



2017 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Palm Beach County Planning Division
2300 North Jog Road, WPB, FL 33411, (561) 233-5300

I. Amendment Data

Round	18-B	Intake Date	8/4/17
Application Name	RaceTrac Boynton and Acme Dairy	Concurrent?	Yes, November 2017
Acres	9.55	Text Amend?	Yes
Location	Northeast corner of Boynton Beach Boulevard and Acme Dairy Road.		
	Current	Proposed	
Tier	Agricultural Reserve	Agricultural Reserve	
Use	Nursery	Nursery and Convenience Store with Gas Sales	
Zoning	AGR (Agricultural Reserve)	AGR / CN (Agricultural Reserve / Neighborhood Commercial)	
FLU	AgR	AgR (7.05 acres) and CL (2.50 acres)	
Underlying FLU	None	AgR for the CL portion (2.50 acres)	
Conditions	None	Limit to 5,411 square feet Convenience Store and 24 fueling locations.	

II. Site Data

Built Features	Property currently vacant and utilized for growing nursery plants.
PCN	00-42-43-27-05-050-1020
Street Address	Boynton Beach Boulevard (No designated number)
Frontage	330' along Boynton Beach Boulevard and 1,244' along Acme Dairy Road
Legal Access	From Boynton Beach Boulevard and Acme Dairy Road
Contiguous under same ownership	00-42-43-27-05-050-1010 (9.56); 00-42-43-27-05-050-1000 (9.50 acres); 00-42-43-27-05-050-0991 (9.38 acres)
Acquisition details	Property Acquired by owner in August, 1981, for \$95,000. Applicant is a contract purchaser for the commercial portion.
Size purchased	Owner acquired 9.5 acres at time of purchase in August, 1981. 2.5 acres under contract to be acquired by Applicant following approval and subdivision.

III. Development History

Previous FLUA Amendments	None
Zoning Approvals, Control Number	None
Concurrency	None currently, to be applied for concurrent with zoning application.
Plat, Subdivision	Tracts 102 and 119, Palm Beach Company Plat No. 3, Plat Book 2, Page 45

IV. Development Potential Data and Analysis

	Current	Proposed
Max Trip Generator	<i>Nursery</i>	Nursery / Convenience Store with Gas Sales
Maximum DU ¹		
Population Estimate		
Maximum Beds		
Maximum SF ^{2, 4}	9.95 ac. (Limited to Nursery Use)	0.1 FAR x 2.5 ac. = 10,875 SF (General Commercial) 7.50 ac. (Limited to Nursery Use)
Max Trip Generation	43 Daily Trips	658 Daily Trips
Conditioned DU ^{3,4}		N/A
Conditioned Beds ^{3,4}		N/A
Conditioned SF ^{3,4}		5,411 SF Convenience Store and 24 fueling locations 7.50 ac. (Limited to Nursery Use)
Conditioned Trip G. ^{3,4}		2,146 Daily Trips
Trip Increase Max.	Net increase 615 Daily Trips	
Trip Inc. Conditioned or Concurrent	Conditioned Net Increase with intended use: 2,103 Daily Trips	

Notes

1. Maximum units per acre see Future Land Use Element Table III.C.1;
2. Maximum FAR see FLUE Table III.C.2 for FAR. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;

4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (eg. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

V. Agent Information

Name	Tara Duhy, Esq.
Company Name	Lewis, Longman & Walker, P.A.
Address	515 N Flagler Drive; Suite 1500
City, State, Zip	West Palm Beach, FL 33401
Phone / Fax Number	561-640-0820 / Fax: 561-640-8202
Email Address	TDUHY@LLW-LAW.COM / SBEHN@LLW-LAW.COM

VI. Applicant Information

	Applicant A	Applicant B
Name	Brian Thornton, VP	Tim Linkous
Company Name	RaceTrac Petroleum, Inc.	Valico Nurseries
Address	200 Galleria Parkway SE; Ste. 900	8289 W. Boynton Beach Blvd
City, State, Zip	Atlanta, GA 30339	Boynton Beach, FL 33472
Phone / Fax Number	770-431-7600	561-436-1191
Email Address	vsutapaha@racetrac.com	
Type (Owner, Contract Purchaser)	Contract Purchaser	Owner

VII. Consistency & Compatibility

Justification	The proposed Commercial Low designation is at a Major Intersection, where commercial uses have previously been established. The limited availability of neighborhood-scale commercial that is conveniently located, makes this site ideal to meet the needs of existing and future residents of the Agricultural Reserve Tier.
Residential Density Increases	None.
Comprehensive Plan	With the two minor text amendments being requested concurrently, this proposal is fully consistent with all relevant Comprehensive Plan Policies. The location of commercial uses at a Major Intersection, serving a growing population, and creating a functional mix of uses in the area are all goals of the Plan.
Florida Statutes	The proposed amendment meets the Statutory requirements for an amendment to the Future Land Use atlas, and does not exhibit characteristics of urban sprawl.

Compatibility	The Subject Property is compatible with the surrounding properties. The commercial use will be buffered by agricultural lands owned by the applicant/owner to the north and east. Commercial exists to the west. Boynton Beach Boulevard provides a buffer to properties to the south. A school is located diagonally across the intersection to the southwest.		
Adjacent Lands	Uses	FLU	Zoning
North	Nursery / Agriculture	AgR	AGR-PUD (Pet. 2000-32)
South	Warehouse – 4,230 sf Office – 570 sf Agriculture	AgR	AGR
East	Nursery / Agriculture	AgR	AGR
West	Retail-10,425 sf Residential – 3,475 sf Agriculture	CL/AgR and AgR (Ord 2016-13; Ord 2016-36)	CG and AGR
Southwest	School – 121,846 sf	AGR (Agricultural Preserve Area; Control no. 2004-471)	MUPD (Pet. 2004-471; Pet. 2004-25)

VIII. Public Facilities Information

A. Traffic Information			
In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the FLUE of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets FLUE 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030 or visit http://www.pbcgov.com/pzb/planning/FLU.htm			
	Current FLU	Maximum	Conditioned or Concurrent
Max Trip Generation	43 Daily Trips	658 Daily Trips	2,146 Daily Trips
Trip Increase Max.	Net increase: 615 Daily Trips		
Trip Inc. Conditioned or Concurrent	Conditioned Net Increase with Intended Use; 2,103 Daily Trips		
Significantly impacted roadway segments that fail Long Range	None	None	None
Significantly impacted roadway segments for Test 2	None	None	None

Traffic Consultant	Shaun G. MacKenzie, P.E.
B. Mass Transit Information	
Nearest Palm Tran Route (s)	Adjacent to Bus Route 73
Nearest Palm Tran Stop	Westbound Stop 6781 immediately across Boynton Beach Blvd.; Eastbound Stop 6744 located 900 feet to the west.
Nearest Tri Rail Connection	Approximately 9 miles to the Boynton Beach Tri-Rail Station.
C. Portable Water & Wastewater Information	
The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as Attachment I. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.	
Potable Water & Wastewater Providers	Subject Property within the Palm Beach County Water Utilities Department service area.
Nearest Water & Wastewater Facility, type/size	There is a 12" water main and an existing 24" force main located adjacent to the property. A lift station will be required.
D. Drainage Information (See Drainage Statement - Attachment J)	
Water retention and treatment will be on site through a system of inlets, drainage pipes and exfiltration trenches for the commercial parcel. Discharge will be to the Acme Dairy Road drainage system consistent with SFWMD requirements. Site ultimately drains into the SFWMD C-16 Canal via the E-2-W Canal. Maximum allowable discharge rate is 2.6 CSM.	
E. Fire Rescue (See Fire Rescue Letter - Attachment K)	
Nearest Station	PBC Fire Rescue Station #47; 7950 Enterprise Center Circle
Distance to Site	1.25 miles
Response Time	To Subject Property: 5 minutes; Station Average 6:55 minutes.
Effect on Resp. Time	Minimal impact on Response Time, as noted in attached letter (See Attachment K)
F. Environmental (See Site Assessment Report - Attachment L)	
Significant habitats or species	There we no species of interest found on the Subject Property. No significant natural habitat is located on the site. A low quality area of hydric soils to the north is highly impacted by exotic vegetation. The remainder of the site is in Floriculture.
Flood Zone*	Subject Property lies within the Flood Zone B (X500)

Wellfield Zone*	Subject Property lies outside of the wellfield protection zone (See Attachment M).
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** If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.*

G. Historic Resources

No historic resources were noted on the Subject Property. (See Historic Letter - Attachment N)

H. Parks and Recreation - Residential Only (Not Applicable)

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional		0.00339		
Beach		0.00035		
District		0.00138		

I. Libraries - Residential Only (Not Applicable)

Library Name			
Address			
City, State, Zip			
Distance			
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person		
Periodicals	5 subscriptions per 1,000 persons		
Info Technology	\$1.00 per person		
Professional staff	1 FTE per 7,500 persons		
All other staff	3.35 FTE per professional librarian		
Library facilities	0.34 sf per person		

J. Public Schools - Residential Only (Not Applicable)

Summarize here and provide Comment Letter as Attachment O.

	Elementary	Middle	High
Name			
Address			

IX. Attachments

- A. **PCN's, Legal Description and Warranty Deed** (include Legal in Word)
- B. **Agent Consent Form**
www.pbcgov.com/pzb/planning/FLU_docs/Affidavits.pdf
- C. **Applicant's Ownership Affidavit**
www.pbcgov.com/pzb/planning/FLU_docs/Affidavits.pdf
- D. **Applicant's Notice Affidavit and Property Appraiser Information List**
www.pbcgov.com/pzb/planning/FLU_docs/Affidavits.pdf
- E. **Disclosure of Ownership Interests**
Applicant - *www.pbcgov.com/pzb/Zoning/newapps/Form-08.pdf*
Owner - *www.pbcgov.com/pzb/Zoning/newapps/Form-09.pdf*
- F. **Built Feature Inventory & Map**
- G. **Consistency with the Comprehensive Plan and Florida Statutes**
- H. **Traffic Approval Letter & Traffic Study**
- I. **Water & Wastewater Provider LOS Letters**
- J. **Drainage Statement**
- K. **Fire Rescue Letter**
- L. **Natural Feature Inventory & Map**
- M. **Wellfield Zone**
- N. **Historic Resource Evaluation Letter**
- ~~O. **Palm Beach County School District LOS Letter**~~
- P. **Survey**
- Q. **Text Amendment Application**

Forms for Attachments B, C, D, and E are located on the web at:

<http://www.pbcgov.com/pzb/planning/FLU.htm>

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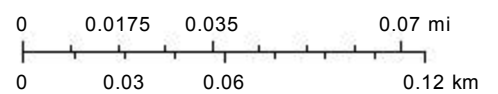
Attachment F - Built Features



August 2, 2017

Note: No Built Features on Property

1:2,257



ATTACHEMENT G

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND FLORIDA STATUTES

August 4, 2017

Revised August 10, 2017

2nd Revision September 1, 2017

I. SUBJECT PROPERTY/APPLICANT

This amendment application is for the parcel located at the northeast corner of Boynton Beach Boulevard and Acme Dairy Road (hereinafter, "Subject Property"). The Subject Property contains 9.55 acres, and is currently a plant nursery. RaceTrac Petroleum, Inc., the contract purchaser of the property, is the applicant.

II. REQUEST

- Request to amend the Future Land Use Atlas to change the Future Land Use of the south 2.50 acres of the Subject Property from AgR to CL/AgR; with the north 7.05 acres to remain AgR
- Request to amend the text of the Future Land Use Element of the Comprehensive Plan to allow a land use atlas amendment request in the Agricultural Reserve Tier on the northeast corner of the Major Intersection of Boynton Beach Boulevard and Acme Dairy Road; and to increase the maximum commercial development permitted in the Tier by 5,411 sq. ft.

III. SUMMARY OF JUSTIFICATION

- 1) The proposed designation of CL/AGR on the south 2.50 acres is suitable and appropriate for the subject site.**

ANALYSIS: Boynton Beach Boulevard and Atlantic Avenue represent the two arterial roadways through the Agricultural Reserve Tier, and as such, serve as the primary transportation corridors for the region. Two major commercial nodes were developed on these roadways at their respective intersections with Lyons Road. While these commercial nodes have been extremely successful in light of the limited commercial available in the Tier, they do not provide the conveniently located, neighborhood scale, commercial services needed by the residents.

The County has recognized Acme Dairy Road as a collector for the residential developments in the Tier and has determined that the intersection of Acme Dairy Road and Boynton Beach Boulevard is a Major Intersection under FLUE Policy 1.5-p, and that it satisfies the Unified Land

Development Codes' location criteria for certain commercial uses. This intersection also has an established commercial use on the northwest corner, known as the West Boynton Center.

There are limited appropriate locations in the Agricultural Reserve Tier to locate community serving, neighborhood scale retail services. This Major Intersection with existing commercial uses creates an important opportunity to allow a limited expansion of commercial to better serve the needs of agricultural workers and existing and future Tier residents.

The Subject Property is utilized as a plant nursery but is otherwise vacant. 7.05 of the 9.55 acres will retain its AgR designation and agricultural use. However the 2.5 acres on the northeast corner of the Major Intersection create an appropriate location for limited commercial development that can serve the surrounding neighborhood. No historic resources will be disturbed, no significant natural habitats are impacted, and there are no issues related to flooding on the Subject Property.

2) The basis for the change to CL/AgR at this particular site is predicated on: the changes to the access and characteristics of the area surrounding the property; the changes to the FLU of properties in the immediate area; and the changing circumstances in the Tier.

ANALYSIS: The intersection at Boynton Beach Boulevard and Acme Dairy Road has evolved into a significant interchange due to the expansion of residential developments to the north and south, and increased development in the Tier along these corridors.

Palm Beach County recently adopted Ordinance No. 2016-036. This Ordinance expanded the Commercial Low designation of the property on the northwest corner of Acme Dairy Road and Boynton Beach Boulevard, immediately west of the Subject Property. The increased CL designation supports the important opportunity created here to locate compatible neighborhood-scale commercial uses at this intersection.

Ordinance No. 2016-036 also passed new Policy 1.5-p designated the intersection of Boynton Beach Boulevard and Acme Dairy Road as a "Major Intersection." The newly adopted Comprehensive Plan policy states that this designation was a reflection of "the unique and limited commercial opportunities within the Agricultural Reserve Tier and the function of Acme Dairy Road as a collector roadway for 60/40 AGR-PUDs..." It is exactly this unique and limited opportunity that this application seeks to address by providing additional, limited commercial access to the residents of the Tier.

