

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 8E
From: Staff
Date: March 18, 2016 Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Palm Beach County Comprehensive Plan
Amendment No. 16-2ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from Palm Beach County contains nine proposed changes to the Future Land Use (FLU) Atlas, and text changes to the Future Land Use and Transportation elements of the comprehensive plan. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendment

A. Proposed County Initiated Amendments

1. Natural Area Additions

The proposed amendment is to change the FLU designation on three sites totaling 67.28 acres to Conservation. Site A, the Jackson Riverfront Pines Natural Area, is 3.01 acres located along the north fork of the Loxahatchee River on Riverside Drive, approximately 0.3 miles south of County Line Road. The existing FLU designations on Site A are Low Residential, 2 units per acre (LR-2) and Low Residential, 3 units per acre (LR-3). Site B, the Hungryland Slough Natural Area, is 36.64 acres located along the west leg of the C-18 Canal right-of-way, approximately 3.3 miles south of the intersection of Pratt Whitney

Road and Bee Line Highway. The existing FLU designation on Site B is Rural Residential, 1 unit per 10 acres (RR-10). Site C, the Loxahatchee Slough Natural Area, is 27.63 acres located along the west leg of the C-18 Canal right-of-way, approximately 3.4 miles southeast of the intersection of Pratt Whitney Road and Bee Line Highway.

Palm Beach County has acquired these parcels for the purposes of environmental preservation, restoration, and conservation. The proposed amendment was requested by the Palm Beach County Environmental Resources Management Department in order to protect and restore existing natural resources and to provide passive recreational opportunities for the general public. Portions of Sites B and C will be incorporated into the Northeast Everglades Natural Area trail system, which will connect the J.W. Corbett Wildlife Management Area and several county natural areas to Jonathan Dickinson State Park.

2. Westgate Community Redevelopment Area (CRA) Transportation Concurrency Exception Area (TCEA) Modifications

The proposed amendment is to revise text in the Transportation Element related to the Westgate/Belvedere CRA TCEA. The amendment proposes to: 1) remove a cap on individual use types to allow flexibility while maintaining the cap on overall vehicle trips; 2) delete the requirement to adopt an inclusionary housing policy, because the CRA has already implemented such a policy through the Westgate Overlay provisions of the Unified Land Development Code; 3) revise policy language related to mixed use, multimodal, transit, and other transportation alternatives to encourage internal trip capture to provide transit alternatives, and connections to downtown West Palm Beach; and 4) delete the requirement that the county evaluate the feasibility of extending Westgate Avenue from Haverhill to Jog Road, because this extension was previously deleted from the Thoroughfare Right-of-way Identification map.

The Westgate/Belvedere Homes CRA was established in 1989. The CRA is bounded by Florida Mango Road, Military Trail, Belvedere Road, and Okeechobee Boulevard and managed by the Westgate/Belvedere Homes CRA. The goal of the CRA is to partner with the public and private sectors to improve infrastructure and to foster economic development within the CRA boundaries. The Westgate/Belvedere Homes CRA TCEA was adopted to provide traffic concurrency relief as an incentive for development and redevelopment that could not materialize due to capacity restrictions on the roadway network. The proposed amendment was requested by the CRA to reflect the current conditions as well as to increase flexibility in order to encourage redevelopment within the CRA boundaries. The county staff report concluded the changes would further encourage development and redevelopment in the area.

B. Proposed Private Future Land Use Atlas and Text Amendments

1. Gulfstream Polo Properties

The proposed amendment is to change the FLU designation from Low Residential, 2 units per acre (LR-2) to Low Residential, 3 units per acre on 11.52 acres; Low Residential, 2 units per acre to Medium Residential, 5 units per acre (MR-5) on 9.69 acres; and delete previously adopted conditions of approval. The properties are within the Gulfstream Polo Properties Planned Unit Development (PUD), which includes a total of 224.90 acres. The subject property is located in the Urban Suburban Tier on the east side of Lyons Road, south of Lake Worth Road and west of the Florida Turnpike. The site is located within the West Lake Worth Road Neighborhood Plan area and the current uses are residential and equestrian. The site currently has three FLU designations over the entire property, including: Low Residential, 2 units per acre (21.21 acres); Low Residential, 3 units per acre (58.71 acres); and Medium Residential, 5 units per acre (144.98 acres). The proposed change would increase the residential development potential by 35 units, from 948 to 983 dwelling units. The proposed amendment would also consolidate all of the prior ordinance conditions of approval on the LR-3 and MR-5 portions into a single ordinance that applies to the entire site.

Adjacent land uses to the property that is proposed to change to Low Residential, 3 units per acre include: Low Residential, 3 units per acre to the north, east, and west; and Low Residential, 2 units per acre to the south. Adjacent land uses to the property that is proposed to change to Medium Residential, 5 units per acre include: Medium Residential, 5 units per acre to the north, south, and west; and the Florida Turnpike to the east.

The previously adopted conditions of approval establish a cap on the number of dwelling units, require consistency with the West Lake Worth Road Neighborhood Plan, establish minimum usable open space of 5 percent, and require connectivity to all existing and future developments identified in the neighborhood master plan. The county's Traffic Engineering Department indicated the proposed amendment would result in an increase of 360 net daily trips and 27 AM and 42 PM net peak hour trips. The county staff report concluded the proposed amendment and conditions of approval are consistent with the West Lake Worth Road Neighborhood Master Plan and there are adequate public facilities and services available to support the amendment.

2. Central Park Commerce Center

The proposed amendment is to change the FLU designation on 138.31 acres from Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center (EDC) with conditions of approval. The subject property is located on the north side of Southern Boulevard (State Road 80), west of the L-8 Canal, and approximately 3 miles west of Seminole Pratt Whitney Road. The site is located at the eastern edge of the Glades Tier of the Managed Growth Tier System, and within the Glades Area Protection Overlay (GAPO) of the Comprehensive Plan. This parcel is part of a larger configuration of parcels owned by the applicant, PBA Holdings Incorporated (PBA, formerly Palm Beach

Aggregates). The site is currently vacant and is part of a larger area that has development approval for excavation. The intent of the amendment is to allow development of the site to a maximum of 491,749 square feet (SF) of light industrial uses with 2,786,577 SF of warehouse uses, or other allowable uses not exceeding the equivalent traffic. Adjacent land uses include: the Florida Power and Light Company (FPL) West County Energy Center to the west; the South Florida Water Management District L-8 Reservoir to the north; a wildlife corridor and L-8 Canal to the east; and an undeveloped parcel supporting asphalt and concrete operations and State Road 80 to the south.

The proposed amendment also includes text changes to the FLU Element and Map Series to: 1) amend GAPO policies to allow the Economic Development Center FLU designation and Employment Center use within the GAPO; 2) allow the Economic Development Center FLU designation in the Glades Tier, limited to the subject property; and 3) revise policies and maps to designate the subject property as a Limited Urban Service Area. The GAPO was adopted into the comprehensive plan in 2004 to protect the Everglades Agricultural Area from encroachment by uses detrimental to the agricultural activities, conservation areas, and Everglades restoration projects. The GAPO was intended to complement other provisions in the comprehensive plan prohibiting the expansion of urban and suburban activities into the agricultural production areas in the Glades Tier. The Glades Tier is generally located west of the L-8 Canal, water conservation areas, and includes the Glades Communities. The focus of Glades Tier objective and policies is the coordination with Glades area municipalities, to promote infill development within those communities, and protect the agricultural base.

The applicant has indicated the intent of the proposed changes is to allow for development of an employment center that includes a large-scale data center. The data center is a centralized computer storehouse that provides information technology infrastructure for single or multiple commercial or government clients. This type of facility is often planned and developed with enhanced construction features to address natural disaster and security concerns. These facilities are heavy power users and typically include uninterruptible or redundant power sources. The applicant has indicated the subject property offers certain functional advantages for a data center, because it is adjacent to the FPL power plant and has a relatively high elevation.

The subject property is located in the county's Rural Service Area, an area of the county where the extension of urban services is not foreseen during the long range planning horizon. The proposed amendment includes designation of the subject site as a Limited Urban Service Area, which will allow for a mix of urban and rural levels of service. The county staff report indicated that generally there are adequate public facilities and services available to support the amendment. According to the County's Traffic Engineering Department, the amendment would result in an increase of 11,255 net daily trips and 1,078 AM and 1,146 PM net peak hour trips based on the proposed development plan. The analyzed roadway links are projected to meet the level of service standards.

The county staff report concluded the proposed employment center use of the subject property is not anticipated to negatively impact the immediately surrounding uses, and the proposed use could provide significant public benefit of land use balance and employment opportunities. The proposed conditions of approval include: 1) limit the maximum square footage based on traffic impacts; 2) require that the FLU and Limited Urban Service Area designation be reconsidered if development of the site for a user making use of the uninterrupted power source or other unique site attributes has not commenced within three years following the effective date of the amendment; and 3) residential uses are prohibited.

C. Proposed Agricultural Reserve Related Amendments

1. County Initiated Pre-Existing Commercial – Delray Growers

The proposed amendment is to change the FLU designation on 1.00 acres from Agricultural Reserve (AGR) to Commercial Low with an underlying Agricultural Reserve (CL/AGR). The subject property is located on the northeast corner of Atlantic Avenue and Smith Sundry Road. The subject property is currently vacant and is a portion of an 11.25-acre parcel also included in this amendment package listed below under Delray Growers. The intent of the proposed change is to make the land use consistent with the Commercial General zoning designation that occurs on a 0.69-acre portion of the site. The property has had a commercial zoning since 1960. The proposed change is being applied to one acre in order to allow the property to be rezoned to a commercial zoning district and meet the one acre minimum acreage requirement for commercial zoning.

The subject property is in an area with a mixture of uses including Industrial, Agricultural Reserve, and Commercial Low. The county staff report indicated this is a corrective amendment to assign a CL/AGR future land use designation to a site with an existing commercial zoning designation. This amendment would allow the subject site to develop with commercial uses up to 4,356 SF. The county staff report indicated there are adequate public facilities and services available to support the proposed amendment.

2. Agricultural Reserve Commercial Text

The proposed amendment is to revise policies in the FLU Element related to commercial and non-residential development within the Agricultural Reserve Tier. This amendment is one result of a year-long process directed by the Board of County Commissioners to consider changes to Agricultural Reserve provisions proposed by a group of property owners in early 2014. This amendment would revise the policies regarding the ability for sites to obtain and develop using commercial and mixed uses and planned development districts in the Agricultural Reserve Tier. Currently, the ability for a site to obtain or develop with non-residential uses other than agriculture is extremely limited in the Tier. This amendment will address Board direction to consider allowing smaller commercial sites than Traditional Marketplaces, and to establish guidelines to be able to review proposed nonresidential amendments on a case-by-case basis. In addition, a history of this effort and its objectives are proposed to be added to the General Objective of the Tier

to provide the history and context for the existing and proposed policies in the plan. This amendment will also relocate existing language relating to county bond purchases.

The Agricultural Reserve is approximately 22,000 acres of unincorporated land west of the Florida Turnpike and north of the Broward County line. The Agricultural Reserve was established in 1980 to facilitate preservation of agriculture. In 1998 the Board of County Commissioners directed the development of a master plan with the purpose to preserve and enhance agricultural activity and environmental and water resources in the Agricultural Reserve, and produce a master development plan compatible with these goals. A Final Master Plan was completed in October 2000, but it was never adopted by the Board of County Commissioners. In 2001, findings of the master plan were incorporated in the FLU Element. These policies are listed under Objective 1.5, The Agricultural Reserve Tier.

The proposed changes to the FLU Element are provided in strikethrough and underline format in attached Exhibit 18. The proposed changes are summarized as follows:

- **Incorporating Agricultural Reserve History and Intent.** The changes propose to add language regarding the history of the master planning effort and the bond issue to both establish the context of the Tier policies in the plan and to eliminate any further confusion regarding the status of these items. The purpose of this change is to reduce confusion regarding the status of the master plan and the purpose and intent of the regulatory items in the plan. This amendment proposes to eliminate this confusion by clearly establishing in the plan the basis of the fundamental objectives and principles that lead to the tier policies. The master planning effort was grounded in fundamental objectives and principles that were developed with the Board of County Commissioners. These elements provided the foundation for all of the research, document preparation, bond issue, final master plan, and policies that were originally adopted. Further, the amendments propose to relocate and expand language regarding the retirement of density resulting from the county purchases through the bond.
- **Additional Opportunities for Small Commercial.** The amendment proposes to revise language related to commercial and mixed uses to reflect Board of County Commissioners direction to consider allowing additional opportunities for neighborhood service commercial projects at a smaller scale than the Traditional Market Place zoning district and to be reviewed on a case-by-case basis. This amendment proposes revisions that would allow the Board of County Commissioners greater flexibility to review amendments on a case-by-case basis, while retaining the primary tenet of each regulation as identified in the master plan documents. The proposed changes will retain the objective of the tier to preserve and enhance agricultural activity and environmental and water resources. In order to continue this objective and to ensure that new development meets the same and equitable requirements as past approvals, the amendment proposes to continue the requirement that new development contribute to this objective by meeting preserve area requirements for properties greater than 16 acres.

- **Planned Development Revisions.** This amendment proposes to eliminate the requirement that all commercial development be in the form of an Agricultural Reserve Traditional Marketplace Development (AgR-TMD) zoning district, but retains the design, scale, character, and preserve intent of this requirement and applies it to a newly proposed Agricultural Reserve Multiple Use Planned Development (AgR-MUPD) zoning district.

The county staff report concluded the proposed amendment will support the original intent of the Agricultural Reserve master planning effort while considering the Board of County Commissioners direction to allow opportunities for small commercial uses and taking into account the development pattern that has resulted through the implementation of the current policies in the plan. The proposed amendment is intended to apply to the Delray Growers, Alderman Commercial, and Homrich Commercial FLU amendments described below.

