

Indian Trails Grove

Future Land Use Atlas Amendment



Attachment G

Consistency with the Comprehensive Plan and Florida Statutes



REQUEST

On behalf of the property owner, Palm Beach West Associates I, LLLP by Palm Beach West I Corporation, General Partner (hereinafter referred to as the applicant), Urban Design Kilday Studios (hereinafter referred to as the agent) has prepared and hereby respectfully submits this application for a Large Scale Future Land Use Atlas (FLUA) Amendment for a +/-4,871-acre property (hereinafter referred to as the subject property) located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. The subject property currently has a Future Land Use Atlas (FLUA) designation of Agricultural Production (AP), in part (approximately 1,221 acres), and Rural Residential, 1 unit per 10 acres (RR-10), in part (approximately 3,650 acres). The subject property is within the Agricultural Production (AP) Zoning District, in part, and the Agricultural Residential (AR) Zoning District, in part. The subject property is broken into two portions (hereinafter referred to as the northern portion and the southern portion) and is comprised of the following parcel control number's (PCN's):

- 00-40-42-17-00-000-7000
- 00-40-42-18-00-000-7000
- 00-40-42-19-00-000-9000
- 00-40-42-20-00-000-9000
- 00-40-42-21-00-000-9000
- 00-40-42-22-00-000-1010
- 00-40-42-27-00-000-9000
- 00-40-42-30-00-000-9000
- 00-40-42-31-00-000-9000
- 00-40-42-34-00-000-1010
- 00-40-43-03-00-000-3020
- 00-40-43-04-00-000-9010

The applicant is requesting approval of the following from the Palm Beach County (PBC) Board of County Commissioners (BCC):

1. Designation of subject property as a Limited Urban Service Area (LUSA); and

2. To amend the FLUA designation of the subject property from AP, in part, and RR-10, in part, to Western Communities Residential Development (WCR) in whole.

The above applications are being submitted concurrently with the following requests to amend the text of the PBC Comprehensive Plan:

- Add new objective and policies to the Future Land Use Element (FLUE) to create the Indian Trails Grove Overlay;
- Revise the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Indian Trails Grove Overlay (ITGO);
- Revise the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;
- Revise the Special Planning Areas Map LU 3.1 to identify the location of the Indian Trails Grove Overlay;
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190th Street;
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190th Street as an 80' right of way north from 60th Street North to Orange Blvd;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as a collector roadway from Seminole Pratt Whitney Road to 190th Street;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 190th Street as a collector roadway from 60th Street North to Orange Blvd; and
- Creation of a new residential Future Land Use Atlas (FLUA) designation titled Western Communities Residential Development (WCR) along with the establishment of the subject property within the LUSA. The WCR FLUA designation shall limit the maximum residential density of the Indian Trails Grove project to 00.80 dwelling units per acre.

BACKGROUND

The subject property is located west of 180th Avenue North, south and east of the J.W. Corbett Wildlife Management Area and north and west of the “M” Canal. The +/-4,871-acre subject property is primarily in active agricultural operation with accessory agriculture structures located in the southeast corner of the northern portion of the subject property.

