



Agricultural Reserve Chronology

1972 through April 2025

Palm Beach County Planning Division

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AG RESERVE CHRONOLOGY OF EVENTS

1972 and 1980 Comprehensive Plans Origins

Starting with Palm Beach County's 1972 Land Use Plan, the area now known as the Ag Reserve was part of a larger area designated as "Residential Estates" with densities ranging from 1 unit per acre for a Planned Unit Development (PUD) to 1 unit per 2.5 acres for a standard subdivision.

In 1980, the County's first Comprehensive Plan formally created the "Reserve" area which included "unique farmland or marginal wetland" and defined its boundaries. The emphasis was the preservation of agriculture and very low densities, which were reduced to 1 unit per 5 acres. It also allowed 80/20 PUDs with 1 unit per acre clustered on 20 percent of the land with a minimum of 40 acres. In addition, provisions were established to encourage the Transfer of Development Rights (TDRs) outside of the Reserve into the Urban Service Area.

1989 Comprehensive Plan and Moratorium Declared

In 1989, the County's Comprehensive Plan revised the area's boundaries to remove non-contiguous portions, designated the vast majority of the area with the Agricultural Reserve (AGR) future land use and reflected land use changes made during the 1980s. These revisions reduced the area by more than 5,000 acres resulting in its current boundaries encompassing approximately 22,000 acres. In order to study the long-term viability of agriculture in this area, the Board enacted a moratorium. TDR options were still permitted, but the 80/20 PUD option and 1 unit per 5 acres provisions were suspended.

1990 Ag Reserve Study

In 1990, the County hired Dames and Moore to conduct a study of the Ag Reserve, which included two phases:

- Phase I: An economic impact analysis and an analysis of agricultural determinants (Feb 1991)
- Phase II: A land use suitability analysis (October 1991) and development of alternative scenarios, related strategies, and impact assessment (February and March 1992)

Alternative scenarios ranged from maintaining agriculture (TDRs, Purchase of Development Rights, and Agricultural Districts), through an "anti-sprawl" development option with protection of natural resources and environmental sensitive lands, to expansion of development with no effort to preserve agriculture.

1993 Purchase of Agricultural Conservation Easements (PACE) Program

In May 1993, the County Planning Division staff completed a preliminary report as part of Phase III of the work to be originally completed by Dames and Moore. The report made recommendations for establishing a Purchase of Agricultural Conservation Easements (PACE) program. The study concluded that as much as \$100 to \$200 million would be needed to fund the PACE program.

1994 to 1995 New Ag Reserve Provisions & Lifting of Moratorium

In 1994, the BCC adopted new provisions for the Ag Reserve, based in some of the recommendations of the previous studies. These new provisions were found "Not In Compliance" by the State Land Planning Agency, the Department of Community Affairs (DCA). Subsequently in 1995, after an administrative hearing process, the Board

adopted a Remedial Plan Amendment, which included an additional 60/40 planned unit development option with a minimum of 150 acres of preserve area and development clustered in 40% of the land. Preserve areas under this option were not required to be contiguous to the development area, and development was limited to areas east of State Road 7. The moratorium was lifted in 1995 allowing all the development options to proceed.

1998 Ag Reserve Rezoning

In 1998, the County adopted a rezoning of approximately 20,000 acres of land to change predominately Agricultural Residential (AR) zoning to Agricultural Reserve (AGR) for consistency with the Agricultural Reserve future land use designation pursuant to State legislation that requires zoning to be consistent with future land use designations. The uses allowed within AR and AGR were different, although there was a greater range of agricultural uses allowed in AGR.

1996 to 1999 Ag Reserve Bond Issue

A PACE committee was established in 1996 with very little success of acquiring agricultural conservation easements, which led to exploring a bond issue to fund the PACE program. This resulted in a 1998 recommendation to utilize a Bond Issue to preserve agriculture in the Ag Reserve. In 1999, Palm Beach County voters approved a referendum authorizing a \$150 million bond issue to purchase agricultural and environmental sensitive lands. The PACE program was officially repealed in 2001 and its committee replaced with the then existing Conservation Land Acquisition Selection Committee (CLASC), which carried through the purchase of agricultural and environmental sensitive lands. Close to 2,400 acres were purchased with Bond monies to date. The County has subsequently sold 167 acres with no development rights and deed restrictions to the Solid Waste Authority and farmers (see page 3 for more information).

1998 to 1999 Agricultural Reserve Master Plan

In July 1998, the Palm Beach County Board of County Commissioners (BCC) authorized CH2M HILL to proceed with the development of a Master Plan for the Agricultural Reserve in south-central Palm Beach County. The master planning effort was a cooperatively funded agreement between the County and the South Florida Water Management District. Phase I Report was completed by the end of 1998 and Phase II (Development of the Master Plan) was completed by mid-1999 with the collaboration of Dover, Kohl, and Partners. (see Exhibit 1 for more information on Master Plan Process)

2000 to 2001 Managed Growth Tier System – Establishing the Ag Reserve Tier

The County adopted in 1999 the Managed Growth Tier System (MGTS) which identified different tiers in order to acknowledge and protect the differing lifestyles of the community. One of the Tiers created was the Ag Reserve Tier. In 2001, there was a re-writing of the Ag Reserve provisions to convert them into the Ag Reserve Tier. This effort included incorporating the Ag Reserve Master Plan into the Comprehensive Plan.

Post 2001 Managed Growth Tier System – Ag Reserve Tier Developments

Several developments utilizing the 60/40 development option and one utilizing the 80/20 option had already been approved by the time the Ag Reserve provisions were revised in 2001. Subsequent to 2001, several more 60/40 planned unit developments were approved including two commercial developments, known as Delray Marketplace and Canyon Town Center, utilizing the 60/40 Traditional Market Place Development (TMD) option

were adopted in 2001. The TMD developments were restricted by the Comprehensive Plan to the intersections of Boynton Beach Boulevard and Atlantic Avenue with Lyons Road.

2001 to 2011 Managed Growth Tier System – Unanticipated Events

A few events occurred in the Ag Reserve that were not anticipated by the Ag Reserve Master Plan or its incorporation into the Comprehensive Plan:

- **2004 Appolonia Farms 60/40 AGR-PUD Approval – SFWMD Lands as preserves:** This development approval included a total of over 1,500 acres of which 610 acres were proposed as the development area and 918 acres, owned by the South Florida Water Management District, proposed as offsite preserve area. The utilization of SFWMD lands to meet the preserve area requirement of AGR-PUD's was not contemplated. Those SFWMD lands were in fact excluded during the formulation of the Master Plan with respect to the potential units that could be built in the Ag Reserve. However, the inclusion of the Strazzula tract as preserve was associated with the County's acceptance of 547 acres of land in north County for conservation purposes. The BCC therefore determined that there was a greater good served by allowing the Strazzula tract to be approved as preserve area only for the Appolonia Farms AGR-PUD.
- **2005 Hospital:** A land use amendment on a 63 acre site was adopted (Ord. 2005-036) to the Institutional and Public Facilities (INST) future land use to allow for the development of the Bethesda West Community Hospital on the northeast corner of Boynton Beach Boulevard and State Road 7. This facility along with associated medical office development on the campus was not envisioned in the Ag Reserve Master Plan or allowed through policies adopted in the Comprehensive Plan. Although Institutional uses are allowed east of State Road 7, those uses were not envisioned to serve the needs of a population beyond the farm workers and residents of the Tier. The approval of a major hospital campus in the Ag Reserve has also increased development pressure on some surrounding properties resulting in property owners near the hospital campus submitting applications to request a change of their land use designations to accommodate additional medical office. In 2011, a 4.88 acre site surrounded by the hospital received a text amendment and land use change (Ord. 2012-16 and 2012-17) to INST.
- **2005-2006 County Sold Property Bought with Bond:**
 - **Solid Waste Authority** – the County sold a 40 acre property that was previously purchased with the voter approved Bond money, to the Solid Waste Authority (SWA) for the purpose of locating a Waste Transfer Station in the Ag Reserve. The absence of a facility in the area was contributing to capacity overloads at other facilities. The BCC adopted an amendment in 2005 (Ord. 2005-060) to change the Future Land Use designation on the property from Agricultural Reserve with a Preserve Note (AGR-PR) to Transportation and Utilities Facilities (U/T) to allow the transfer station to develop.
 - **Brookside Property** – In 2003, the County purchased the Brookside property for \$5,163,432. In April, 2006, the County issued a Request for Proposal to sell the property to a qualified buyer for agricultural production. The Brookside property was not leased in order to limit revenue, as tax exempt status of bonds limits the revenue that can be received from private parties. In May 16, 2006, the BCC selected The Bowman Group proposal, with purchase price of \$3,225,000 and uses to be restricted to: crop production; wholesale and retail nursery; green market; farmers market; produce stand; stable with a limit of 24 horses, pasture, or fallow land; and a maximum of 4 groom's quarters. All development rights will be removed, property will be subject to a conservation easement limiting the use to the agricultural uses proposed by the selected Respondent. On May 23, 2006, the Board approved the Contract. In June 21-

