

# 2025 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 1. Amendment Data

### A. Amendment Data

<b>Round</b>	26-B	<b>Intake Date</b>	November 12, 2025
<b>Application Name</b>	Amerigrow Commerce	<b>Revised Date</b>	Not applicable
<b>Acres</b>	29.93 AC	<b>Control Number</b>	1993-00022
		<b>FLUA Page</b>	Page 101
		<b>Text Amend?</b>	No
<b>PCNs</b>	00-42-43-27-05-067-0042		
<b>Location</b>	South side of Atlantic Ave approx. 0.4 miles west of SR-7		
<b>BCC District</b>	5 – Commissioner Sachs		
	<b>Current</b>	<b>Proposed</b>	
<b>Tier</b>	Agricultural Reserve (AGR)	No proposed change	
<b>Use</b>	Chipping and Mulching	Warehouse with Accessory Office	
<b>Zoning</b>	Agricultural Reserve (AGR)	Multiple Use Planned Development (MUPD)	
<b>Future Land Use Designation</b>	Agricultural Reserve (AGR)	Commerce (CMR) with an underlying Agricultural Reserve (AGR)	
<b>Conditions</b>	None	To be determined	

### B. Development Potential

	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>Maximum Square Feet (for non-residential)</b>	0.15 FAR x 29.93 ac. = 195,562 SF of agricultural uses	0.35 FAR x 29.93 ac. = 456,313 SF of light industrial uses
<b>Maximum Units (for residential)</b>	1 du/5 acres x 29.93 ac. = 6 units	1 du/5 acres x 29.93 ac. = 6 units
<b>Maximum Beds (for CLF proposals)</b>	N/A	N/A

## Part 2. Applicant Data

### A. Agent Information

<b>Name</b>	Alex Ahrenholz / Lauren McClellan
<b>Company Name</b>	JMorton Planning & Landscape Architecture
<b>Address</b>	3910 RCA Boulevard, Suite 1015
<b>City, State, Zip</b>	Palm Beach Gardens, FL 33410
<b>Phone / Fax Number</b>	561-721-4461 / 561-721-4463
<b>Email Address</b>	<a href="mailto:aahrenholz@jmortonla.com">aahrenholz@jmortonla.com</a> / <a href="mailto:lmcclellan@jmortonla.com">lmcclellan@jmortonla.com</a>

### B. Applicant Information

<b>Name</b>	Mark Schroeder, President
<b>Company Name</b>	Amerigrow Recycling Delray LTD Partnership
<b>Address</b>	10320 W Atlantic Avenue
<b>City, State, Zip</b>	Delray Beach, FL 33446
<b>Phone / Fax Number</b>	See agent
<b>Email Address</b>	See agent
<b>Interest</b>	Owner



## Part 3. Site Data

### A. Site Data

<b>Built Features</b>	5,468 SF Total of Storage Containers, 11,223 Sf Total of Canopy/Cover and 9,360 SF Total of Buildings.
<b>Street Address</b>	10320 Atlantic Avenue
<b>Frontage</b>	Approximately 333.88 feet of frontage along Atlantic Avenue and 1,320.15 feet of depth.
<b>Legal Access</b>	Atlantic Avenue
<b>Contiguous under same ownership</b>	00-42-43-27-05-067-0170 (20 Acres to the south) and 30 ft access easement parcel- No PCN. (0.47 acres to the north)
<b>Acquisition details</b>	The property was acquired on July 11, 1995, from Sherri Galiette by Personal Representative's Deed. According to the Special Warranty Deed, the Property was granted for the consideration of \$500,000.
<b>Size purchased</b>	29.93 acres

### B. Development History

<b>Previous FLUA Amendments</b>	None
<b>Concurrency</b>	Chipping, Mulching, composting and potting soil manufacturing 29.94 total acres
<b>Plat, Subdivision</b>	Palm Beach Farms CO Plat No. 3. PB 2, PG 45.

## C. Zoning Approvals & Requests

Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)
	DRO-2025-01314	In process	Administrative Site Plan Amendment		Increase square footage of storage space and soil line office.
	ZAR-2022-927	Approved	Administrative Site Plan Amendment	Address items that are not part of a Code Enforcement Case.	
	ZZR-2016-948	Approved	Administrative Site Plan Amendment	Update plan to reflect approved variances.	Elimination of landscape in select buffers and interior.
ZR-2016-034	ZV-2015-1938	Adopted with Conditions	Type II Variance		Eliminate interior trees, Right-of-Way Buffer and plant materials along south north, east, and west property lines.
	DRO-2015-1937	Approved	Administrative Site Plan Amendment	Administrative modification.	Add square footage.
	DRO-2012-2678	Approved	Administrative Site Plan Amendment	Revise approved Final Site Plan.	Chipping and mulching, composting and potting soil manufacturing.
ZR-2012-381	ZV-2012-381	Approved	Type II Variance		Reduction in required number of trees. Reduction in the buffer width.

## Part 4. Consistency

### A. Surrounding Land Uses.

Adjacent Lands	Use	Future Land Use	Zoning
<b>North</b>	Equestrian (Palm Beach Downs, 79,200 SF), Bonafide Agriculture, and Government Offices (27,052 SF)	Agricultural Reserve (AGR)	Agricultural PUD/Preserve (AGR-PUD/P) & Agricultural Reserve (AGR)
<b>South</b>	Bonafide Agriculture	Agricultural Reserve (AGR)	Agricultural PUD/Preserve (AGR-PUD/P)
<b>East</b>	Bonafide Agriculture & EJKJ Industrial MUPD	Agricultural Reserve (AGR) & Commerce with and Underlying Agricultural Reserve (CMR/AGR)	Agricultural PUD/Preserve (AGR-PUD/P), Agricultural Reserve (AGR) & Multiple Use Planned Development (MUPD)
<b>West</b>	Landscape Services (4,650 SF), and Bonafide Agriculture (2,925 SF)	Agricultural Reserve (AGR)	Agricultural PUD/Preserve (AGR-PUD/P) & Agricultural Reserve (AGR)

## Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
<b>Max Trip Generator</b>	Nursery (Garden Center) (ITE LUC 817) 108.10 trips per day/acre + Nursery (Wholesale) (ITE LUC 818) 19.5 trips per day/acre	Light Industrial (ITE 110) 4.87 trips per day/1000 S
<b>Maximum Trip Generation</b>	1043 daily, 20 AM, 49 PM	2054 daily, 312 AM, 274 PM (Maximum)
<b>Net Daily Trips:</b>	1011 daily trips (maximum minus current) (Proposed)	
<b>Net PH Trips:</b>	292 AM, 274 PM (maximum) (proposed)	
<b>Significantly impacted roadway segments that fail Long Range</b>	None	None
<b>Significantly impacted roadway segments for Test 2</b>	None	SR 7 between Atlantic Avenue and Winners Circle: Based on 2030 southbound AM background conditions, widening from 4 to 6 lanes divided is required.
<b>Traffic Consultant</b>	Simmons & White	
B. Mass Transit Information		
<b>Nearest Palm Tran Route (s)</b>	Route 81 – DLB Crosstown via Atlantic Avenue	
<b>Nearest Palm Tran Stop</b>	Stop #6409 – Oriole Plaza at Rods Rest Svc Road, east side of Hagen Ranch Road approximately 0.051 miles north of Atlantic Avenue. Approximately 2.9 miles east of the site.	
<b>Nearest Tri Rail Connection</b>	Delray Beach Station	
C. Potable Water & Wastewater Information		
<b>Potable Water &amp; Wastewater Providers</b>	Palm Beach County Water Utilities Department	
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest connections to potable water and sanitary sewer are a 16-inch water main stub out and a 4-inch force main located approximately 0.24 miles and 0.14	

	miles, respectively, from the subject property, west of the US Hwy 441/ W Atlantic Ave. intersection.			
<b>D. Drainage Information</b>				
Site is located within the jurisdiction of Lake Worth Drainage District and South Florida Water Management District C-15 drainage basin. Legal positive outfall is available to L-34W Canal.				
<b>E. Fire Rescue</b>				
<b>Nearest Station</b>	Palm Beach County Fire-Rescue Station # 49, located at 12555 Lyon Road			
<b>Distance to Site</b>	4.50 miles			
<b>Response Time</b>	Average response time is 7:50			
<b>Effect on Resp. Time</b>	The proposed amendment will extend response time to 11 minutes and 30 seconds			
<b>F. Environmental</b>				
<b>Significant habitats or species</b>	There are no natural features on the property. The current chipping and mulching facility covers the entire parcel with cleared land and operations.			
<b>Flood Zone*</b>	The Property is in Zone X, which is not a flood zone			
<b>Wellfield Zone*</b>	The Property is not located within a Wellfield Protection Zone			
<b>G. Historic Resources</b>				
There are no significant historic resources present on the Property				
<b>H. Parks and Recreation - Residential Only (Including CLF) Not Applicable</b>				
<b>Park Type</b>	<b>Name &amp; Location</b>	<b>Level of Svc. (ac. per person)</b>	<b>Population Change</b>	<b>Change in Demand</b>
<b>Regional</b>	N/A	0.00339		
<b>Beach</b>	N/A	0.00035		
<b>District</b>	N/A	0.00138		
<b>I. Libraries - Residential Only (Including CLF) Not Applicable</b>				
<b>Library Name</b>	N/A			
<b>Address</b>				
<b>City, State, Zip</b>				
<b>Distance</b>				

Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person		
All staff	0.6 FTE per 1,000 persons		
Library facilities	0.6 square feet per person		
<b>J. Public Schools - Residential Only (Not Including CLF) Not Applicable</b>			
	Elementary	Middle	High
Name	N/A		
Address			
City, State, Zip			
Distance			



# Attachment F Built Feature Inventory & Map

Atlantic Ave

Atlantic Ave

Atlantic Ave

**B2:** 990 SF  
Caretakers  
Quarters

**B3:** 1,800 SF  
Office Building

**B4&5:**  
(2) 160 SF  
Work Sheds

105th Dr S

Site

**B1:** 6,250 SF  
Equipment Storage  
Building

Salty Bay Dr

Celtic Sea Ln

Cherry Creek Ln  
Rio Grande Ave

441  
7

441  
7

- Storage Containers – 5,468 SF Total
- Other Buildings (**B1 – B5**) – 9,360 SF Total
- Total Buildings on site – 14,828 SF
- Canopy / Cover – 11,223 SF Total





## Attachment G Consistency with the Comprehensive Plan and Florida Statutes

### **Introduction**

On behalf of the Applicant, JMorton Planning & Landscape Architecture is requesting a Comprehensive Plan Future Land Use Atlas (FLUA) amendment for one parcel located on the south side of Atlantic Avenue, approximately 0.4 miles west of State Road 7. The Property encompasses 29.93 acres of an existing chipping and mulching facility (herein referred to as the “Property,” PCN 00-42-43-27-05-067-0042). A concurrent application is being filed for a rezoning to Multiple Use Planned Development (MUPD) to allow development of a light industrial use on the Property.

### **I. PROPOSED FLUA MAP AMENDMENT**

The Applicant is proposing to amend the Future Land Use designation of the Property from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR).

### **Description of Site Vicinity**

The Property, and all surrounding properties, currently have a Future Land Use designation of Agricultural Reserve. The surrounding area includes multiple agricultural operations such as row crops and agricultural sales. Parcels to the immediate west, south, and north are bona fide agricultural operations without prior approvals but are designated as preserve parcels under the associated control number for the development site. The EJKJ Industrial MUPD is currently under construction along the eastern property for light industrial.