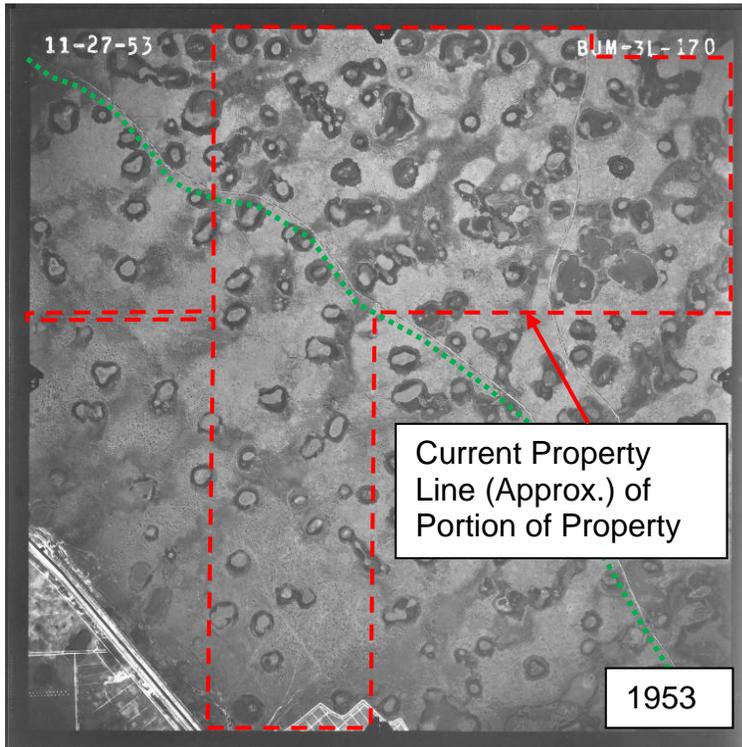
The subject property is within the boundaries of the Cypress Grove Community Development District (CGCDD), which is a special district created by the Governor and Cabinet, sitting as the Florida Land and Water Adjudicatory Commission, in 1993¹. The CGCDD has the authority to provide public infrastructure and services and to operate district facilities. While the subject property is within the CGCDD, the applicant commits to petition to become an active unit of the Indian Trail Improvement District (ITID) which is a special district created by the Florida Legislature in 1957². The applicant will petition to become an active unit of the ITID before issuance of the first building permit and through this commitment, the subject property, once developed, will pay the property assessment from ITID (upon authorization by the ITID to become an active unit). The applicant will propose to ITID that “active status” will commence upon issuance of each Certificate of Occupancy for each residential unit within the proposed development.

To the north and northwest of the subject property is the J.W. Corbett Wildlife Management Area, which is a 60,348-acre wildlife management area managed by the Florida Fish and Wildlife Conservation Commission (FWCC). In 1947³ the Florida Game and Freshwater Fish Commission (GFC) (predecessor to the FWCC) purchased approximately 52,000 acres from the Southern States Land and Timber Company and named it after James Wiley Corbett, a former commissioner. In 1993 another 2,331 acres were added to the wildlife management area with funds from the Conservation and Recreation Lands program and leased to the then GFC. These additional lands added in 1993 are the parcels due west of the subject property and were sold by Indian Trail Groves, Ltd., which was an entity controlled by Irving Cowan who was also the managing member of Indian Trail Groves, L.P., the entity that sold a portion of the subject property to the applicant.

Abutting the property to the northeast, east and southeast are residential, single-family lots within what is commonly referred to as The Acreage. According to the Historical Society of Palm Beach County⁴, The Acreage was established in the early 1960's by Samuel Nathan Friedland's Royal Palm Beach Colony, Ltd., which began selling 1.25-acre lots on what was then swampland for \$5,000 per lot. Based on an analysis of aerials from 1953 and 1968 obtained from the University of Florida's George A. Smathers Libraries² it appears that the drainage canals on the subject property were dug at the same time as the development of The Acreage. As shown on the aerials⁵ provided below the subject property and the areas that became The Acreage were primarily wetlands in 1953. By 1968 roadways and drainage canals were in place so that The Acreage could