22, 2006 a County Deed was executed by the County to Brookside Estates, LLC, and Smith Sundry Estates, LLC, and recorded (ORB 20514 PG 1702). The Conservation Easement was also recorded (ORB 20514 PG 1704) limiting uses to those in respondent's proposal. Brookside Estates, LLC, and Smith Sundry Estates, LLC, (entities controlled by the original buyer) later assigned and substituted as the grantee on the County Deed. In 2007, the property owner requested to develop a Farmer's Market. In 2010-2011, the property owner requested to modify the conservation easement to allow for Institutional and Public Facilities uses (see page 12 for current status).

- **2005-2006 SFWMD Lands as Preserves:** In 2005 to 2006, several GL Homes projects included several hundred acres of SFWMD lands again to meet the preserve requirements without utilizing any units associated with those preserve areas. This concept of allowing the inclusion of SFWMD lands, and not the units, had been done before with the approval of Appolonia Farms PUD. For the new approvals, the SFWMD reached a roughly 20 million dollar agreement with GL Homes. The County was supportive given the intent of the SFWMD was to then obtain a flowage/conservation easement over 335 acres of property near the Bee Line Hwy, known as the Gentle Ben property. Subsequent to the 2005 and 2006 approvals, based on another agreement between GL Homes and the SFWMD wherein the district received additional money, roughly 10 million, the district then agreed to allow GL Homes to utilize any units associated with those same district owned lands approved as preserve in 2005 and 2006 and some additional lands, a total of over 1,300 acres. The agreement did not include the 2004 approved Strazzula tract. Since the agreement, nearly all of those lands, and the units associated with them, have been included in GL Homes AGR-PUD approvals to not only meet the preserve requirements but also to utilize the units associated with the preserve areas to increase densities in the development areas.
- **2008 through today - Beginning of AGR-PUD Preserve Swaps:** Starting in 2008, a number of AGR-PUD approved projects returned with zoning applications to reconfigure the site plans, including adding, replacing and/or "swapping" preserve areas with other areas of the Ag Reserve Tier. Significant changes occurred in swapping out previously proposed development areas with preserves. Changes, however, still met the requirements of the 60/40 AGR-PUD regulations.

2012 BCC Workshop and Direction

In 2012, at the Board's request, staff coordinated tours and workshops to provide the Board with information and status report on each of the tiers of the MGTS. Following a workshop on January 17, 2012, the Board re-affirmed support for the continuation of Ag Reserve policies and directed staff to enhance agriculture and support for farmers by allowing packing plants in preserve areas. Text amendments to the Comprehensive Plan were adopted by the Board to implement this direction on July 27, 2012. In addition, direction was provided by the Board to allow for green markets/produce stands/farmers markets in the Tier. This was later implemented in the Unified Land Development Code (ULDC) for what became known as an Agricultural Marketplace (see page 13 for additional history). The Board also heard from several property owners and agents during that workshop regarding specific requests for development in Ag Reserve, but the Board did not direct staff to make any additional changes.

2014 and 2015 BCC Workshop and Roundtable Discussions

- **2013 Ag Reserve Commercial Low Text Initiation.** In 2013, the 4.90 acre site, later known as Feurring and located at the southeast corner of Atlantic Avenue and Lyons Road, was the subject of a privately initiated text amendment request where the applicant proposed to allow an alternative to the Traditional Marketplace Development (TMD) form of development for smaller commercial sites within the Agricultural Reserve. During discussion for the initiation of the text amendment on December 5, 2013, the

BCC denied the initiation request and discussed reviewing the Agricultural Reserve policies in a more comprehensive approach. The BCC directed staff to come back for a workshop regarding the Agricultural Reserve Master Plan and current issues within the area.

- **2014 BCC Ag Reserve Workshop.** The BCC held a workshop on March 25, 2014 to discuss issues and policies affecting the Agricultural Reserve, in response to requests by farmers, nurserymen, and other property owners seeking to expand the development options available in the Agricultural Reserve. The BCC directed staff to meet with various interest groups, to prepare a "roundtable" discussion of representatives of each interest group, and to bring the results of the Roundtable to the BCC for discussion and direction at a future workshop.
- **2014 Ag Reserve Roundtable.** Following that workshop, staff met with various interest groups, to prepare "roundtable" discussions for representatives of each interest group, and to bring the results to the BCC for discussion and direction at a future workshop. In the course of the Roundtable process, a number of additional concepts and ideas emerged, many reflected in the comments provided at various steps in the process. At the September 29, 2014 Roundtable, community groups and organizations were encouraged to formally outline their recommendations, to allow those to be posted for public viewing and to be provided to the bcc for consideration. Based on the surveys and roundtable discussions, staff recommended the following:
 - **Contiguity Requirements for Preserve Areas.** To revise the current requirements for preserve areas of 60/40 PUDs to eliminate the current requirement that a preserve property be at least 150 acres or be contiguous to preserved property totaling 150 acres.
 - **Review the Unified Land Development Code (ULDC).** To consider: 1) amendment to the current 25,000 sq. ft. limitation on packing plants that are accessory to a bona fide agricultural use in the AGR preserve areas; and 2) allowing community gardens in preserve areas.
 - **Existing Non-residential Uses.** Process County initiated map and text amendments to address inconsistencies and find solutions to existing commercial and non-residential uses and services that pre-dated the Agricultural Reserve Master Plan.
 - **Agricultural Enhancement.** Implement Agricultural Enhancement Strategies.

2015 to 2017 Subsequent Adoption of Amendments and Privately Initiated Requests

Following the Roundtable and 2014 Workshop, the BCC on March 24, 2015, directed the following amendments:

- **2015 AGR Contiguity Requirements for Preserves.** The amendment offered an additional option for smaller parcels, consistent with the 1 unit per acre density option to allow free-standing preserve areas of less than 150 acres to serve as preserves associated with Agricultural Reserve 60/40 planned developments. Prior to this change, parcels of less than 150 acres could only be eligible to sell development rights and become preserves if adjacent to preserves totaling 150 acres or more. This change allowed smaller, isolated parcels to become eligible to be preserves which, while not the intent of the original provisions when adopted, could facilitate the perpetuation of small-scale agricultural operations in the area, both existing and new. This change did not create additional units in the Tier, as these were anticipated in the conceptual Master Plan prepared for the Agricultural Reserve. This amendment was adopted at the October 26, 2015 BCC Hearing. As part of the adoption hearing report, staff proposed to add a provision that would prohibit the replacement or "swapping" of preserve areas for 60/40 Planned Developments, and to delete other language which could be interpreted to require contiguity. Staff also provided a memorandum proposing a less restrictive prohibition against the replacement of preserves.

The Board discussed the proposed changes and ultimately voted against making any post transmittal changes. In addition, the Board discussed the maintenance of preserve areas, that the proposed amendment did not impact the lands purchased by the County with bond money, and that the units resulting from the amendment were anticipated as part of the calculations of the AGR Master Plan.

