

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>20 08</u>	<u>20 09</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included In Current Budget?	Yes _____	No _____			
Budget Account No.:	Fund _____	Department _____	Unit _____	Object _____	
		Program _____			

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this workshop item. Fiscal impacts and funding sources for any specific Board direction resulting from this workshop would be analyzed at the time those items are brought to the Board for action.

C. Departmental Fiscal Review: Brenda J. Conner

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Amir White 5.29.08
ssb/ce OFMB *cn 5/28/08* Contract Dev. and Control
SK 5/28/08

B. Legal Sufficiency:
[Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director



TEXT AND MAP AMENDMENT WORKSHOP REPORT AMENDMENT ROUND 08-2

PLANNING COMMISSION, MAY 23, 2008

I. General Data

Project Name: Agricultural Reserve Tier—Institutional Uses in Planned Development Preserve Areas
Elements: Future Land Use Element
Project Manager: Maria Bello

II. Item Summary

Summary: To revise policies to permit institutional uses in the preserve areas of Agricultural Reserve (AgR) Tier Planned Developments.

III. Background

At a March 24th, 2008 Zoning Commission meeting, the Board of County Commissioners directed staff to initiate an amendment to the Comprehensive Plan, for Board consideration, that would allow institutional uses to be located in planned residential developments' preserve areas east of US 441, and to evaluate the possibility of also allowing these uses on County-acquired lands not used for environmental or agricultural purposes. At the formal initiation of Round 08-2, the Board revised its direction to exclude lands acquired with Agricultural Reserve bond funds from consideration.

While the initiated amendment relates to general policy provisions, discussion at the Round 08-2 initiation focused on a potential site for the Donna Klein Jewish Academy, currently located in southern Palm Beach County south of the Agricultural Reserve. The Academy has outgrown its current facilities, and recently purchased approximately 25 acres in the Agricultural Reserve with the intent to acquire an additional adjacent 19 acres and relocate the school campus. The twenty-five acres are located west of Lyons Road, north of Atlantic Avenue. Ten of the 25 acres are part of the preserve area of the Ascot II Planned Development, approved as an AgR '60/40' planned development. Fifteen of the acres purchased by the Academy are part of the preserve for the Delray Marketplace Traditional Marketplace Development, approved pursuant to the 'Traditional Marketplace' (TMD) provisions of the Agricultural Reserve Tier. The additional 19 acres proposed for purchase are on the west side of the already purchased acreage; these parcels are part of the preserves for the Amestoy AgR 60/40 Planned Development. A map provided by Land Design South, agents for the Donna Klein Academy, is attached in Exhibit 1.

Attachments

Exhibit 1 – Map of Donna Klein School Site -- Land Design South
Exhibit 2 – Map of Agricultural Reserve Land Uses – General
Exhibit 3 – Map of Agricultural Reserve Land Uses – Detailed Aerial

Preliminary Amendment Assessment

1) Consistency with the Comprehensive Plan:

a. Overview and Purpose of the Agricultural Reserve

The Agricultural Reserve provisions of the Comprehensive Plan were established “to preserve and enhance agricultural activity, environmental and water resources, and open space. This is to be accomplished by limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development limited to uses which serve the needs of farmworkers and residents of the Tier.” In addition to limiting the types of development, for most development the Comprehensive Plan also requires clustering of the uses on a portion of the site, with the balance to be retained in open space or agricultural use.

In addition to implementing Comprehensive Plan provisions, the County has furthered the intended purpose of the Agricultural Reserve through acquisition of lands through the bond issue approved by voters in 1999, which has resulted in the purchase of 2561 acres.

At present, just over 5,000 acres are in public ownership, including those acquired with bond funds. About 12,000 acres are in built or approved planned residential developments, most in the form of clustered development with open space preserves. Some 175 acres are approved as Traditional Marketplace Developments, also with clustered development and open space preserves. Some 500+ acres are in built or approved commercial, industrial, or institutional uses, mostly predating the current Agricultural Reserve provisions. Finally, about 2800 acres are considered ‘uncommitted’ from a future use perspective; many of these are in agricultural or agricultural residential use but have no conservation easement or restrictive covenant restricting the future use to agriculture.

A map depicting the general location of land uses in the Agricultural Reserve is provided in Exhibit 2. A more detailed aerial version is attached in Exhibit 3. Both maps are also available at the Planning Division website.

b. Agricultural Reserve Planned Development Preserve Provisions

Three planned development options are permitted in the Agricultural Reserve Tier. These are the 80/20 Planned Development, the 60/40 Planned Development, and the Traditional Marketplace Development. All three development options require the clustering of the development into a compact area, and the 60/40 and TMD options limit the location of the development area to sites east of State Road 7. Comprehensive Plan policies establish specific limitations for the use of preserves associated with all three types of planned developments in the Agricultural Reserve Tier:

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

omitted for brevity...