The increased population, need for neighborhood-scale commercial with convenient access, and the designation of this intersection as a Major Intersection all reflect the appropriateness of assigning the CL/AgR designation to the south 2.5 acres of the Subject Property.

IV. PROJECT NEED / BACKGROUND

The Agricultural Reserve Tier ("AR Tier") represents a unique area in Palm Beach County. This area is hemmed in by the Loxahatchee National Wildlife Refuge and the Water Conservation Area

to the west and the intense Urban and Suburban development lying east of Florida's Turnpike. The Master Plan developed in 2000 by Palm Beach County recognized the desire to preserve agricultural uses and open space in the AR Tier, while clustering future development.

Many of the recommendations from the Master Plan were put into place, including the acquisition of significant portions of the Tier by the County. Development regulations required residential developments to place large areas into conservation. Commercial uses were restricted to two commercial nodes on Boynton Beach Boulevard and Atlantic Avenue. By many measures, the Master Plan has been a success.

However, continued population growth coupled with the appeal of the mid-County location, has resulted in significant development in the AR Tier. According to the Palm Beach County residential projects list, over 10,000 residential single-family homes have been approved in the AR Tier, and over 7,000 of those homes have been built to date. Residential developers continue to seek additional opportunities to construct homes in the AR Tier.

The two commercial nodes provided for in the AR Tier have proven extremely successful, in light of the limited commercial and retail uses available. Developments such as the Canyon Town Center and the Delray Marketplace provide restaurants, grocery stores, entertainment and retail shopping. These centers have proven to be regional draws from throughout central Palm Beach County. Accordingly, the ability of these sites to provide convenient neighborhood-scale commercial and retail uses has been limited.

In order to address the needs of the growing population in the AR Tier, Palm Beach County has recognized commercial properties that pre-date the creation of the Agricultural Tier, and have granted these sites the right to remain and even expand within certain parameters. These commercial sites are smaller in scale than the two major commercial nodes, and provide an important opportunity for to meet the retail and service needs of the existing and future population of the AR Tier. This application seeks to address this need by appropriately expanding the opportunity for neighborhood-scale retail and commercial establishments surrounding those established vested commercial sites.

Palm Beach County Ordinance Number 2016-036 amended the Comprehensive Plan to designate the intersection of Boynton Beach Boulevard and Acme Dairy Road as meeting the "Major Intersection" criteria and satisfying the location criteria for certain commercial uses in the Unified Land Development Code ("ULDC"). This Major Intersection designation was granted in conjunction with the expansion of the Commercial Low designation on the northwest corner of the intersection for the project titled "West Boynton Center." The Major Intersection designation provides a meaningful opportunity to create a community scale commercial node, consistent with best planning principals for the AR Tier. The 2016-036 amendment found that there is, "unique and limited commercial opportunities within the Agricultural Reserve Tier..." This application is in recognition of the limited opportunities and need to provide adequate dispersed

neighborhood-scale retail amenities, while not allowing an oversupply of commercial uses in the AR Tier.

The proposed less than 1% increase to the commercial maximum square footage in the Tier represents an insignificant increase, however, this increase will improve the functional mix of uses and convenient access to neighborhood-scale retail in this section of the AR Tier.

V. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The request to amend the Future Land Use Atlas is predicated on the approval of two text amendments:

Policy 1.5-m. This Policy currently only permits a land use change for a property that shares “a common property line with pre-existing commercial properties.” Applicant proposes a text change that would allow a land use change request by a property located at a Major Intersection where an existing commercial use has already been established.

Policy 1.5-n. This Policy provides for a maximum amount of square footage permitted within the AR Tier. Because this limit has already been distributed to existing commercial properties, an addition of 5,411 square feet is requested to allow for the approval of this application.

With the exception of these two policies, the request for a Commercial Low designation with underlying Agricultural Reserve designation is fully consistent with the Comprehensive Plan.

Objective 1.5 The Agricultural Reserve Tier. The objective states “non-residential development limited to uses serving the needs of farmworkers and the residents of the Tier.”

RESPONSE: With over 10,000 single family homes approved in the AR Tier, the burgeoning population has increased the need for convenient, localized commercial uses. The proposed Commercial Low designation at the Subject Property will provide for the needs of the current and future residents.

Policy 1.5-k.: “Commercial and mixed uses in the Agricultural Reserve Tier shall be located central to the Tier and designed at a neighborhood or community scale in order to be limited to serving the needs of the farmworker community, existing residents, and future residents the Tier.”

RESPONSE: While the larger commercial developments that were established through concentrations of commercial in the Tier created regional attractors, this application is limited in scale and designed to address the demand for neighborhood commercial. The remaining unbuilt commercial development is located in and around the two approved “nodes,” yet these areas do not provide the sort of convenient, dispersed, neighborhood commercial development that is needed by the residents on a daily basis. The scale of this amendment request – limited to 5,411 square feet of Commercial Low uses – will necessarily be targeted to the immediate surrounding community in the AR Tier.

Policy 1.5-o: All future land use amendments seeking a Commercial designation in the Agricultural Reserve Tier are encouraged to be accompanied by a concurrent zoning application in order to demonstrate that the proposal meets the design, scale, and character requirements of the Tier.

RESPONSE: It is the intent of the Applicant to submit a zoning application during the review period of this Comprehensive Plan application, in conformance with this Policy.

Policy 1.5-p: In order to reflect the unique and limited commercial opportunities within the Agricultural Reserve Tier and the function of Acme Dairy Road as a collector roadway for 60/40 AGR-PUDs as identified in Policy 1.5.1-I, the intersection of Acme Dairy Road and Boynton Beach Boulevard shall be considered a Major Intersection and as meeting collector/arterial requirements for the purposes of location criteria in the ULDC.

RESPONSE: This Policy reflects the changed circumstances in the AR Tier: the clustering of housing developments along Acme Dairy Road, south of the subject property and the limited available commercial space in the area. The designation of the intersection where the Subject Property is located as a Major Intersection emphasizes the appropriateness of allowing for additional neighborhood-scale commercial development at this location.

OBJECTIVE 2.1 Balanced Growth: Palm Beach County shall designate on the Future Land Use Atlas sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth. This shall be done to plan for population growth and its need for services, employment opportunities, and recreation and open space, while providing for the continuation of agriculture and the protection of the environment and natural resources through the long-range planning horizon.

RESPONSE: The proposed amendment directly addresses this Objective. The increased population growth in the Agricultural Reserve Tier has created a significant unmet demand for neighborhood-scale commercial development. By proposing a relatively limited-scale commercial development, at a Major Intersection that has established commercial uses, convenient retail access can be provided, reducing the impact on the larger traffic network, while not over allocating commercial uses in the AR Tier.

Policy 2.1-a: The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.

RESPONSE: The proposed Land Use designation of Commercial Low and requested increase to the Commercial cap in the Tier is consistent with the guidance of this Policy. The attached Environmental Report demonstrates that the Subject Property has no

significant soil issues, is not in a flood plain, is outside the wellfield protection areas, and has no significant natural habitats. The site is at a Major Intersection where existing commercial uses have already been introduced, and there is adequate facilities to service this location.

Policy 2.1-f: Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:

1. The natural environment, including topography, soils and other natural resources;
2. The availability of facilities and services;
3. The adjacent and surrounding development;
4. The future land use balance;
5. The prevention of urban sprawl as defined by 163.3164(51), F.S.;
6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and
7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

RESPONSE: The location of the property at a Major Intersection where commercial uses have been established, make this an ideal location for the proposed Commercial Low land use designation. County Ordinance 2016-036 adopted a new Policy 1.5 section stating that there are “unique and limited commercial opportunities within the Agricultural Reserve Tier” and that the Boynton Beach Boulevard and Acme Dairy Road intersection constitutes a “Major Intersection” that would be an appropriate location for commercial uses. Thus while the Agricultural Reserve designation is consistent with the Tier, it does not assist in adequately serving the needs of the existing and future residential population.

1. The submitted Natural Features Report reflects no significant natural habitats, and no issues related to soils or flood zones.
2. The Subject Property has County water and waste water service available. Located at a Major Intersection, it is well served by the existing transportation network.
3. The Subject Property is adjacent to a Major Intersection, with an existing Commercial Low property to the west. The site is otherwise surrounded by properties within the Agricultural Reserve land use designation. All of the adjacent land north and east of the proposed CL area is owned by the owner of the Subject Property, thus the continued planned agricultural uses will serve as a buffer to any other property owners. The scale of Boynton Beach Boulevard also serves as a buffer to the properties south of the site.

4. The Agricultural Reserve Tier has developed a significant amount of residential, agricultural and conservation land use, but is underserved by commercial uses. Because of the location of the Subject Property, despite being relatively small in scale, the land use amendment will provide important convenient access to neighborhood-scale retail uses.
5. The proposed land use will not contribute to urban sprawl. The surrounding area has been developed with significant residential development. The provision of commercial services to the area is consistent with proper development sequencing and necessary mix of uses.
6. The Agricultural Reserve Master Plan has guided the form and location of development. While the Plan could not predict the exact arrangement of development that would result, it did recognize the importance of clustering commercial development along the major corridors of Boynton Beach Boulevard and Atlantic Avenue. The Master Plan further encouraged the use of smaller neighborhood-scaled commercial development that would provide services to the workers and residents in the immediate area. Thus while some of the commercial development that has occurred at the two commercial nodes has created a regional attraction, the proposed commercial development, with its intensity limitations, will necessarily be geared to the needs of the immediate local residents in the AR Tier.
7. The closest municipality is the Village of Golf, which is over 3-1/2 miles away. Accordingly this application has no impact on existing municipalities.

VI. CONSISTENCY WITH THE FLORIDA STATUTES

F.S. 163.3177 (6)(a)8. Future land use map amendments shall be based upon the following analyses:

- a. An analysis of the availability of facilities and services.
- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

RESPONSE: The Land Use amendment application reflects the availability of all necessary facilities and services. No significant natural habitats are located on the site, and it is outside of any flood zones. No historic resources are noted at this site. The limited scale of the request represents the minimum amount of land required to provide important neighborhood-scale commercial opportunities to local residents in the AR Tier.

F.S. 163.3177 (6)(a)9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. 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:

- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
- (II) 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.
- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
- (IV) 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.
- (V) 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.
- (VI) Fails to maximize use of existing public facilities and services.
- (VII) Fails to maximize use of future public facilities and services.
- (VIII) 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.
- (IX) Fails to provide a clear separation between rural and urban uses.
- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
- (XI) Fails to encourage a functional mix of uses.
- (XII) Results in poor accessibility among linked or related land uses.
- (XIII) Results in the loss of significant amounts of functional open space.

RESPONSE: The proposed amendment for Commercial Low at a Major Intersection, where commercial uses are already established, does not promote urban sprawl. The location promotes a compact development of necessary uses for existing and planned residents in the AR Tier. The site is served by existing public facilities and transportation networks and will not require any public expenditures to provide those services. The amendment is intended to create the necessary functional mix of uses that is currently non-existent in the AR Tier. The designation of the Major Intersection reflects the accessibility to related land uses. And the change does not result in a loss of significant amounts of functional open space.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

- (I) 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.
- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
- (III) 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.
- (IV) Promotes conservation of water and energy.
- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.
- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
- (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

RESPONSE: The proposed amendment meets five of the statutory standards for discouraging the proliferation of urban sprawl:

- (I) The Commercial Low designation request is at a Major Intersection where commercial development has been established. This request has no adverse impact on and protects natural resources and ecosystems by locating on a site which does not feature any significant natural habitats.
- (II) The request is at a site where public infrastructure and services are already available.
- (III) The provision of Commercial Low at the Subject Property is at a location where the transportation network includes a Major Intersection, a dedicated bus route with nearby stops, and proximately to the collector road of several nearby housing communities.

- (VII) The Commercial Low request seeks to help restore the balance of land uses based upon the existing and growing residential population in the immediate area. Neighborhood-scale commercial uses are limited in the AR Tier and this small development will help counter that deficiency.
- (VIII) The residential development in the area has indications of sprawl in the single housing type, with limited functional mixture of uses. The Commercial Low designation on the Subject Property will help counter this single-use indication of sprawl in the area.

VII. CONCLUSION

The request to designate the south 2.50 acres of the Subject Property as Commercial Low with an underlying Agricultural Reserve designation, is fully consistent with the Palm Beach County Comprehensive Plan and the applicable Florida Statutes.



**Water Utilities Department
Engineering**

8100 Forest Hill Blvd.
West Palm Beach, FL 33413
(561) 493-6000
Fax: (561) 493-6113
www.pbcwater.com



**Palm Beach County
Board of County
Commissioners**

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor
Hal R. Valeche
Dave Kerner
Steven L. Abrams
Mary Lou Berger
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

June 20, 2017

Kevin Betancourt
Thomas Engineering Group
1000 Corporate Drive Suite 250
Fort Lauderdale, FL 33334

Re: Water and Sewer Availability
NE corner of Boynton Beach Blvd and Acme Dairy Road
PCN 00-42-43-27-05-050-1020

Kevin,

This is to confirm that the referenced site is located within the Palm Beach County Water Utilities Department service area. There is an existing 12" water main and an existing 24" force main located within Boynton Beach Blvd. right of way adjacent to your property. Connection to the forcemain would require the construction of a lift station.

Please note that this letter does not constitute a final commitment for service until the final project design has been approved by Palm Beach County Water Utilities Department.

Sincerely,

Jackie Michels
Plan Review Manager
JMichels@pbcwater.com
Phone (561)493-6116

DRAINAGE STATEMENT FOR

RaceTrac-Acme Dairy

PREPARED BY
THOMAS ENGINEERING GROUP, LLC
1000 Corporate Drive, Suite 250, Ft. Lauderdale, FL 33334
954-202-7000
Certificate of Authorization No. 27528

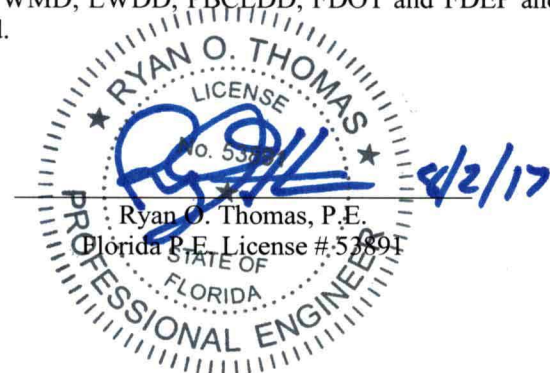
The subject property is approximately 2.50 acres and is generally located at the NE corner of the intersection of Acme Dairy Road and Boynton Beach Blvd (SFWMD C-16 basin). The site is currently used for agricultural purposes. This application proposes converting the current land use to commercial low (CL).