- **2016 AGR Pre-Existing Commercial and Institutional Sites.** The BCC directed staff to make the pre-existing non-residential sites conforming. Concurrent with the adopted text amendment were 8 County-Initiated Future Land Use Atlas (FLUA) site specific amendments to assign the pre-existing commercial and institutional parcels that are east of State Road 7 with a Commercial Low with an underlying AGR (CL/AGR) or Institutional and Public Facilities with an underlying AGR (INST/AGR) future land use designation respectively. All of the amendments were presented and discussed together. The Board discussed the original intent of accommodating the pre-existing uses and questioned whether the amendments would result in a significant increase in commercial and institutional square footages. The text amendment to the Comprehensive Plan was adopted at the January 27, 2016, public hearing. Each of the following county-initiated site specific amendments east of State Road 7 were also adopted on January 27, 2016:
 1. **Caridad Center (LGA 2016-008)** – from AGR to INST on 6.70 acres
 2. **Eternal Light Cemetery (LGA 2016-011)** – from AGR to INST on 48.46 acres
 3. **Faith Farm Ministries (LGA 2016-016)** – from AGR to INST on 87.82 acres
 4. **Dells Suburban Market (LGA 2016-009)** – from AGR to CL on 1.69 acres
 5. **Fina Station (LGA 2016-013)** – from AGR to CL on 1.50 acres
 6. **PF at West Boynton (LGA 2016-014)** – from AGR to CL on 4.57 acres
 7. **Three Amigos (LGA 2016-016)** – from AGR to CL on 1.00 acres (see page 8 for additional history)
 8. **West Boynton Center (LGA 2016-015)** – from AGR to CL on 2.50 acres (see page 7 for additional history)
- **2016 Thomas Packing Plant Tier Change (LGA 2014-015).** The applicant requested a Tier change from the Agricultural Reserve Tier to the Urban/Suburban Tier. The requested Tier change was to allow for a proposed FLUA amendment to change from the Agricultural Reserve future land designation to the Multiple Land Use future land designation (with Commercial Low and Low Residential 2 units per acre (MLU with CL and LR-2). The amendment was adopted at the January 27, 2016 public hearing (Ord. 2016-014). Later in 2022, the property owner submitted a FLUA amendment request from MLU, CL & LR-2 to LR-2 and to modify conditions of approval in order to develop up to 75 dwelling units. The amendment was adopted by the Board at the November 28, 2022 public hearing (Ord. 2022-031).
- **2016 AGR Farm Residence.** The BCC directed staff to address concerns raised by owners residing on small agricultural properties in the AGR, who cannot sell development rights from the 5 acres needed to meet the density requirement for the home. Based on BCC discussions, the amendment established this option only for properties that can demonstrate an active agricultural use. As with other preserve properties, the transfer of development rights would occur at a rate of one per acre, but would exclude the acreage associated with the existing or planned residence and any other uses not permitted in preserve areas (a minimum of one acre). The proposed amendment also includes provisions to prevent the parceling of existing and future preserves for the purposes of accommodating residences. Staff's assessment was that the amendment would accomplish the Board's intent to accommodate the sale of development rights from residential properties with active agricultural uses. However, from a planning perspective, the amendment undermines the fundamental concept of density as it is applied in planning practice and in the County, and therefore staff did not support the amendment. The amendment was revised to address the issue of the "snapshot timeframe" and to allow for eligible properties to obtain a Letter of Determination, valid for three years, verifying an active agricultural use and the ability to transfer of

development rights. Revisions provided an alternative means to demonstrate an active agricultural use, in addition to an agricultural tax classification. The BCC adopted the amendment at the April 27, 2016 public hearing (Ord. 2016-027).

- **2016 Agricultural Reserve Commercial Text Amendment.** The BCC directed staff to allow for additional neighborhood serving commercial uses to be considered in the Tier on a case by case basis. The Board adopted text amendments on April 27, 2016 included:
 - Retained the following, existing commercial requirements:
 - Location within ¼ mile of Lyons/Boynton and Lyons/Atlantic intersections; and
 - Minimum preserve area.
 - Allowed for the Board to consider additional smaller commercial sites by:
 - Increasing the total maximum allowable square footage;
 - Eliminating the Traditional Marketplace Development (TMD) requirement and allowing for Multiple Use Planned Developments (MUPDs);
 - Allowing pre-existing commercial sites to be ‘squared off’;
 - Increasing the commercial cap from 750,000 square feet to 980,000 square feet (see more on commercial cap history in Exhibit 2); and
 - Eliminating the preserve requirement for parcels 16 acres or less.
 - Finally, the text amendment added language to provide the history of the Master Planning effort and to relocate language regarding bond purchases.
- **2016 Agricultural Reserve Commercial Future Land Use Amendments.** Concurrently or subsequent to the adoption of the Commercial Text amendment. The Board adopted several FLUA amendments requesting commercial uses in the Tier.
 1. **2016 Alderman Commercial (LGA 2016-004).** At the April 27, 2016 public hearing, the Board adopted an amendment from AGR to CL with conditions for the 15.34 acre site, located at the northeast corner of Boynton Beach Boulevard and Lyons Road (Ord. 2016-029).
 2. **2016 Homrich Commercial (LGA 2016-019).** At the April 27, 2016 public hearing, the Board adopted an amendment from AGR to CL with conditions for the 13.44 acre site, located at north of Boynton Beach Boulevard and west of State Road 7 (Ord. 2016-030).
 3. **2016 Delray Growers (LGA 2016-018).** At the April 27, 2016 public hearing, the Board adopted an amendment from AGR to CL with conditions for the 11.25 acre site, located at the northeast corner of Atlantic Avenue and Smith Sundry Road (Ord. 2016-031).
 4. **2016 Feurring Commercial (LGA 2016-024).** At the August 22, 2016 public hearing, the Board adopted an amendment from AGR to CL for the 4.90 acre site, located at the southeast corner of Atlantic Avenue and Lyons Road (Ord. 2016-035).
 5. **2016 West Boynton Center – Smiegel (LGA 2016-025) and Text.** At the August 22, 2016 public hearing, the Board adopted an amendment to “square off” the Commercial Low designation to include the total 6.85 acre site, located at the southeast corner of Atlantic Avenue and Lyons Road. The amendment also included a text amendment to identify the intersection of Boynton Beach Boulevard and Acme Dairy Road as meeting the major intersection criteria (Ord. 2016-036). Subsequently in 2020, the property owner submitted an amendment to revise the previously adopted conditions of approval and to exempt self-service storage from the commercial cap (Ord. 2020-014).

6. **2016 Stop and Shop (LGA 2016-023).** Although the site was identified in the Comprehensive Plan as a pre-existing commercial site, it was not included in the County Initiated amendment as it is located west of State Road 7. At the October 26, 2016 public hearing, the Board adopted an amendment from AGR to CL for the 5.11 acre site, located at the southwest corner of State Road 7 and Atlantic Avenue (Ord. 2016-049).
7. **2017 Seneca Commercial (LGA 2017-001).** At the January 30, 2017 public hearing, the Board adopted an amendment from AGR to CL with conditions for the 4.51 acre site, located approximately 250 feet east of the southeast corner of Atlantic Avenue and Lyons Road. (Ord. 2017-006).
8. **2017 Three Amigos Commercial (LGA 2017-018) and Text.** At the October 30, 2017 public hearing, the Board adopted an amendment to “square off” the Commercial Low designation on the site to include the total 4.60 acre site, located on the south side of Boynton Beach Boulevard approximately 950 feet east of State Road 7. The text amendment included an increase in the commercial cap from 980,000 square feet to 1,015,000 square feet (Ord. 2017-039).

2017 Proposed Exchange of density from the Rural Tier to the Ag Reserve

2017 Indian Trails Grove WCR AGR (LGA 2018-008) and Text. This privately proposed text amendment proposed to revise the text of Comprehensive Plan policies for the Agricultural Reserve Tier and the Western Communities Residential Overlay (WCRO) and future land use designation for the Rural Tier, and the Future Land Use Atlas (FLUA) for the subject site in the Rural Tier. The text amendment proposed to revise policies to allow approximately 3,010 acres of land in the WCRO to be used as Preserve Area for Agricultural Reserve Planned Developments (AGR-PUDs), and allow the associated development rights to be clustered in Development areas within the Agricultural Reserve. This could have allowed 2,420 residential development rights approved for the WCRO to be built within the Ag Reserve. The applicant submitted a letter to Planning staff on December 7, 2017, a day prior to the Planning Commission withdrawing the application.