Land uses directly abutting the Property include the following:

<b>Adjacent Lands</b>	<b>Use</b>	<b>Future Land Use</b>	<b>Zoning</b>	<b>Control Number</b>
<b>North</b>	Equestrian (Palm Beach Downs, 13,200 SF), Bonafide Agriculture, and Government Offices (27,052 SF)	Agricultural Reserve (AGR)	Agricultural PUD/Preserve (AGR-PUD/P) & Agricultural Reserve (AGR)	2004-0250, 2004-0369, 1996-0100
<b>South</b>	Bonafide Agriculture	Agricultural Reserve (AGR)	Agricultural PUD/Preserve (AGR-PUD/P)	2000-0032
<b>East</b>	Bonafide Agriculture & EJKJ Industrial MUPD (111,300 SF)	Agricultural Reserve (AGR) & Commerce with and Underlying Agricultural Reserve (CMR/AGR)	Agricultural PUD/Preserve (AGR-PUD/P), Agricultural Reserve (AGR) & Multiple Use Planned Development (MUPD)	2004-0369,
<b>West</b>	Landscape Services (3,450 SF) Bonafide Agriculture, Utilities	Agricultural Reserve (AGR)	Agricultural PUD/Preserve (AGR-PUD/P) & Agricultural Reserve (AGR)	2022-0076

### **G.1 Justification**

Each proposed FLUA amendment must be found to be consistent with the Goals, Objectives, and Policies (GOPs) of the Comprehensive Plan. Future Land Use Element Policy 2.1.f requires that adequate justification for the



proposed land use be provided. The justification statement must demonstrate that a change is warranted and address the following two factors:

**1. *The proposed use is suitable and appropriate for the subject site.***

**Response:** The proposed amendment from Agricultural Reserve (AGR) to Commerce (CMR) is both suitable and appropriate for the Property based on its location, surrounding development pattern, and access to major transportation corridors. The Property is situated along Atlantic Avenue, a major east–west arterial that has historically supported industrial and commercial uses predating the creation of the Agricultural Reserve Tier. The corridor’s character continues to evolve toward light industrial and service-oriented development, making the proposed Commerce designation a logical and compatible extension of the existing pattern. With frontage on Atlantic Avenue and direct access via 105th Drive South connecting to State Road 7, the site is well positioned to accommodate light industrial uses that can serve the surrounding area while improving overall compatibility, aesthetics, and functionality compared to the existing use.

The Property is currently used as a chipping and mulching facility, and the proposed Commerce designation would allow for modern light industrial operations located within enclosed buildings and subject to current site design, buffering, and landscaping requirements. This transition will significantly reduce off-site impacts, improve visual character, and contribute to a safer, cleaner, and more compatible environment for neighboring properties. Light industrial development under the Commerce designation will also provide new employment opportunities and strengthen the local economy while maintaining consistency with the Agricultural Reserve’s preservation and land use balance goals.

The Property is uniquely situated adjacent to compatible uses, including the approved EJKJ Industrial MUPD, the AmeriGas facility, and a retail shopping plaza to the east, as well as the U.S. Post Office and Palm Beach Downs equestrian facility to the north. There are no residential uses directly adjoining the Property. The proposed amendment will therefore reinforce and extend the corridor’s compatible commercial and industrial character without introducing land use conflicts. This amendment represents the highest and best use of the Property and will contribute to the continued orderly development of the Atlantic Avenue corridor.

**2. There is a basis for the proposed FLU change for the particular subject site based upon one or more of the following:**

**a. *Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site.***

**Response:** The Agricultural Reserve Tier has undergone substantial changes in recent years. The Board of County Commissioners (BCC) has recognized evolving development patterns and compatibility challenges between agricultural operations and the growing number of residential neighborhoods. Many permitted agricultural uses are industrial in character, prompting the BCC to establish a light industrial category to better complement agricultural and service-related needs.

In 2022, the BCC adopted the Commerce (CMR) Future Land Use designation to create a third industrial land use category specifically within the Agricultural Reserve Tier, where no other industrial land uses are permitted. The Commerce designation is therefore uniquely appropriate for this site, allowing non-intensive industrial uses that are compatible with adjacent agricultural operations and supportive of the evolving Atlantic Avenue corridor.

Nearby land use amendments demonstrate this transition. The intersection of Atlantic Avenue and State Road 7 was redesignated to Commercial Low (CL) for the “Stop and Shop” development (LGA-2016-023), including retail, restaurant, and fuel service uses. The entrance to this commercial center is located approximately 1,500 feet east of the Property.

Several additional Commerce designations have been approved by the BCC throughout the Agricultural Reserve Tier, including LTG Sport Turf (LGA 2023-007), EJKJ Industrial (LGA 2023-004), SR7 Business Plaza (LGA 2023-006), BC Commerce Center (LGA 2023-003), and Bedner Oaks Commerce (LGA 2024-003). These approvals, along with BCC direction supporting additional light industrial opportunities, clearly indicate that Commerce land uses are appropriate for properties fronting Atlantic Avenue, Boynton Beach Boulevard, and State Road 7.

It is also noteworthy that all the historic uses along Atlantic Avenue, west of Half Mile Road, are industrial and precede the establishment of the Agricultural Reserve Tier. The proposed Commerce designation will expand upon this long-standing industrial corridor, reinforcing a consistent and compatible pattern of development without introducing land use conflicts.

***b. Changes in the access or characteristics of the general area and associated impacts upon the subject site.***

**Response:** Access to the Property will continue from Atlantic Avenue, with an expanded access easement along the south property line to connect directly to 105th Drive South and ultimately to State Road 7.