The site is included in an existing overall surface water management permit for South Florida Water Management District (SFWMD). Permit number 50-00300-S. As per the existing permit, the receiving body for the site runoff is LWDD E-2-W Canal located just west of the turnpike (approximately 0.42 miles east of the property). It is presumed that the property discharges runoff to the irrigation ditches surrounding the property that leads to the E-2-W canal. The E-2-W canal control elevation is 16.00 NGVD and has an ultimate discharge into the intercoastal waterway via SFWMD C-16 canal and the SFWMS S-41 control structure.

The proposed drainage system will consist of a series of inlets, drainage pipes and exfiltration trench in the proposed commercial parcel which will provide the required water quality treatment requirements. After water quality requirements are met, the site will connect to the existing Acme Dairy Road drainage system at the maximum allowable discharge of 62.6 CSM as per SFWMD requirements for C-16 basin. The drainage system will be maintained and operated by the property owner.

The lands are currently located within a FEMA Flood Zone B (X500). Palm Beach Land Development Code requires the finished floor to be set at a minimum of 18" above the lowest adjacent roadway crown (LARC) for sites located within FEMA Flood Zone B.

Permits for the proposed work will be sought from SFWMD, LWDD, PBCLDD, FDOT and FDEP and no work will commence until these permits are received.





Fire Rescue

Chief Jeffrey P. Collins
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor
Hal R. Valeche
Dave Kerner
Steven L. Abrams
Mary Lou Berger
Mack Bernard

County Administrator

Verdenia C. Baker

August 2, 2017

LLW

Attention: Seth C. Behn
515 North Flagler Drive
Suite 1500
West Palm Beach, FL 33401

Re: Race Trac

Dear Seth C. Behn:

Per your request for response time information to the subject property located on the northeast corner of the intersection of Boynton Beach Boulevard and Acme Dairy Road. This property is served currently by Palm Beach County Fire-Rescue station #47, which is located at 7950 Enterprise Center Circle. The subject property is approximately 1.25 miles from the station. The estimated response time to the subject property is 5 minutes. For fiscal year 2016, the average response time (call received to on scene) for this stations zone is 6:55.

Changing the land use of this property will have minimal impact on Fire Rescue.

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

Sincerely,

Cheryl Allan, Planner
Palm Beach County Fire-Rescue

RaceTrac
Boynton Beach Blvd, Boynton Beach, Florida

Palm Beach County, Florida

Environmental Assessment (EA)

June 2017



Prepared for:
Thomas Engineering

Prepared by:
Hobe Sound Environmental Consultants, Inc.
9512 SE Duncan St.
Hobe Sound, FL 33455
(772) 545-3676
E-Mail: bobhsenv@gmail.com

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NOTE: This Report, together with the concepts and design presented herein, as an instrument of service, is intended only for the specific purpose and Client for which it was prepared. Reuse of and improper reliance on this Report without written authorization and adaptation by Hobe Sound Environmental Consultants, Inc. shall be without liability to Hobe Sound Environmental Consultants, Inc.

**RACETRAC
BOYNTON BEACH BLVD., BOYNTON BEACH, FLORIDA
ENVIRONMENTAL ASSESSMENT REPORT**

1.00 INTRODUCTION

The following Environmental Assessment Report of RaceTrac project site has been prepared by Hobe Sound Environmental Consultants, Inc. (HSE). The site consists of approximately 9.55 acres of land located north of Boynton Beach Blvd., east of Acme Dairy Road (**Appendix A, Figures 1 - 3 of 16**) in Boynton Beach. The site is located in Section 20, Township 45S, Range 42E, City of Boynton Beach, Palm Beach County, Florida.

The purpose of this report is to provide the methodologies and findings of a scientific environmental assessment of the RaceTrac project site. This report addresses the following environmental issues: protected species, wildlife, vegetative communities, wetlands, soils, and topography, significant habitats or species, flood zone and wellfield zone. The report is based on field data collected on 23 and 26 June 2017.

2.00 METHODOLOGY

2.01 Gopher Tortoise and Other Burrow Commensals

2.01.1 Objective

Conduct a systematic survey to locate gopher tortoise (*Gopherus polyphemus*) and eastern indigo snake (*Drymarchon corais couperi*) that may be present within the study area.

2.01.2 Methodology

Biologists followed the survey protocol as recommended in *Ecology and Habitat Protection Needs of Gopher Tortoise (Gopherus polyphemus) Populations*

Found on Lands Slated for Large-scale Development in Florida; Non-game Wildlife Program, Technical Report #5, Florida Game and Fresh Water Fish Commission (FGFWFC), now known as FFWCC, Tallahassee, Florida, December 1987, and the Gopher Tortoise Guidelines, FFWCC, Tallahassee, Florida April 2008, revised February 2015.

- Biologists conducted parallel transects 10 meters (\pm 32 feet) apart (**Appendix A, Figure 4 of 16**);
- Biologists conducted serpentine search patterns between the parallel transects;
- All gopher tortoise burrows located were flagged as either active or inactive, if appropriate;
- All gopher tortoise burrows located were assigned an identification number and recorded, if appropriate;
- Biologists field located all gopher tortoise burrows on an aerial photograph, if appropriate;
- Additional data and notes were collected by biologists for the occurrence of the eastern indigo snake.

2.02 Protected Species/Wildlife Survey

2.02.1 Objective

HSE conducted a systematic survey for flora and fauna that might occur on-site and noted the presence of any protected species listed in *Florida's Endangered Species, Threatened Species, and Species of Special Concern*, May 2017, FFWCC.

The state lists of species are maintained by the FFWCC and categorized as endangered, threatened and species of special concern, in accordance with Rules 68A-27.003, 68A-27.004, and 68A-27.005, respectively, Florida Administrative Code (F.A.C.). The state lists of plants are categorized into endangered, threatened, and commercially exploited, and are maintained by the Florida Department of

Agriculture and Consumer Services (DOACS) via Chapter 5B-40, F.A.C.

The federal agencies that share the authority to list species as Endangered and Threatened are the National Oceanic and Atmospheric Administration-National Marine Fisheries Service (NOAA-NMFS) and the U.S. Fish and Wildlife Service (USFWS). The NOAA-NMFS is responsible for listing most marine species. The federal list of animals and plants is administered by the USFWS, and is published in 50 CFR 17 (animals) and 50 CFR 23 (plants).

2.02.2 Methodology

Following are the methodologies biologists used to conduct the wildlife/protected species surveys.

2.02.2.1 Pedestrian Transects

- Biologists conducted pedestrian transects on 23 and 26 June 2017 (**Appendix A, Figure 4 of 16**);
- The transects meandered through areas of suitable habitat;
- Biologists recorded and noted sightings, tracks, scat, tree markings, nests, cavities, and burrows.

2.03 Vegetation Survey (FLUCFCS)

3.03.1 Objective

To map vegetation on-site according to *The Florida Land Use, Cover and Forms Classification System (FLUCFCS)*.

2.03.2 Methodology

Biologists used the following methodology to map vegetation found on the project site.

- Biologists used *The Florida Land Use, Cover and Forms Classification System (FLUCFCS)*, January 1999, Third Edition, Florida Department of Transportation, Surveying and Mapping, Geographic Mapping Section.
- Biologists based vegetative community descriptions on field surveys, Soil Conservation Service (SCS) soil maps, and aerial photograph interpretations;
- Numerical community designations were carried to Level II & III, according to FLUCFCS.

2.04 Jurisdictional Wetlands

2.04.1 Objective

To identify and locate State of Florida (SFWMD) and Federal (USACOE) jurisdictional wetlands that may occur on the project site.

2.04.2 Methodology

Biologists used the following methodologies to locate State and Federal jurisdictional wetlands on-site.

- Biologists delineated wetlands according to Florida Administrative

Code (FAC) 62-340, as appropriate;

- Biologists delineated wetlands according to the USACOE Wetland Delineation Manual, January 1987, Technical Report Y-87-1, as appropriate.
- Biologists flagged the wetlands with consecutively numbered flagging tape marked "Wetland Delineation", if appropriate;
- Biologists completed USACOE wetland delineation data sheets, if appropriate.

2.05 Soils

2.05.1 Objective

To identify project soil types according to the United States Department of Agriculture, Soil Conservation Service.

2.05.2 Methodology

Biologists used the following methodology to identify soil types found on the project site.

- Project soils were mapped according to the *Soil Survey of Palm Beach County Area, Florida*, April 1978, United States Department of Agriculture (USDA), Soil Conservation Service (SCS). Additional site specific soil information was obtained through review of USDA, Natural Resource Conservation Service (NRCS) Web soil service.

2.06 Topography

2.06.1 Objective

To identify the topography of the project site.

2.06.2 Methodology

Biologists used the following methodologies to identify the topography of the project site.

- Biologists used the USGS Greenacres City, FL. 26080-E2-TF-024 Revised 2015 to determine site topography.

2.07 FEMA Flood Zone

2.07.1 Objective

To determine if the site is in a FEMA Flood Zone.

2.07.2 Methodology

HSE review FEMA Flood Zone Map Community Panel Number: 120192 0185 A, panel 185 of 245.

2.08 Wellfield Protection Zone

2.08.1 Objective

To determine if the site is within the wellfield protection zone.

2.08.2 Methodology

HSE contacted Mr. John Rizer from Department of Environmental Resource Management and Reviewed Palm Beach County wellfield protection zone map 29

June 2017.

3.00 Results

3.01 Gopher Tortoise and Other Burrow Commensals

Zero (0) burrows were located by biologists during the gopher tortoise and commensal species survey (**Appendix A, Figure 5 of 16**), no suitable habitat was observed on-site by HSE for the gopher tortoise.

Commensal species such as the eastern indigo snake, Florida mouse and Florida gopher frog were not observed by biologists and suitable habitat does not exist for these species. The Florida gopher frog and Florida mouse are not currently listed, nor currently being considered for listing (N) by the State of Florida. The eastern indigo snake is designated as federally threatened (FT) by the State of Florida and the U.S. Fish and Wildlife Service. These species are protected under regulations set forth in the Wildlife Code of the State of Florida, Chapter 39 FAC, Rule 39-4.001 and 39-25.002, as well as Chapter 39-27.

3.02 Protected Species/Wildlife Survey

3.02.1 Protected Fauna

Wildlife species observed on-site during the pedestrian transects survey are listed in **Table 1**. There were no protected species observed on-site during the pedestrian transects survey. Although the site is within the core foraging area (CFA) of four (4) wood stork (*Mycteria americana*) colonies (**Appendix A, Figure 7 of 16**), no wood storks were observed on-site and no suitable habitat exists on-site. Protected species that potentially occur in Palm Beach County and their likelihood of occurrence within the project site are listed in **Table 2**.

Although the site is within the Florida scrub-jay (*Aphelocoma coerulescens*)

Table 1. Wildlife Observed on the RaceTac. Project Site During the Protected Species Survey.

A. Reptiles

Common Name	Scientific Name	Protected Species	
		State	Federal
Brown anole	<i>Anolis sagrei</i>	---	---
Black racer	<i>Coluber constrictor priapus</i>	---	---
Curly-tailed lizard	<i>Leiocephalus carinatus armouri</i>	---	---

B. Birds

Common Name	Scientific Name	Protected Species	
		State	Federal
Northern cardinal	<i>Cardinalis cardinalis</i>	---	---
Northern mockingbird	<i>Mimus polyglottos</i>	---	---
Mourning dove	<i>Zenaida macroura</i>	---	---
Blue-jay	<i>Cyanocitta cristata</i>	---	---
Least flycatcher	<i>Empidonax minimus</i>	---	---
Red-bellied woodpecker	<i>Melanerpes carolinus</i>	---	---

Table 2. RaceTrac: Federal/State Listed Fauna and Flora Potentially Found in Palm Beach County, Florida.**A. Fish**

COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS+	STATE STATUS++ (FLORIDA)	EXISTING HABITAT ON-SITE	LIKELIHOOD OF OCCURRENCE	NOTES
Striped croaker	<i>Bairdiella sanctaeluciae</i>	SC	N	No	not likely	not observed during preliminary pedestrian transects
Opossum pipefish	<i>Oostethus brachyurus</i>	SC	N	No	not likely	not observed during preliminary pedestrian transects

B. Reptiles

COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS+	STATE STATUS++ (FLORIDA)	EXISTING HABITAT ON-SITE	LIKELIHOOD OF OCCURRENCE	NOTES
American alligator	<i>Alligator mississippiensis</i>	SAT(S/A)	FT(S/A)	No	not likely	not observed during preliminary pedestrian transects
Loggerhead sea turtle	<i>Caretta caretta</i>	T	FT	No	not likely	not observed during preliminary pedestrian transects
Green sea turtle	<i>Chelonia myda</i>	T	FT	No	not likely	not observed during preliminary pedestrian transects
American crocodile		T	FT	No	not likely	not observed during preliminary pedestrian transects
Leatherback turtle	<i>Dermochelys coriacea</i>	E	FE	No	not likely	not observed during preliminary pedestrian transects
Eastern indigo snake	<i>Drymarchon corais couperi</i>	T	FT	No	not likely	not observed during preliminary pedestrian transects
Hawksbill sea turtle	<i>Eretmochelys imbricata</i>	E	FE	No	not likely	not observed during preliminary pedestrian transects
Gopher tortoise	<i>Gopherus polyphemus</i>	C	ST	No	not likely	not observed during preliminary pedestrian transects
Kemp's Ridley sea turtle	<i>Lepidochelys kempii</i>	E	E	No	not likely	not observed during preliminary pedestrian transects
Florida pine snake	<i>Pituophis melanoleucus mugitus</i>	N	SSC	No	not likely	not observed during preliminary pedestrian transects

C. Birds

COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS+	STATE STATUS++ (FLORIDA)	EXISTING HABITAT ON-SITE	LIKELIHOOD OF OCCURRENCE	NOTES
Florida sandhill crane	<i>Antigone canadensis pratensis</i>	N	ST	No	not likely	not observed during preliminary pedestrian transects
Florida scrub-jay	<i>Aphelocoma coerulescens coerulescens</i>	T	FT	No	not likely	not observed during preliminary pedestrian transects