2023 Proposed Congregate Living Facilities in the Ag Reserve

In 2017, the Board adopted text amendments establishing the Congregate Living Residential (CLR) future land use designation, limited to the Urban/Suburban Tier for up to 12 units per acre. At the same time the Board was considering the CLR text amendment for the U/S Tier, three privately initiated amendments were in process to allow congregate living facilities within the Agricultural Reserve Tier but were ultimately withdrawn:

1. Clint Moore Allegro CLF (LGA 2017-007) and Text
2. Poets Walk (LGA 2017-015) and Text
3. Poets Walk II (LGA 2019-018) and Text

All Seasons Delray (LGA 2021-009) and Text. On April 28, 2022, the Board adopted a text amendment to allow the Congregate Living Residential future land use designation in the Agricultural Reserve Tier up to 8 units per acre for sites fronting Lyons Road between Atlantic Avenue and Linton Boulevard and requiring 50% offsite and 10% onsite preserve areas for multiple use projects. The Board also adopted a FLUA amendment for the 9.73 site to Institutional with an underlying Congregate Living Residential (INST/CLR) located at the northeast corner of Lyons Road and Linton Boulevard (Ord. 2022-011).

Erickson Senior Living (LGA 2023-018) and Text. On October 26, 2023, the Board adopted a text amendment to expand the allowable locations for the CLR FLU in the Agricultural Reserve Tier to include Boynton Beach

Boulevard between the Florida's Turnpike and Acme Dairy Road and to allow for an onsite preserve option. The Board also adopted a FLUA amendment for the 93.51 acre site to Institutional with an underlying Congregate Living Residential (INST/CLR) located on the south side of Boynton Beach Boulevard, approximately 0.6 miles east of Lyons Road (Ord. 2023-025).

These are the only two sites approved for a congregate living facility in the Agricultural Reserve.

2017 to 2021 Higher Density Requests in the Ag Reserve

From 2017 to 2021, several text initiation requests were submitted proposing higher densities. These included:

- Morningstar Multiple Land Use (LGA 2017-008) and text – withdrawn by applicant
- Boynton Technology Park (2020) – withdrawn by applicant
- Ag Reserve Multiple Land Use (2020) – denied by BCC on June 29, 2020
- Boynton Parc Plaza (2021) – withdrawn by applicant
- Ag Reserve Multiple Land Use – Jade (2021) – denied by BCC on May 5, 2021

In 2021, the 38.88 acre **Reserve at Atlantic (LGA 2022-006)** site located at the southeast corner of Atlantic Avenue and Half Mile Road was the only amendment for a density increase initiated by the Board in the Agricultural Reserve. The site was the subject of a text and future land use amendment to allow the Multiple Land Use (MLU) designation with up to 8 units per acre, a 25% workforce housing requirement and required preserve area. The companion text amendment limited the locations of parcels that would be eligible to apply for this FLU, including located fronting Atlantic Avenue, east of State Road 7, and within ¼ mile of an AgR-TMD or IND future land use designation. On July 28, 2022, the Board adopted the amendment, which was the first density increase in the Tier not part of an 80/20 or 60/40 AGR PUD. It was also the first site to have a workforce housing requirement.

2022 New Essential Housing Future Land Use Designation in the Ag Reserve

During a Board workshop regarding the Agricultural Reserve Tier on October 26, 2021 and November 3, 2021, the Board discussed the potential of creating a new future land use for multifamily. On February 2, 2022, the Board initiated a text amendment to the Comprehensive Plan for staff to proceed with the proposed amendment.

On August 25, 2022, the Board adopted the Essential Housing (EH) future land use designation to provide a higher-density category with both a workforce housing requirement and preserve requirement. Eligible sites for this future land use must include: 1) minimum of 30 acres; 2) Frontage on Atlantic Avenue from the Florida's Turnpike to ½ mile west of Lyons Rd or Boynton Beach Boulevard from the Florida's Turnpike to ½ mile west of Lyons Road; 3) A minimum of 25% of all units to be provided as workforce housing units onsite (60-140% of area median income); and 4) A minimum of 60% preserve area with no more than 10% of the preserve area to be utilized for stormwater management purposes that is designed with enhanced environmental features.

Following the establishment of the EH FLU in the Comprehensive Plan, **Logan Ranch Residential (LGA 2023-014)** was submitted in 2023, and the first future land use amendment for EH that was adopted by the Board to allow or a density increase, changing the land use on 39.24 acres from AGR to Essential Housing with an underlying Agricultural Reserve (EH/AGR). The amendment was for a maximum 314 dwelling units with 79 units (25%) required as workforce housing units on site. A required concurrent Zoning application was approved with 314 multifamily units. Subsequently in 2024 the property owner submitted for an administrative modification to reduce the density (reduction on of 134 units) to 180 dwelling units and reducing the required workforce housing from 79 to 45 units.

2016 to 2021 Industrial Future Land Use Requests in the Ag Reserve

At the time of the creation of the Agricultural Reserve Master Plan, the consultants recommended that industrial uses be allowed in the Agricultural Reserve, using the Economic Development Center future land use designation. The consultants identified two locations, within 1/4 mile of the Florida's Turnpike interchanges with Boynton Beach Boulevard and Atlantic Avenue, as appropriate locations for these Economic Development Centers. The consultants recommended requiring developers set aside preserve areas in the same 60/40 ratio as the Traditional Marketplace (TMD), which had locations identified at the intersections of Lyons Road with Boynton Beach Boulevard and Atlantic Avenue. The Master Plan Phase II Report recommended that two employment centers shared a maximum of 330,000 square feet of industrial development between the two locations, and that there be an additional 245,000 square feet of office park uses in the Tier.

Upon the conclusion of the Master Planning effort, the BCC did not concur with the consultant's recommendations on industrial land use, and directed that no new industrial future land use designations be permitted in the Agricultural Reserve. Consequently, the 2001 Comprehensive Plan amendment to adopt policies implementing the Master Plan did not establish any policies for new industrial lands. The only provision was related to the .45 floor area ratio for the 64 acres of land with industrial future land use that predated the Master Plan, located along the north and south sides of Atlantic Avenue, east of State Road 7.

Since 2016, there have been many requests for future land use amendments seeking an Industrial future land use designation in the Agricultural Reserve Tier. On May 5, 2021, the BCC transmitted a future land use amendment request for Industrial in the Tier, known as **Sunflower Light Industrial (LGA 2021-016)**. Staff consistently recommended denial of new Industrial FLU requests as there were no policies in the Comprehensive Plan directing the appropriate uses, locations, and intensity for industrial in the AGR Tier. Under discussion of the item, the BCC directed staff to explore the concept of a new light industrial future land use designation and to return for a workshop to discuss additional Industrial future land uses in the Tier. Subsequently, the Board adopted the Sunflower amendment on July 28, 2021 with additional conditions limiting the uses to light industrial. Not long after on February 5, 2022, the Board adopted the **Las Farms Landscape (LGA 2022-001)** to Industrial with the same conditions as Sunflower Light Industrial.

2022 New Commerce Future Land Use Designation in the Ag Reserve

Following the Board's direction on May 5, 2021 for staff to explore a new light industrial future land use designation, staff returned to the Board on October 26, 2021 and continuation on November 3, 2021 for a workshop regarding the Agricultural Reserve Tier. The discussion of a new industrial future land use was one of many topics discussed that day. At the workshop, the Board expressed support for the Commerce (CMR) future land use designation within the Tier that would be limited to "light industrial" uses. On February 2, 2022, the Board initiated text amendments to the Comprehensive Plan for staff to proceed with the review and analysis of the new Commerce future land use designation. Subsequently, staff returned on May 4, 2022 with proposed text amendments that included policy guidance for future industrial requests to define the appropriate site attributes for requests to CMR FLU and to add a preserve requirements. The text amendment was transmitted the Board and subsequently adopted on August 25, 2022. Since the adoption of the Commerce FLU in August 2022, there have been several Board discussions concerning the square footage potential of light industrial uses within the Ag Reserve. Based on Board direction, a County-initiated amendment is in process to reduce the maximum allowable floor area ratio within the Tier from 0.45 to 0.35, and includes further clarification of existing location criteria. The amendment was transmitted by the Board on May 3, 2023 in a 5 to 2 vote. Subsequently, on August 30, 2023 the Board adopted the revised policies and the 0.35 maximum FAR will apply to new applications requesting the CMR designation.