There are no adjacent approvals that would hinder development potential or introduce incompatible land uses. As described above, recent approvals for industrial development throughout the Agricultural Reserve Tier signify a major shift in the area's overall character. These projects provide new business and service opportunities to meet the needs of the growing local population while complementing existing agricultural operations. Notably, immediately east of the Property is the EJKJ Industrial MUPD, which is currently under construction for light industrial uses. As part of that approval, right-of-way was dedicated to improve access along 105th Drive South and to allow traffic from this site to connect efficiently to State Road 7.

No residential developments exist adjacent to or proposed near the Property. The Agricultural Reserve has transitioned from a primarily rural agricultural area to a suburban community with a rapidly increasing population requiring nearby services and employment opportunities.

A sustainable community is one that is designed and managed to promote balanced growth, efficient infrastructure, and economic resilience. Allowing light industrial land uses within proximity to existing and planned residential communities will help reduce vehicle trips outside the Agricultural Reserve, alleviate traffic congestion, and enhance accessibility within the Tier.

***c. New information or change in circumstances which affect the subject site.***

**Response:** The consultants who prepared the Agricultural Reserve Master Plan initially identified Atlantic Avenue between State Road 7 and Smith Sundry Road (Half Mile Road) as an appropriate corridor for limited industrial development, recommending approximately 330,000 square feet of additional industrial space within the Tier. However, when the Board of County Commissioners reviewed the Master Plan and adopted policies for the Agricultural Reserve, the industrial recommendations were not included.

Over twenty years have passed since those policies were adopted, and the Agricultural Reserve is now nearing buildout. Of the approximately 22,000 acres within the Tier, fewer than 600 acres remain without entitlement for either development or preservation.

The Master Plan envisioned the Agricultural Reserve as a community where residents could “live, work, and play” without traveling to the Urban/Suburban Tier. In practice, the area has evolved into an enclave dominated by high-cost single-family neighborhoods with limited employment options. Current jobs are primarily associated with commercial centers, agricultural activities, and the limited industrial corridor along Atlantic Avenue.

The proposed amendment to the Commerce designation will provide new opportunities for employment-generating and service-oriented uses that align with the original intent of the Master Plan. The concurrent rezoning application for light industrial use will establish a compatible transition between agricultural, equestrian, and existing industrial uses. Development of the Property will also improve site circulation and redirect a portion of local traffic from Atlantic Avenue to State Road 7, enhancing overall network efficiency.

**d. Inappropriateness of the adopted FLU designation.**

*Response: N/A*

**e. Whether the adopted FLU designation was assigned in error.**

*Response: N/A*

### **G.2 Residential Density Increases**

This proposed FLU amendment is not a request to increase residential density.

### **G.3 Compatibility**

Compatible land uses are defined as those which coexist without creating or fostering undesirable health, safety, or aesthetic impacts arising from the direct association of dissimilar activities, including those related to intensity of use, traffic, hours of operation, noise, vibration, smoke, hazardous odors, or other adverse conditions. The repealed Rule 9J-5, F.A.C., defined “compatibility” as “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted, directly or indirectly, by another use or condition.”

To be compatible, two uses do not need to serve identical functions. Rather, compatibility is achieved when uses coexist without negatively affecting one another. In many cases, differing uses can complement each other, for example, light industrial uses can provide essential services to nearby agricultural operations, equestrian facilities, and surrounding neighborhoods. Buffering, screening, setbacks, height limits, and landscaping requirements further enhance compatibility by reducing potential off-site impacts.

The requested Commerce FLU amendment would enhance the Property’s compatibility with surrounding uses. As noted, agricultural operations can generate impacts such as noise, dust and heavy equipment use. The proposed Commerce designation would reduce these impacts by requiring site plan approval, setbacks, buffers, and enhanced landscaping pursuant to the County’s Unified Land Development Code (ULDC). The site design will ensure compatibility with adjacent industrial, commercial, agricultural and equestrian properties.

Several factors support the conclusion that the proposed amendment will be compatible with neighboring properties:

- The Property is located along Atlantic Avenue, a major east–west transportation corridor and will maintain secondary access to State Road 7 via 105th Drive South.
- Many properties along the Atlantic Avenue corridor already contain industrial or commercial uses.
- The proposed use aligns with the existing industrial development pattern and complements adjacent commercial, industrial and agricultural land uses through the development of light industrial uses.

### **G.4 Comprehensive Plan**

The proposed Future Land Use Atlas Amendment is consistent with various goals, objectives, and policies in the Palm Beach County Comprehensive Plan as detailed below.

**Goals** – The proposed FLUA amendment furthers the County’s goals as described below.

- **Strategic Planning** – “...to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.”  
**Response:** Approval of this FLUA amendment will allow for the development of a light industrial use on a property with frontage on Atlantic Avenue, a major transportation corridor. The Property is surrounded by bona fide agricultural, industrial, and equestrian uses. The proposed amendment will introduce neighborhood-serving employment and service opportunities within the Agricultural Reserve Tier, without being directly adjacent or visible from residential areas.
- **Land Planning** – “...to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, and environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities.”  
**Response:** The Property’s location within the Agricultural Reserve Tier, designated as a Limited Urban Service Area (LUSA), ensures the efficient provision of public facilities and services. The proposed Commerce designation allows for development of light industrial uses that meet the needs of local residents and agricultural operations while supporting the balance of uses envisioned in the Comprehensive Plan.