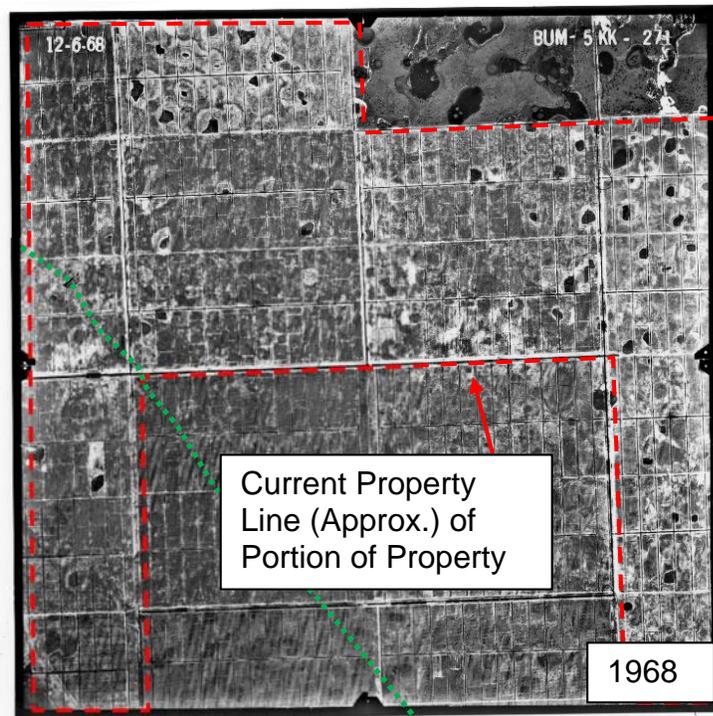
be developed for residential, single-family lots and the subject property could be utilized for agriculture. For a frame of reference between the two aerials the approximate location

of what appears to have been a trail has been indicated in a green, dashed line.



There are a variety of other parcels surrounding the subject property and details of those (and additional details on the above parcels) are included in the “Surrounding Uses” section below.

The subject property has no previous FLUA Amendment approvals meaning that the FLUA designation on the subject property has remained consistent with the designation assigned in the 1989 PBC Comprehensive Plan. However, the subject property was included in the Central Western Communities (CWC) Sector Plan between August 1999 and November 2007 when the PBC BCC rescinded the Sector Plan during litigation with the Florida Department of Community Affairs (DCA) (predecessor to the Florida Department of Economic Opportunity [DEO]).



While the CWC Sector Plan proposed by the PBC Planning Division was never implemented following rescission on November 26, 2007 (through Ordinance No. 2007-031), other properties in the original 53,000-acre CWC Sector Plan area have been approved by the PBC BCC in subsequent

years, through standalone application requests, at, near or above the densities and intensities called for in the CWC Sector Plan. Prior to the rescission, the density for the CWC Sector Plan area approved by the PBC BCC through Ordinance No. 2005-034 had ranged from 1 unit per 5 acres (0.20 units per acre) to 1 unit per 1.25 acres (0.80 units per acre). Below is a summary of the approved densities/intensities for these other properties in chronological order

- Sluggett Property
 - **Size:** 64.48 acres
 - **Approval:** Granted through PBC Ordinances No. 2008-050 on December 3, 2008 and 2010-030 on August 30, 2010
 - **FLUA Designation:** Commercial Low with an underlying Rural Residential 1 unit per 5 acres (CL/RR-5)
 - **Approved Residential:** 1 unit per 5 acres or 15 units
 - **Approved Non-Residential:** 280,875 s.f. of commercial uses.

- Lion Country Safari
 - **Size:** 637.16 acres
 - **Approval:** Granted through PBC Ordinance No. 2010-028 on August 30, 2010
 - **FLUA Designation:** Commercial Recreation with an underlying Rural Residential 1 unit per 2.5 acres (CR/RR-2.5)
 - **Approved Residential:** 1 unit per 2.5 acres or 254 units
 - **Approved Non-Residential:**
 - Drive-thru safari park;
 - Walk-thru amusement park;
 - Recreational vehicle campground; and
 - Commercial television tower.

- Minto West (aka Callery-Judge Groves)
 - **Size:** 3,788.6 acres
 - **Approval:** Granted through PBC Ordinance No. 2014-030 on October 29, 2014
 - **FLUA Designation:** Agricultural Enclave (AGE)
 - **Approved Residential:** 1.20 units per 1 acre or 4,546 units
 - **Approved Non-Residential:**
 - 500,000 s.f. of retail;
 - 1,050,000 s.f. of light industrial and research and development;
 - 450,000 s.f. of commercial offices uses;
 - 200,000 s.f. of civic uses;
 - 150 room hotel; and
 - 3,000 student college.