Since the creation of the Commerce FLU in 2022, the Board has adopted the following with that designation:

- **Morin/Connolly Commerce (LGA 2023-002)** – via Ord. 2023-014; up to 66,843 sf (0.45 FAR)
- **LTG Sports Turf (LGA 2023-007)** – via Ord. 2023-015; up to 98,280 (0.45 FAR)
- **SR 7 Business Plaza (LGA 2023-006)** – via Ord. 2023-019; up to 763,000 sf (0.44 FAR)
- **EJKJ Industrial (LGA 2023-004)** – via Ord. 2023-028; up to 155,444 sf (0.45 FAR)
- **BC Commerce Center (LGA 2023-003)** – via Ord. 2023-029; up to 719,764 sf (0.35 FAR)
- **Bedner’s Market (LGA 2024-003) and text** – via Ord. 2024-017; up to 213,444 (0.35 FAR)

To date, the County has adopted a maximum of 2,1016,775 square feet of uses allowed within the Commerce FLU consisting of 117.56 acres.

2023 Proposed Exchange of density from the Rural Tier to the Ag Reserve

2023 Indian Trails Grove WCR AGR (LGA 2022-021) and Text. This privately proposed text amendment proposed to revise the text of Comprehensive Plan policies for the Agricultural Reserve Tier and the Western Communities Residential Overlay (WCRO) and future land use designation for the Rural Tier, and the Future Land Use Atlas (FLUA) for the subject site in the Rural Tier. The text amendment proposed to revise policies to allow approximately 1,600 acres of land in the WCRO to be used as Preserve Area for Agricultural Reserve Planned Developments (AGR-PUDs), and allow the associated development rights to be clustered in Development areas within the Agricultural Reserve. This could have allowed 1,277 additional units to be built within the Ag Reserve. The Board transmitted the amendment on May 3, 2023 and denied the adoption of the amendment at the October 24, 2023 public hearing.

2019 to 2025 Development Requests on Preserves & Conservation Easements

- **Landscape Service on Existing Preserves.** At the October 2019 BCC hearing, the Board directed staff to return with options for Landscape Services within the Agricultural Reserve Planned Unit Development (AGR-PUD) Preserves for existing and future preserves within the Agricultural Reserve (AGR) Tier. Staff recommended two options. **Option 1:** Collocated Landscape Service (50/30/20): This option is to consider adopting the Collocated Landscape Service language for the AGR-PUD Preserves. However, the Collocated language does not require a minimum amount of land dedicated to agricultural uses such as nursery growing area. The sale and storage of non-agricultural products such as aggregate and mulch are allowed within the 50% nursery portion of the site. This option would have require an amendment to the Comprehensive Plan and may require modifications to the recorded Conservation Easements. **Option 2:** Nursery with Landscape Service (70/30): This option is to consider language to retain a limitation on Landscape Service with Nurseries, but to change the word ‘accessory’ to ‘in conjunction with’, and replace the cap on business receipts with a cap on land area. This language ensures that the Nursery is the principal use of the property in land area, and proposes Landscape Service with the Common Area on a maximum of 30% of the lot with a minimum of 70% of the lot dedicated as ‘nursery growing area’ consisting of propagation, cultivation, growing, storage, and staging of plants. Since the portion of the lot for Landscape Service would be subordinate to the agricultural use, this language would be consistent with adopted Comprehensive Plan policies and recorded Conservation Easements. Staff examination of the identified nursery/landscape services sites existing in the AGR-PUD Preserves indicates that the vast majority meet these percentages. This option required the initiation of a ULDC amendment to establish this language, but did not require a Comprehensive Plan amendment or conservation easement change, and can be applied to both existing and future sites. Planning staff recommended that the Board initiate Option 2, to initiate an amendment to the ULDC to pursue revisions establishing the Nursery with

Landscape Service 70/30 language. The Board directed staff to implement Option 2. In March 2020, the Board adopted the 70/30 language only on existing sites for those that can demonstrate that they were an already-established landscape service. **Status: COMPLETE**

- **Lake Worth Drainage District (LWDD) Canals as Preserves.** The LWDD appealed the County Planning Director's determination letter dated April 19, 2016 that stated that canal rights-of-way owned by a public agency and utilized for right-of-way purposes are not eligible to be Preserve Areas for an Agricultural Reserve Planned Development (AGR-PDD) for acreage calculations or for density purposes. On September 9, 2016, the Planning Commission upheld the Planning Director's determination, and subsequently the LWDD appealed the decision to the BCC. LWDD requested several postponements prior to the review by the BCC from the hearings on October 26, 2016, January 30, 2017, July 26, 2017 and August 27, 2020.

In January 2021, the Zoning Division received an application to utilize LWDD canal rights-of-way as AGR-PDD Preserve Areas. The Planning Division added a sufficiency issue based on the inability of the AGR-PDD to meet the 60% preserve requirement since the 2016 Planning determination, upheld by the Planning Commission, stated that they cannot be used for preserve area or density. On January 25, 2021, the Planning Director issued a second letter with same determination as in 2016. Subsequently on February 23, 2021, LWDD again requested an appeal. At the April 9, 2021 hearing, the Planning Commission voted to grant the appeal of the Planning Director's administrative determination. On May 5, 2021 the BCC upheld the Planning Commission finding. Subsequent text amendments were adopted by the Board on November 3, 2021 to ensure that no additional canals and/or rights of way are eligible for preserve area in the future, pursuant to Board direction (Ord. 2021-032). **Status: COMPLETE**

- **Lake Excavation on a Preserve.** A property owner for a site located approximately 0.29 miles east of State Road 7/US 441 requested information from the Planning, Zoning and Building Department on the uses allowed in a preserve. The bulk of the land area is within the Preservation Area for the Canyon Isles Agricultural Reserve Planned Unit Development (AGR-PUD), and the overall excavation includes a 5 acre tract outside the Preserve Area. In October 2019, the applicant requested a determination as to whether the owner of the subject Property could *"utilize a (to be constructed) 25 acre lake for private use water skiing. The lake will be originally constructed by the farmer of the Property to be incorporated into farming operations for drainage, water storage and irrigation."* The County's Zoning Division issued a Zoning Confirmation Letter stating that a lake excavation to support agricultural production would require an "Agricultural Excavation" Class A Conditional Use approval. The application for an "Agricultural Excavation" would need to demonstrate the changed circumstances or needed basis to warrant the excavation for the newly proposed bona fide agricultural use. The ULDC requires excavation to be the minimum necessary to support agricultural operations, and the property already had adequate drainage, water storage and irrigation from the Lake Worth Drainage District canals and water control structures for the existing agricultural uses on site. The applicant excavated the lake in 2020 without permits. Upon receipt of the initial complaints from the public in June 2020, the County's Code Enforcement Division conducted its due diligence, confirming that excavation and soil/land alteration was conducted without Building permits, and in violation of Article 18 of the Florida Building Code and Article 4 of the Unified Land Development Code. Notices of Violations along with Stop Work Orders were issued in mid-June and early July of 2020. Construction activity continued, and in August, were contacted by the respondent's legal counsel who advised that the *"excavation activity was a farm pond and protected by the Florida Statutes (Chapter 823) under the Florida Right to Farm Act, pre-emptying County process and requirements."* A Special Magistrate hearing was held in January 2021. **Status: COMPLETE**
- **Brookside Conservation Easement.** The Brookside property was one of the sites purchased by the County through the Bond Referendum in the Agricultural Reserve Tier. A Request for Proposal (RFP) was

conducted for Sale of a Property County Deed executed by the County to Brookside Estates, LLC, and Smith Sundry Estates, LLC, and recorded. The Conservation Easement was recorded limiting uses to crop production; wholesale and retail nursery; green market; farmers market; produce stand; stable with a limit of 24 horses, pasture, or fallow land; and a maximum of 4 groom's quarters. The property was purchased for over 5 million, and sold for just over 3 million, reflecting the removal of development rights. In 2007, the property owner requested to develop a Farmer's Market. In 2010-2011, the property owner requested to have an Institutional and Public Facilities use. In 2014, the property owner requested an amendment to Commercial Low which was administratively withdrawn.