**Objectives** – The proposed FLUA amendment furthers the County’s objectives as further described below.

- **FLUE Objective 2.2 Future Land Use Provisions - General** – “Palm Beach County shall ensure development is consistent with the County’s diverse character and future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provisions of facilities and services shall be consistent with the property’s future land use designation, and the applicable Goals, Objectives and Policies of this Element.”  
**Response:** The Commerce (CMR) designation provides an opportunity for light industrial uses in appropriate locations, ensuring employment-based development along major corridors while maintaining protection for residential areas. The amendment supports the growing residential communities within the Agricultural Reserve by offering nearby services and employment opportunities, reducing the need for vehicle trips outside the Tier.
- **FLUE Objective 3.1 Service Areas - General** – “Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.”  
**Response:** The Property lies within the Agricultural Reserve Tier, designated as a LUSA, where services are already available. The proposed amendment is consistent with the existing development pattern along Atlantic Avenue and the adjacent EJKJ Industrial MUPD. Approval will facilitate efficient use of existing services and expand employment opportunities within the Tier.

**Policies** – The proposed FLUA amendment furthers the County’s policies as further described below.

- **FLUE Policy 1.5-v:** “The County shall foster employment opportunities in the Agricultural Reserve Tier by allowing light industrial uses at appropriate locations to provide a balance of land uses for current and new residents of the Tier. All new future land use amendments requesting industrial type uses in the Agricultural Reserve Tier shall meet the following requirements:
  1. Limited to the Commerce (CMR) future land use designation.
  2. Located with frontage and access on State Road 7 (north of Rio Grande Avenue), Atlantic Avenue, Boynton Beach Boulevard or have access to these roadways through an existing commercial or industrial site. Sites located west of State Road 7 must share a common border with a property with commercial or industrial future land use;

3. Be accompanied by a concurrent zoning application and conceptual site plan in order to demonstrate that the proposal meets the design, scale, and character requirements of the Tier;
4. Have a minimum of 3 acres and a maximum of 50 acres (with the exception of lands dedicated to rights of way); and
5. Preserve shall be required for Commerce sites utilizing Light Industrial, Multiple Use Planned Development, or Planned Industrial Park Development zoning pursuant to FLUE Policy 1.5.1-q and subject to the following:
  - The preserve area requirements shall be based upon the acreage over 16 acres, shall be a minimum of 40% of the total land area over 16 acres, and allow water management tracts in preserve areas contiguous to the development area that provide enhanced environmental features and improved water quality as demonstrated through the future land use amendment process.

**Response:** The project proposes a light industrial development on a 29.93-acre property with frontage and access on Atlantic Avenue. The Property is directly adjacent to the EJKJ Industrial MUPD with the same Commerce designation. The request includes a concurrent rezoning to MUPD, consistent with applicable performance standards. The required preserve area (40% of the 13.93 acres over 16 acres, or 5.57 acres) is shown on the concurrent site plan.

- **FLUE Policy 2.2.4-a:** “The County shall apply Industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space, provide opportunities for the retention and expansion of industrial and employment based economic activities, and to promote economic development consistent with the County’s economic development directives. The County shall also encourage a broad range of employment opportunities and shall discourage Future Land Use Atlas amendments that result in the loss of industrially designated land.”

**Response:** The Commerce designation allows light industrial uses at appropriate locations along major corridors, ensuring a mix of employment and service opportunities within the Agricultural Reserve. This designation promotes economic diversity and reduces commuting distances for residents.

- **FLUE Policy 2.2.4-c:** “The three Industrial future land use designations are intended to accommodate industrial uses which are defined as uses engaged in the manufacturing, assembly, processing, research and development, wholesale distribution, or storage of products, related uses and services, including Office of an Industrial Nature (as defined by the Introduction and Administration Element).

1. **Commerce.** The Commerce (CMR) future land use designation is intended to accommodate light industrial uses to provide an option for low-trip generating non-residential and/or employment generating uses on arterial roadways. Industrial uses allowed shall be limited to those that demonstrate Light Industrial characteristics.

**Response:** Development of a light industrial use on the Property would be consistent with the existing and approved Commerce uses along Atlantic Avenue and State Road 7, providing both employment opportunities and essential services to the surrounding community.

- **FLUE Policy 2.2.4-d:** “Industrial uses shall be considered either Light or Heavy as defined below.  
**Light Industrial.** Light industrial development’s typical operation is not likely to cause undesirable effects, danger or disturbance upon nearby areas and typically does not create negative impacts on immediately adjoining uses. These uses typically do not cause or result in the dissemination of dust, smoke, fumes, odor, noise, vibration, light, or other potentially objectionable effects beyond the boundaries of the lot on which the use is conducted..”

**Response:** As noted, agricultural operations can generate impacts such as noise, dust and heavy equipment use. The proposed Commerce designation would reduce these impacts by requiring site plan approval, setbacks, buffers, and enhanced landscaping pursuant to the County’s Unified Land Development Code (ULDC). The site design will ensure compatibility with adjacent industrial, commercial, agricultural and equestrian properties.



### **G.5 Florida Statutes**

Data and analysis demonstrating that the proposed development can be supplied by necessary services without violating adopted LOS standards are presented in Attachment H (Traffic Letter and Study), J (Drainage Statement), K (Fire Rescue Letter), and I (Water and Wastewater Provider Letter). Data and analysis discussing environmental and historical resources impacts are presented in Attachments J (Drainage Statement), M (Wellfield Zone), L (Natural Features Inventory and Map) and N (Historic Resource Evaluation Letter). No negative environmental impacts are identified.

The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below along with the applicant's descriptions. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment discourages urban sprawl.