3. Delray Growers

The proposed amendment is to change the FLU designation on 11.25 acres from Agricultural Reserve (AGR) to Commercial Low with an underlying Agricultural Reserve (CL/AGR). The subject property is located on the northeast corner of Atlantic Avenue and Smith Sundry Road. The subject property is currently vacant, but is the former site of an airplane hanger, farm equipment welding and repair shop, and nursery. The county is processing a FLU amendment for one acre of the subject site at the corner of Atlantic Avenue and Smith Sundry Road as a part of the County Initiated Pre-Existing Commercial amendment described above. The intent of the amendment is to change the future land use designation to allow commercial retail uses to be developed on the property.

Adjacent land uses include Agricultural Reserve (AGR) to the north, east and south; and Industrial with an underlying AGR (IND/AGR) to the west. The Delray Equestrian Center, a 10.96-acre preserve for the Delray Marketplace Traditional Marketplace Development is adjacent to the north. The Delray Self Storage and Four Seasons PUD are located to the west of the subject property.

The county staff report indicates that the Delray Growers application is not consistent with current policies that govern the Agricultural Reserve, because the site is not within a ¼ mile of Lyons Road and is not proposed in the form of a Traditional Marketplace Development. However, the proposed text amendment described above (Agricultural Reserve Commercial Text) allows the Board of County Commissioners to consider the subject property and other FLU amendments for smaller commercial opportunities in the Agricultural Reserve on a case-by-case basis.

The county's Traffic Engineering Department indicated the proposed amendment would result in an increase of 2,542 net daily trips and 51 AM and 329 PM net peak hour trips based on a condition of approval limiting the development potential to 91,000 SF of

commercial retail uses. The county staff report concluded there are adequate public facilities and services available to support the proposed amendment. The proposed amendment would expand the commercial node that is proposed for the County Initiated one-acre portion of the site and “square-off” the remainder of the site with commercial use. The proposed amendment is consistent with the Agricultural Reserve Commercial Text amendment described above.

4. Alderman Commercial

The proposed amendment is to change the FLU designation on 15.34 acres from Agricultural Reserve (AGR) to Commercial Low with an underlying Agricultural Reserve (CL/AGR). The subject property is located on the northeast corner of Boynton Beach Boulevard and Lyons Road. The subject property is currently developed with 38,000 SF of packing plant and a portion of the site in row crops. The proposed amendment would allow the development of a commercial shopping center with a maximum potential of 133,642 SF. Adjacent land uses include Agricultural Reserve (AGR) to the north, east, and west; and Commercial Low with underlying AGR (CL/AGR) to the south. The Countryside Meadows PUD is adjacent to the north of the subject property and the Canyon Towncenter Traditional Marketplace Development exists to the south.

The county staff report indicates that the Alderman Commercial application is not consistent with current county comprehensive plan policies that govern the Agricultural Reserve, because: 1) approving an additional 15 acres of commercial would exceed the 80-acre limit for Agricultural Reserve Traditional Marketplace Development identified in Policy 1.5-l; 2) the site is not proposed to be in the form of a Traditional Marketplace Development required in Policy 1.5-m; 3) the subject property is not listed as a planned development option listed in Policy 1.5.1-a; and 4) the applicant is proposing a floor area ratio (FAR) of 0.20, which exceeds the maximum limit of 0.10 for Commercial Low sites in the Agricultural Reserve identified in Table III.C.2 of the comprehensive plan. However, the proposed text amendment described above (Agricultural Reserve Commercial Text) allows the Board of County Commissioners to consider the subject property for commercial development.

The proposed amendment would change the development potential of the site from a packing plant with existing potential of 100,231 SF to 133,642 SF of commercial development. The county’s Traffic Engineering Department indicated the proposed amendment would result in an increase of 3,864 net daily trips and 248 AM and 404 PM net peak hour trips based on the maximum development potential of 133,642 SF of commercial uses. The county staff report concluded there are adequate public facilities and services available to support the proposed amendment. The county staff report recommended approval of the proposed amendment with the conditions: 1) Development on the site under the Commercial Low future land use designation is limited to a maximum of 133,642 square feet of commercial general or equivalent traffic generating uses; and 2) the proposed amendment is subject to the county initiated commercial text amendments to the comprehensive plan adopted concurrently.

5. Homrich Commercial

The proposed amendment is to change the FLU designation on 13.44 acres from Agricultural Reserve (AGR) to Commercial Low with an underlying Industrial (CL/IND) with conditions of approval. The subject property is located north of Boynton Beach Boulevard and west of State Road 7. The subject property currently contains a nursery. The applicant has proposed a voluntary condition of approval to limit development of the site to a maximum of 29,400 SF of Commercial and 197,100 SF of light industrial uses. Adjacent land uses include Agricultural Reserve (AGR) to the north, west and south; and Institutional (INST) to the east. The Atlas Peat and Soil, a chipping and mulching facility, lies adjacent to the north; and Bethesda West Community Hospital is located directly to the east.

The county staff report indicates that the Homrich Commercial application is not consistent with current county comprehensive plan policies that govern the Agricultural Reserve. The proposal to introduce Commercial Low with an underlying Industrial FLU west of State Road 7 would contribute to incompatibilities with surrounding agricultural land uses and is inconsistent with Policy 2.1-g. Also, the proposed amendment is inconsistent with the comprehensive plan because: 1) the subject property is not located within a ¼ mile of one of the identified intersections specified for commercial development in Policy 1.5-k; 2) approving an additional 14 acres of commercial would exceed the 80-acre limit for Agricultural Reserve Traditional Marketplace Development identified in Policy 1.5-l; 3) the site is not proposed to be in the form of a Traditional Marketplace Development required in Policy 1.5-m; 4) the subject property is not listed as a planned development option in Policy 1.5.1-a; and 5) the applicant is proposing a floor area ratio (FAR) of 0.20, which exceeds the maximum limit of 0.10 for Commercial Low sites in the Agricultural Reserve identified in Table III.C.2 of the comprehensive plan. However, the proposed text amendment described above (Agricultural Reserve Commercial Text) allows the Board of County Commissioners to consider the subject property for commercial development.

The proposed amendment would change the development potential of the site from 87,000 SF to a proposed maximum of 29,400 SF of Commercial and 197,100 SF of Light Industrial. The county's Traffic Engineering Department indicated the proposed amendment would result in an increase of 1,264 net daily trips and 225 AM and 294 PM net peak hour trips. The county staff report concluded there are adequate public facilities and services available to support the proposed amendment. The county staff report recommended denial of the proposed amendment due to its location west of State Road 7. The county staff does not support the addition of new industrial future land use designations without a comprehensive analysis considering appropriate locations, uses, extent, and intensity, and for those requirements to be added to the comprehensive plan subject to Board of County Commissioner direction.

6. Agricultural Reserve “Farm Residence” Text

The proposed amendment is to add new Policy 1.5.1-j to revise language regarding residential development rights within the Agricultural Reserve Tier. The proposed amendment would allow an agricultural property with an existing residence to sell development rights from all but one acre for the house. Under current rules, residential development not part of an Agricultural Reserve Planned Development (AgR-PDD) is subject to the subdivision density of one unit per five acres. Property-owners with a residence must have 5 acres to meet the single-family residence density. Any remainder of the property can become part of an AgR-PDD and obtain a density of one unit per dwelling acre, but development rights cannot be sold from the 5 acres associated with the dwelling. Based on direction from the Board of County Commissioners, the proposed amendment would change this requirement for properties having both an existing single family residence and an existing Agricultural Classification designation as of April 30, 2016.

This amendment is one result of a year-long process directed by the Board of County Commissioners to consider changes to Agricultural Reserve provisions proposed by a group of property owners in early 2014. During the process, some property-owners who reside on small agricultural properties expressed a concern that the current rules are unfair because other property owners in the Agricultural Reserve had been able to sell development rights at one unit per acre, but they had been unable to do so because of a residence on the property. These owners wish to maintain a home on one acre and be permitted to sell development rights from the balance of the property. Under current rules, they are prohibited from selling development rights from 5 acres because that is the minimum acreage required to meet density requirements for a residence in the Agricultural Reserve. Most of the affected properties in the Agricultural Reserve have nursery operations.

The county staff report indicated there are about 45 parcels with homes that are not located in an Agricultural Reserve Planned Development or in subdivisions predating the Agricultural Reserve. Of these 45 parcels, about half of them have an agricultural classification on some portion of the property. These 23 parcels would yield about 90 development rights if permitted to sell development rights based on one unit per acre, minus one acre for the home.

The county staff report recommends denial of the proposed amendment because it grants development rights that do not exist to properties whose density entitlements have already been exercised. County resident owners of small agricultural properties have raised the issue that current rules are inequitable because properties without homes have been able to sell development rights at a rate of one unit per acre. However, the county staff assessment is that an inequity does not exist, because pursuant to the comprehensive plan each parcel has the opportunity to develop one unit per 5 acres as a subdivision, or one unit per acre if the requirements for a planned unit development are met. The proposed amendment could create an inequity, because it would grant a small number of

property-owners the ability to have both one unit to five acres and to sell one unit per acre on most of the property.

Regional Impacts

The Agricultural Reserve is recognized in the Economic Development section of the SRPP as a significant regional resource because of its unique potential for agricultural production important for providing food resources nationally. The cumulative effect of the proposed amendments related to the Agricultural Reserve would result in a reduction in the number of acres in agricultural production and an increase in commercial, industrial, and residential uses. The direct impact of the proposed amendments on the potential for agricultural production in the Agricultural Reserve is very small, because the proposed FLU Atlas changes only affect about 40 of the approximately 22,000 acres in the Agricultural Reserve. The potential future impact of the proposed text amendments providing greater flexibility in converting from Agricultural Reserve to commercial uses is not known. However, the overall trend in the reduction of agricultural uses in the Agricultural Reserve is of concern, because the conversions result in the loss of a regional resource that may never be recovered.

Extrajurisdictional Impacts

Palm Beach County staff has indicated the amendments were circulated through the Intergovernmental Plan Amendment Review Committee process. No extrajurisdictional impacts have been identified.

Conclusion

Council supports the Agricultural Reserve text amendments that clarify the commitment to preserve and enhance agricultural activity and environmental and water resources in the Agricultural Reserve. Specifically, these include the text changes to sections A.1 through A.3; B.1 and B.2; and C.1 through C.8 in the Agricultural Reserve Commercial Text changes provided in Exhibit 18. Other text changes included in the Agricultural Reserve Commercial text amendment and the proposed amendments related to Delray Growers, Alderman Commercial, Homrich Commercial, and the Agricultural Reserve “Farm Residence” Text do not further the goal of preserving and enhancing agricultural activity and environmental and water resources in the Agricultural Reserve. Council encourages the county to take a stronger position in protecting agricultural use in the Agricultural Reserve.

Recommendation

Council should approve this report and authorize its transmittal to Palm Beach County and the Florida Department of Economic Opportunity.

Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 A-1 Jackson Riverfront Pines Natural Area – Aerial Map
- 3 A-1 Jackson Riverfront Pines Natural Area – Location Map
- 4 A-1 Hungryland Slough Natural Area – Aerial Map
- 5 A-1 Hungryland Slough Natural Area – Location Map
- 6 A-1 Loxahatchee Slough Natural Area – Aerial Map
- 7 A-1 Loxahatchee Slough Natural Area– Location Map
- 8 A-2 Westgate CRA – Text Changes Showing Strikethrough and Underline
- 9 A-2 Westgate CRA – Boundary Map
- 10 B-1 Gulfstream Polo Properties – Aerial Map
- 11 B-1 Gulfstream Polo Properties – Location Map
- 12 B-2 Central Park Commerce Center – Aerial Map
- 13 B-2 Central Park Commerce Center – Location Map
- 14 B-2 Central Park Commerce Center – Text Changes Showing Strikethrough and Underline
- 15 B-2 Glades Area Protection Overlay Map & Area Features
- 16 C-1 County Initiated Pre-Existing Commercial – Delray Growers – Aerial Map
- 17 C-1 County Initiated Pre-Existing Commercial – Delray Growers – Location Map
- 18 C-2 Agricultural Reserve Commercial – Text Changes Showing Strikethrough and Underline
- 19 C-2 Agricultural Reserve – Location Map
- 20 C-3 Delray Growers – Aerial Map
- 21 C-3 Delray Growers – Location Map
- 22 C-4 Alderman Commercial – Aerial Map
- 23 C-4 Alderman Commercial – Location Map
- 24 C-5 Homrich Commercial – Aerial Map
- 25 C-5 Homrich Commercial – Location Map
- 26 C-6 Agricultural Reserve “Farm Residence” – Text Changes Showing Strikethrough and Underline
- 27 C-6 Existing Comprehensive Plan Agricultural Reserve Planned Development District Policies
- 28 Map LU 1.1 Managed Growth Tier System

Exhibit 2

A-1 Jackson Riverfront Pines Natural Area – Aerial Map



Exhibit 3

A-1 Jackson Riverfront Pines Natural Center –Location Map

A. Future Land Use Atlas page 1 is amended as follows:

Amendment No.:	Jackson Riverfront Pines Natural Area (LGA 2016-020)
Amendment:	From Low Residential, 2 units per 1 acre (LR-2), and Low Residential, 3 units per 1 acre (LR-3), to Conservation (CON)
Location:	East & west sides of Riverside Drive approximately 0.3 miles south of County Line Road
Size:	3.01 acres approximately
Property No.:	00-42-40-25-00-003-0010, 0080 & 0090