On November 15, 2022, the BCC directed staff to provide a history on the County's acquisition of the Brookside property. County staff returned on December 6, 2022 with a presentation and the Board requested a workshop to further consider the item concurrently with an overview of the Agricultural Reserve Tier and conservation easements. On March 28, 2023, staff provided the BCC with the requested overview and the Board gave the property owner an opportunity to provide a presentation summarizing its intent to submit Comprehensive Plan amendments that would allow for a potential of 856 units with a 25% workforce housing component. Following deliberation by the BCC, the Mayor inquired if any Commissioners had an interest in directing County staff to proceed with the required text amendments and no interest was expressed. More recently, on February 27, 2025, the BCC directed staff to return to the March 27, 2025 BCC Zoning meeting to provide a presentation explaining the history of site and the County's real estate interest. On March 27th, staff provided a presentation and the Board directed staff to complete a pre-application meeting with the applicant and all applicable County departments to discuss the proposal and come back to the Board with a comprehensive review of the discussion. **Status: PENDING**

- **Agricultural Marketplace in AGR-MUPD Preserves.** In 2024, the property owner of the **Bedner's Market (LGA 2024-003)** on the west side of State Road 7 and south of Lee Road, submitted a text amendment to allow the agricultural marketplace as an allowable use within a preserve area of an Agricultural Reserve Multiple Use Planned Development (AGR-MUPD). This would allow the property owner to replace the preserve status of a 5 acre parcel at the northwest corner of State Road 7 and Lee Road with the 5 acre Bedner's Market/Agricultural Marketplace to the south. The property owner also submitted a FLUA amendment to change the FLU designation of 14 acres to Commerce. The Board adopted the text and FLUA amendment on August 22, 2024 (Ord. 2024-017). **Status: COMPLETE**

Exhibit 1 – Overview of Ag Reserve Master Plan Documents

1. **Commencement:** In 1998, the Board of County Commissioners (BCC) directed development of a Master Plan for the Agricultural Reserve and selected CH2M Hill and Dover, Kohl & Partners as the Consultants. The BCC joined with the South Florida Water Management District (SFWMD) in the funding of a Master Plan for the Ag Reserve for a sum of what appears to be \$250,000 per the Phase I Scope of Work. The Consultants began a two step process for the Plan. To guide this effort, the BCC established the following purpose statement: *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.*
2. **Phase I:** During 1998, the Consultants prepared Phase I with significant stakeholder input through workshops and a charrette, laid out three alternative development scenarios for the Agricultural Reserve:
 - **Status Quo Alternative** reflecting the likely outcome of continuing to use existing regulations,
 - **Bond Alternative**, which assumed approval of a bond issue for the acquisition of land for the preservation of open space, which would result in a reduction in the number of development rights associated with the Ag Reserve; and
 - **No Bond Alternative**, which attempted to reflect a likely development scenario with revised regulations but no land acquisition program.

Each alternative was developed and evaluated considering the following objectives which were developed through the course of Phase I:

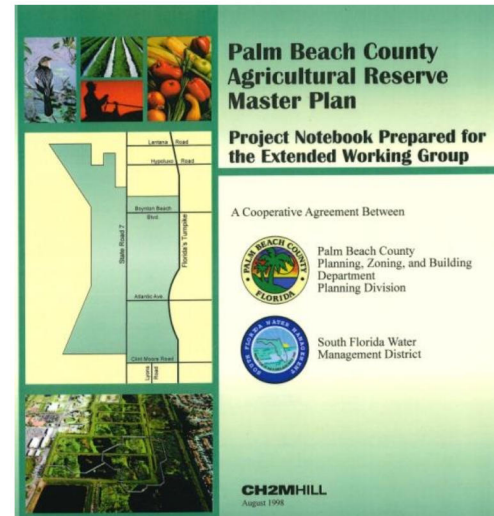
- Preserve and Enhance the Potential for Agriculture, including Equestrian Uses
- Enhance Environmental Resource Value
- Enhance Water Management Capability
- Enhance Accessible Open Space
- Create a Functional, Self-Sustaining Form of Development
- Minimize Cost/Impacts to Countywide Taxpayers

The **Phase I** document includes a Scope of Work section which outlines steps:

- Phase I – Conceptual Land Use Designs
 - Task 1 – Charter the Project
 - 1.1 Charter the Project Team
 - 1.2 Public Workshop No. 1
 - 1.3 Public Opinion Survey
 - Task 2 – Define Objectives & Performance Criteria Measures
 - 2.1 Develop Value Model
 - 2.2 Weighting of Performance Criteria
 - Task 3 Develop Alternatives
 - 3.1 Conceptual design of Current Land Use Plan Alternative
 - 3.2 Workshop No. 2 – Conceptual Design
 - Task 4 – Evaluate Alternatives
 - 4.1 Evaluate the Alternatives
 - 4.2 Finalize Conceptual Plans
 - 4.3 BCC Workshop

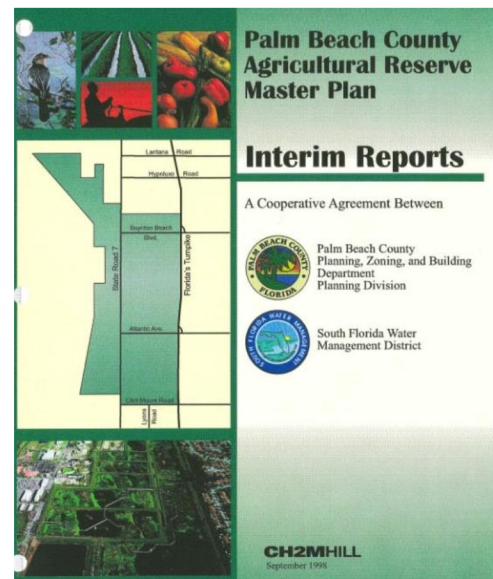
The physical contents (tabs) of the **Project Notebook for Extended Working Group Binder**, August 1998 are as follows:

- Working Group and Extended Working Group Members contact information
- Schedule of key dates
- Packets from the Working Group and Extended Working Group meetings
- Media and Public Outreach Plan
- Agricultural Forum Presentation, August 27, 1998
- Presentation & List of issues raised at Public Workshop, September 19, 1998
- Agenda, Presentation, Survey and documents from Public Workshop, October 16, 1998



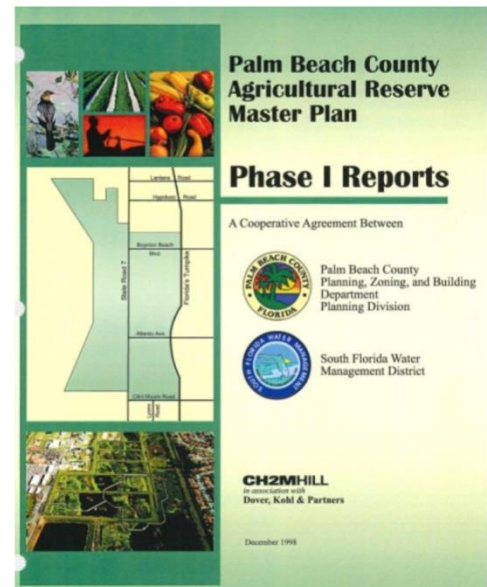
The physical contents (tabs) of the **Interim Reports Binder**, September 1998, and the **Phase I Reports**, December 1998, appear to be Identical, and are as follows:

- Interim Report No. 1 – Chartering the Project, September 1998
 - This document has an Existing Land Use Map & Data, outlines the project including development of alternatives and potential Build out of the Ag Reserve, provides summaries of Workshop No. 1 (Sept. 19, 1998)
- Interim Report No. 2 – Defining Objectives & Performance Criteria Measures, Oct. 1998
 - This document provides information regarding the development of the Objectives, and their review criteria & performance measures, including a series of charts of survey data
- Interim Report No. 3 – Development of Alternatives, November 1998
 - This document provides a very brief outline of the three alternatives, and greater details (and graphic) of the Status Quo alternative (with 14,000 du), summarizes the Public Workshop Design Charrette Oct. 16 & 17, 1998, summarizes the Public Opinion Survey, and includes a series of maps (including Existing Land Use) in 11x17