What the above summaries demonstrate is that entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan. Each of these approvals was granted with a preamble that confirmed that the proposed amendments complied with the Local Government Planning and Land Development Regulations Act or Community Planning Act as were applicable at the time of adoption. The subject property is one of the few remaining undeveloped large properties (100+ acres) within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Planned Unit Development within the WCR land use plan category at a maximum residential density of 00.80 units per 1 acre. Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan (as outlined in the FLUE Map amendment application).

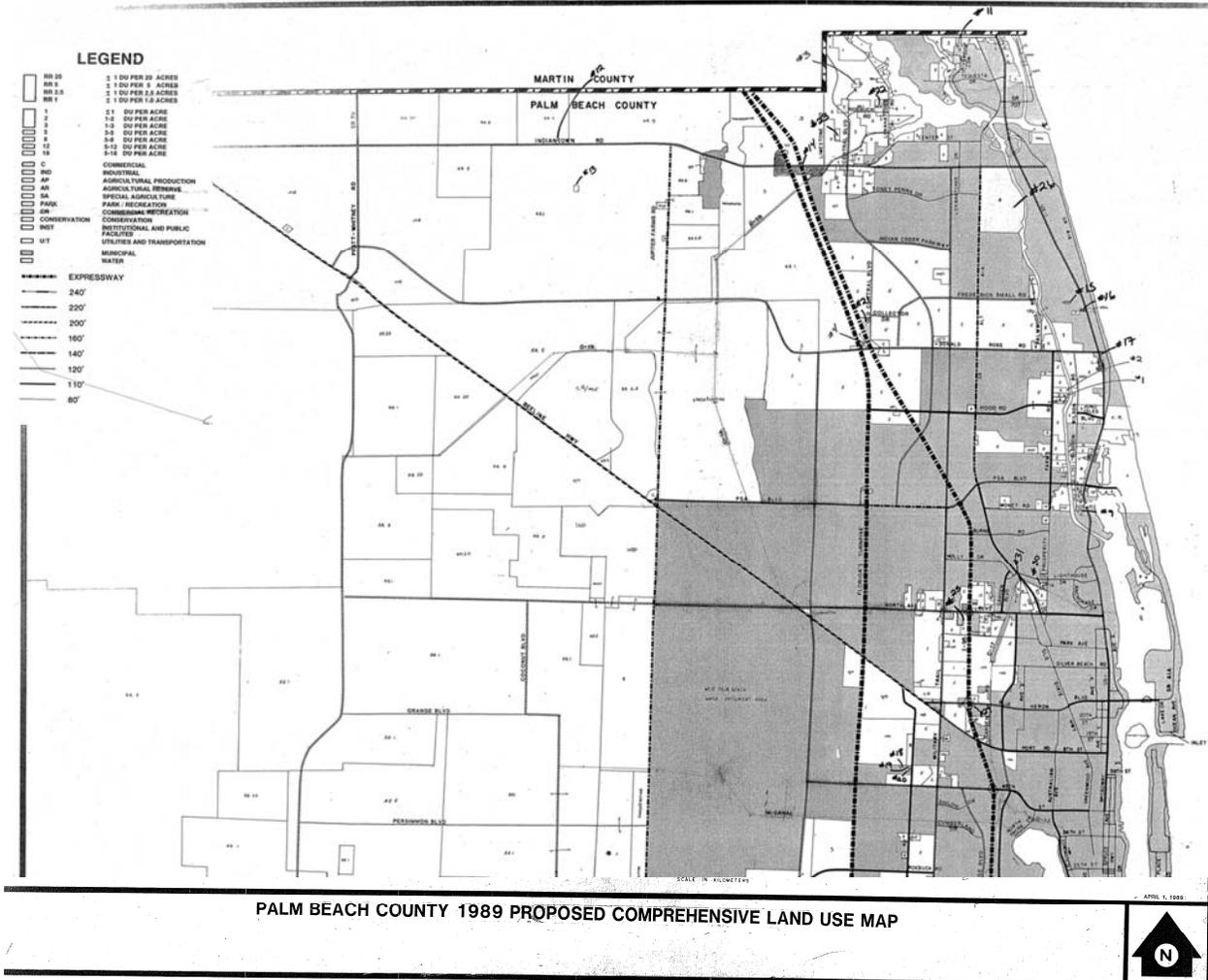
Prior to the CWC Sector Plan PBC Staff had proposed to include a Rural Residential, 1 unit per acre (RR1) as part of the proposed 1989 Comprehensive Plan. Based on a review of the "Palm Beach County 1989 Proposed Comprehensive Land Use Map" dated April 1, 1989 (see below) a significant portion of The Acreage was to have been assigned this RR1 FLU designation; however, following the issuance of the Objections, Recommendations and Comments (ORC) Report by the DCA, the RR1 FLU designation was removed and not assigned as originally proposed by PBC Staff. To address the ORC, in August of 1989 the County adopted the land use plan designation of RR10 (1 unit per 10 acres) for a majority of The Acreage. However, the County simultaneously vested a majority of the lots within The Acreage utilizing the "Lot Requirements" provisions of the FLUE. In addition, some years later the County vested the remainder of The Acreage lots under common ownership utilizing the 85% rule of the "Lot Combination Requirements" of the FLUE. Again some years later the County amended the land use plan designation for a majority of The Acreage from RR10 to RR 2.5 (1 dwelling unit per 2.5 acres). While The Acreage may have an adopted land use designation of RR 2.5 today, there is no argument that most of the lots continue to be vested at a density of 1 dwelling unit per 1.25 acres under the "Lot Requirements" and "Lot Combination Requirements" of the FLUE; and therefore a majority of the lots in The Acreage are vested at the same density as is being requested on the Indian Trails Grove property (1 dwelling unit per 1.25 acres). Furthermore, unlike modern Planned Unit Developments, a vast majority of the Acreage lots include the adjoining roadway access and drainage swales within the gross parcel acreage (ownership going to the centerline of the adjoining roadway), resulting in a net usable land area of less than 1.25 acres. Finally, it should also be noted that The Acreage is vested from having to meet the concurrency requirements of the Comprehensive Plan. Therefore, the 14,000+ lots in