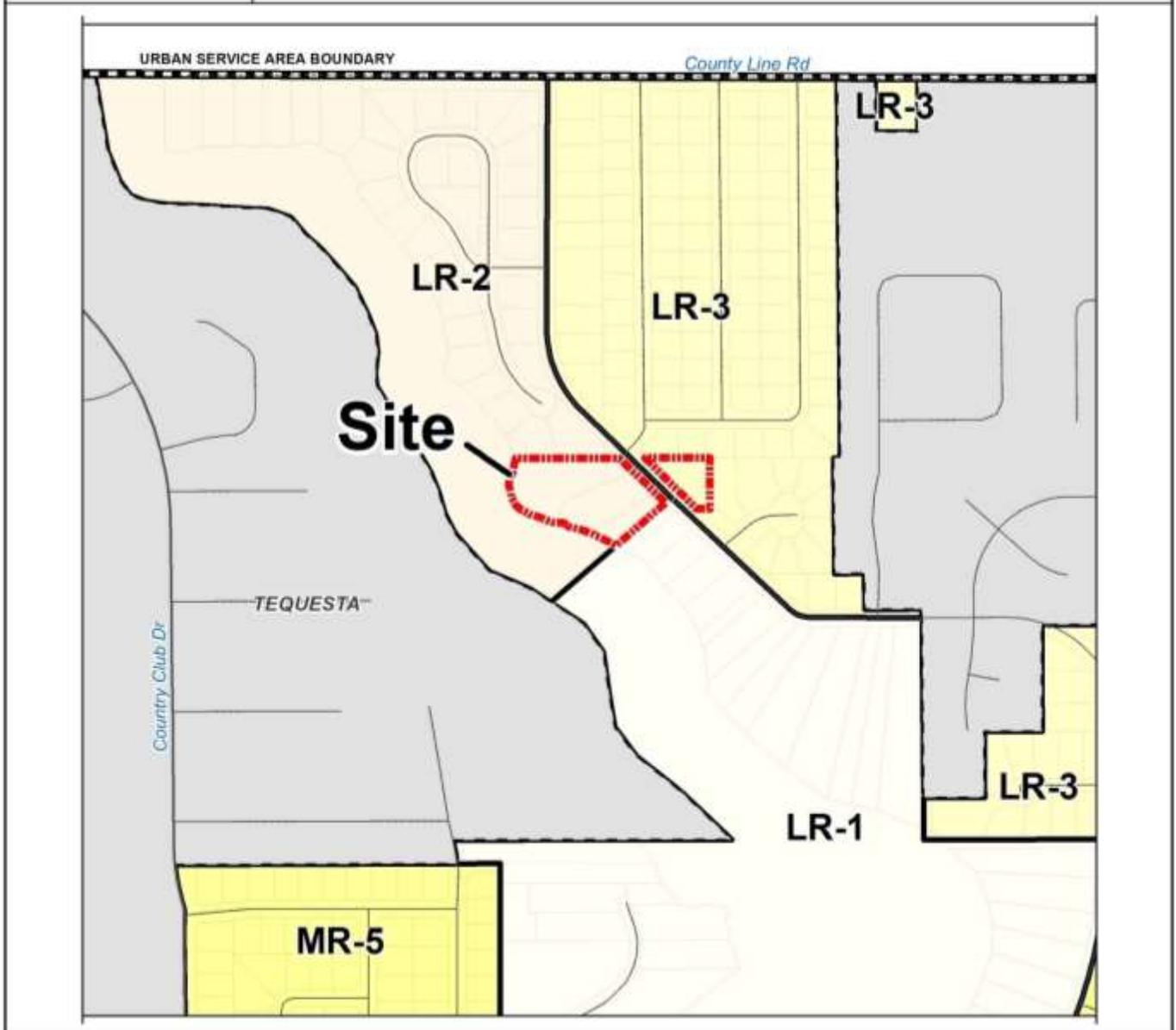


Exhibit 4

A-2 Hungryland Slough Natural Area – Aerial Map



Exhibit 5 A-2 Hungryland Slough Natural Area– Location Map

B. Future Land Use Atlas page 22 is amended as follows:

Amendment No.:	Hungryland Slough Natural Area (LGA 2016-021)
Amendment:	From Rural Residential, 1 unit per 10 acres (RR-10), to Conservation (CON)
Location:	Approximately 3.3 miles south of the intersection of the Bee Line Highway and Pratt Whitney Road, and 4.4 miles west-northwest of the intersection of the Bee Line Highway and PGA Boulevard
Size:	36.64 acres approximately
Property No.:	00-41-42-06-00-000-1000 & 00-41-42-05-00-000-3010

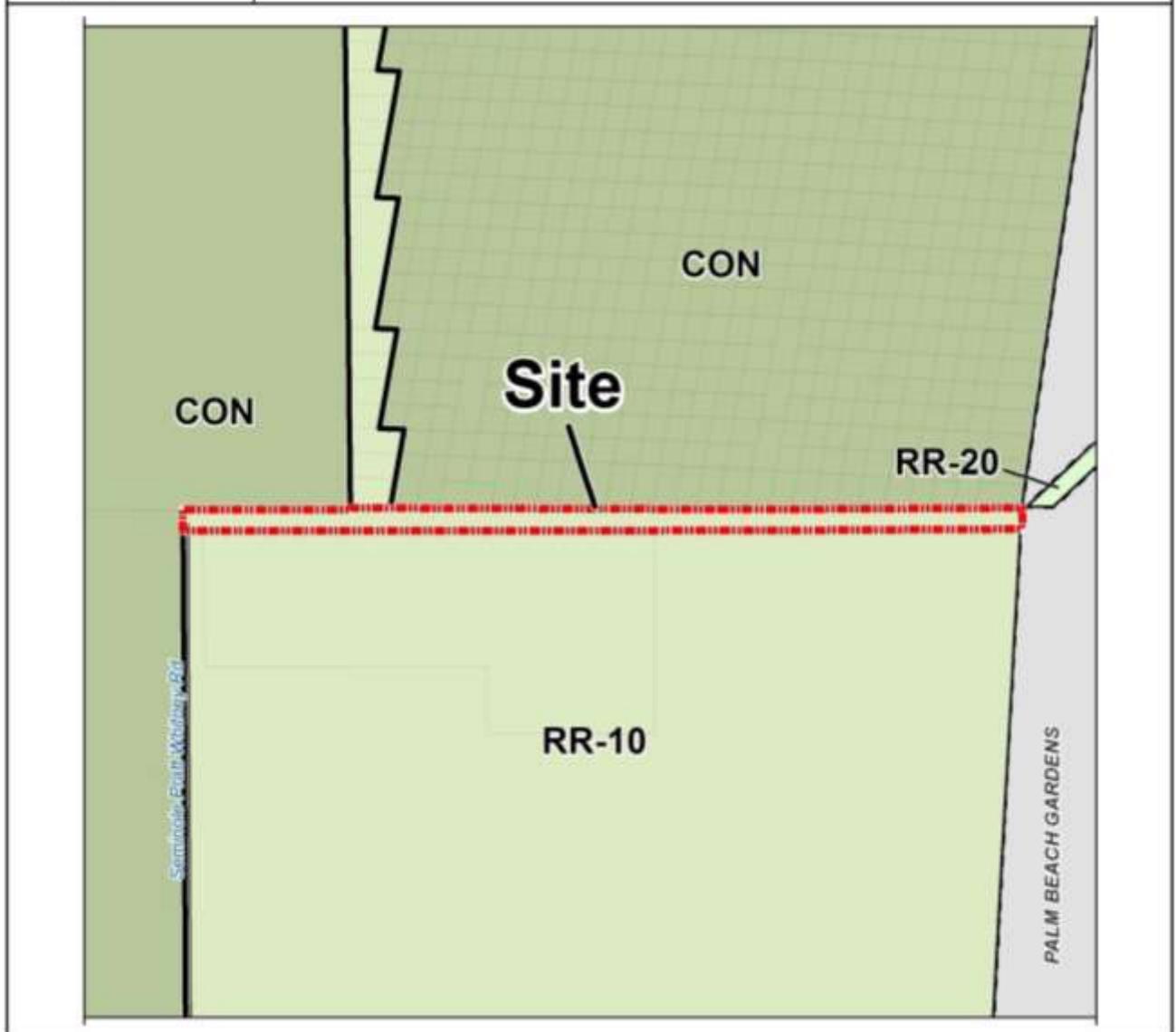


Exhibit 6
A-1 Loxahatchee Slough Natural Area – Aerial Map



Exhibit 7

A-1 Loxahatchee Slough Natural Area – Location Map

C. Future Land Use Atlas pages 17 & 18 are amended as follows:

Amendment No.:	Loxahatchee Slough Natural Area (LGA 2016-022)
Amendment:	From Rural Residential, 1 unit per 10 acres (RR-10), to Conservation (CON)
Location:	Approximately 3.4 miles southeast of the intersection of the Bee Line Highway and Pratt Whitney Road, and 3.6 miles northwest of the intersection of the Bee Line Highway and PGA Boulevard
Size:	27.63 acres approximately
Property No.:	00-41-41-28-00-000-5020 & 00-41-41-27-00-000-3010

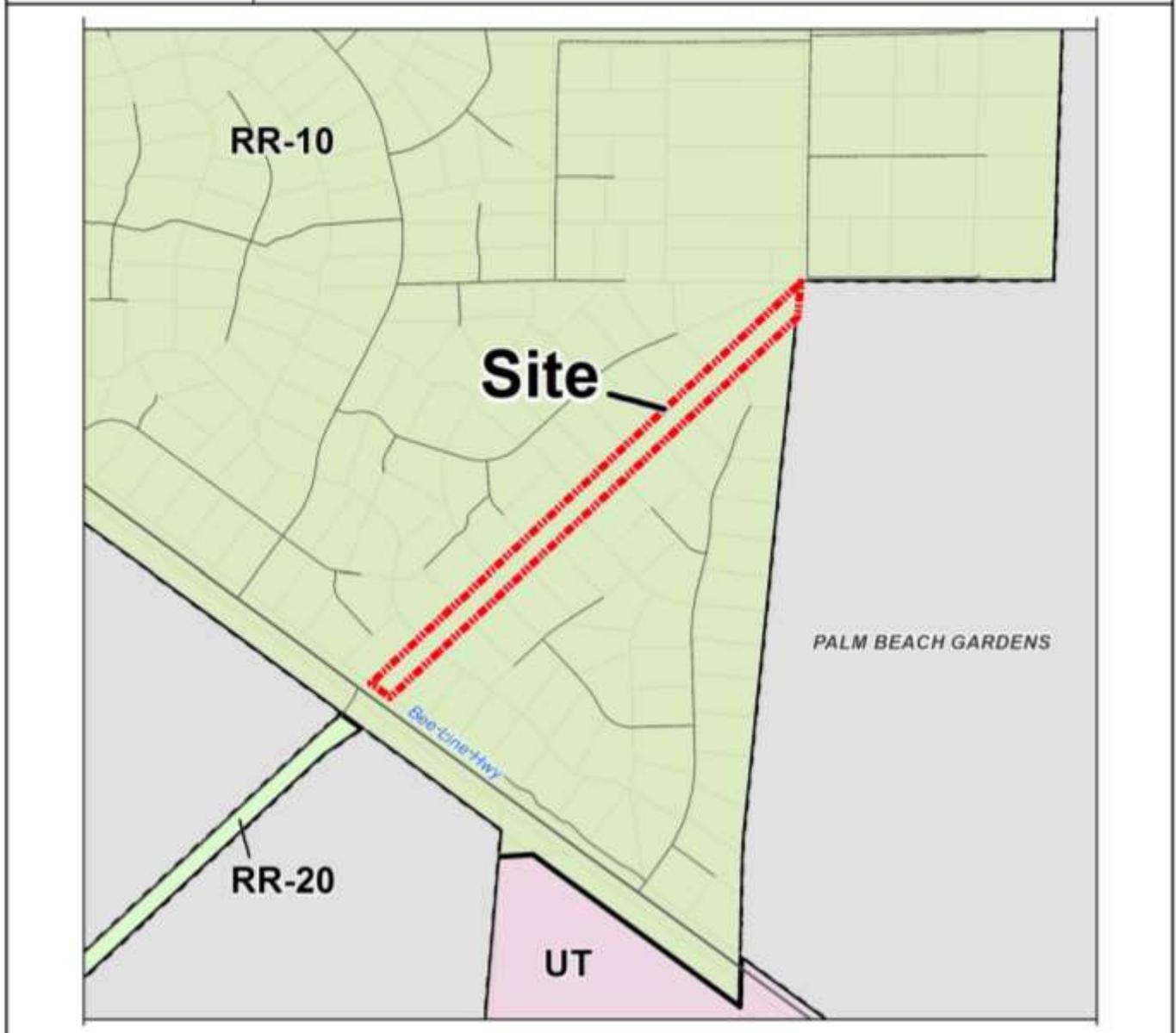


Exhibit 8

A-2 Westgate CRA – Text Changes Showing Strikethrough and Underline

A. Transportation Element, Westgate Community Redevelopment Area TCEA

REVISIONS: To revise to Westgate CRA TCEA in order to remove cap on individual use types to allow flexibility, delete completed conditions; and revise language to reflect changing conditions. The added text is underlined, and the deleted text ~~struck out~~.

Policy 1.2-r: The Westgate-Belvedere Homes Community Redevelopment Area (Westgate CRA) Transportation Concurrency Exception Area (TCEA) is hereby established and designated. Contiguous with the boundaries of the CRA, the TCEA is bounded by Okeechobee Boulevard on the north side, Florida Mango Road on the east side, Belvedere Road on the South side, and Military Trail on the West side. The TCEA shall be limited to the maximum allowable ~~number of units, square footage,~~ total daily trips, and total pm peak hour trips identified in the Table TE-6 of this policy. A proposed project must be recommended for approval by the Community Redevelopment Agency to be eligible to benefit from this pool. Any project utilizing this TCEA and significantly impacting Interstate 95 shall be required to address its impacts pursuant to the ULDC. By August 2020, the TCEA may be modified by the BCC if the CRA achieves the developments shown in Table TE-6. ~~Beginning December 30th, 2006,~~ The CRA shall submit an annual report to the County's Planning Director to demonstrate compliance with the conditions set forth in this policy as well as provide data on the Existing Land Use Intensities by number of units, square footage of uses as well as the status of the total daily trips and total peak pm hour trips. Upon review by the Planning Director and the County Engineer, the annual report will be submitted to the Board of County Commissioners (BCC) for consideration. In the event that any of the conditions below are not met, the BCC may amend or rescind any or all of this policy. The conditions are:

1. Development approvals utilizing the TCEA shall remain at or below the maximum allowable ~~limits for units, square footage,~~ total daily trips and total p.m. peak hour trips set by Table TE-6. No building permits shall be issued for new development when the applicable maximum allowable limit for that development is reached.