- Interim Report No. 4 – Evaluating the Alternatives, December 1998

- This document provides details regarding the three alternatives (with graphics), including data regarding 14,000 du, explains the Value Model process, tables on how the alternatives were scored (inc. data on 14,000 du), infrastructure impacts (for each including the total potential DU for each)
- Oddly (since the dates on the binders are Sept. & Dec. 1998) the document includes a summary of the BCC January 7, 1999 Workshop with the presentation. The presentation includes numbers regarding the 14k, 17k etc. At that workshop, Frank Duke recommended that the BCC should “chose between No Bond and Bond, Alternatives as they were clearly superior to the Status Quo Alternative.” The Commissioners engaged in discussion regarding the two plans. In summary, there was concern expressed regarding the increased number of units in the No Bond, and that the County would be increasing the development potential. The BCC agreed to proceed with the \$100 Million Bond Alternative, and asked the Planning Division to revise the Bond Alternative to purchase land west of US 441/SR7 and reduce the number of units below Status Quo, and direction to the Consultant to proceed with Phase II, inc. more detailed Master planning of the Bond Alternative.



- Phase I Summary Report – not in the Interim Reports binder (tab included but paper says “provided under separate cover”), but included in the Phase I Reports binder.

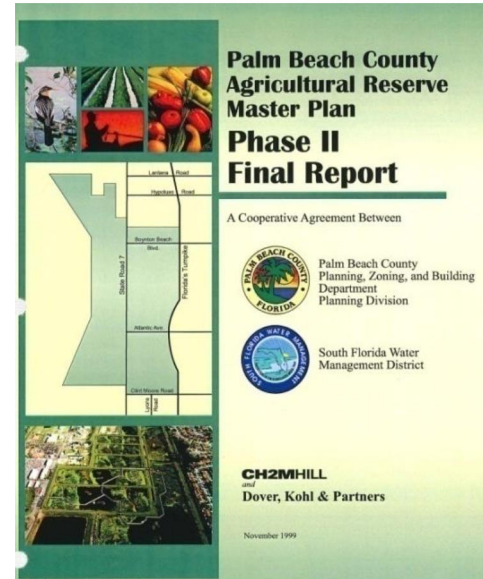
In December of 1998 (above reports say Jan. 7, 1999), Phase I of the Master Plan was presented to the BCC, at which time the BCC directed a bond referendum on land acquisition. The \$150 million Conservation Bond Referendum was passed in March 1999 with \$100 million for the Ag Reserve.

- Phase II:** Phase II “built upon the assumptions used in Phase I, seeking to refine the Bond Alternative and suggest the programs and regulatory revisions to implement”. Unlike the other binders which appear to be a collection of documents, the Phase II binder is a single document with 5 Appendices. It appears (based upon the Scope of Work and the contents of the binder) that the Consultant intended that Phase II to be the final document.

The **Phase II Final Report**, November 1999, binder includes the following:

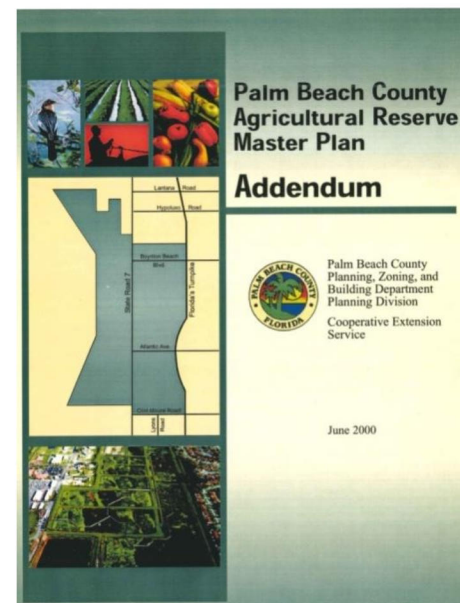
- Introduction
- Ag Reserve History & Present Day Features
 - Includes History, Existing Land Use, Current state of agriculture, External factors affecting agriculture, and other features in the Ag Reserve (Environmental & Water)

- Master Plan Objectives
 - Includes Developing the Objectives section, followed by summary of the Objectives:
 - Enhance Potential for Agriculture
 - Enhance Environmental Resource Value
 - Enhance Water Management Capability
 - Enhance Open Space
 - Create a Functional, Self-Sustaining Form of Development
 - Minimize Cost / Impacts to Taxpayers
- The Master Plan
 - Includes How the Plan was derived, the Graphic, and specific features
- Recommended Action Plan
 - Includes recommended actions organized by each of the Objectives listed
- Appendices
 - Includes PBC Ag Reserve Option Analysis, Suitability Maps, Reports on Soils in the Ag Reserve, Service Provider Input, Illustrated Land Uses for the Ag Reserve
 - The Service Provider Input includes specific numbers related to the 14,000 du and 1.1 million square feet of retail & commercial anticipated by the Plan.



Phase II was presented to the BCC in December 1999. Rather than take action on the Master Plan, the BCC directed **staff** to provide additional information on several issues, including:

1. Potential lease back options for land acquired by the County through the Conservation Land Acquisition Selection Committee as part of the 1999 conservation bond referendum.
2. The types of niche or specialty crops that might be successfully grown in the Agricultural Reserve.
3. The amount of land that might be acquired through the Conservation Land Acquisition Selection Committee as part of the 1999 conservation bond referendum.
4. The availability of matching funds that could be accessed by the County for land acquisitions in the Agricultural Reserve using the proceeds of the 1999 conservation bond referendum.
5. The potential configuration of the development options in the Ag Reserve, the straight subdivision of land at a density of one dwelling unit per five acres and a planned development with 60 percent open space preservation at a density of one dwelling unit per acre.
6. The feasibility of creating a Community Development District in the Ag Reserve.



4. **Addendum:** Staff prepared the Addendum gathering information from the Consultant on land acquisition in the Ag Reserve, The Conservation Fund; the Cooperative Extension Service, the Conservation Land Acquisition Selection Committee; the Consultant on grants, Langton Associates; and the County Attorney's Office. National experts on farmland preservation, including representatives of the Agricultural Preservation Board of Lancaster, Pennsylvania; Scenic Hudson, Inc., of Dutchess County, New York; and the State of Maryland also were consulted regarding their programs.

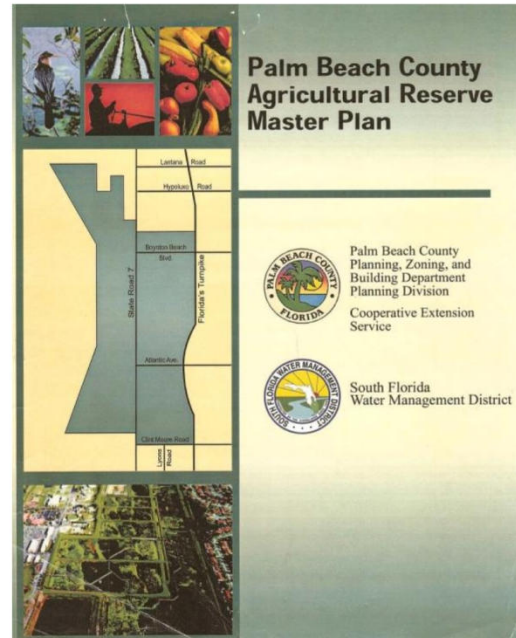
In addition to addressing these six specific issues, the Planning Division and the Cooperative Extension Service reviewed all of the Consultant recommendations, keeping in mind that the BCC established the primary goal of the Master Plan was to preserve and enhance the potential for agriculture, including equestrian uses. This Addendum includes recommended modifications to the Consultants recommendations in those areas where staff does not concur with the Consultant recommendation. In addition, the Addendum provides an evaluation of the feasibility of creating a Chautauqua-like resort in the Ag Reserve, as discussed by the BCC in early 2000.