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;...

Some limited use of the preserves is permitted in support of agriculture. For example, farmworkers and grooms quarters may be allowed in a preserve area of a 60/40 planned development or a traditional marketplace development, provided that sufficient density is retained for that purpose. However, high-value added agricultural uses (such as packing houses, canneries, specialty food processing, etc), are not permitted in the preserve areas of planned developments.

More specifically, the plan provides:

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

omitted for brevity...

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:
 - c) 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; 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

One significant difference in the allowable uses for preserve areas occurs with Traditional Marketplace Developments.

Policy 1.5.1-m: An Agricultural Reserve Traditional Marketplace Development (AgR-TMD) shall require the following:

omitted for brevity...

4. 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. 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:
 - 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, for civic purposes such as schools, libraries, or fire stations.** (*Emphasis added*)

c. Agricultural Reserve Institutional Use Provisions

Comprehensive Plan policies generally allow Institutional and Public Facilities uses to be located under any Future Land Use designation, subject to any further provisions of the Plan and the Unified Land Development Code. Pursuant to the Plan, in the Agricultural Reserve:

- Institutional and Public Facilities must be located east of State Road 7.
- Institutional and Public Facilities uses are allowed either as:
 - a freestanding use; or
 - part of a Planned Development if:
 - in the development area of a residential Planned; or
 - in the preserve of a Traditional Marketplace Development, for civic uses such as schools, libraries or fire stations

As described in the Comprehensive Plan objective establishing the Agricultural Reserve Tier, non-residential development is limited to uses which serve the needs of farmworkers and residents of the Tier. Only in instances where the use is a government use located in a residential planned development is the use not limited to serving Agricultural Reserve residents:

Policy 1.5.1-f: Nonresidential land uses, limited to those uses which the County allows in residential developments within the Urban/Suburban Tier, may be allowed as a pod within the development area of a residential AgR-PDD master plan, provided that the nonresidential uses are situated to serve the residents of the AgR-PDD as opposed to the general public. If the nonresidential land uses are government uses, such as fire stations, libraries, etc., they are not required to be situated to serve only the residents of the AgR-PDD.

2) Impact of Proposed Text Amendment

Currently, there are 19 residential AgR Planned Developments in the Agricultural Reserve Tier. Eighteen of these are AgR 60/40 PDDs, and one is an AgR 80/20 PDD. There are 6837 acres of preserve areas associated with these Planned Developments. Of these, approximately 1607 are east of State Road 7. Absent any additional limiting or locational criteria, most of these 1607 acres would be available for institutional uses under the amendment as initiated by the Board of County Commissioners. A small portion of the 1607 acres of preserve is in the form of rural parkway right-of-way and other uses that would make it unsuitable.

Two Traditional Marketplace Developments have been approved in the Agricultural Reserve. These projects have 106 acres of preserve areas associated with them. These preserve areas, all located east of State Road 7, are currently available for civic purposes such as schools, libraries, or fire stations, per Comprehensive Plan provisions. In addition, about 2300 of the 2760 uncommitted acres in the Agricultural Reserve are located east of State Road 7, where institutional uses are permitted.