**Table TE-6
Westgate/Belvedere Homes CRA –TCEA Monitoring Table**

Allowable Land Use Intensities	Residential/ Rental Units	Hotel Rooms	Industrial	Office	Other Non- Residential
Existing Land Use Totals ¹	2257	0	323,895	482,000	2,302,005
Planned Land Use Totals ²	2937	200	572,633	1,137,785	2,810,577
Allowed Variance +/- (%)	15%	50%	10%	10%	10%
Maximum Allowable	3377	300	629,896	1,251,563	3,101,535
Minimum Allowable	2496	100	515,369	1,024,006	2,537,619
Allowable Vehicle Trips		Daily Traffic		PM Peak Hour Traffic	
Planned Land Use Net New Trips		13,229		1,457	

1. As per justification report dated February 2005.
2. Includes existing development.

- ~~2. By January 2009, the CRA Board shall adopt a inclusionary housing policy.~~
- 2.3. The CRA Board shall continue to implement its inclusionary housing policy that requires developers participating in the bonus density pool to set aside 40% of the density bonus units for middle to very low income households (150% of AMI and below). The annual report starting March 31, 2008 must also show the number of the density bonus units by household income created annually through the bonus density pool.
- 3.4. ~~By January 2008,~~ The CRA Board shall continue to implement an incentive program that rewards developers who mix two or more uses on one site for trip internalization.
- ~~5. Prior to issuance of building permits for TCEA development generating more than 30% of the total Planned Land Use Net New PM Peak Hour Trips (as identified in Table TE-6). The CRA shall establish a local transit circulator service that runs through the CRA to transport visitors and resident to the main commercial corridors. Transit service at no more than 30 minute frequency over a minimum 12-hour duration on weekdays shall be provided within a ¼ mile of fifty percent (50%) of all residential and non-residential areas with the TCEA boundaries. If, however, equivalent service is already being provided by regular Palm Tran bus routes, then the CRA does not need to provide any additional service.~~
- ~~6. By January 2008, the CRA shall undertake a detailed transit study to develop a local transit connector to downtown West Palm Beach.~~
- 4.7. The CRA shall continue to coordinate with the County Engineering Department to improve the sidewalk network, connections to Palm Tran stops, multi-modal opportunities and street features, including bus shelters, street furniture, lighting, way finding and other pedestrian amenities to create safe, balanced, livable streets that can be used for all forms of travel including non-vehicular modes of travel.
- ~~5.8. By January 2007, The CRA shall continue to work to obtain rights to use property for the development of the greenway and shall complete the design of the greenway alongside the L-2 Canal. The design should show how the bike/walking path will connect the residential neighborhoods to the commercial corridors.~~
- ~~6.9. By January 2007, The CRA shall continue to develop a parking plan within the CRA that will incorporate shared parking, structured parking garage and parking reduction programs tailored to encourage businesses, residents and visitors to use alternative modes of transportation by locating parking away from pedestrian and bike pathways, providing incentives for bikers and carpoolers, and by designing an environment that reduces dependency on automobiles.~~
- ~~10. The CRA Board in coordination with the County should evaluate the feasibility of extending Westgate Ave. from Haverhill Road to Jog Road. The CRA Board should coordinate with County to implement the recommendations of the feasibility study for the eastern extension of Westgate Ave up to Old Okeechobee Road.~~

Exhibit 9 A-2 Westgate CRA – Boundary Map

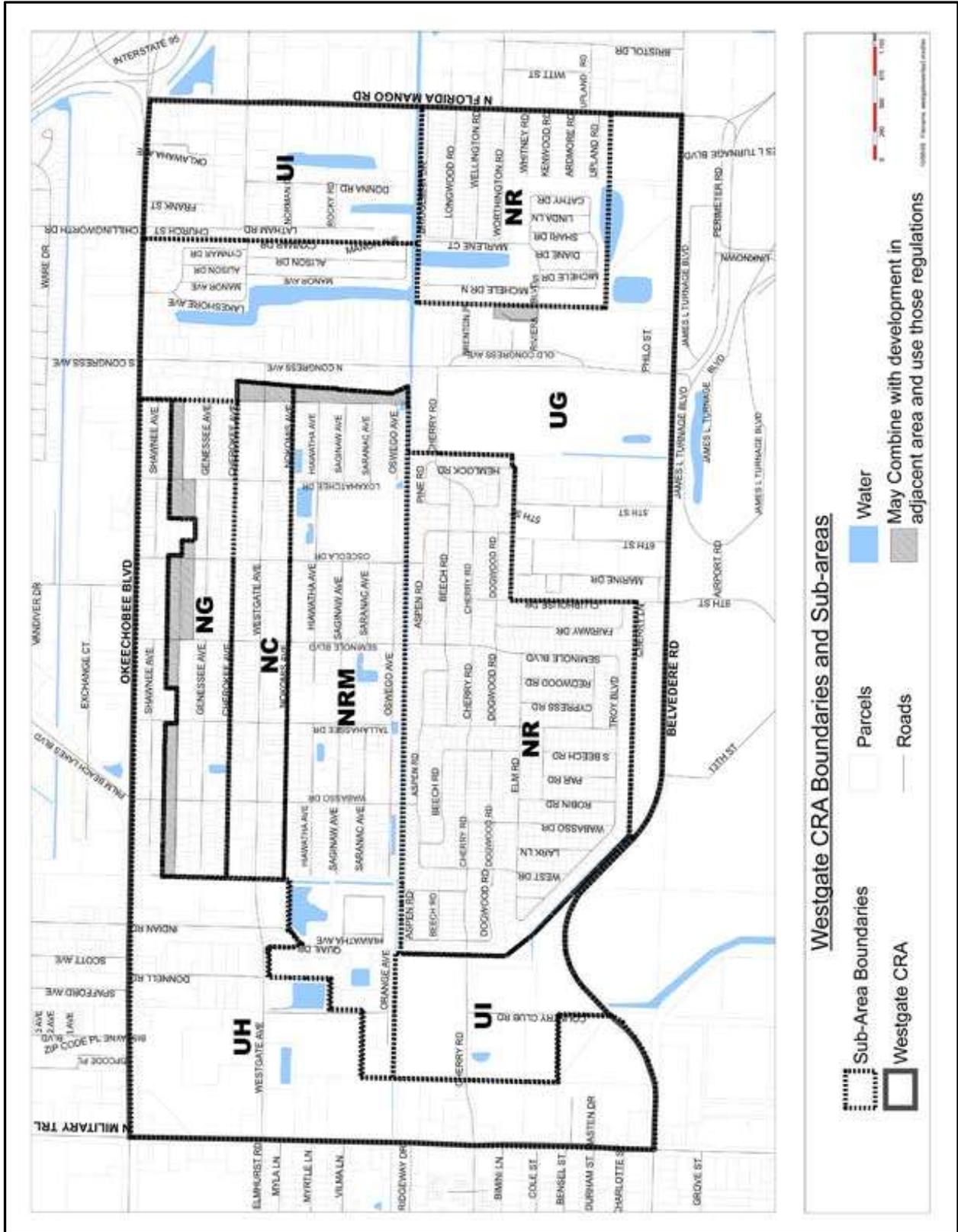


Exhibit 10

B-1 Gulfstream Polo Properties –Aerial Map

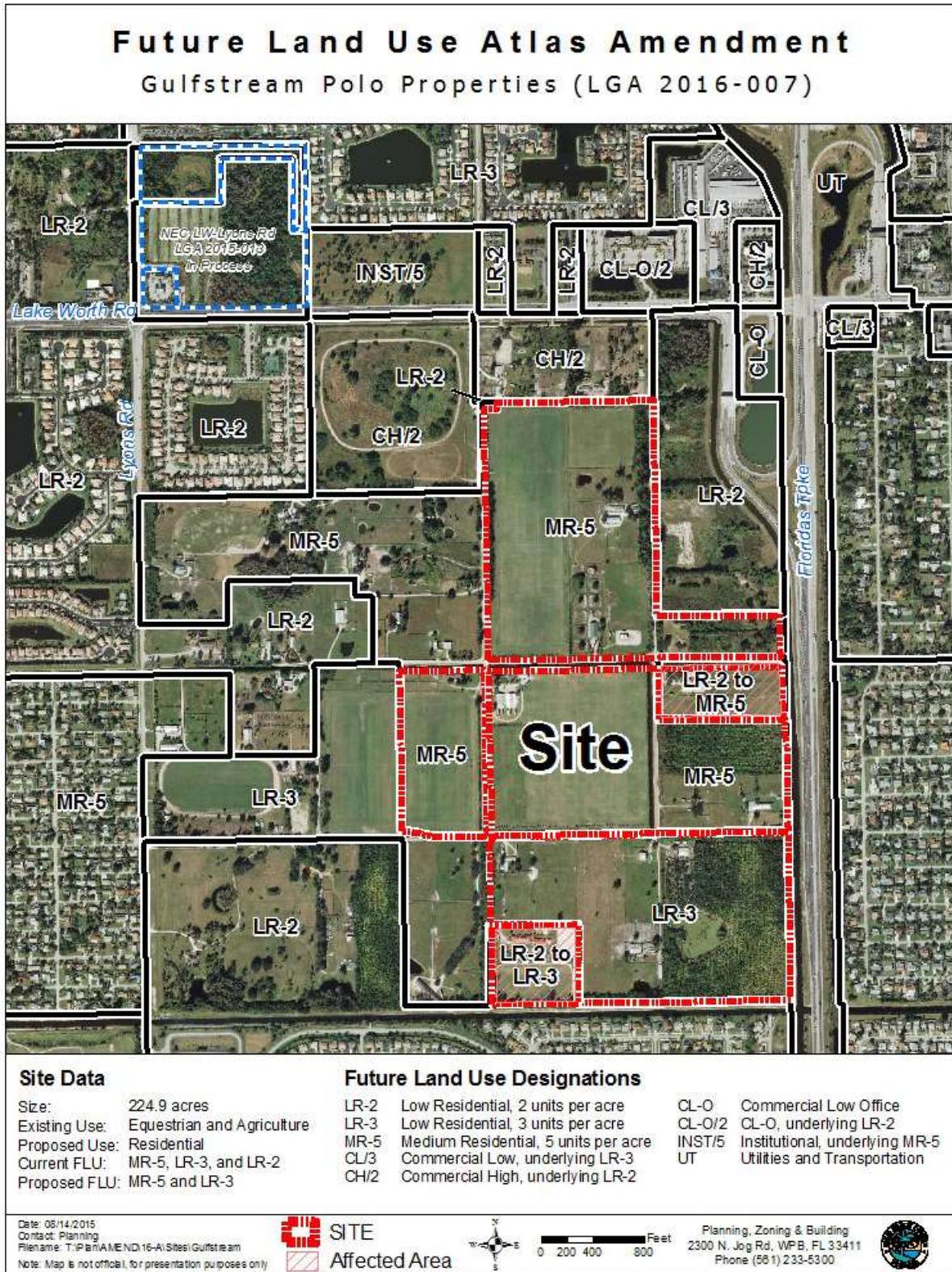
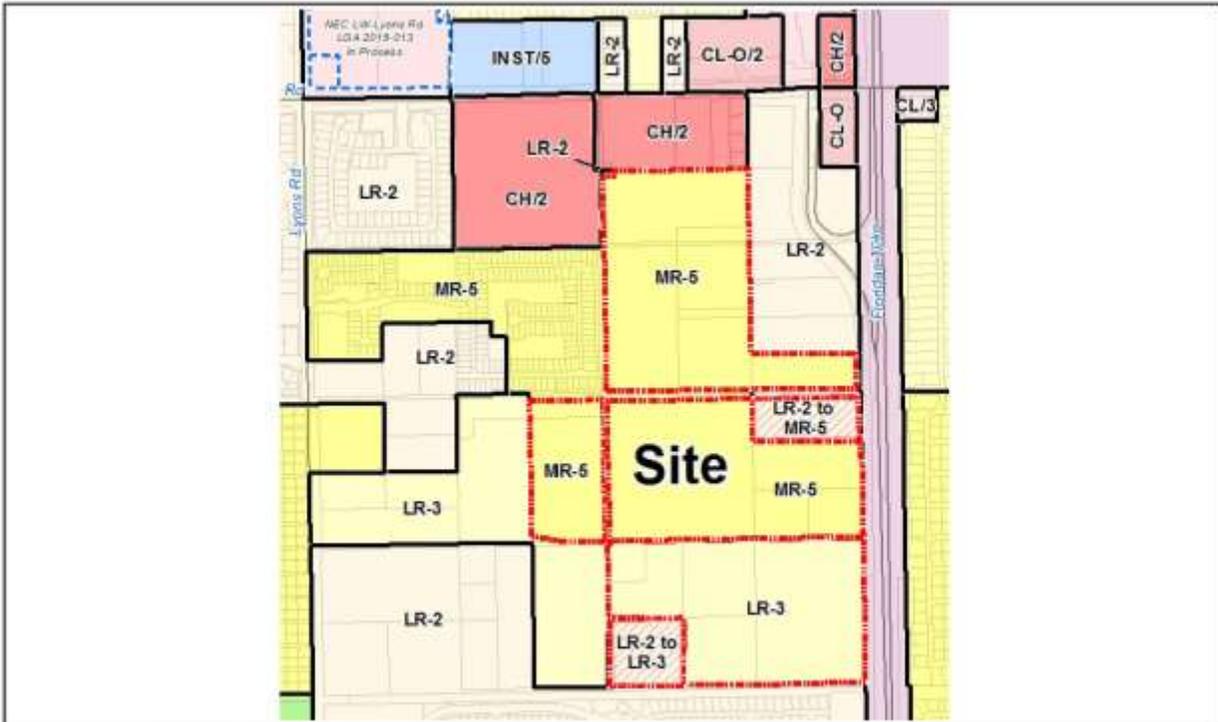