- *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single use development or uses.*  
**Response:** The Applicant is requesting to change the FLU of the property from AGR to CMR with an underlying future land use of AGR for the purpose of providing additional services along the Atlantic Avenue corridor. The amendment does not promote low intensity/density or single-use development.
- *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*  
**Response:** The Property is located within the Atlantic Avenue corridor which is not rural in nature as evidenced by the existing urban services such as police, fire rescue and water/wastewater/drainage utilities in the immediate area.
- *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*  
**Response:** The Property is not isolated in nature and currently supports a chipping and mulching facility. The Property is surrounded by various industrial, equestrian, and agricultural uses that would be considered infill development along Atlantic Avenue, a major east/west transportation corridor with access to State Road 7, a major north/ south corridor. It is directly west of the EJKJ Industrial project which has a Commerce FLU designation and is currently under construction.
- *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*  
**Response:** This amendment does not fail to protect and conserve natural resources as the proposed development will have no negative impact on any other significant natural system. The Property does not support any environmentally sensitive areas as it is currently utilized for a chipping and mulching facility. No listed species were located on the property and it is located outside of any wellfield protection zone. As required by the ULDC, any native plant material will be addressed during the zoning approval process.
- *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*  
**Response:** The Property is currently utilized for a chipping and mulching business. Several changes have already been granted to properties within the immediate area that allow the development of commercial and industrial uses. The area has been changing from agriculture to commercial and industrial uses since 2006. Since the proposed request is for Commerce, no negative impacts to agricultural uses are anticipated with the land use change. As the Property is under 50 acres, it will not impact the larger parcels supporting agriculture operations in the Tier.
- *Fails to maximize use of existing public facilities and services.*

**Response:** This amendment will maximize the use of existing facilities and services. The Property's location within a Limited Urban Service Area (LUSA) means that services and public facilities are available to serve the Property.

- *Fails to maximize use of future public facilities and services.*

**Response:** Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. This amendment will maximize the use of any future facilities proposed or constructed in the future and provide additional tax base. Therefore, the proposal will maximize the existing public services in the area.

- *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.*

**Response:** Public services and facilities are already available in the immediate vicinity. The proposed amendment will provide for infill development and fit in with the existing land use pattern.

- *Fails to provide a clear separation between rural and urban uses.*

**Response:** Approval of a Commerce Future Land Use designation will be consistent with the industrial development to the east. While the property is located within the Agricultural Reserve Tier of the County, this major roadway corridor has been changing as new commercial and industrial uses are approved and developed further to the west. The surrounding residential developments are supporting and increasing the demand for these uses. Therefore, the proposal discourages the proliferation of Urban/Sprawl.

- *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

**Response:** This amendment will allow for the development of a Property that is consistent with the existing and proposed uses along Atlantic Avenue Future development on the Property will serve the current and future needs for the surrounding communities.

- *Fails to encourage a functional mix of uses.*

**Response:** Approval of this proposed amendment will allow the development of industrial uses that will provide services to the surrounding existing residential communities rather than allowing the current single use development pattern that has occurred in the Agricultural Reserve to continue. Development of the Property will allow the community needs to be met within the Tier which will cause trips to remain in the Agricultural Reserve Tier.

- *Results in poor accessibility among linked or related land uses.*

**Response:** The development will maintain access to 105<sup>th</sup> Drive S which is being expanded and improved to allow EJKJ industrial uses to access the same road that connects to State Road 7.

- *Results in the loss of significant amounts of functional open space.*

**Response:** This amendment does not result in a loss of any functional open space as the Property is currently not utilized as functional open space. There are 5.57 acres of preserve allocated within the concurrent site plan application.

**Florida Statutes, Section 163.3177.(6).(a).9.b:** *Of those criteria listed in this section the subject property will meet the following criteria which shows that it will discourage the proliferation of urban sprawl:*

- *Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*

**Response:** This amendment does not fail to protect and conserve natural resources as the property does not contain natural resources. The Property is located outside of any wellfield protection zone. As required by the ULDC, any native plant material will be addressed during the zoning approval process.

- *Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*

**Response:** The proposed Future Land Use amendment will maximize the use of public facilities and services. Public infrastructure already exists within this relatively urban area. No facilities would be required to be installed in rural or sparsely populated areas, thereby maximizing the use of the existing facilities. Therefore, the proposal discourages the proliferation of Urban Sprawl.

- *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*

**Response:** The development will be designed with pedestrian connections to Atlantic Avenue as required through the site plan approval process.

- *Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.*

**Response:** Approval of this proposed amendment will allow the development of an industrial use that will allow for additional employment opportunities within an area of the County that has historically only been developed with low density single family residential development. In order to meet the growing demand, additional industrial land is needed in this area. Therefore, the proposed amendment would contribute to livable communities and help balance the land uses within the Agricultural Reserve while maintaining the character of the community.

### **Conclusion**

The proposed amendment from Agricultural Reserve (AGR) to Commerce (CMR) is consistent with the Goals, Objectives, and Policies of the Palm Beach County Comprehensive Plan and Florida Statutes. The amendment is compatible with surrounding development, discourages urban sprawl, and supports efficient use of existing services and infrastructure. The CMR designation will complement existing agricultural, residential, and commercial uses along Atlantic Avenue by continuing the light industrial corridor that strengthens the Agricultural Reserve's economic and functional balance.

### **II. ULDC CHANGES**

No ULDC changes are needed in response to this proposed comprehensive plan future land use atlas amendment.





**Water Utilities Department  
Engineering**

8100 Forest Hill Blvd

West Palm Beach, FL 33413

(561) 493-6000

Fax: (561) 493-6085

[www.pbcwater.com](http://www.pbcwater.com)

■

**Palm Beach County  
Board of County  
Commissioners**

Maria G. Marino, Mayor

Sara Baxter, Vice Mayor

Greg K. Weiss

Joel G. Flores

Marci Woodward

Maria Sachs

Bobby Powell Jr.

**County Administrator**

Joseph Abruzzo

*"An Equal Opportunity  
Affirmative Action Employee"*

September 16, 2025

Morton  
3910 RCA Blvd  
Palm Beach Gardens, FL 33410

Re: Service Availability  
PCN 00-42-43-27-05-067-0042

To Whom It May Concern,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the subject property, PBCWUD currently has the capacity to provide the level of service required for the land use amendment from Agricultural Reserve (AGR) to Commerce (CMR) on approximately 30.73 acres.