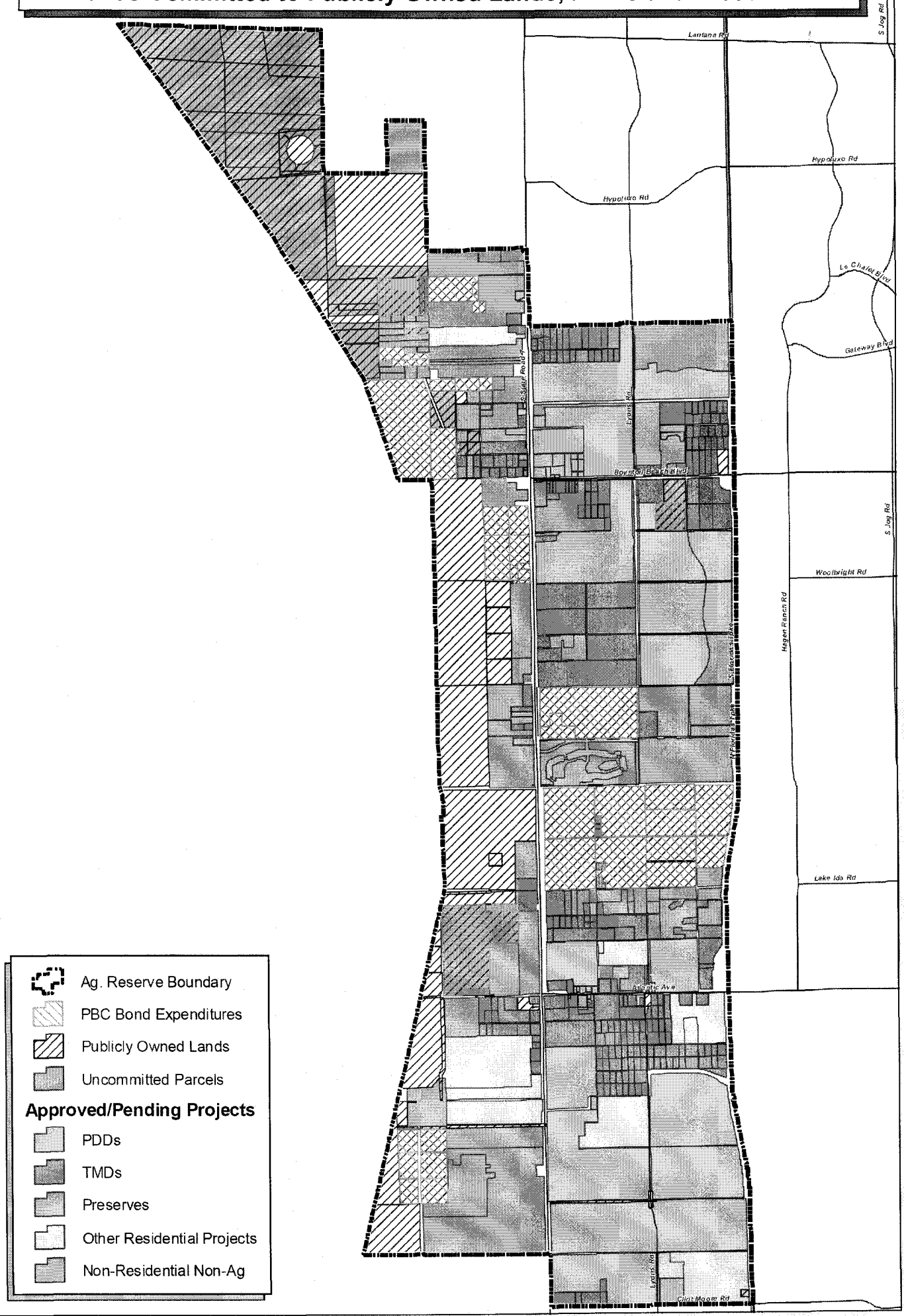
The Comprehensive Plan restricts non-residential development to uses that serve the needs of farmworkers and residents of the Tier, except when those uses are government uses located in the development area of a planned residential development. The amendment under consideration would therefore involve both a text change to expand the allowable locations for civic uses to include preserve areas of planned residential developments, and a text change to allow those institutional and civic uses to potentially serve population beyond the Agricultural Reserve residents and farmworkers. Additional criteria, such as locational or maximum percentage requirements, could be considered in order further limit the impacts of any institutional uses introduced into these preserve areas.

Exhibit 1



Agricultural Reserve

Lands Committed to Publicly Owned Lands, PDD's and Preserves



	Ag. Reserve Boundary
	PBC Bond Expenditures
	Publicly Owned Lands
	Uncommitted Parcels
Approved/Pending Projects	
	PDDs
	TMDs
	Preserves
	Other Residential Projects
	Non-Residential Non-Ag

Date: 5/1/08
 Contact: PBE/N
 Filename: N:\DMProj\AGRAGR



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



*Source: Existing Uses based on PAPA 2007 Property Use.
 Note: Map is not official for legal purposes only.