Exhibit 11

B-1 Gulfstream Polo Properties – Location Map

Amendment No:	Gulfstream Polo (LGA 2016-007)
FLUA Page No:	76
Amendment:	From Low Residential, 2 units per acre (LR-2), to Low Residential, 3 units per acre (LR-3) on 11.52 acres and Medium Residential, 5 units per acre (MR-5) on 9.69 acres; to delete previously adopted conditions of approval; and to establish conditions of approval on the entire site with a total of 70.25 acres of LR-3 and 154.65 acres of MR-5.
Location:	East side of Lyons Road, south of Lake Worth Road
Size:	224.9 acres total
PCN:	<p>LR-2 to LR-3, 11.52 acres (no prior ordinance); 00-42-43-27-05-028-0611 (9.47 acres) plus right of way identified in survey (2.05 acres)</p> <p>LR-2 to MR-5, 9.69 acres (no prior ordinance); 00-42-43-27-05-028-0331 (8.75 acre portion) plus right of way identified in survey (0.94 acres)</p> <p>LR-3 to delete conditions, 29.25 acres (Ord. 2011-029) 00-42-43-27-05-028-0490</p> <p>LR-3 to delete conditions, 29.46 acres (Ord. 2010-024) 00-42-43-27-05-028-0621; 00-42-43-27-05-028-0510; 00-42-43-27-05-028-0521; 00-42-43-27-05-028-0522</p> <p>MR-5 to delete conditions, 9.94 acres (Ord. 2014-011) 00-42-43-27-05-028-0332</p> <p>MR-5 to delete conditions, 135.04 acres (Ord. 2014-010) 00-42-43-27-05-028-0132; 00-42-43-27-05-028-0372 00-42-43-27-05-028-0371; 00-42-43-27-05-028-0200 00-42-43-27-05-028-0471; 00-42-43-27-05-028-0311 00-42-43-27-05-028-0141; 00-42-43-27-05-028-0191 00-42-43-27-05-028-0300; 00-42-43-27-05-028-0472</p>
<p>Conditions: Delete conditions of approval adopted by prior ordinances (see second page in strike out) and adopt the following shown in underline:</p> <p><u>1. Development of the site is limited to 5 dwelling units per acre in the MR-5 portion and 3 dwelling units per acre in the LR-3 portion, with no residential increases permitted above 983 dwelling units.</u></p> <p><u>2. Development of the site shall comply with the West Lake Worth Road Neighborhood Plan Design Guidelines dated November 19, 2009 and the following:</u></p> <p><u>a. The project shall provide usable open space and/or institutional uses that may promote social and cultural activities. At least 5% of the project shall be designed as usable space to create squares, greens and/or plazas. Usable Open Space is defined in the Introduction and Administration Element.</u></p> <p><u>b. Vehicular and pedestrian connections shall be provided to all existing and future adjacent developments identified in the West Lake Worth Road Neighborhood Plan Master Plan (at minimum).</u></p>	



LR-3, 29.25 acres (Ord. 2011-029)

1. No residential density increases permitted above 3 dwelling units per acre; and
2. Development of the site shall comply with the West Lake Worth Road Neighborhood Plan Design Guidelines dated November 19, 2009 and the following:
 - a. The project shall provide usable open space and/or institutional uses that may promote social and cultural activities. At least 5% of the project shall be designed as usable space to create squares, greens and/or plazas. Usable Open Space is defined in the Introduction and Administration Element.
 - b. Vehicular and pedestrian connections shall be provided to all existing and future adjacent developments identified in the Lake Worth Road Neighborhood Plan Master Plan (at minimum).

LR-3, 29.46 acres (Ord. 2010-024)

1. No residential density increases permitted above 3 dwelling units per acre; and
2. Development of the site shall comply with the West Lake Worth Road Neighborhood Plan Design Guidelines dated November 19, 2009 and the following:
 - a. The project shall provide usable open space and/or institutional uses that may promote social and cultural activities. At least 5% of the project shall be designed as usable space to create squares, greens and/or plazas. Usable Open Space is defined in the Introduction and Administration Element.
 - b. Vehicular and pedestrian connections shall be provided to all existing and future adjacent developments identified in the Lake Worth Road Neighborhood Plan Master Plan (at minimum).

MR-5, 9.94 acres (Ord. 2014-011)

Development of the site is limited to a maximum of 5 dwelling units per acre, with no residential density increases permitted above 49 dwelling units. Vehicular and pedestrian connections shall be provided to all existing and future adjacent development as identified in the Lake Worth Road Neighborhood Master Plan (at a minimum).

MR-5, 135.04 acres (Ord. 2014-010)

Development of the site is limited to a maximum of 5 dwelling units per acre, with no residential density increases permitted above 675 dwelling units. Vehicular and pedestrian connections shall be proved to all existing and future adjacent development as identified in the Lake Worth Road Neighborhood Master Plan (at a minimum).

Exhibit 12

B-2 Central Park Commerce Center – Aerial Map



Exhibit 13

B-2 Central Park Commerce Center – Location Map

Amendment No:	Central Park Commerce Center LGA 2016-005
FLUA Page No:	52, 59
Amendment:	From Rural Residential 1 unit per 10 acres (RR-10) to Economic Development Center (EDC)
Location:	North side of Southern Blvd/SR 80, west of the L-8 Canal, approx. 3 miles west of Seminole Pratt Whitney Road
Size:	138.31 acres
Property No:	00-40-43-32-00-000-1030 (Portion); 00-40-43-32-00-000-1070 00-40-43-29-00-000-5020

Conditions:

1. Development of the site under the Economic Development Center future land use designation is limited to a maximum of 491,749 square feet of light industrial uses and 2,786,577 square feet of warehouse uses, or other uses which do not exceed the equivalent traffic generating trips.
2. If development of a minimum of 200,000 square feet of uses which make use of the unique attributes of the site, such as adjacency to Florida Power & Light West County Energy Facility, uninterrupted and redundant power source, the site elevation, and/or fiber optic availability, does not commence prior to June 30, 2019, then County staff shall bring back to the Board of County Commissioners for consideration of initiation an amendment to change the designation to an appropriate future land use designation.
3. Residential uses (except security or caretakers' quarters) are prohibited.

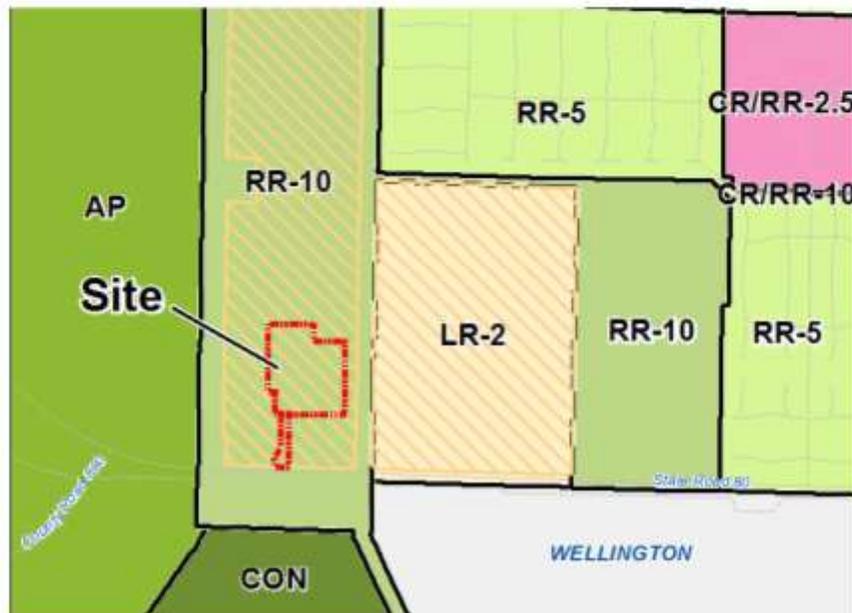


Exhibit 14
B-2 Central Park Commerce Center – Text Changes Showing
Strikethrough and Underline

Applicant's Requested Text Amendments

Future Land Use Element

Objective 1.8 Glades Area Protection Overlay

1. **Policy 1.8-b:** The County shall limit permitted uses within the Glades Area Protection Overlay to those uses that are compatible with the purpose of this overlay. No residential uses shall be allowed west of the L-8 Canal.
 - a. West of the L-8 Canal:
Future Land Use Designations: Rural Residential 10 (RR-10) and Economic Development Center (EDC).
Specific Existing Uses: Existing uses; Mining, excavation and other related uses consistent with the Overlay, and for Everglades restoration and water management purposes; Conservation, including wildlife corridors; Florida Power and Light (FPL) ~~proposed~~ Power Plant and related cooling areas; and Employment Center.
 - b. East of the L-8 Canal:
Future Land Use Designation: Low Residential 2 (LR-2) and related complementary uses as approved by the Board of County Commissioners.
2. **Policy 1.8-c:** The area within the Overlay located east of the SFWMD L-8 Canal and 138.31 acres with Economic Development Center future land use designation west of the SFWMD L-8 Canal, shall be designated as a Limited Urban Service Area (LUSA) based on the area meeting the criteria for a LUSA designation in FLUE Objective 3.3. The boundaries of the LUSA shall be depicted in the "Service Areas Map" contained in the Comprehensive Plan Map Series.
3. **Policy 3.3-a:** The Limited Urban Service Area: The following are designated as Limited Urban Service Areas:
 1. the area described as the United Technology - Pratt and Whitney Overlay;
 2. the area defined as the General Aviation Facility/ North County Airport;
 3. the Agricultural Reserve; and
 4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
 5. the area east of the SFWMD L-8 Canal and 138.31 acres with Economic Development Center future land use designation west of the SFWMD L-8 Canal within the Glades Area Protection Overlay; and
 6. an Agricultural Enclave pursuant to Florida Statute section 163.3162(5).

4. Revise FLUE Table III.C. allow the EDC future land use in the Glades Tier, limited to the subject site.

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

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA ^{1,2}
<i>Unaltered omitted for brevity</i>						
Industrial	IND	X	---	---	X	---
	EDC	X	---	---	---	---
<i>Unaltered omitted for brevity</i>						

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, 138.31 acres of EDC future land use designation is allowed.

5. Revise FLUE Table III.C.2 to allow the EDC future land use in the Glades Tier, limited to the subject site.

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

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
<i>Unaltered omitted for brevity</i>						
Industrial	IND	.45-.85 ⁹	not allowed	not allowed	.45	.45
	EDC	.45-.85 ⁹	not allowed	not allowed	not allowed	not allowed ¹¹
<i>Unaltered omitted for brevity</i>						

Notes:

1. to 10 *unaltered omitted for brevity*
11. Within the Economic Development Center (EDC) future land use designation in the Glades Area Protection Overlay, the FAR of the Urban/Suburban Tier shall apply.
6. Amend Map Series FLU 1.1 Map: Managed Growth Tier System, to depict the Limited Urban Service Area, as shown in Exhibit 1
7. Amend Map Series FLU 2.1 Map: Service Areas, to depict the Limited Urban Service Area, as shown in Exhibit 1

Exhibit 16

C-1 County Initiated Pre-Existing Commercial – Delray Growers Aerial Map



Exhibit 17

C-1 County Initiated Pre-Existing Commercial – Delray Growers Location Map

Amendment No:	Delray Growers (LGA 2016-010)
FLUA Page No:	98
Amendment:	From Agricultural Reserve (AGR) to Commercial Low with an underlying Agricultural Reserve (CL/AGR)
Location:	Northeast corner of Atlantic Avenue and Smith Sundry Road
Size:	1.00 acre
Property No:	00-42-46-18-01-000-1210 (portion of)
Conditions:	None