Florida burrowing owl	<i>Athene cunicularia floridana</i>	N	ST	No	not likely	not observed during preliminary pedestrian transects
Crested caracara	<i>Cracara cheriway</i>	T	FT	No	not likely	not observed during preliminary pedestrian transects
Piping plover	<i>Charadrius melodus</i>	T	FT	No	not likely	not observed during preliminary pedestrian transects
Tri-colored heron	<i>Egretta tricolor</i>	N	ST	No	not likely	not observed during preliminary pedestrian transects
Southeastern American kestrel	<i>Falco sparverius paulus</i>	N	ST	No	not likely	not observed during preliminary pedestrian transects
American oystercatcher	<i>Haematopus palliatus</i>	N	ST	No	not likely	not observed during preliminary pedestrian transects
Wood stork	<i>Mycteria americana</i>	T	T	No	not likely	not observed during preliminary pedestrian transects
Osprey	<i>Pandion haliaetus</i>	N	SSC*	No	not likely	not observed during preliminary pedestrian transects
Red-cockaded woodpecker	<i>Picoides borealis</i>	E	FE	No	not likely	not observed during preliminary pedestrian transects
Roseate spoonbill	<i>Platalea ajaja</i>	N	ST	No	not likely	not observed during preliminary pedestrian transects
Snail kite	<i>Rostrhamus sociabilis plumbeus</i>	E	N	No	not likely	not observed during preliminary pedestrian transects
Black skimmer	<i>Rynchops niger</i>	N	SSC	No	not likely	not observed during preliminary pedestrian transects
Least tern	<i>Sterna antillarum</i>	N	T	No	not likely	not observed during preliminary pedestrian transects

D. Mammals

COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS+	STATE STATUS++ (FLORIDA)	EXISTING HABITAT ON-SITE	LIKELIHOOD OF OCCURRENCE	NOTES
Florida mouse	<i>Peromyscus floridanus</i>	N	SSC	No	not likely	not observed during preliminary pedestrian transects
Florida panther	<i>Puma concolor coryi</i>	E	E	No	not likely	not observed during preliminary pedestrian transects
Sherman's fox squirrel	<i>Sciurus niger shermani</i>	N	SSC	No	not likely	not observed during preliminary pedestrian transects
West Indian manatee	<i>Trichechus manatus</i>	E	E	No	not likely	not observed during preliminary pedestrian transects

E. Plants and Lichens

COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS+	STATE STATUS++ (FLORIDA)	EXISTING HABITAT ON-SITE	LIKELIHOOD OF OCCURRENCE	NOTES
Golden leather fern	<i>Acrostichum aureum</i>	N	T	No	not likely	not observed during preliminary pedestrian transects
Meadow jointvetch	<i>Aeschynomene pratensis</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Sea lavender	<i>Argusia gnaphalodes</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Four-petal Pawpaw	<i>Asimina tetramera</i>	E	E	No	not likely	not observed during preliminary pedestrian transects
Many-flowered grass-pink	<i>Calopogon multiflorus</i>	N	T	No	not likely	not observed during preliminary pedestrian transects
Sand-dune spurge	<i>Chamaesyce cumulicola</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Perforate reindeer lichen	<i>Cladonia perforata</i>	E	E	No	not likely	not observed during preliminary pedestrian transects
Large-flowered rosemary	<i>Conradina grandiflora</i>	N	T	No	not likely	not observed during preliminary pedestrian transects
Okeechobee Gourd	<i>Cucurbita okeechobeensis</i>	E	E	No	not likely	not observed during preliminary pedestrian transects
Coastal vervain	<i>Glandularia maritima</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Johnson's seagrass	<i>Halophila johnsonii</i>	T	E	No	not likely	not observed during preliminary pedestrian transects
Beach Jacquemontia	<i>Jacquemontia reclinata</i>	E	E	No	not likely	not observed during preliminary pedestrian transects
Atlantic coast Florida lantana	<i>Lantana depressa var. floridana</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Nodding pinweed	<i>Lechea cernua</i>	E	T	No	not likely	not observed during preliminary pedestrian transects
Pine pinweed	<i>Lechea divaricata</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Small's flax	<i>Linum carteri var. smallii</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Celestial lily	<i>Nemastylis floridana</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Burrowing four-o'clock	<i>Okenia hypogaea</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Hand fern	<i>Ophioglossum palmatum</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Cutthroat grass	<i>Panicum abscissum</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Tiny polygala	<i>Polygala smallii</i>	E	E	No	not likely	not observed during preliminary pedestrian transects

Bahama brake	<i>Pteris bahamensis</i>	N	T	No	not likely	not observed during preliminary pedestrian transects
Giant orchid	<i>Pteroglossaspis ecristata</i>	N	T	No	not likely	not observed during preliminary pedestrian transects
Fahkahatchee ladies' -tresses	<i>Sacoila lanceolata</i> var. <i>paludicola</i>	N	T	No	not likely	not observed during preliminary pedestrian transects
Ray fern	<i>Schizaea pennula</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Coastal hoary-pea	<i>Tephrosia angustissima</i> var. <i>curtissii</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Toothed maiden fern	<i>Thelypteris serrata</i>	N	E	No	not likely	not observed during preliminary pedestrian transects
Banded wild-pine	<i>Tillandsia flexuosa</i>	N	T	No	not likely	not observed during preliminary pedestrian transects
Dancing-lady orchid	<i>Tolumnia bahamensis</i>	N	E	No	not likely	not observed during preliminary pedestrian transects

+Federal Status: U.S. Fish and Wildlife Service (FWS)

E - Endangered
PE - Proposed for Endangered
T - Threatened
PT - Proposed for Threatened
C - Candidate for Endangered and/or Threatened
E (S/A) - Endangered due to similarity of appearance
T (S/A) - Threatened due to similarity of appearance
N - Not currently listed

++State of Florida Status: Florida Fish and Wildlife Conservation Commission (FFWCC)

<u>Animals:</u>		<u>Plants:</u>
E	- Endangered	E- Endangered
T	- Threatened	T- Threatened
SSC	- Species of Special Concern	N- Not currently listed
N	- Not currently listed	

and snail kite (*Rostrhamus sociabilis*) consultation areas (**Appendix A, Figures 6 - 8 of 16**), habitat was not observed on-site for any of these species. There is one (1) bald eagle (*Haliaeetus leucocephalus*) nests located within a 5-mile radius of the project site, the nest is over one (1) miles away. The project is therefore not likely to adversely affect the bald eagle population (**Appendix A, Figure 9 of 16**).

3.02.2 Protected Flora

During the pedestrian transect survey, biologists did not observe any endangered or threatened species of flora listed by the Florida Department of Agriculture (FDA). State and Federally listed flora that potentially exist in Palm Beach County and their likelihood of occurrence within the project site boundaries are listed in **Table 2**.

3.03 Vegetation (FLUCFCS)

3.03.1 General

Most of the site can be categorized as Floriculture. The site has been highly impacted by exotic vegetation in the freshwater march. Vegetation associations present on-site were mapped using Levels II and III of FLUCFCS. The classifications used represent the closest facsimile possible to the natural community present. The FLUCFCS map is depicted in **Appendix A, Figure 10 of 16**. Classifications depicted on the map are briefly described below. **Table 3** depicts the FLUCFCS classifications and approximate acreage of each community type.

3.03.2 Vegetation Associations

3.03.2.1 245 - Floriculture (+/-6.09 acres)

This classification can be located throughout most of the project site. This classification includes but is not limited to cultivation of decorative flowers and plants.

Table 3. Approximate FLUCFCS Acreages of the RaceTrac. Project Site.

FLUCFCS Designation	Approximate Acreage
245 - Floriculture	± 6.09 acres
510- Ditches	± 1.07 acres
641 - Freshwater Marshes	± 2.39 acres
<i>Total approximate acreage</i>	<i>± 9.55 acres</i>

3.03.2.2 510 - Ditch (+/-1.07 acres)

This classification was observed around the whole site and the floriculture area. This classification includes waterways located on the site.

3.03.2.3 641 - Freshwater Marshes (+/-2.39 acres)

This classification can be located in the northern part of the site. This freshwater marsh is highly disturbed by debris and non-native plants. Mucky textured soil is still present adjacent to the *Melaleuca* (*Melaleuca quinquenervia*).

3.04 Jurisdictional Wetlands

According to the FWS National Wetlands Inventory (NWI) map the site does not contain any wetlands (**Appendix A, Figure 11 of 16**). Hydric soil was observed within the Freshwater marsh near the northern boundary. It is HSE's opinion that there is one (1) wetland and one (1) other surface waters (OSW) of the State that occur on-site (**Appendix A, Figure 12 of 16**). No staff members of South Florida Water Management District (SFWMD) and the United States Army Corps of Engineers (USACE) were contacted by HSE to review the delineation wetland. The existing wetland has been impacted by the current agriculture operations.

3.05 Soils

The United States Department of Agriculture, SCS, has mapped the surficial soil types within the project site. The resulting soil delineations were published in the Soil Survey of Palm Beach County published by U.S. Department of Agriculture Soil Conservation Service (1979). The soil types are mapped on **Appendix A, Figure 13 of 16**.

8 - Basinger and Myakka sands, depressional

These are nearly level, very poorly drained, sandy soils in shallow depressions. The depressions are small to large isolated ponds or poorly defined narrow drainage ways that have many branches. Generally, Basinger soils make up about 45 percent of this complex. Both soils can occur separately or together. The water table is above the surface for 3 to 9 months or more in most years.

18 - Immokalee fine sand

This is a nearly level, poorly drained, deep, sandy soil that has a dark colored layer below a depth of 30 inches that is weakly cemented with organic matter. This soil is in broad flatwood areas in the eastern part. Under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months during wet periods, within 10 to 40 inches for 8 months or more in most years, but it is below 40 inches in dry periods.

Soil types mapped by the SCS are generally limited to the upper 60 to 72 inches of the soil profile and are distinguished by several factors. These factors include soil drainage, topography, presence or absence of restrictive or clayey hardpan type soils, and the depth and range in fluctuation of the groundwater table associated with each soil type. SCS soil classifications are considered good early indicators and a reasonable database for a preliminary evaluation of the suitability of lands for certain uses.

3.06 Topography

According to the *USGS Topographic Map*, Greenacres, Fl quadrangle, 7.5 minute series, site elevation is approximately 20' NGVD. **Appendix A, Figure 14 of 16** depicts the USGS Topographic Map for the project site.

3.07 Flood Zone Information (FEMA)

According to US Department of Housing and Urban Development, National Flood Insurance Program, this project site is located outside of any flood zone, **Appendix A, Figure 15 of 16**, Community Panel Number: 120192 0185 A Panel # 185 of 245.

3.08 Significant Habitats or Species

This site provides no significant natural habitat for any listed species. Based on current site listed species from FWS listed species, would not be expected on site. **Appendix A, Figure 16 of 16.**

3.09 Wellfield Protection Zone

This project site is located outside of the wellfield protection zone according to the Palm Beach County Wellfield Protection Zone of Influence Map. Map: 1u4.1 conformed by John River from Palm Beach County DERM **Attachment M., and contact sheet.**

4.00 CONCLUSIONS

- There are no significant environmental resources or habitat on this property except for a small highly disturbed wetland located in the northwest corner of the site. As a result of past disturbances and previous uses of the property (agriculture), recurring vegetation consist mostly of non-native species and species typically observed in highly disturbed areas, such as invasive exotics and rural grasses. No significant impacts to natural resources are anticipated during the development of this site.
- No potentially occupied Gopher Tortoise burrows were located on site during the 23 and 26 June 2017 survey, no suitable upland habitat exist on-site.

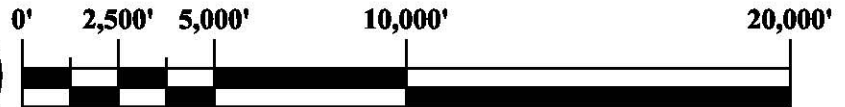
- The Eastern Indigo snake, Florida mouse and Florida gopher frog were not observed on-site during the pedestrian transect survey and no suitable native habitat exist on-site
- The project site is within the core foraging area (18.6 miles) of four wood stork rookeries. However, there was no suitable nesting, roosting, or foraging habitat observed on-site.
- No listed species, including the Florida scrub jay, snail kite and bald eagle, were observed on-site. No native habitat exist on-site for any of these species.
- The site is highly impacted by exotic/ nuisance plant species located throughout wetland area.
- The wetland area is highly impacted by debris and exotic vegetation.
- It is in HSE's opinion that there is one (1) wetland and one (1) OSWs on-site. The site has not been reviewed by SFWMD or USACOE, at the time of this report
- The site is not in any wellfield protection zones, established by Palm Beach County.
- The site falls within the Flood Zone B according to FEMA map Community Panel Number: 120192 0185 A Panel # 185 of 245. Flood Zone B are areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.