The nearest connections to potable water and sanitary sewer are a 16-inch water main stub out and a 4-inch force main located approximately 0.24 miles and 0.14 miles, respectively, from the subject property, west of the US Hwy 441/ W Atlantic Ave. intersection. Offsite potable water and force main extensions or improvements will be required to facilitate these connections.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. The addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

If you have any questions, please do not hesitate to contact me at [Kcaricchio@pbcwater.com](mailto:Kcaricchio@pbcwater.com)

Sincerely,

A handwritten signature in blue ink that reads "Katherine Caricchio".

Katherine Caricchio, P.E.  
Senior Professional Engineer

November 12, 2025  
Job No. 25-148

LAND USE PLAN AMENDMENT APPLICATION  
STATEMENT OF LEGAL POSITIVE OUTFALL

Amerigrow Commerce  
29.93 Acre Site  
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the south side of West Atlantic Avenue approximately 0.4 miles west of State Road 7 in Palm Beach County, Florida and contains approximately 30.73 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-067-0042. The property is currently designated as Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 29.93-acre parcel's designation to Commerce (CMR) with underlying Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan.

SITE DRAINAGE

The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-15 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District L-34W Canal along the north side of Atlantic Avenue. Drainage design is to address the following:

1. On-site retention of the runoff from the 3 year, 1 hour rainfall event.
2. No runoff to leave the site except through an approved control structure up to the level produced by the 25 year, 3 day rainfall event.
3. Building floor elevations to be at or above the level produced by the 100 year 3 day rainfall event.

DRAINAGE (CONTINUED)

4. Parking lots to be protected from flooding during a 3 year, 24 hour event, or the 5 year, 24 hour event if exfiltration trench is used.
5. Allowable discharge to be in accordance with South Florida Water Management District Basin criteria.
6. Compliance with the South Florida Water Management District C-15 Drainage Basin criteria with required to compensating storage.
7. Due to consideration to water quality.

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006

This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 11/12/2025.

Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by  
Bryan Kelley  
Date: 2025.11.12  
08:21:13-05'00'



November 12, 2025  
Job No. 25-148

LAND USE PLAN AMENDMENT APPLICATION  
FLOOD PLAIN STATEMENT

Amerigrow Commerce  
29.93 Acre Site  
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the south side of West Atlantic Avenue approximately 0.4 miles west of State Road 7 in Palm Beach County, Florida and contains approximately 30.73 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-067-0042. The property is currently designated as Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 29.93 acre parcel's designation to Commerce (CMR) with underlying Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan.

FLOOD ZONE

The above referenced project is located in Flood Zone X as shown on the FEMA Flood Rate Insurance Map Panel 100B of 245 (Palm Beach County).

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006

This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 11/12/2025.

Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed  
by Bryan Kelley  
Date:  
2025.11.12  
08:21:45-05'00'





**Fire Rescue**

Chief Patrick J. Kennedy  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pbc.gov



**Palm Beach County  
Board of County  
Commissioners**

Maria G. Marino, Mayor

Sara Baxter, Vice Mayor

Gregg K. Weiss

Joel G. Flores

Marci Woodward

Maria Sachs

Bobby Powell Jr.

**County Administrator**

Joseph Abruzzo

September 15, 2025

J Morton  
Planning Landscape Architecture  
Attention: Maryori Velasco  
3910 RCA Boulevard, Suite 1015  
Palm Beach Gardens, FL 33410

Re: Amerigrow Commerce

Dear Maryori Velasco:

Per your request for response time information to the subject property located on the south side of Atlantic Avenue, approximately 0.4 miles west of SR-7, PCN 00-42-43-27-05-067-0042. This property is served currently by Palm Beach County Fire-Rescue Station #49, which is located at 12555 Lyons Rd. The maximum distance traveled to subject property is approximately 4.50 miles from the station. The estimated response time to the subject property is 11 minutes 30 seconds. For fiscal year 2024, the average response time (call received to on scene) for this stations zone is 7:50.

Property owners need to be aware of the extended response time of 11 minutes 30 seconds to the subject property. This land use change will cause approximately 131 additional calls/year to this station.

If you have any further questions, please feel free to contact me at 561-616-6909.

Sincerely,

Cheryl Allan, Planner II  
Palm Beach County Fire-Rescue



# Attachment L Natural Feature Inventory & Map





November 12, 2025  
Job No. 25-148

LAND USE PLAN AMENDMENT APPLICATION  
WELLFIELD PROTECTION ZONE STATEMENT

Amerigrow Commerce  
29.93 Acre Site  
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the south side of West Atlantic Avenue approximately 0.4 miles west of State Road 7 in Palm Beach County, Florida and contains approximately 30.73 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-067-0042. The property is currently designated as Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 29.93-acre parcel's designation to Commerce (CMR) with underlying Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan.