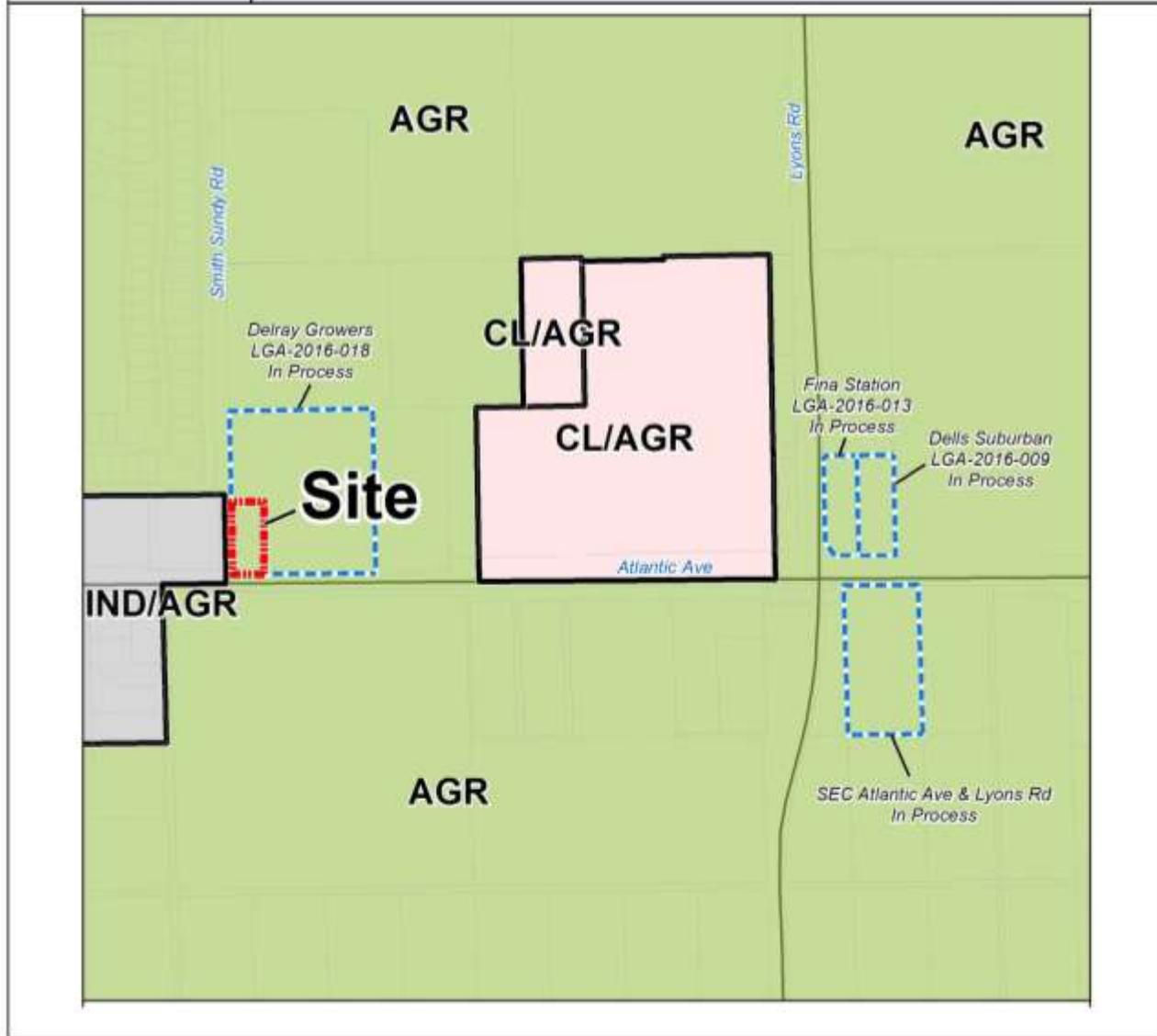


Exhibit 18

C-2 Agricultural Reserve Commercial – Text Changes Showing Strikethrough and Underline

A. Future Land Use Element, Ag Reserve Non-Residential Text, Master Plan History

REVISIONS: To add language regarding the history of the Ag Reserve Tier and to relocate and relocate language related to bond purchases. The added text is underlined, and the deleted text ~~struck-out~~.

OBJECTIVE 1.5 The Agricultural Reserve Tier

A.1. **REVISED General:** The Agricultural Reserve Tier area is a portion of the County that encompasses unique farmland and wetlands that are to be preserved primarily for agriculture based ~~—Based on policy direction adopted by the Board of County Commissioners in 1995, it is to be preserved primarily for agriculture.~~ The Agricultural Tier Objective and Policies were revised in 2001 to incorporate the findings contained within the Ag Reserve Master Plan dated October 2000. This document was a summary of consultant and staff recommendations, and Board direction, for the Ag Reserve Master Planning effort which took place over a period of years with several phases. The purpose of the Master Planning effort was: "To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals." A major emphasis of the initial phase was public outreach and the preparation of a set of guiding objectives that were prioritized by the Board of County Commissioners (BCC) during the development of the Ag Reserve Master Plan as follows:

- Preserve and enhance agriculture
- Enhance environmental resource value
- Enhance water management capability
- Enhance open space
- Create a functional sustainable development pattern
- Minimize costs/impacts to County taxpayers

Three possible development scenarios were prepared and weighted against their fulfillment of these objectives, the Status Quo Alternative, the Bond Alternative, and the No Bond Alternative. At the completion of Phase I, the BCC selected the Bond Alternative with direction for a bond referendum on land acquisition and for the Consultants to prepare Phase II. The \$150 million Conservation Bond Referendum was passed in March 1999 with \$100 million for the Ag Reserve. The Phase II of the Master Plan included a series of recommendations that were based on an overall framework that centered on the following concepts:

- Preserving open space was more efficient and could better accommodate a variety of public, agricultural, equestrian, and environmental uses when it consisted of large areas.
- Development areas should be concentrated east of SR7 (in the vicinity of Boynton Beach Boulevard and in the vicinity and south of Atlantic Avenue) in order to protect the environmentally sensitive lands within and surrounding the Loxahatchee National Wildlife Refuge, foster the preservation of agriculture in the center of the Tier, and to reduce infrastructure costs and impacts on tax payers.
- New development should occur as planned developments with a preserve area.

In December 1999, the BCC did not take action on the Phase II document, but directed staff to assess and return with additional information. Staff presented the Master Plan Addendum in May 2000 with additional information and modifications to the Consultant recommendations. The BCC provided direction on each of these items that was later summarized in the final Ag Reserve Master Plan dated October 2000. The BCC did not adopt the Master Plan, but adopted amendments to the Comprehensive Plan in Round 01-1 incorporating the recommendations of the final Master Plan. The amendments carried forward the concepts within the final Master Plan. To preserve the area for agricultural use, several programs are offered, including unique development options targeted to achieve the goal of farmland protection and agricultural perpetuation. It is through this combination of public action and private development that a viable program for the protection of farmlands and the perpetuation of agriculture will occur.

Objective: Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier. This shall be accomplished by limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development limited to uses serving the needs of farm workers and residents of the Tier. The Agricultural Reserve Tier shall be preserved primarily for agricultural use, reflecting the unique farmlands and wetlands within it.

Agriculture and Open Space

- A.2. NEW Policy 1.5-##:** The County shall administratively revise the Future Land Use Atlas to identify areas purchased by the County with bond funds for Ag Preserve purposes as an Agricultural Reserve Preserve. Any development rights and/or dwelling unit potential associated with the County purchased properties shall be retired upon the identification of these parcels as Preserve, and there shall be no ability to develop such properties with any use other than agriculture or for environmental purposes. These parcels shall continue to be identified as Agricultural Reserve Preserves with no development rights nor ability to be developed with residential uses even if a change in ownership occurs.
- A.3. REVISED Policy 1.5.1-g:** The County Planning Division shall administratively identify the preserve areas of all Ag Reserve Planned Developments AgR_PDDs on the Future Land Use Atlas as an Agricultural Reserve Preserve after approval of the Ag Reserve Planned Developments AgR_PDDs if the preserve area is not contiguous to the buildable area. ~~The County has the authority to administratively designate the areas purchased by the County with bond funds for Ag Preserve purposes as an Agricultural Reserve Preserve once the Planning Division has been notified by the Department of Environmental Resources Management (ERM) to place a preserve note on a property.~~ If development rights are retained on the preserve area, for purposes of providing farm worker quarters consistent with Future Land Use Policy 1.5.1-k and Housing Policy 1.4-d or grooms quarters consistent with Future Land Use Policy 1.5.1-k, the number of farm worker quarters or grooms quarters which may be located on the preserve area shall also be administratively identified on the Future Land Use Atlas.

B. Future Land Use Element, Ag Reserve Non-Residential Text, Commercial and Mixed Use

REVISIONS: To revise language regarding commercial and other non-residential uses within the Ag Reserve. The added text is underlined, and the deleted text ~~struck out~~.

Commercial and Mixed Use

B.1. REVISED Policy 1.5-i: Pre-Existing Commercial Sites. Within the Agricultural Reserve Tier there are existing and/or approved commercial sites which are benign to the purposes of the Tier and/or which provide essential services for farm workers and residents of the Tier. The commercial sites below are conforming uses under the Agricultural Reserve (AGR) future land use designation (FLU) and the Tier.

1. **4 Points Market**, 2.56 acres located at the northwest corner of Boynton Beach Boulevard at SR7 is allowed up to 5,000 square feet of commercial uses consistent with Commercial Low FLU and 9 fuel pumps, under the AGR Zoning with AGR FLU.
2. **Stop and Shop**, 5.13 acres located at the southwest corner of Atlantic Avenue and SR7 is allowed for up to 7,980 square feet of commercial uses consistent with the Commercial Low FLU and 6 fuel pumps, under the AGR Zoning with AGR FLU.
3. **3 Amigos Convenience Store**, 0.34 acres located on the south side of Boynton Beach Boulevard, east of SR7, is allowed up to 4,437 square feet of uses consistent with Commercial Low FLU under the AGR Zoning with AGR FLU. The site may apply for Commercial Low FLU and Commercial Zoning up to 4.49 acres through the FLUA amendment process.
4. **Fina Gas Station Hey 4 U Trucking**, 1.50 acres located at the northeast corner of Atlantic Avenue and Lyons Road is allowed up to 1,923 square feet of uses consistent with Commercial Low FLU under the AGR Zoning with AGR FLU. The site may apply for Commercial Zoning with Commercial Low FLU up to 1.50 acres through the FLUA amendment process.
5. **Dells Suburban Market**, 1.69 acres on the north side of Atlantic Avenue, east of Lyons Road, is allowed up to 1,800 square feet of uses consistent with Commercial Low FLU utilizing AGR Zoning with AGR FLU. The site may apply for Commercial Low FLU and Commercial Zoning up to 1.69 acres through the FLUA amendment process.
6. **West Boynton Center**, 2.50 acres located at the northeast corner of Boynton Beach Boulevard and Acme Dairy Road, is allowed up to 16,118 square feet of commercial uses consistent with Commercial Low FLU under the AGR Zoning with AGR FLU. The site may apply for Commercial Low FLU and Commercial Zoning up to 6.85 acres through the FLUA amendment process.
7. **Delray Growers**, 0.69 acres located at the northeast corner of Atlantic Avenue and Smith Sundry, is allowed to apply for Commercial Low FLU and Commercial Zoning up to 11.25 acres through the FLUA amendment process.
8. **PF at West Boynton**, 4.57 acres located on the south side of Boynton Beach Boulevard, east of SR7, is allowed to apply for Commercial Low FLU and Commercial Zoning up to 4.57 acres through the FLUA amendment process.

- B.2. REVISED Policy 1.5-j:** Commercial and mixed use uses permitted in the Agricultural Reserve Tier shall be located central to the Tier and designed at a neighborhood or community scale in order to be limited to those, which serve serving the needs of the farm worker community, existing residents, and future residents of the Tier an-AgR-PDD.
- B.3. REVISED Policy 1.5-k:** 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 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 commercial-mixed use centers define the areas The County shall not approve any land within the Agricultural Reserve Tier for the Commercial Low designation unless the property is within 1/4 mile of the intersections of Lyons Road and with either Boynton Beach Boulevard, and the intersection of Lyons Road and of Atlantic Avenue. The County shall not approve any land within the Agricultural Reserve Tier for the Commercial Low Office designation unless development area of the property is within 1/4 mile of the northeast quadrant of the intersection of State Road 7 and Clint Moore Road. In addition, the pre-existing commercial properties identified in Policy 1.5-i are allowed, and the County may consider future land 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 locations.
- B.4. DELETE Policy 1.5-l:** ~~The County may approve a maximum of 80 acres within the Agricultural Reserve Tier with a Commercial Low designation. This maximum acreage shall not include the acreage required as the preserve area of an Agricultural Reserve Traditional Marketplace Development (AgR-TMD) pursuant to Future Land Use Policy 1.5.1-n.~~
- B.5. REVISE Policy 1.5-m:** 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 980,000 square feet of commercial uses (retail, service and office) within the Tier. All new Commercial Low development in the Agricultural Reserve Tier shall be developed in the form of an AgR-TMD, as described in the Traditional Marketplace Development provisions in this Element and shall not exceed a total of 750,000 square feet of Commercial Low uses for the entire tier.
- B.6. DELETE Policy 1.5-n:** ~~A Commercial Low Office development in the Agricultural Reserve Tier is not required to be in the form of an AgR-TMD. However, approval of a Commercial Low Office development must comply with the preserve area requirements for TMDs included in Future Land Use Policies 1.5.1-m and 1.5.1-n.~~
- B.7. REVISED Policy 1.5-o:** All future land use amendments seeking a Commercial Low or Commercial Low Office designation in the Agricultural Reserve Tier are encouraged to shall be accompanied by a concurrent zoning application in order to demonstrate that the proposal meets the design, scale, and character requirements of the Tier. site plans illustrating compliance with the AgR-TMD or with the applicable regulations as specified in the Comprehensive Plan and the ULDC. Applications for rezoning of property seeking a commercial land use designation shall be filed concurrent with the Plan amendment.

B.8. REVISED TABLE III.C.2

Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories and Non-Residential Uses

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
Commercial Low (Neighborhood Commercial)	CL-O	.35	.20	.20	.20 w/ MUPD ⁴	.20
	CL	.20 w/o PDD ^{1,3} .25 w/ PDD ^{1,3}	.10 1.0 w/ TMD	.10 1.0 w/ TMD	.10 ⁵ <u>.20 w/ MUPD⁴</u> <u>.40 w/ TMD⁴</u>	.10
Industrial	IND	.45-.85 ⁹	not allowed	not allowed	.45	.45
	EDC	.45-.85 ⁹	not allowed	not allowed	not allowed	not allowed

Notes:

1. For Commercial Low (CL) and Commercial High (CH), the maximum allowable FAR for medical or professional offices and self-storage projects is .50.
2. For Commercial High (CH) and Commercial High Office (CH-O), the maximum allowable FAR is .50 for MUPD, and .85 for MXPDP, as defined in the ULDC.
3. A maximum FAR up to 1.0 may be permitted to allow for: infill development; mixed-use development (MXPDP); Traditional Neighborhood Development (TND); Traditional Market Place Development (TMD); or Lifestyle Commercial Centers (LCC).
4. For Ag Reserve TMDs and Ag Reserve MUPDs, the FAR is calculated on the total area of the development, including both the developed and preserve area.
5. Commercial properties which received a commercial future land use designation prior to January 31, 2016 and/or identified in Policy 1.5-i are limited to a maximum FAR of .10 unless developed as an AGR-MUPD or AGR-TMD and meet required Preserve Area requirements. Only future land use designations of Commercial Low located in the Agricultural Reserve Tier and approved prior to January, 2002, shall be allowed to develop at this FAR.
6. An FAR greater than .15 is only permitted for a) hospitals and related hospital campus uses, and b) AgR-MUPDs that meet the Preserve Area requirements.
7. An FAR greater than .05 is only permitted east of S.R. 7.
8. Institutional and Public Facilities uses within any FLU designation are allowed to utilize the maximum allowable FAR of the Institutional and Public Facilities FLU designation per the applicable Tier. In the case of multiple or mixed use projects, only proposed institutional and public facility uses shall be permitted to exceed the FAR of the project's FLU designation.
9. Industrial and storage related uses may be approved for up to .85 FAR.
10. The intensity of an Agricultural Enclave shall be determined utilizing the provisions of Policy 2.2.5-d, and shall be clearly indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.