The Addendum document, June 2000, includes the following:

- Introduction and Background
 - Executive Summary and History
- The Addendum
 - Explanation of structure: This "Addendum" to the Master Plan represents the results of staff's continued investigation of the issues raised by the BCC in December 1999. In addition, staff has reviewed all of the Consultants' Phase II recommendations. The Addendum summarizes the Consultant's recommendations in italics. Where additional information has been provided by staff, it is shown after. Staff recommendations are shown if staff does not concur with the Consultant's recommendation. If staff has no additional information and concurs with the consultants' recommendation, there is just the consultant recommendation.
 - Each recommendation is provided under the same Objective Structure as the Phase II Master Plan, although rephrased slightly (shown in underline/strike out):
 - Preserve and Enhance Potential for Agriculture, including Equestrian
 - Enhance Environmental Resource Value
 - Enhance Water Management Capability
 - Enhance Accessible Open Space
 - Create a Functional, Self-Sustaining Form of Development
 - Minimize Cost ~~/Impacts to Taxpayers~~
 - Create a Chautauqua-like resort
 - Appendices
 - CLASC Concepts, Letter from President of the UF, Estimated Acreage Letter CLASC, Grant Sources Letter, Public Services Memo, Development in Shenandoah Valley, Ag Options Cooperative Extension Services, One Unit Per 5 Acres Subdivision Option Graphic

On May 23, 2000, staff presented the Addendum to the Master Plan to the BCC. The BCC authorized moving forward with implementation of the Ag Reserve Master Plan.

5. **Final Master Plan:** The document often referred to as “The Master Plan” is dated October 2000. It isn’t clear whether this document was ever presented at a workshop or other agenda item to the BCC. The document states that: “The following pages provide a summary of the work done to develop the Ag Reserve Master Plan, as well as specific actions which must be taken, and the party responsible for the action, to implement the Ag Reserve Master Plan. The actions are grouped according to the element of the Master Plan goal they serve to implement. All recommendations made by the Consultants or County staff are identified, including those which the BCC elected not to pursue, so that the complete records of what was considered may be found in one place; options which were the BCC elected not to implement area clearly identified as requiring no action.



The Master Plan, October 2000, is comprised of the following sections, in addition to the Executive Summary at the beginning:

- Chapter 1, with Background for the development of the Master Plan, with headings for Phase I, Phase II, and the Addendum
 - Chapters 2-5 with headings as follows:
 - Options to Preserve and Enhance Agricultural Activity
 - Options to Enhance Environmental Resources
 - Options to Enhance Water Management Capability
 - Options to Produce a Master Development Plan
 - Appendices
 - Agency Responsibilities, Existing Comprehensive Plan Provisions, Existing ULDC Provisions, Letter from SFWMD Declining to lead study of Integrated Water Management Plan
6. **01-1 Ag Reserve Master Plan:** In Round 01-1, the County adopted changes to the Comprehensive Plan to incorporating the findings and recommendations of the Master Plan. Each proposed text change was supported by a justification largely tracing the proposed policy to the findings of the Consultants (established in the Phase I and Phase II reports) or to staff findings (in the Addendum) or to Board direction (as summarized in the Final Master Plan). The Final Master Plan was provided as an attachment to the amendment as supporting documentation. However, since the Final Master Plan was just a summary of the data and analysis prepared by the consultants, the bulk of the actual data and analysis for the concepts and recommendations is located within the Phase I and Phase II documents.
7. **Subsequent Amendments:** Through the years since 2001, the language in the Plan & ULDC have been revised on several occasions.

Exhibit 2 – Overview of Commercial Cap in the Ag Reserve

The Master Plan Consultants identified a need for a maximum of 1,100,000 square feet of commercial retail and office space in the Agricultural Reserve. The Phase II report, states: *“The amount of non-residential developments in the entire Ag Reserve should be limited to 500,000 square feet of retail, 600,000 square feet of office, and 330,000 square feet of industrial uses. The amount of civic uses should not be restricted within the two development areas.”* The Phase II report also indicates that these figures had been derived from the appropriate ratio of non-residential development to the anticipated 14,000 dwelling units that were considered to be the maximum number of new units under the “Status Quo” Development Alternative. Therefore, taking the total maximum number of units considered by the Consultants (14,000 new units) and the maximum number of square footage (1,100,000), the ratio of total new commercial square footage for each new units can be calculated as a maximum of 79 square feet per dwelling unit ($1,100,000 \text{ sf} / 14,000 \text{ du} = 79 \text{ square feet per unit}$). At the time of transmittal, the maximum square footage was proposed as 1,100,000 square feet, but between transmittal and adoption, the staff report was revised to reflect a cap of 750,000 square feet due to the reduction in dwelling units (approximately 13,000 units) from the passing of the Bond referendum and County land purchases with the retirement of development rights.

The Consultants also recommended that this space be evenly divided between two mixed use centers, and that all new commercial development be required to require a 60% preserve area. The Consultants recommended the commercial cap and locating the centers in the interior of the Agricultural Reserve, to ensure that commercial does not exceed local demand and thereby serve as a draw from outside of the Tier. The Board adopted these recommendations by policy in 2001, with the exception that the commercial cap was reduced to 750,000 square feet, rather than the Consultant-recommended 1,100,000 square feet. This resulted in the development of the Canyon Town Center and Delray Marketplace, at the intersections of Boynton Beach Boulevard and Lyons Road, and Atlantic Avenue and Lyons Road respectively.

In 2016, following several privately initiated text amendment requests for commercial uses at other locations in the Tier, the Board adopted an increase in the commercial cap from 750,000 to 980,000 square feet in order to accommodate additional neighborhood serving services. Over the following 18 months, the Board approved several privately proposed future land use amendments which fit within the commercial cap. In 2017, the BCC adopted an increase of the cap by an additional 35,000 square feet for a total of 1,015,000 square feet to accommodate the expansion of another ‘pre-existing’ commercial site known as Three Amigos (LGA 2017-018). By 2019, the current cap of 1,015,000 square feet had been reached with approvals within the Tier.

Subsequently, in 2020 the Board adopted revisions to the commercial policies in the Tier to exempt self-storage from the commercial cap at the request of the applicant for West Boynton Center (LGA 2020-006) amendment to eliminate 28,000 square feet of approved commercial square footage thereby making that square footage available in the Tier. Most of this released square footage was quickly absorbed by the Atlantic Avenue Medical (LGA 2021-008) amendment which was adopted in December 2021 with a condition limiting the site to a maximum of 17,860 square feet of commercial uses. Finally, in 2022, the Board adopted amendments for the Feurring (LGA 2022-008) and Seneca (LGA 2022-009) sites to revise previously adopted conditions of approval to reduce the maximum allowable commercial square footage. This released 13,444 square feet from the commercial cap to be utilized by a concurrently adopted amendment, Atlantic Commercial and Self-Storage (LGA 2022-004), without increasing the cap. There are 10,227 square feet remaining within the cap. See Table 1 below.

Table 1 - Commercial Approvals in the Agricultural Reserve

Site	Adoption	Acres	Built Sq. Ft.	Approved Sq. Ft.
Canyons Town Center	2004	26.75	195,494	211,933
Delray Marketplace	2004	33.20	278,940	278,940
Small CL Sites	Pre-1999	1.83	22,712	22,712
Pre-existing Commercial	Pre-1999	19.29	28,007	76,625
	Pre-2016	81.07	525,153	590,210
Alderman	2016-B	15.34	112,779	133,642
Homrich	2016-B	13.44	0	29,400
Delray Growers	2016-B	11.15	0	86,744
Feurring	2016-C	4.91	35,169	42,776
Smigiel (additional)	2016-C	4.35	0	26,670
Stop & Shop (additional)	2016-D	5.11	32,818	32,020
Seneca Commercial	2017-A	4.51	30,693	38,538
Three Amigos (additional)	2017-D	3.60	0	35,000
	2016-2017	62.41	211,459	424,790
West Boynton Center reduction	2020-A2	0	0	-28,000
Atlantic Avenue Medical	2021-A2	2.05	0	17,860
	2020-2021	2.05	0	-10,140
Feurring and Seneca reduction	2022-A2	0	0	-13,444
Atlantic Com. and Self-Storage	2022-A2	9.89	0	13,357
	2022-now	9.89	0	-87
	Total	155.32	736,612	1,004,773