WELLFIELD PROTECTION ZONE

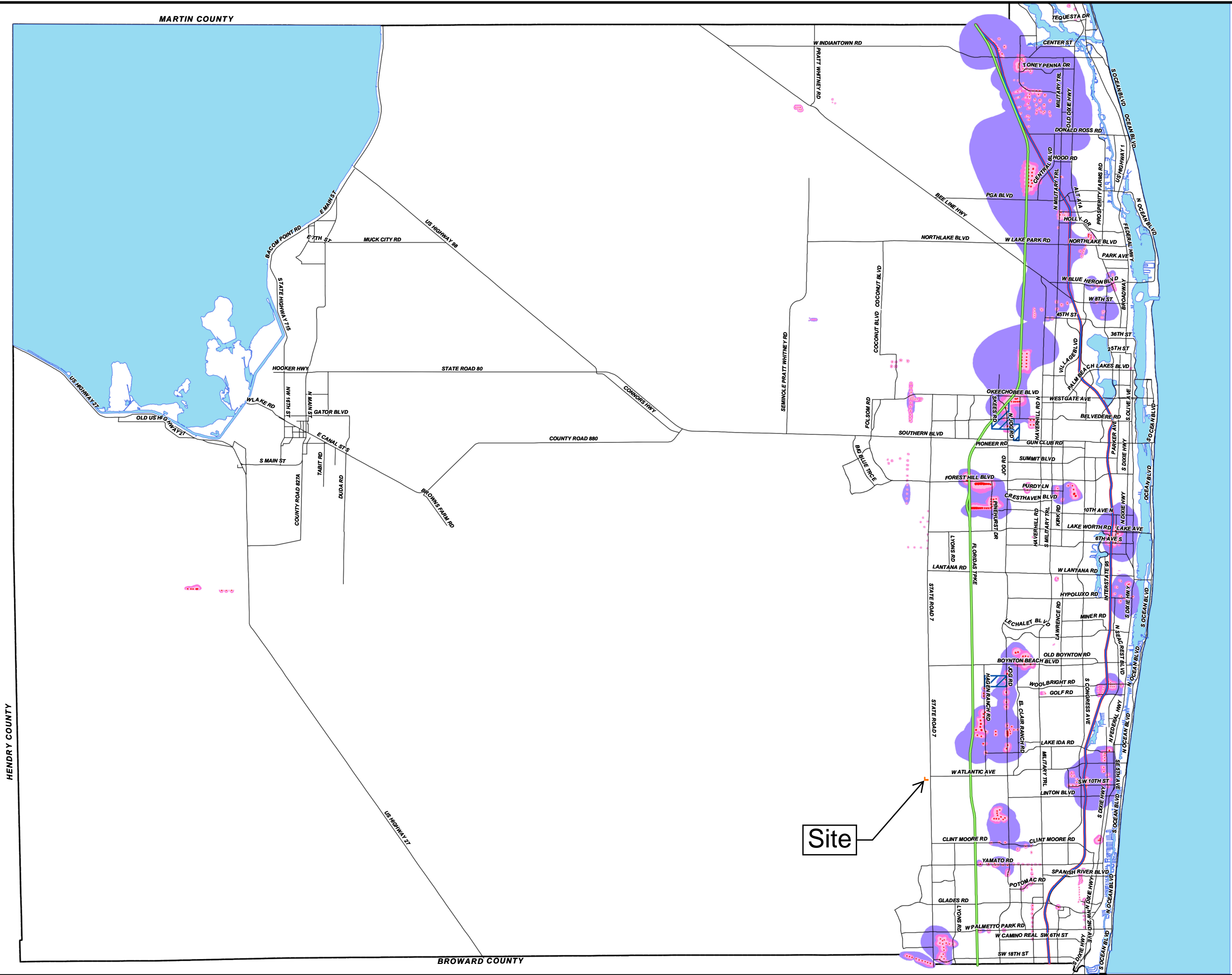
The above referenced project is not located within any Wellfield Protection Zones as shown on the "Wellfield Protection Zones of Influence in Palm Beach County, Florida," exhibit, adopted June 12, 2015.

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006

This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 11/12/2025.

Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

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by Bryan Kelley  
Date:  
2025.11.12  
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**MAP LU 4.1**  
**WELLFIELD PROTECTION**  
**ZONES IN PALM BEACH**  
**COUNTY, FLORIDA**

-  Zone 1
-  Zone 2
-  Zone 3
-  Zone 4
-  Turnpike Aquifer Protection Overlay

9J-5.006(4)(B)1  
SOURCES:  
PBC Dept. of Environmental Resources Management  
Note: Official Wellfield Protection Maps are kept at, and can be obtained from, the Palm Beach County Department of Environmental Resources Management.  
The information presented represents the most readily available data. No guarantee is made as to the completeness or accuracy of the information displayed. Consult appropriate County staff for final determination.



**PALM BEACH COUNTY**  
**COMPREHENSIVE PLAN**  
**MAP SERIES**



1 0 1 2 3 4 Miles

Effective Date: 10/29/04  
Filename: N:\Map Series\MXD\Adopted  
Contact: PBC Planning Dept.





**Planning, Zoning  
& Building Department**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Compliance 233-5500  
Contractor Regulations 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbc.gov/pzb](http://www.pbc.gov/pzb)



**Palm Beach County  
Board of County  
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Maria Sachs

Bobby Powell Jr.

**County Administrator**

Joseph Abruzzo

September 3, 2025

Maryori Velasco  
J. Morton, Planning & Landscape Architecture  
3910 RCA Boulevard, Suite 1015  
Palm Beach Gardens, Florida 33410

RE: Historical and Archaeological Resource Review for project name:  
Amerigrow Commerce, under PCN: 00-42-43-27-05-067-0042.

Dear Ms. Velasco:

This correspondence is in response to your request for a review of the above-mentioned property regarding the identification of any cultural resources (historical and archaeological resources) located on or within 500 feet of the property.

Staff review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no historic or architecturally significant resources on or within 500 feet of the above referenced property.

Staff review of the County's map of known archaeological sites has identified no known archaeological resources located on or within 500 feet of the above-mentioned property.

However, should any artifacts or skeletal remains be encountered during construction, per Chapter 827 Florida Statutes, construction must stop around the remains and the local sheriff and medical examiner contacted.

Should you have any questions or comments, please contact me at (561) 233-5331.

Sincerely,

Christian Davenport, MA, RPA  
County Historic Preservation Officer/ Archaeologist

C: Thuy Shutt, AIA, NCARB, FRA-RA, Planning Director, PBC Planning Division  
Jeff Gagnon, AICP, Deputy Planning Director, PBC Planning Division  
Bryan Davis, CNU-A, Principal Planner, PBC Planning Division  
Nydia I. Pontón-Nigaglioni, PhD, RPA, PBC Archaeologist / Planner II, PBC Planning Division