C. **Future Land Use Element, Ag Reserve Non-Residential Text, Planned Developments**

REVISIONS: To revise Planned Development policies to allow AgR-MUPDs subject to the same design and preserve requirements at AgR-TMDs. The added text is underlined, and the deleted text ~~struck-out~~.

SUB-OBJECTIVE 1.5.1 Planned Developments

C.1 **REVISED** 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 ~~and may be developed at a density of one dwelling unit per acre.~~

C.2. **REVISED** Policy 1.5.1-a: ~~Three planned development options may be permitted in the Agricultural Reserve Tier: 1. the 80/20 AgR-PDD; 2. the 60/40 AgR-PDD; and 3. the AgR-TMD.~~ In order to preserve and enhance agricultural activity, environmental and water resources, open space, and sustainable development within the Agricultural Reserve Tier, all new residential, commercial, industrial, and/or mixed use developments shall be developed as an Agricultural Reserve Planned Development that contributes to the fulfillment of these objectives by meeting the preserve area requirements, subject to the provisions of this Element, with the exception of 1) Residential subdivisions predating the Ag Reserve Tier and those that are subdivided at 1 unit per 5 acre density; 2) pre-existing commercial sites identified in Policy 1.5-i which develop at the square footages identified within the Policy; and 3) the sites which received an industrial future land use designation as part of the adoption of the 1989 Comprehensive Plan.

C.3 **60/40 Planned Development Option**
Policy 1.5.1-i: A 60/40 AgR-PDD AgR-PUD shall require the following:

Unaltered text omitted for brevity

C.4. **NEW** Policy 1.5.1-##: **Agricultural Reserve Commercial and Mixed Use Planned Developments.** All commercial and mixed use Planned Developments are intended to provide one or more uses in a manner that is compatible with the scale and character of the surrounding residential uses and designed to promote a sense of place. The commercial and mixed use Planned Developments provide uses that can include shopping, entertainment, business, services, employment, cultural, civic, schools, places of worship, government services, and/or housing opportunities in a manner that increases a sense of community by creating a stronger pedestrian orientation through design, placement and organization of buildings connected to a common public space, while dispersing parking and respecting and maintaining the character of the surrounding area. The commercial and mixed use Planned Developments are intended to provide neighborhood and community serving scaled uses. Regional and large-scale big-box uses are not permitted.

C.5. **Policy 1.5.1-m: AGR-Traditional Marketplace Development.** The Agricultural Reserve Traditional Marketplace Development (AgR-TMD) is a planned development intended to provide an integrated mix of uses. The AgR-TMD differs from that AgR-MUPD by requiring a minimum of 51% of the commercial square footage to be designed as a "Traditional Main Street" that allows the floors above the shops and offices to have the potential to be used for either housing or residential/business as live/work spaces.

An Agricultural Reserve Traditional Marketplace Development (AgR-TMD) shall ~~require the following~~ meet the following requirements:

1. The total land area shall be a minimum of 25 acres;
2. The Development Area shall ~~that the development area~~ be contained in one compact area, ~~except as otherwise specified below, and shall not to exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map. The development area shall contain uses normally associated with commercial development such as the street system, parking and water retention areas;~~
3. The Development Area ~~that the development area~~ shall be located within 1/4 mile of the intersections of Lyons Road and Atlantic Avenue or Lyons Road and Boynton Beach Boulevard; and
4. The Development Area shall meet the Ag Reserve Design Elements.
5. ~~4. that the~~ Preserve Area ~~preserve area~~ shall consist of, at least, 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map. Up to 10 percent of the preserve area may be located within the development area for use as open space or public greenspace. Any portion of the preserve area not located within the development area:
 - a) ~~may be contiguous with the developed area; and/or it may be noncontiguous with the developed area, in which case it shall have a common boundary with other lands that aggregate to a total of 150 acres and 1) have a future land use designation of Conservation; and/or 2) that are designated as an Agricultural Reserve Preserve; and/or 3) that have had the development rights removed and remain in some type of open space.~~
 - b) shall be utilized for crop production; pasture; equestrian purposes; if designated by the South Florida Water Management District as a Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District or South Florida Water Management District, or for water management purposes not directly related to the AgR-TMD; or, if approved by the Department of Environmental Resources Management, managed for environmental resource values. Accessory agricultural structures such as barns and pump structures shall be permitted. Agricultural support uses such as processing facilities, and the like shall not be accommodated in the protected area of an AgR-TMD; nor shall new residential uses be accommodated thereon except for farm worker quarters or grooms quarters as described in Future Land Use Policy 1.5.1-o or, if located east of State Road 7 and adjacent to a development area, for civic purposes such as schools, libraries, or fire stations.

C.6. NEW Policy 1.5.1-#: AGR-Multiple Use Planned Development. New Agricultural Reserve Multiple Use Planned Developments (AgR-MUPD) in the Ag Reserve Tier shall meet the following requirements:

1. Preserve Areas shall not be required for properties that are 16 acres or less in size as of January 1, 2016. The acreage shall be exclusive of right-of-way as shown on the Thoroughfare Right of Way Identification Map;
2. If a property is greater than 16 acres in size as of January 1, 2016, then the Development Area shall not exceed 40 percent of the gross acreage less right-of-

- way as shown on the Thoroughfare Identification Map;
3. The Development Area for commercial and mixed use projects shall meet the Ag Reserve Design Elements; and
 4. Required Preserve Areas shall be subject to the standards and requirements of an AgR-TMD preserves.

C.7. NEW Policy 1.5.1-#: Ag Reserve Design Elements. In order to maintain the character of the Tier and quality of life for farm workers and residents, all new commercial and mixed use development the Ag Reserve Tier must demonstrate consistency with the following Ag Reserve Design Elements during the development review process. Conditions of approval to further define compliance with these elements may be adopted as part of the associated future land use amendment ordinance and/or zoning resolution:

1. A minimum of 5% usable open space as defined by the Introduction and Administration Element, prominently located within the project to act as a community gathering place;
2. A minimum of 20% landscaped, pervious surfaces that incorporate native landscape species in the site design, with an emphasis along roadway frontages, at entry features, and the provision of exceptional landscape buffers to ensure compatibility with adjacent residential or agricultural properties;
3. Interconnected, well landscaped pedestrian systems that link buildings with useable open space, sidewalks and other trail systems, to promote pedestrian circulation and encourage pedestrians to walk between uses;
4. Building placement designed to foster pedestrian connectivity with surrounding parcels;
5. Compatible building heights consistent with the character of the community; and
6. Public amenities such as sidewalks, lighting, seating, signage, gathering space, water features, landscaping, public art, and provisions for outdoor dining and merchant displays.

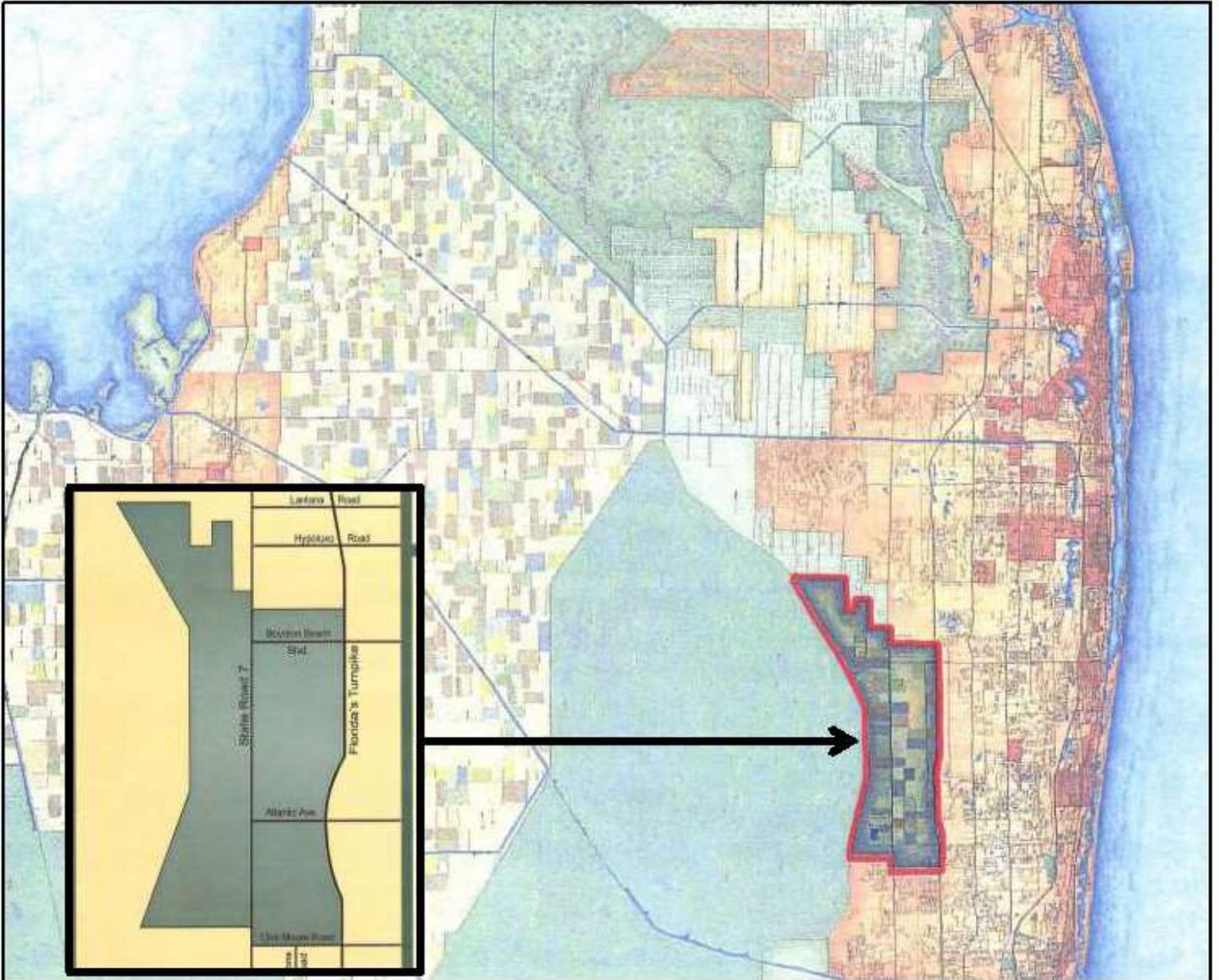
C.8. REVISED Policy 1.5.1-b: An residential AgR-PDD shall require the following:

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 ~~protected~~ area. For this purpose, a meandering or intrusion of the development area into the preserve ~~protected~~ area would only be considered in an equestrian community;
2. that the development area ~~of any AgR-PDD~~ be situated adjacent to other existing, planned, or projected development areas. ~~The protected areas shall be situated so as to provide for a common boundary with other agricultural lands, fallow land, or land which is projected to otherwise be in an open space land use;~~
3. that the development area provide an appropriate buffer between non-agricultural uses and adjacent agricultural uses to ensure that new non-agricultural uses do not adversely affect agricultural uses. When golf courses and similar amenities are provided in the development area, they shall be situated to serve as a buffer between non-agricultural uses and agricultural uses, though water features ~~in an~~ AgR-PDD shall not have to be located adjacent to the buffers of the development;
4. that AgR-PDD preserve areas not be regarded as part of any development lot;
5. that AgR-PDD preserve areas be used only for agriculture or open space uses;

6. that any structures built within preserve areas be for agricultural uses only (as further specified in the ULDC), and shall be considered common resources of the ~~AgR-PDD development's~~ residents or agricultural users;
7. that the dedication requirements (e.g. civic use) and calculations for land uses (e.g. non-residential pods) ~~be~~ are based only upon the development area ~~portion~~ of the AgR-PDD; and
8. that the development area shall use native or drought tolerant species for, at least, 60% of any landscape requirement.

Exhibit 19

C-2 Agricultural Reserve – Location Map



Source: *Agricultural Reserve Master Plan*, Palm Beach County Planning Division, October 2000.

Exhibit 20 C-3 Delray Growers – Aerial Map



Exhibit 21 C-3 Delray Growers – Location Map

Amendment No:	Delray Growers (LGA 2016-018)
FLUA Page No:	98
Amendment:	From Agricultural Reserve (AGR) to Commercial Low with an underlying Agricultural Reserve (CL/AGR)
Location:	Northeast corner of Atlantic Avenue and Smith Sundry Road
Size:	11.25 acres
Property No:	00-42-46-18-01-000-1210

Conditions:

1. Development on the site under the Commercial Low future land use designation is limited to a maximum of 91,100 square feet of commercial retail uses, or other uses which do not exceed the equivalent traffic generating trips.
2. The proposed amendment is subject to the County Initiated Commercial text amendments to the Comprehensive Plan adopted concurrently.

