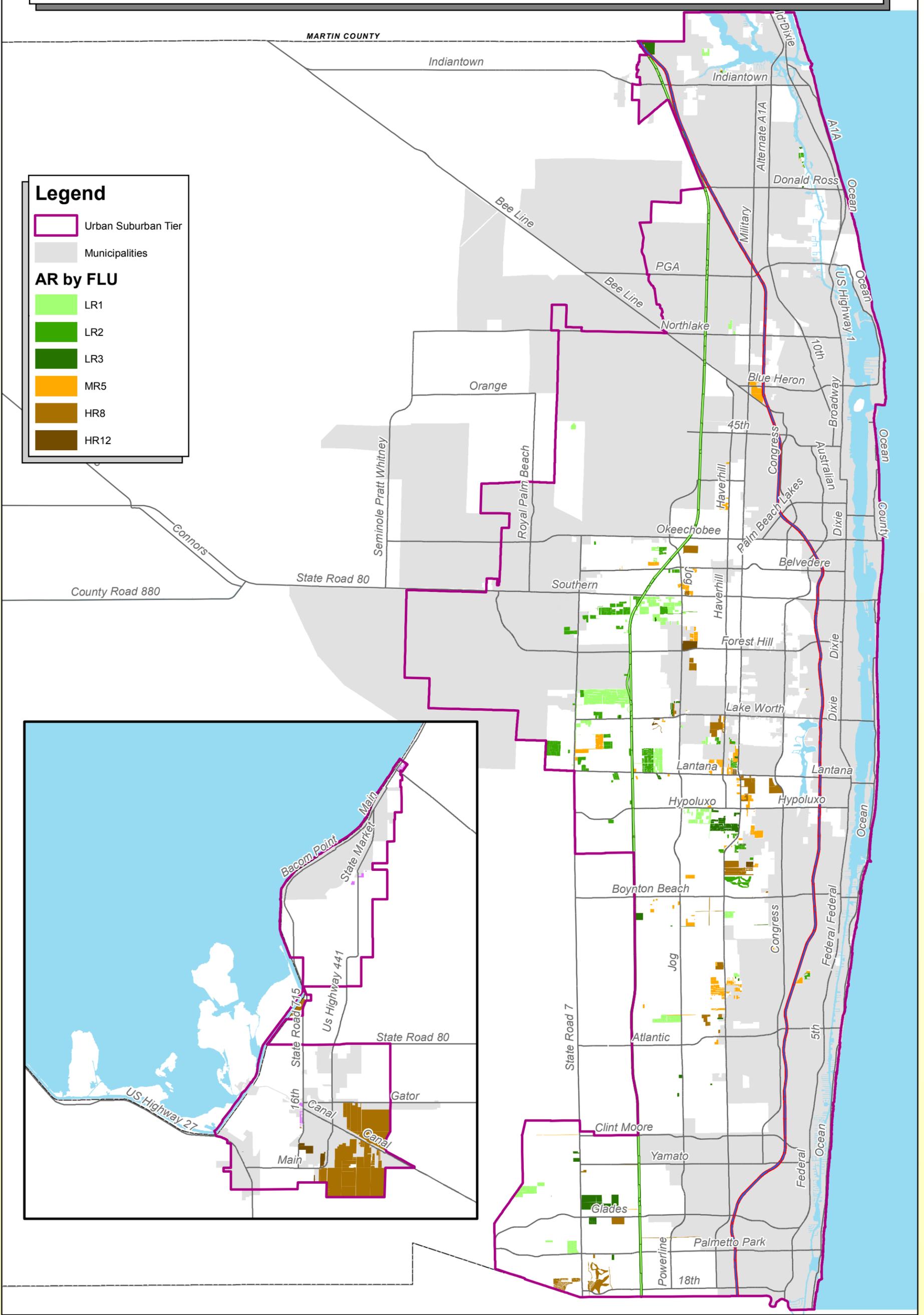
## AR Zoning in US Tier - Urban FLU

**Legend**

-  Urban Suburban Tier
-  Municipalities

**AR by FLU**

-  LR1
-  LR2
-  LR3
-  MR5
-  HR8
-  HR12



Date: 6/29/16  
 Contact: LAMARA  
 Filename: T:\Planning\Amend\IND\Density\AR-2016

Note: Map is not official, for presentations purposes only.



**Planning, Zoning & Building**  
 2300 N Jog Rd  
 West Palm Beach, FL 33411  
 Phone (561) 233-5300