**RaceTrac
Boynton Beach Blvd**

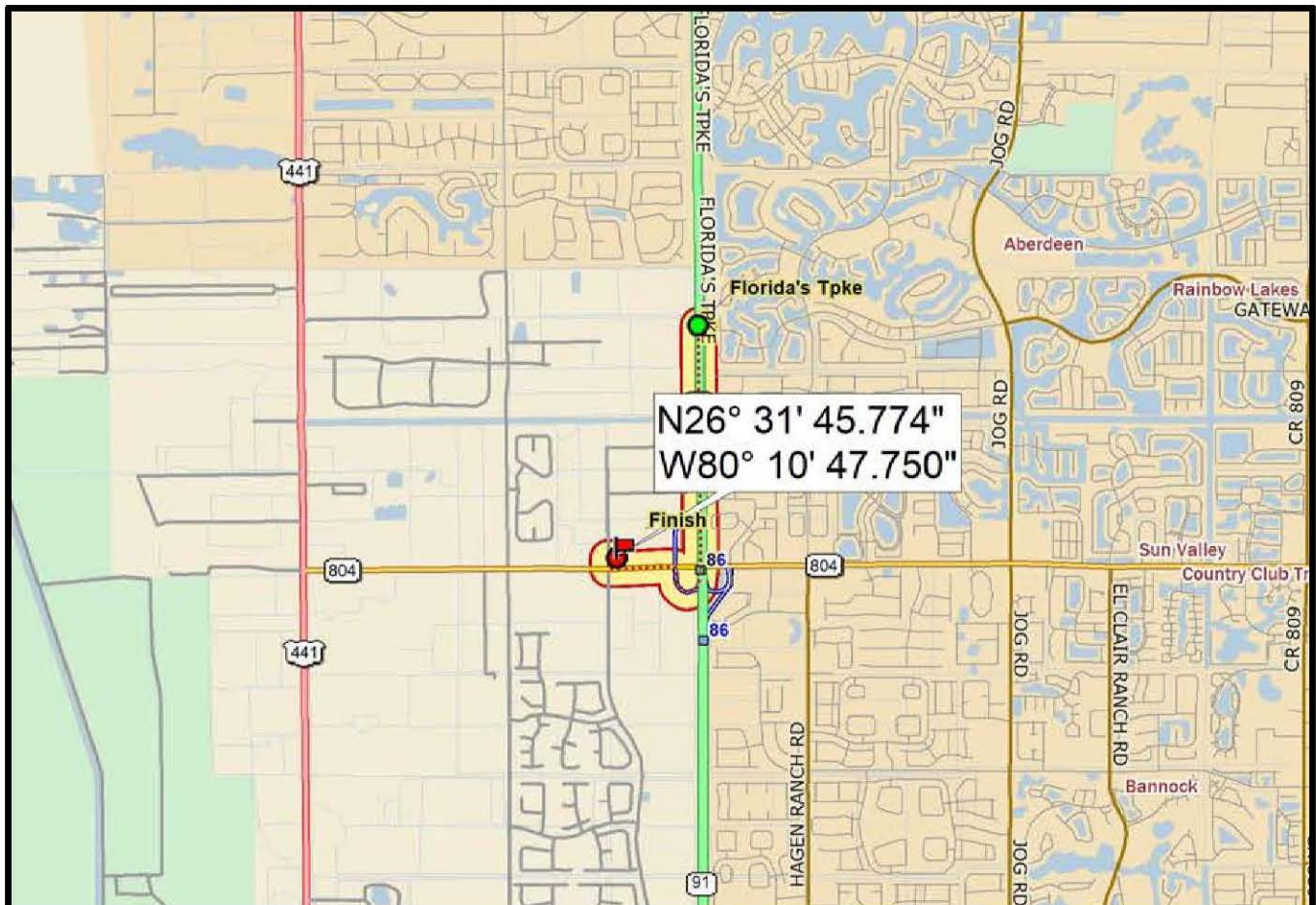
**APPENDIX A:
PROJECT FIGURES**

THIS DRAWING, TOGETHER WITH THE CONCEPTS AND DESIGN PRESENTED HEREIN, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REFUSE OF AND IMPROPER RELIANCE ON THIS DRAWING WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY HOBE SOUND ENVIRONMENTAL CONSULTANTS, INC. SHALL BE WITHOUT LIABILITY TO HOBE SOUND ENVIRONMENTAL CONSULTANTS, INC.

NOT A SURVEY



SCALE: 1" = 5000'



	Dist	Turn		Road	Exit	Total Time	Total Dist
		Start	at	(Toll) Florida's Tpke		00:00:00	0.00 mi
		Go straight (S)	on	(Toll) Florida's Tpke (SR 91)		00:00:00	0.00 mi
	in 1.25 mi	Keep right (W)	on to	SR 804 (W Boynton Beach Blvd) ramp	86	00:01:16	1.25 mi
	in 0.31 mi	Turn left (W)	on to	SR 804 (W Boynton Beach Blvd)		00:01:43	1.55 mi
	in 0.34 mi	Turn right (N)	on to	Acme Dairy Rd		00:02:11	1.89 mi
	in 0.06 mi	Finish	at	Finish		00:02:19	1.95 mi

Total Time: 00:02:19 Total Distance: 1.95 mi

SOURCE: DELORME STREET ATLAS USA 2014 PLUS

PARCEL ID # 00424327050501020

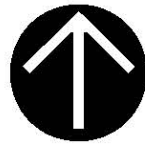
PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP-1-VICINITY.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 1 OF 16
	20	45S	42E				
LATITUDE: 26°31'45.774"			LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
PROJECT VICINITY MAP

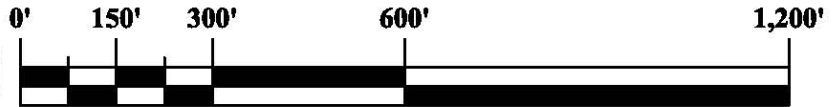
H S E Hobe Sound Environmental Consultants Inc.
9512 SE Duncan Street
Hobe Sound, FL. 33455
(772) 545-3676, E-mail: bobhsenv@gmail.com

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NOT A SURVEY



NORTH



SCALE: 1" = 300'



SOURCE: DELORME STREET ATLAS USA 2014 PLUS

PARCEL ID # 00424327050501020

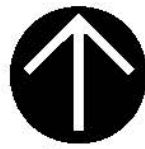
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RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
PROJECT LOCATION MAP

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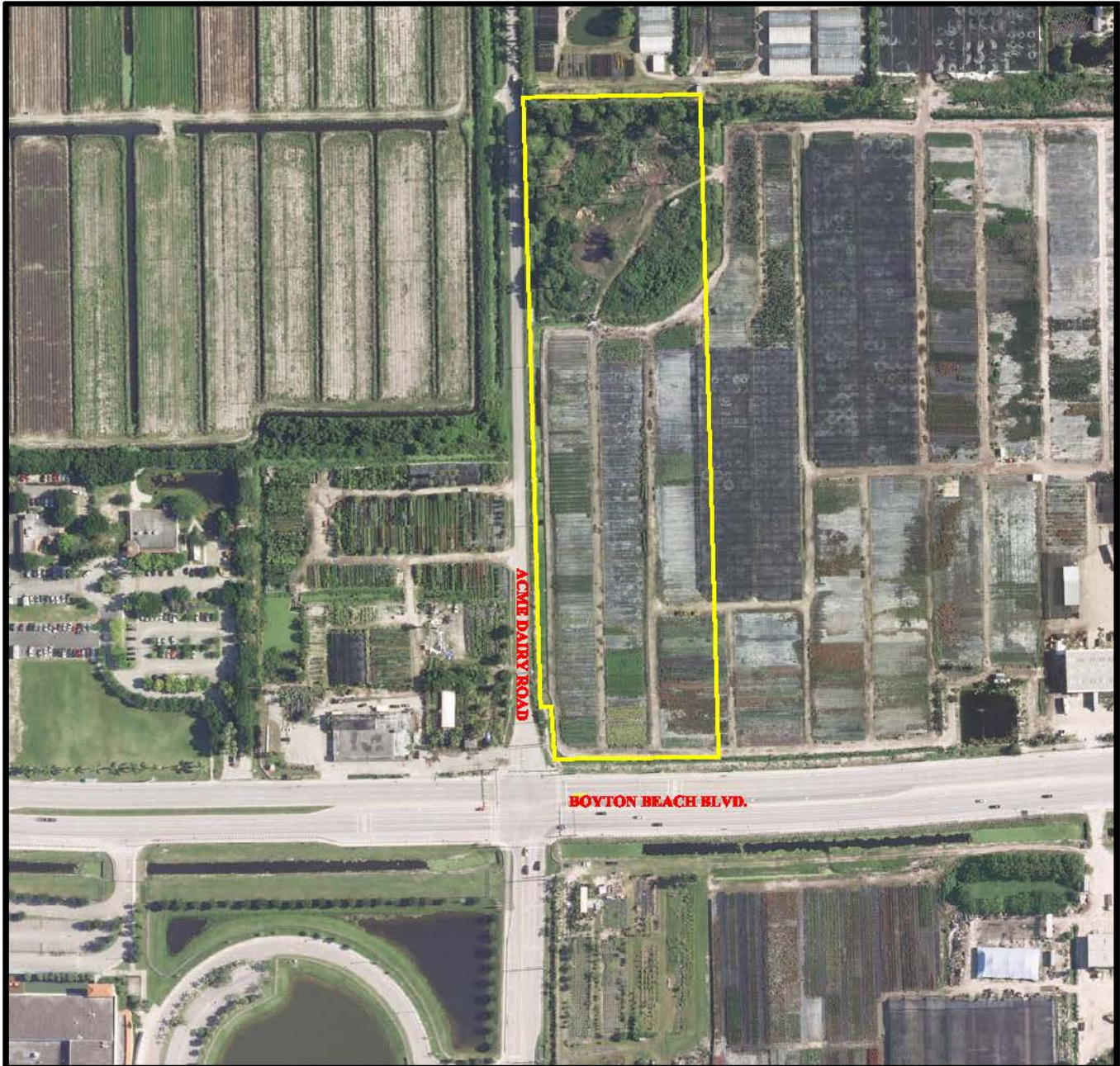
NOT A SURVEY



NORTH



SCALE: 1" = 300'



SOURCE: FDOT 2015 AERIAL PHOTOGRAPH PALM BEACH COUNTY, FLORIDA, FDOT, SIDS

PARCEL ID # 00424327050501020

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: 03 - 2015 AREAIL.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 3 OF 16
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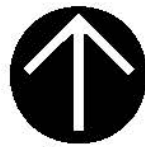
RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
2015 AERIAL PHOTOGRAPH

**H
S
E**

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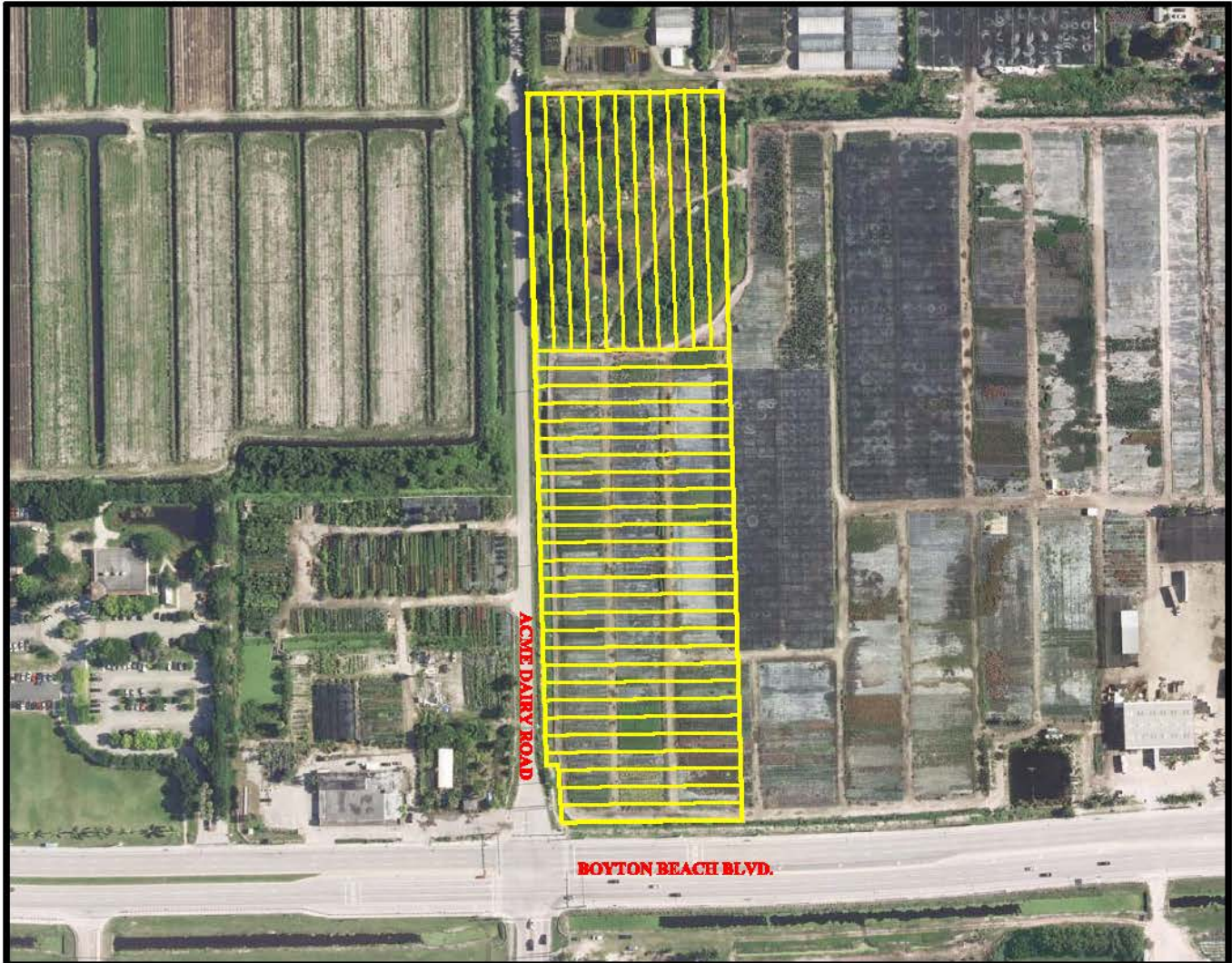
NOT A SURVEY



NORTH



SCALE: 1" = 300'



LEGEND



- HSE 30' PEDESTRIAN TRANSECTS

SOURCE: FDOT 2015 AERIAL PHOTOGRAPH PALM BEACH COUNTY, FLORIDA, FDOT, SIDS

PARCEL ID # 00424327050501020

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP-04-PED TRAN.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 4 OF 16
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LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
PEDESTRIAN TRANSECTS MAP

HSE

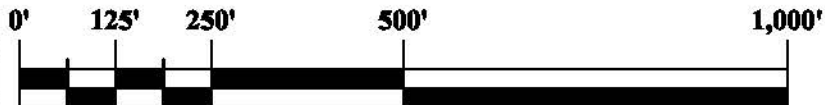
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NOT A SURVEY



NORTH



SCALE: 1" = 250'



I HEREBY CERTIFY THAT:

A 100% SURVEY FOR GOPHER TORTOISES WAS CONDUCTED ON 23 AND 26 JUNE 2017, ACCORDING TO FWC GUIDELINES. ZERO (0) GOPHER TORTOISE BURROWS WERE LOCATED DURING THE SURVEY. THE ESTIMATED GOPHER TORTOISE POPULATION IS ZERO (0).