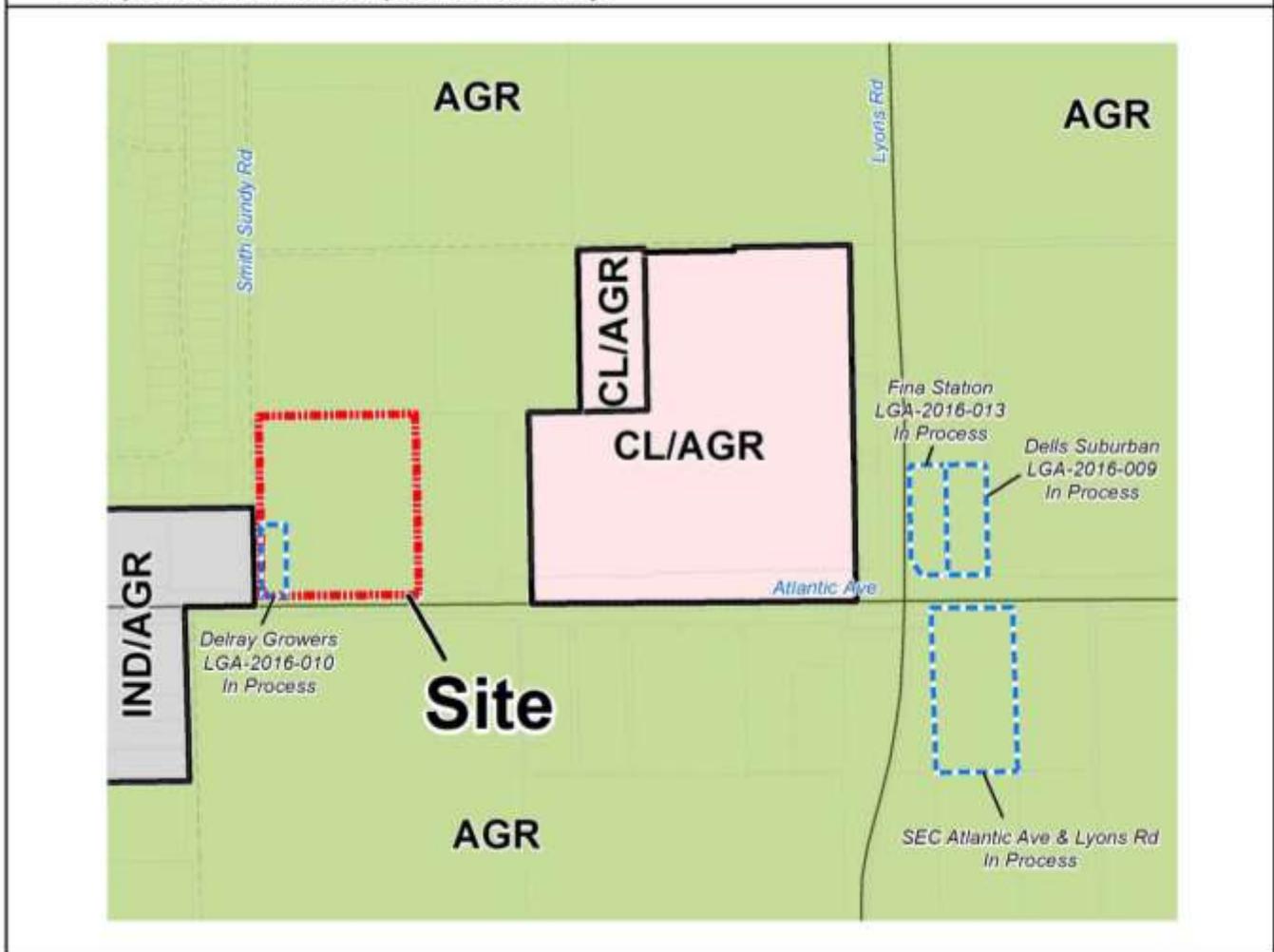


Exhibit 22

C-4 Alderman Commercial – Aerial Map



Exhibit 23 C-4 Alderman Commercial – Location Map

Amendment No:	Alderman (LGA 2016-004)
FLUA Page No:	88
Amendment:	From Agricultural Reserve (AGR) to Commercial Low with an underlying Agricultural Reserve (CL/AGR)
Location:	Northeast corner of Boynton Beach Boulevard and Lyons Road
Size:	15.34 acres
Property No:	00-42-45-20-04-002-0010; 00-42-45-20-04-002-0020
Conditions:	
<ol style="list-style-type: none"> 1. Development on the site under the Commercial Low future land use designation is limited to a maximum of 133,642 square feet of Commercial general or equivalent traffic generating uses. 2. The proposed amendment is subject to the County Initiated Commercial text amendments to the Comprehensive Plan adopted concurrently. 	



Exhibit 24 C-5 Homrich Commercial – Aerial Map



Exhibit 25 C-5 Homrich Commercial – Location Map

Amendment No:	Homrich Nursery (LGA 2016-019)
FLUA Page No:	88
Amendment:	From Agricultural Reserve (AGR) to Commercial Low with underlying Industrial (CL/IND)
Location:	North of Boynton Beach Boulevard, west of State Road 7 (US Hwy. 441)
Size:	13.44 acres
Property No:	00-42-43-27-05-052-0371; 0372; 0471;

Conditions:

1. Development on the site under the Commercial Low/Industrial future land use designation is limited to a maximum of 29,400 square feet of Commercial and 197,100 square feet of Light Industrial.
2. The proposed amendment is subject to the County Initiated Commercial text amendments to the Comprehensive Plan adopted concurrently.

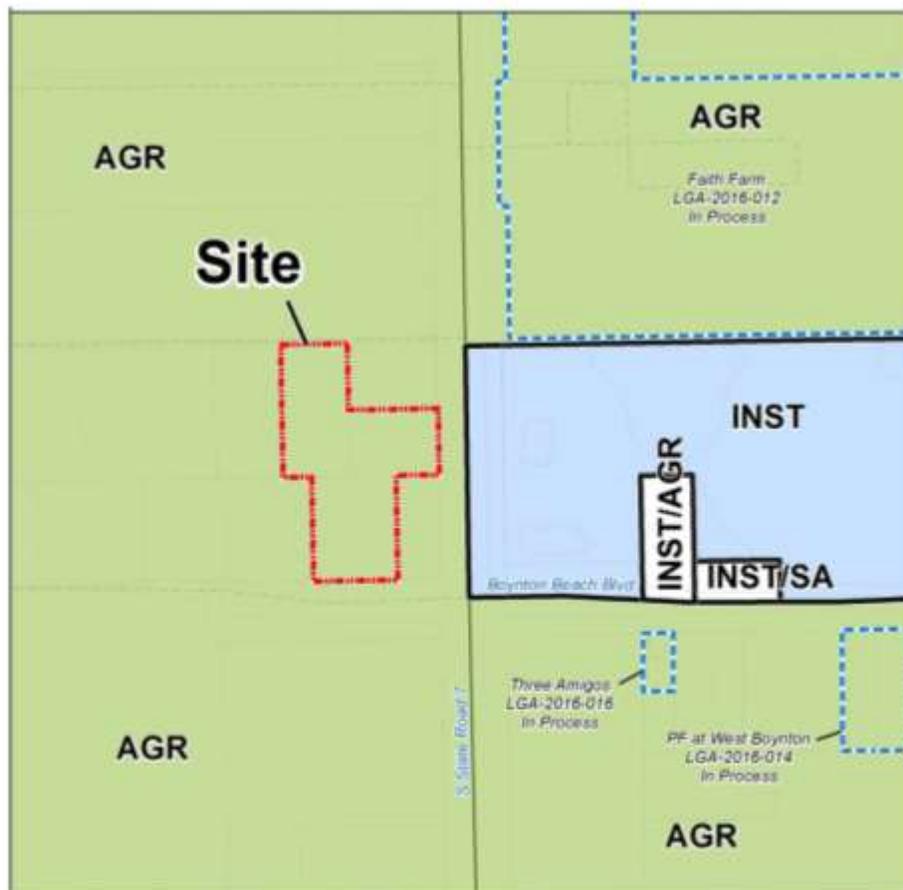


Exhibit 26

C-6 Agricultural Reserve “Farm Residence” – Text Changes Showing Strikethrough and Underline

A. Future Land Use Element, Agricultural Reserve Text

REVISIONS: To revise language regarding residential development rights within the Agricultural Reserve Tier. The added text is underlined, and deleted text ~~struck-out~~.

NEW Policy 1.5.1-j (*subsequent policies to be renumbered*): In order to accommodate agricultural operators with residences on-site, the County recognizes as eligible preserves for 60/40 PDDs those parcels which have, as of April 30, 2016, both an existing agricultural classification granted by the Palm Beach County Property Appraiser and an existing single family dwelling unit. The transferrable density shall be calculated at a rate of 1 per acre, excluding one acre associated with the existing single family dwelling unit. A caretaker's quarter as defined in the Unified Land Development Code shall not be considered a single family dwelling unit. Uses within the preserve area shall be subject to the preserve requirements of the associated AGR-PDD.

Exhibit 27
C-6 Existing Comprehensive Plan Agricultural Reserve
Planned Development District Policies

Existing Comprehensive Plan Planned Development District Policies

Policy 1.5.1-b: An AgR-PDD shall require the following:

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 protected area. For this purpose, a meandering or intrusion of the development area into the protected area would only be considered in an equestrian community;
2. that the development area of any AgR-PDD be situated adjacent to other existing, planned, or projected development areas. The protected areas shall be situated so as to provide for a common boundary with other agricultural lands, fallow land, or land which is projected to otherwise be in an open space land use;
3. that the development area provide an appropriate buffer between non-agricultural uses and adjacent agricultural uses to ensure that new non-agricultural uses do not adversely affect agricultural uses. When golf courses and similar amenities are provided in the development area, they shall be situated to serve as a buffer between non-agricultural uses and agricultural uses, though water features in an AgR-PDD shall not have to be located adjacent to the buffers of the development;
4. that AgR-PDD preserve areas not be regarded as part of any development lot;
5. that AgR-PDD preserve areas be used only for agriculture or open space uses;
6. that any structures built within preserve areas be for agricultural uses only (as further specified in the ULDC), and shall be considered common resources of the AgR-PDD residents or agricultural users;
7. that the dedication requirements (e.g. civic use) and calculations for land uses (e.g. non-residential pods) are based only upon the development portion of the AgR-PDD; and
8. that the development area shall use native or drought tolerant species for, at least, 60% of any landscape requirement.

Policy 1.5.1-h: An 80/20 AgR-PDD shall require the following

1. a minimum of 40 contiguous acres;
2. that the buildable area be contained in one compact area and not exceed 20 percent of the gross acreage. Land dedicated as rights-of-way for the County's Thoroughfare System, land allocated for the internal street system, and water areas required for on-site drainage retention may be deducted from the 80 percent; however, in no event shall the buildable area be increased to greater than 25 percent of the gross acreage;
3. that the remainder of the gross acreage be maintained in agriculture, passive recreation or other open space use, except that water features may only be considered within the preserve area if the feature is designated by the South Florida Water Management District as a Water Preserve Area (WPA). No other open space or recreational use that is intensive in nature, such as a golf course; or, which would interfere with the future practice of agriculture on the subject property; or continued practice of agriculture on adjacent properties shall be permitted; and
4. that the preserve area be held in common ownership and control by an HOA or other party for access by, and on behalf of, residents of the AgR-PDD or agricultural users, and operate under common management of an HOA or third party.

Policy 1.5.1-i: A 60/40 AgR-PDD shall require the following:

1. a minimum of 250 acres exclusive of right-of-way as shown on the Thoroughfare Identification Map;
2. that the development area be contained in one compact area and not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map. The development area shall contain uses normally associated with a PDD such as the street system, water retention areas, water amenity areas, active recreational areas (including golf courses), open space, which is integral to the PDD, and civic center sites;
3. the development area and the protected area need not be contiguous;
4. that the development area shall be situated east of State Road 7 with frontage on either State Road 7, State Road 806 (Atlantic Avenue), State Road 804 (Boynton Beach Boulevard), Clint Moore Road, Lyons Road extending north of Boynton Beach Boulevard or Lyons Road extending south of Atlantic Avenue and Acme Dairy Road extending south of Boynton Beach Boulevard to the L-28 canal. Other roadways may be added to this list, by Plan amendment, consistent with the goal of preservation and perpetuation of agriculture in the Agricultural Reserve Tier;
5. the development area shall not be situated west of State Road 7; and
6. that the preserve area shall consist of, at least, 60 percent of the gross acreage less right-of-way identified on the Thoroughfare Identification Map and be maintained in agriculture, passive recreation or other open space use. The preserve area shall:
 - a) contain a minimum area of 150 acres; and, be utilized for crop production, pasture, equestrian purposes, retained as fallow land or, if designated by the South Florida Water Management District as a Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District or South Florida Water Management District, or for water management purposes not directly related to the 60/40 AgR-PDD if approved by the Department of Environmental Resources Management, managed for environmental resource values. Accessory agricultural structures such as barns and pump structures shall be permitted. Agricultural support uses such as processing facilities, and the like shall not be accommodated in the protected area of an AgR-PDD, unless the parcel meets the criteria provided in Policy 1.5-h; nor shall new residential uses be accommodated thereon except for farm worker quarters as described in Future Land Use Policy 1.5.1-k and Housing Policy 1.4-d or grooms quarters as described in Future Land Use Policy 1.5.1-k; and
 - b) that in cases of preserve areas that are contiguous to the associated development area, these preserves be held in common ownership and control by an HOA or other party for access by, and on behalf of, residents of the AgR-PDD or agricultural users, and operate under common management of an HOA or third party.

Policy 1.5.1-j: The preserve area of a 60/40 AgR-PDD shall be subject to an agricultural conservation easement in favor of Palm Beach County or deeded to the County. In addition, if the preserve area is contiguous to the development area, it shall be shown on the AgR-PDD Master Plan as a Preserve Area.