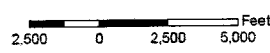
Agricultural Reserve

Lands Committed to County/Publicly Owned Lands & PDD's

- PDD's & Associated Preserves**
- 1 Rio Poco PUD *
 - 2 Delray Teaching Center (60/40 AGR-PUD)
 - 2A Stokes
 - 2B SFWMD
 - 3 Delray Lakes Estates PUD *
 - 4 Rainbow (aka Oaks) (60/40 AGR-PUD)
 - 4A Sunshine Meadows
 - 4B Walker Meadows
 - 4C Young Equestrian
 - 4D Bedner Farm
 - 5 Le Rivage (80/20 AGR-PUD)
 - 6 Sussman (60/40 AGR-PUD)
 - 6A Saturnia
 - 6B GL Homes
 - 7 Willis Gilderport *
 - 8 Miccosukee Estates (aka Kenco) †
 - 9 Horseshoe Acres Club *
 - 10 Tierra Del Rey South *
 - 11 Equus (aka Boywic) (60/40 Equestrian AGR-PUD)
 - 12 Fogg Property (60/40 AGR-PUD)
 - North**
 - 12F PBC/Butts
 - 12G Tree Warehouse
 - 12H Diawatch (Glenview)
 - 12I Starkey Road Association
 - 12J Bradley (Glenview)
 - 12K Wolf
 - 12M GL/Bruschi - South
 - 12N Rural Parkway Easment/ Scenic Corridor - North
 - Central**
 - 12L Dubois/Acme Dairy
 - 12N Rural Parkway Easment/ Scenic Corridor - Central
 - 12P PBC/Butts
 - 12R Mazzonei
 - South**
 - 12C Fogg South Property Preserve
 - 12D Mazzonei
 - 12E GL Homes
 - 12F PBC/Butts
 - 12M GL/Bruschi - North-East
 - 12N Rural Parkway Easment/ Scenic Corridor - South
 - 12Q PBC/Butts
 - 13 Countryside Meadows (60/40 AGR-PUD)
 - 13A Yee
 - 13B King South
 - 13C King North
 - 13D Niebel
 - 13E Townsend West
 - 13F Townsend East
 - 13G Lipton
 - 14 Ascot (60/40 AGR-PUD)
 - 14A Preserve - 1
 - 14B Preserve - 2
 - 14C Preserve - 3
 - 14D Preserve - 4
 - 14E Preserve - 5
 - 14F Preserve - 6
 - 15 Appollonia Farms (60/40 AGR-PUD)
 - 15A SFWMD
 - 16 Dubois (60/40 AGR-PUD)
 - 16A Johnson
 - 16B SFWMD
 - 16C Chico
 - 16D PBC/Butts
 - 16E SFWMD 2
 - 17 Ascot - Lyons & Atlantic (60/40 AGR-PUD)
 - 17A Preserve - 1
 - 17B Preserve - 2
 - 17C Preserve - 3
 - 17D Preserve - 4
 - 17E Preserve - 5
 - 17F Preserve - 6
 - 17G Preserve - 7
 - 17H Rural Parkway
 - 17I Preserve - 1a
 - 17J Preserve - 6a
 - 18 Delray Holdings 282 (60/40 Equestrian AGR-PUD)
 - 18A Rural Parkway
 - 18B Preserve
 - 19 Lyons West (60/40 AGR-PUD)
 - 19A Rural Parkway
 - 19B Hyder Preserve
 - 19C SFWMD 2C
 - 19D SFWMD 2E
 - 19E SFWMD 2B
 - 20 Palm Meadows (60/40 AGR-PUD)*
 - 20A Preserve
 - 21 Hyder (60/40 AGR-PUD)
 - 21A SFWMD
 - 21B Chico
 - 21C Hyder North
 - 23 Amestoy (60/40 AGR-PUD)
 - 23A Falowski
 - 23B Frueh
 - 23C Himmelnich
 - 23D Jill
 - 23E Kahlert
 - 23F Bruschi
 - 23G Amestoy
 - 23H Vogel
 - 23I Grassy River
 - 23J West Boynton
 - 23K McDougald
 - 23L Czito
 - 23M Voustas
 - 23N Dell
 - 23P SFWMD
 - 23Q SFWMD
 - 23R SFWMD
 - 23S SFWMD*
 - 24 Delray Market(place) (60/40 AGR-TMD)
 - 24A Preserve - 1
 - 24B Preserve - 2
 - 24C Preserve - 3
 - 24D Preserve - 4
 - 24E Rural Parkway
 - 24F Lyons ROW
 - 24G W. Atlantic ROW
 - 25 Canyon Town Center (60/40 AGR-TMD)
 - 25A School Site/Residual Parcel
 - 25B Park
 - 25C Lyons ROW
 - 26 Acme East (60/40 AGR-PUD)
 - 26A Chico
 - 26B Jill
 - 26C Gayler
 - 26D SFWMD
 - 26E Bolton
 - 27 Lyons Rd 34 Acres †
 - 28 Balmoral at Delray Lakes Estates †

Revision Date: 05/20/03
 Contact: James Gammack-Clark/FBehn
 Filename: N:\D:\PDD\AgRes\AgPdds&PubLands
 * Pending projects not yet approved by the BCC
 † Residential Subdivision
 * Residential Subdivision approved prior to January 1st, 1990
 Note: Map is not official, for presentation purposes only.

- SFWM Owned Lands
- County Owned Lands
- Other Publicly Owned Lands
- Ag Reserve Boundary
- Interstate 95
- Florida's Turnpike
- Secondary
- Tertiary



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