ROBERT L. WEIGT, GTA-09-00153D

LEGEND:

- **ACTIVE (0)**
- **INACTIVE (0)**
- **ABANDONED (0)**

SOURCE: FDOT 2015 AERIAL PHOTOGRAPH PALM BEACH COUNTY, FLORIDA, FDOT, SIDS

PARCEL ID # 00424327850561820

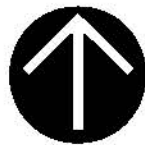
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LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
GOPHER TORTOISE (*Gopherus polyphemus*)
SURVEY MAP

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NOT A SURVEY




NORTH



SCALE: 1" = 30,000'



FLORIDA SCRUB-JAY
(*Aphelocoma coerulescens*)

 Florida Scrub-jay
Consultation Area

 South Florida
Service Area



SOURCE: U.S. FISH & WILDLIFE SERVICE [HTTP://VEROBEACH.FWS.GOV](http://verobeach.fws.gov)

PARCEL ID # 00424327850501820

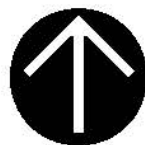
PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP-06-SCRUB JAY.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 6 OF 16
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LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
FLORIDA SCRUB-JAY (*Aphelocoma coerulescens*)
CONSULTATION MAP

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Hobe Sound, FL. 33455
(772) 545-3676, E-mail: bobhsenv@gmail.com

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NOT A SURVEY



NORTH



SCALE: 1" = 50,000'



SOURCE: https://www.fws.gov/northflorida/woodstorks/WOST_Data/2016_FL_Nesting_Colonies_Core_Foraging_Areas_Active_2006-2015%20Map.pdf

PARCEL ID # 00424327050501020

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP-07-WOOD STORK.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 7 OF 16
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LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
WOOD STORK (*Mycteria americana*)
CORE FORAGING AREA (CFA)

H S E Hobe Sound Environmental Consultants Inc.
9512 SE Duncan Street
Hobe Sound, FL. 33455
(772) 545-3676, E-mail: bobhsenv@gmail.com

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NOT A SURVEY



NORTH



SCALE: 1" = 50,000'



SOURCE: U.S. FISH & WILDLIFE SERVICE [HTTP://VEROBEACH.FWS.GOV](http://verobeach.fws.gov)

PARCEL ID # 00424327050501020

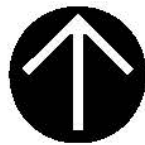
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LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
SNAIL KITE (*Rostrhamus sociabilis plumbeus*)
CONSULTATION MAP

HSE Hobe Sound Environmental Consultants Inc.
9512 SE Duncan Street
Hobe Sound, FL. 33455
(772) 545-3676, E-mail: bobhsenv@gmail.com

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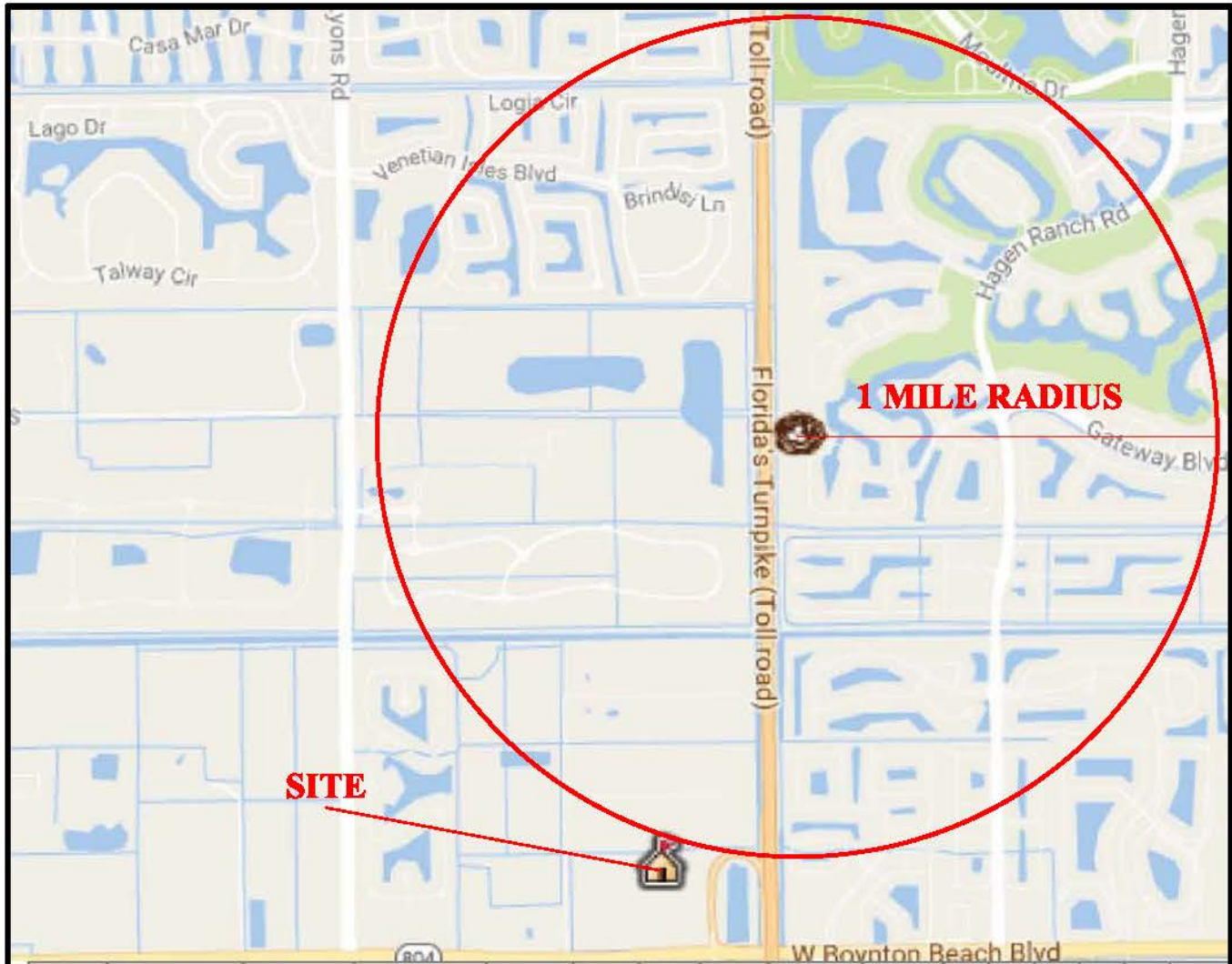
NOT A SURVEY



NORTH



SCALE: 1" = 2,200'



1 MILE RADIUS

SITE

Nest ID	County	Latitude	Longitude	Township	Range	Section	Gaz Page	Last Known Active	Last Surveyed	Act 12	Act 13	Act 14	Act 15	Act 16	Dist. (Mi)
PB018	Palm Beach	26 32.70	80 10.29	45S	42E	16	109	2005	2014	N	*	*	-	*	1.09

"Y" denotes an active nest

"U" denotes a nest that was visited but status was undetermined

"N" denotes an inactive nest

"*" denotes a nest that was not surveyed

"-" denotes an unobserved nest

SOURCE: <https://public.myfwc.com/FWRI/EagleNests/nestlocator.aspx>

PARCEL ID # 00424327058501024

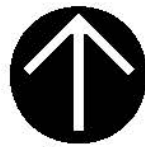
PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP A-09-EAGLES NEST.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 9 OF 16
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LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
AMERICAN BALD EAGLE (*Haliaeetus leucocephalus*)
LOCATION MAP

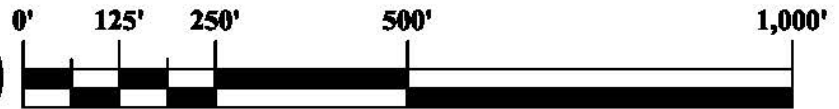
H S E Hobe Sound Environmental Consultants Inc.
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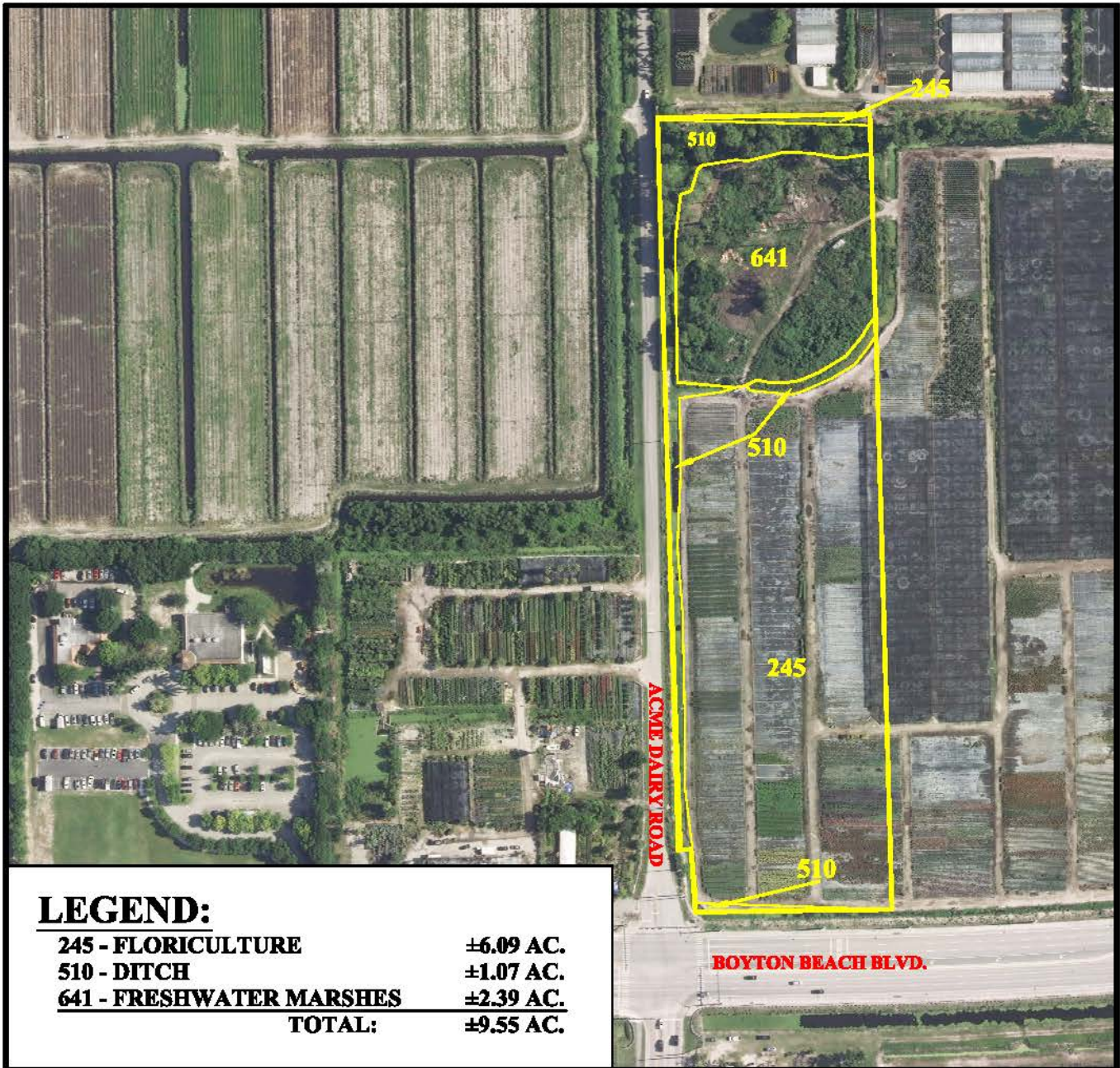
NOT A SURVEY



NORTH



SCALE: 1" = 250'



LEGEND:

245 - FLORICULTURE	±6.09 AC.
510 - DITCH	±1.07 AC.
641 - FRESHWATER MARSHES	±2.39 AC.
TOTAL:	±9.55 AC.

SOURCE: FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM HANDBOOK AND SOURCE: FDOT 2015 AERIAL PHOTOGRAPH PALM BEACH COUNTY, FLORIDA, FDOT, SIDS

PARCEL ID # 00424327058501028

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP A-10-FLUCFCS.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 10 OF 16
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LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
FLUCFCS (VEGETATION) MAP

HSE

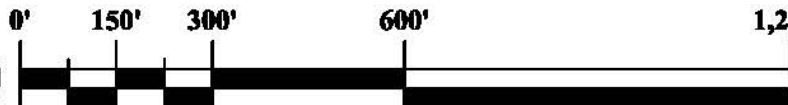
Hobe Sound Environmental Consultants Inc.
9512 SE Duncan Street
Hobe Sound, FL. 33455
(772) 545-3676, E-mail: bobhsenv@gmail.com

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NOT A SURVEY



NORTH



SCALE: 1" = 300'



Wetlands

Estuarine and Marine Deepwater	Freshwater Emergent Wetland	Lake
Estuarine and Marine Wetland	Freshwater Forested/Shrub Wetland	Other
	Freshwater Pond	Riverine

SOURCE: <http://www.fws.gov/wetlands/Data/Mapper.html>

PARCEL ID # 00424327050501020

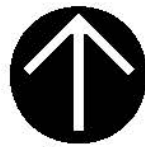
PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP A-11-NWLDWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 11 OF 16
	20	45S	42E				
LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
NATIONAL WETLAND INVENTORY (NWI) MAP

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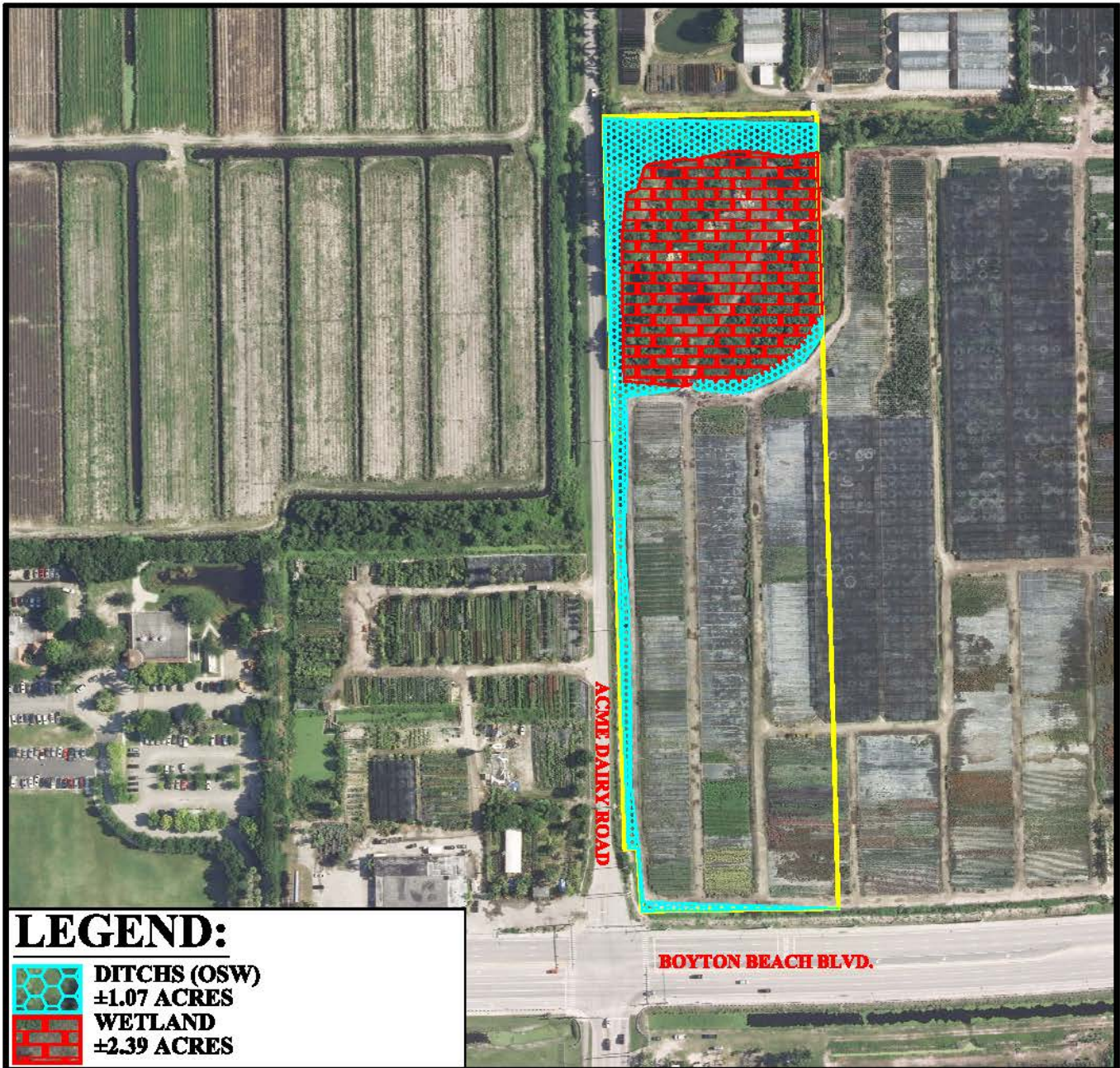
NOT A SURVEY



NORTH



SCALE: 1" = 250'



LEGEND:

-  DITCHES (OSW)
±1.07 ACRES
-  WETLAND
±2.39 ACRES

SOURCE: SOURCE: FDOT 2015 AERIAL PHOTOGRAPH PALM BEACH COUNTY, FLORIDA, FDOT, SIDS & HSE

PARCEL ID # 00424327050501020

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP A-12-WETLAND.DWG	DATE: 29 JUNE 2017	APPENDIX A
	20	45S	42E				FIGURE: 12 OF 16
LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"			DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
WETLAND & OTHER SURFACE WATER (OSW) MAP

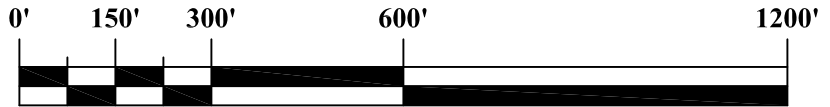
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(772) 545-3676, E-mail: bobhsenv@gmail.com

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NOT A SURVEY



NORTH



SCALE: 1" = 300'



LEGEND

8 - BASINGER AND MYAKKA SANDS DEPRESSIONAL

18 - IMMOKEE FINE SAND

SOURCE: <http://websoilsurvey.sc.egov.usda/App/WebSoilSurvey.aspx>

PARCEL ID # 00424327050501020

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP A-13-SOIL.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 13 OF 16
	20	45S	42E				
LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"			DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP

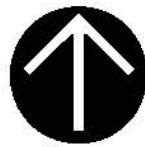
RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
SCS SOIL MAP

**H
S
E**

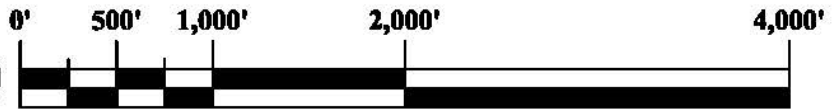
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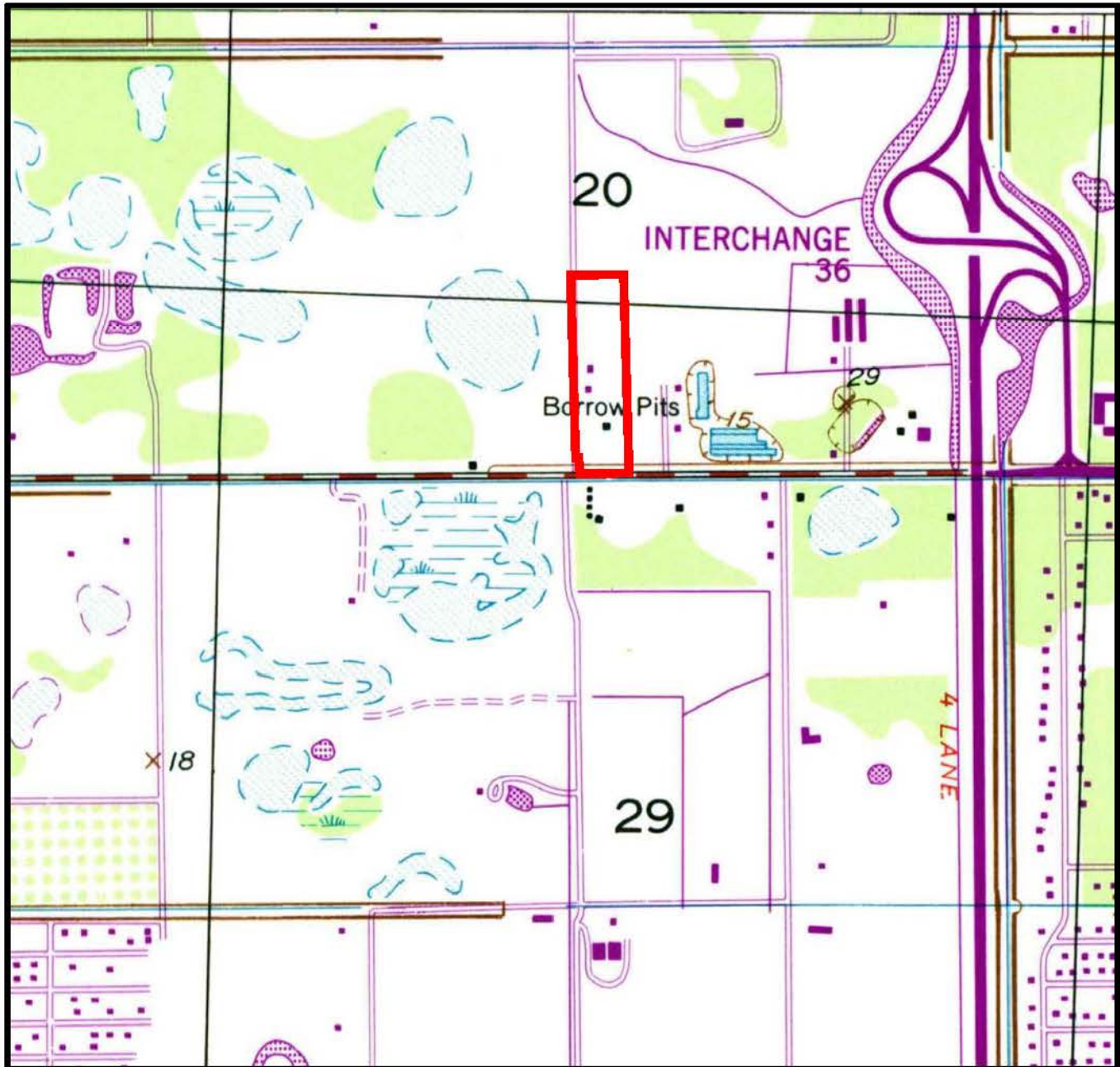
NOT A SURVEY



NORTH



SCALE: 1" = 1,000'



SOURCE: USGS TOPOGRAPHIC MAP OF GREENACRES, FL. QUADRANGLE, 7.5 MINUTE SERIES

PARCEL ID # 00424327050501020

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP A-14- TOPO MAP.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 14 OF 16
	20	45S	42E				
LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

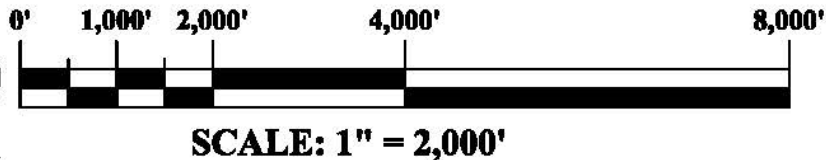
RACETRAC
BOYNTON BEACH BLVD (FL804) & ACME DAIRY ROAD
ENVIRONMENTAL ASSESSMENT (EA)
USGS TOPOGRAPHIC MAP

HSE

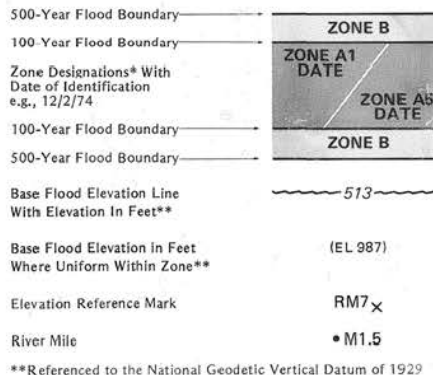
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(772) 545-3676, E-mail: bobhsenv@gmail.com

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NOT A SURVEY

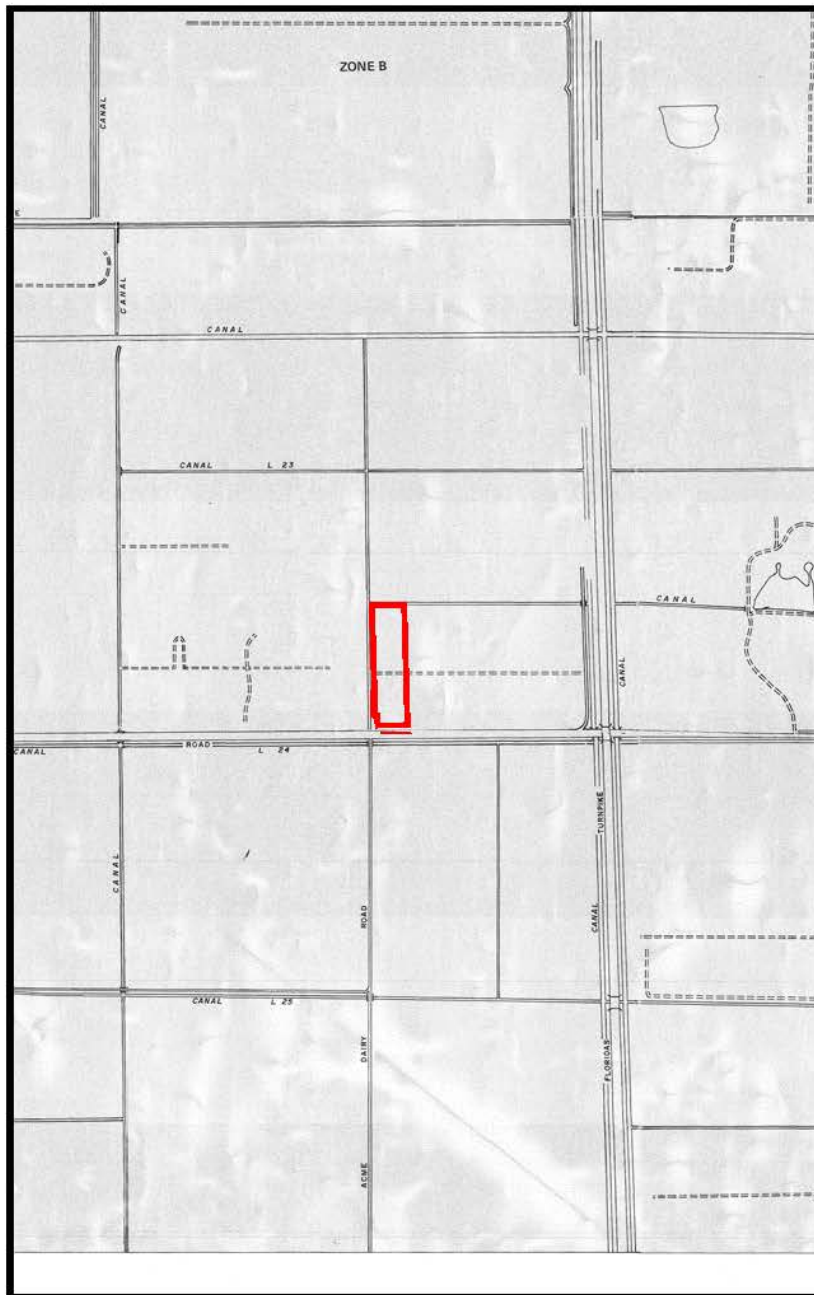
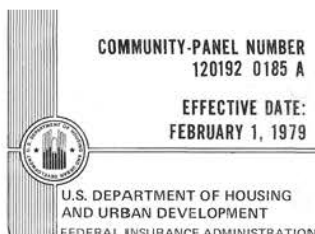


KEY TO MAP



*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.



SOURCE: <https://mnc.fema.gov/portal>

PARCEL ID # 00424327050581020

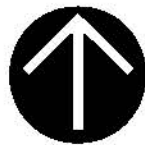
PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP A-15-FLOD ZONE.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 15 OF 16
	20	45S	42E				
LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
FEMA FLOOD ZONE MAP

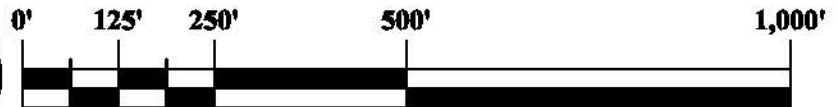
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Hobe Sound, FL. 33455
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NOT A SURVEY



NORTH



SCALE: 1" = 250'



THE PROJECT SITE PROVIDES NO SIGNIFICANT NATURAL HABITAT FOR ANY LISTED SPECIES.

SOURCE: SOURCE: FDOT 2015 AERIAL PHOTOGRAPH PALM BEACH COUNTY, FLORIDA, FDOT, SIDS

PARCEL ID # 00424327850501820

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: ATT L-SIGN HAB SPECIES.DWG	DATE: 29 JUNE 2017	APPENDIX A FIGURE: 16 OF 16
	20	45S	42E				
LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
SIGNIFICANT HABITATS OR LISTED ENDANGERED/THREATENED SPECIES

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Hobe Sound, FL. 33455
(772) 545-3676, E-mail: bobhsenv@gmail.com

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SOURCE: PHOTOGRAPHS BY HSE



PHOTOGRAPH #1: DITCH (OSW) AROUND WETLAND.



PHOTOGRAPH #2: DITCH (OSW) AROUND FLORICULTURE.



PHOTOGRAPH #3: VIEW OF WETLAND LOOKING NORTH.



PHOTOGRAPH #4: VIEW OF WETLAND.



PHOTOGRAPH #5: VIEW OF FLORICULTURE LOOKING NORTH.



PHOTOGRAPH #6: VIEW OF FLORICULTURE LOOKING NORTH/WEST.

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: APP A - SITE PHOTOS.DWG	DATE: 29 JUNE 2017	FIGURE: 1 OF 1
	20	45S	42E				
LATITUDE: 26°31'45.774"			LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: RLW

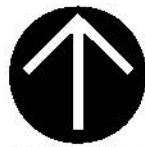
RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
SITE PHOTOGRAPHS

HSE Hobe Sound Environmental Consultants Inc.
9512 SE Duncan Street
Hobe Sound, FL 33455
(772)545-3676, E-mail: bobhsenv@gmail.com

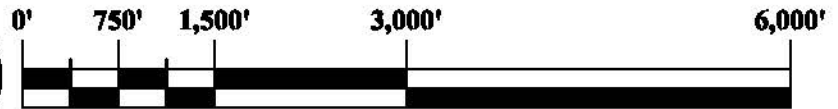
ATTACHMENT M:
WELLFIELD ZONE

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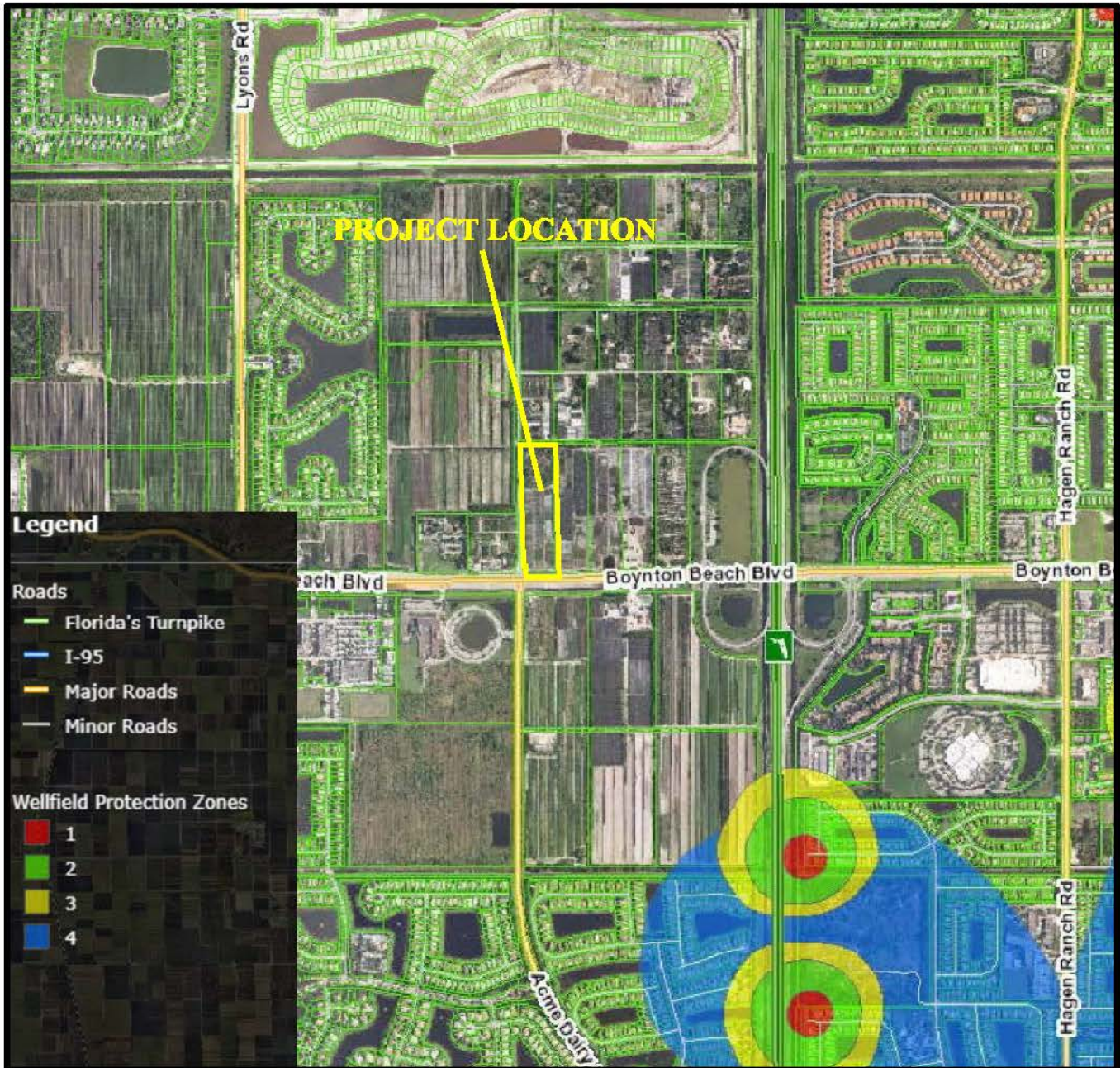
NOT A SURVEY



NORTH



SCALE: 1" = 1,500'



SOURCE: PALM BEACH COUNTY COMPREHENSIVE PLAN PAM SERIES.

PARCEL ID # 00424327050581820

PALM BEACH COUNTY FLORIDA	SEC.	TWP.	R.	HSE JOB NO.: 17-029.01	DRAWING NAME: ATT M-WELLFIELD ZONES PRC.DWG	DATE: 29 JUNE 2017	ATTACHMENT M 1 OF 1
	20	45S	42E				
LATITUDE: 26°31'45.774"		LONGITUDE: -80°10'47.750"		DESIGNED BY: RLW	DRAWN BY: JSB	CHECKED BY: FRP	

RACETRAC
BOYNTON BEACH BLVD. (FL804) & ACME DAIRY RD.
ENVIRONMENTAL ASSESSMENT (EA)
WELLFIELD ZONES MAP

H S E Hobe Sound Environmental Consultants Inc.
9512 SE Duncan Street
Hobe Sound, FL. 33455
(772) 545-3676, E-mail: bobhsenv@gmail.com



**Department of Planning,
Zoning & Building**

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 Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb



**Palm Beach County
Board of County
Commissioners**

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor

Hal R. Valeche

Dave Kerner

Steven L. Abrams

Mary Lou Berger

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

August 1, 2017

Kevin A. Betancourt, PE
Thomas Engineering Group
1000 Corporate Drive, Suite 250
Fort Lauderdale, FL 33334

**RE: Historical and Archaeological Resource Review for project named
Valico Nurseries, PCN: 00-42-43-27-05-050-1020**

Dear Mr. Betancourt,

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

Staff's 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 referenced property.

Lastly, should any skeletal remains be encountered during construction, per Florida Statue 872, construction must stop around the remains and the local sheriff and medical examiner be contacted.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Christian Davenport".

Christian Davenport, MA, RPA.
County Historic Preservation Officer/Archeologist

T:\Planning\Archaeology\CountyDepartments\Planning\LandUseAmendmentsandDevelopment Review\Thomas Engineering Group\Valico Nurseries 8-1-2017.doc



TEXT & MAP AMENDMENT REQUEST FORM - 2016 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Palm Beach County Planning Division
2300 North Jog Road, WPB, FL 33411, (561) 233-5300

I. Proposed Text Amendment

Elements & Policies to be revised	<i>Future Land Use Element</i> <i>Goal 1 Strategic Planning</i> <i>Objective 1.5 The Agricultural Reserve Tier</i> <i>Policy 1.5-m and 1.5-n</i>
Purpose	<p>The purpose of the overall application is as follows:</p> <ol style="list-style-type: none"> 1. Amend the language in Policy 1.5-m to permit the location of a commercial low land use designation on the north side of the Major Intersection of Boynton Beach Boulevard and Acme Dairy Road. 2. Amend the language in Policy 1.5-n to increase the cap on commercial square footage in the Agricultural Reserve tier by 5,411 square feet. 3. Amend the Future Land Use map for a 9.55 acre parcel on the northeast corner of Boynton Beach Boulevard from AGR to AGR over the northern 7.05 acres and CL/AGR over the southern 2.50 acres. <p>This change will allow for the development of neighborhood scale commercial at an established Major Intersection where commercial uses have been previously established.</p>
Justification	<p>The site is located at the northeast corner of Boynton Beach Boulevard and Acme Dairy Road, (hereinafter the "Subject Property"). The Subject Property is currently used as a plant nursery.</p> <p>Over the course of the last decade or more, Palm Beach County has permitted scores of residential developments within the Agricultural Reserve Tier. More than 20,000 people reside within a two-mile radius of the Subject Property. However, the Comprehensive Plan has limited the development opportunities for commercial uses to serve this burgeoning population.</p> <p>The Comprehensive Plan currently restricts commercial development to two nodes and existing vested commercial locations. The two commercial focal points are found at Boynton Beach Boulevard–and–Lyons Road and Atlantic Avenue–and–Lyons Road. While these two sites have flourished, the demand for commercial uses has rapidly overwhelmed the capacity at these two nodes. The heavy demand at these two sites limit the ability for residents to conveniently obtain the variety of neighborhood retail services needed.</p> <p>The Comprehensive Plan also recognizes the eight existing commercial properties which predated the creation of the Agricultural Reserve Tier. These sites have been allowed to expand on a limited basis in recognition of their vested commercial use, and the assistance these commercial sites provide in serving the farmworker community, existing residents, and future residents of the Tier. The Comprehensive Plan also allows properties which share a common property line with pre-existing commercial properties to request a future land use amendment.</p>

	<p>In keeping with best planning practices, and as reflected in both the Comprehensive Plan and the County's Unified Land Development Code, the development of commercial uses is preferred on properties located on an intersection, avoiding "mid-block commercial." Furthermore, several types of commercial uses are only permitted at the intersection of a collector and arterial roadway. On this premise, the proposed text amendment asks the County to allow for the consideration of a land use change at an existing major intersection as determined by the County, where an existing commercial use has been vested. This language change will allow, on a limited scale, the ability to further address the commercial needs of the residential population in the Agricultural tier.</p> <p>The proposed text amendment will result in a very limited expansion of commercial uses in the tier, and will be further conditioned to limit the intensity on the Subject Property.</p>
Consistency	<p>The Palm Beach County Comprehensive Plan Future Land Use Element ("FLUE") is predicated on the need to "address the physical, social, and economic needs of the residents and visitors of Palm Beach County." (FLUE I. A.) Those needs are what is driving this text amendment application in the Agricultural Reserve Tier. The County has made the decision to allow for the development of residential throughout the Tier through low density housing developments that emphasized the protection of significant open space.</p> <p>The Comprehensive Plan notes that the Characteristics of a Livable Community include a "Limited mix of neighborhood-based commercial uses compatible with the character of the tier." (FLUE I.D.1.) Thus while the larger commercial nodes at Lyons-and-Boynton or -Atlantic, have created shopping and entertainment centers that are attractors to residents out of the area, there remain limited opportunities for conveniently located neighborhood-scale retail and services.</p> <p>Policy 1.5-k of the FLUE states "Commercial and mixed uses in the Agricultural Reserve Tier shall be located central to the Tier and designated at a neighborhood or community scale in order to be limited to serving the needs of the farmworker community, existing residents, and future residents of the Tier." The proposed text amendment language will allow for this type of centrally located, and neighborhood-scale development to occur.</p> <p>Policy 1.5-m provides as a goal to "facilitate community growth, reduce traffic, and maintain open space..." This Policy allows the County to "consider future land use amendments for sites that share a common property line with pre-existing commercial properties identified in Policy 1.5-l to square off those locations." This policy promotes additional minor commercial development, but it fails to recognize the larger planning preference to cluster commercial development at an intersection to promote better access and circulation. This clustering at the intersection also preserves open space elsewhere and limits the intrusion of commercial uses into non-compatible areas.</p> <p>Policy 1.5-p provides:</p> <p style="padding-left: 40px;">"In order to reflect the unique and limited commercial opportunities within the Agricultural Reserve Tier and the function of Acme Dairy Road as a collector roadway for 60/40 AGR-PUDs as identified by policy 1.5-l, the intersection of Acme Dairy Road and Boynton Beach</p>

	<p>Boulevard shall be considered a Major Intersection and as meeting collector/arterial requirements for the purposes of location criteria in the ULDC.”</p> <p>This designation of the Subject Property location as at a Major Intersection creates an important opportunity to introduce additional neighborhood serving commercial to address the noted limited commercial opportunities within the Agricultural Reserve Tier.</p> <p>The existing commercial nodes at Boynton Beach Boulevard–and–Lyons and Atlantic Avenue–and–Lyons, will be unaffected by the text change.</p> <p>Finally, the proposed minor addition to the permissible commercial square footage in the tier will allow for the development of neighborhood retail at a scale in keeping with the needs of the existing and future residents.</p>
Text Changes	<p>Policy 1.5-m: In order to facilitate community growth, reduce traffic, and maintain open space, the County shall limit the locations of new commercial and mixed use future land use designations within the Agricultural Reserve Tier to within two commercial-mixed use centers. These centers are central to the Tier and intended to combine neighborhood shops, community commercial, offices, civic institutions, and housing opportunities. The two commercial-mixed use centers define the areas within 1/4 mile of the intersections of Lyons Road and Boynton Beach Boulevard, and the intersection of Lyons Road and Atlantic Avenue. In addition, the pre-existing commercial properties identified in Policy 1.5-l are allowed, and the County may consider future land use amendments for sites that share a common property line with pre-existing commercial properties identified in Policy i.5-l to square off those locations, <u>or at the northeast corner of the Major Intersection of Boynton Beach Boulevard and Acme Dairy Road.</u></p> <p>Policy 1.5-n: The County shall ensure a sustainable development pattern is achieved in the Agricultural Reserve by allowing commercial uses while ensuring that the supply of commercial square footage does not exceed the demand of the farm workers and residents of the Tier. The County may approve a maximum of <u>985,411</u> 980,000 square feet of commercial uses (retail, service and office) within the Tier.</p>
ULDC Changes	<i>None Requested.</i>

II. Attachments (Submitted with FLUE Application)

- A. **PCN’s, Legal Description and Warranty Deed** (include Legal in Word)
- B. **Agent Consent Form**
www.pbcgov.com/pzb/planning/FLU_docs/Affidavits.pdf
- C. **Applicant’s Ownership Affidavit**
www.pbcgov.com/pzb/planning/FLU_docs/Affidavits.pdf
- D. **Applicant’s Notice Affidavit and Property Appraiser Information List**
www.pbcgov.com/pzb/planning/FLU_docs/Affidavits.pdf