The Acreage have absolutely no obligation or requirement to comply with, be analyzed for compliance with or be reviewed for consistency with the County's Traffic Performance Standards ordinance; resulting in 14,000 lots that have no obligation to mitigate their traffic impacts on adjoining roadways.

It is worth noting that the ORC perceived the RR1 designation as a form of urban sprawl, and to address this objection the County simply adopted the RR10 land use plan designation for the area. However, by exempting these same areas from having to comply with the RR10 requirement through the "Lot Requirements" and the "Lot Combination Requirements" of the FLUE, the County has effectively allowed the same form of development as was intended under the RR1 designation that originally applied to The Acreage. The development proposed in this application is seeking the same density in a different form of development (RRPUD), which form of development does not constitute a form of urban sprawl (as outlined in the FLUE Map amendment application).

Applicable parts of "Palm Beach County 1989 Proposed Comprehensive Land Use Map" dated April 1, 1989 provided by PBC Staff are below.

ATLAS AREAS (designated) WITH VARIATIONS FROM GENERALIZED MAP



SURROUNDING USES

Below is a description of the uses on the adjacent properties (or those on the other side of abutting R-O-W's) to the north, south, east and west of the overall property. Please see the Built Inventory Features Map in Attachment F for the following information overlaid on an aerial.

Northern Portion

- **North:** To the north of the subject property are the following parcels:
 - **PCN's 00-40-42-17-00-000-7010/00-40-42-18-00-000-7010:** Directly to the north of the northwest section of the subject property are these two PCN's totaling 250.85 acres that are utilized for purposes of a drainage canal

- owned by the Indian Trail Improvement District. These parcels have a FLUA designation of RR-10 and are within the AP Zoning District;
- **PCN 00-40-42-16-00-000-9000:** Directly to the north of the northcentral section of the subject property is this 648.48-acre conservation parcel owned by the Florida Fish and Wildlife Conservation Commission. This parcel has a FLUA designation of Conservation (CON) and is a part of the J.W. Corbett Wildlife Management Area;
 - **Various PCN's:** Directly to the east of the aforementioned conservation parcel are seven (7) residential parcels adjacent to the northern property line of the subject property. These parcels are generally 1.25-acres in size, have a FLUA designation of Rural Residential, 1 unit per 2.5 acres (RR-2.5) and are within the AR Zoning District;
 - **PCN 00-40-42-22-00-000-1020:** Directly to the north of the northeast section of the subject property is this 62.36-acre parcel owned by PBC that supports the Samuel Friedland Park. This parcel has a FLUA designation of RR-10 and is within the Public Ownership (PO) Zoning District; and
 - **PCN 00-40-42-22-00-000-1030:** Directly to the north of the northeast section of the subject property is this 60-acre parcel owned by the School District of PBC that is currently vacant and intended to eventually support a public high school. This parcel has a FLUA designation of RR-10 and is within the AR Zoning District.
- **South:** To the south of the subject property are the following parcels. Note that this section includes those parcels that are within the area encapsulated by the U-shape of the subject property and could be deemed as being south, east or west of the subject property.
 - **Various PCN's:** Directly to the south of the southeast section of the subject property are seven residential/agricultural parcels. These parcels range in size from 5.04 acres to 20.43 acres, have a FLUA designation of either RR-5 or RR-10 and are within the AR Zoning District;
 - **PCN's 00-40-42-28-00-000-9000 & 00-40-42-33-00-000-1010/3010:** These parcels located within the eastern section of the area encapsulated by the u-shape of the subject property total 1,265.5 acres in size and are owned by Iota Carol LLC. These parcels have a FLUA designation of RR-10, are within the AP or AR Zoning Districts and currently support agricultural operations;
 - **Various PCN's:** There are 20 parcels located within the western section of the area encapsulated by the u-shape of the subject property ranging in size from 5.59 acres to 60.2 acres. These parcels have a FLUA designation of RR-5 or RR-10, are within the AP or AR Zoning Districts and currently support agricultural operations;
 - **PCN's 00-40-43-05-00-000-3270 & 00-40-43-06-00-000-1020:** Directly to the south of the southwest section of the subject property are these two PCN's totaling 16.28 acres that are utilized for purposes of a drainage canal

- owned by Lucilo Vasquez. These parcels have a FLUA designation of RR-5 and are within the AP or AR Zoning Districts; and
- **PCN's 00-40-43-06-00-000-1010 & 00-40-43-31-00-000-3010:** Directly to the south of the southwest section of the subject property are these two PCN's totaling 69.23 acres that are utilized for purposes of electric transmission lines owned by Florida Power & Light Company. These parcels have a FLUA designation of AP and are within the AP Zoning District.
 - **East:** To the east of the subject property, across 180th Avenue North (a 100' public ingress/egress easement) are a variety of parcels (details below):
 - **Various PCN's:** Directly to the east of the subject property are 39 residential parcels that are generally 1.25-acres in size, have a FLUA designation of RR-2.5 and are within the AR Zoning District; and
 - **PCN 00-40-42-22-00-000-1030:** Directly to the east of the southeast section of the subject property are these two parcels that equate to 580.82 acres and are both owned by the School District of PBC. These parcels support Frontier Elementary School and Osceola Creek Middle School. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District.
 - **West:** To the west of the subject property are the following parcels. Note that this section includes those parcels that are north, south and west of that 57.76-acre portion (PCN's 00-39-42-25-00-000-1000 & 00-39-42-26-00-000-1020) of the subject property that extrudes westerly.
 - **PCN's 00-39-42-24-00-000-9000, 00-39-42-25-00-000-9000, 00-39-42-26-00-000-1000 and 00-39-42-36-00-000-1000:** These four (4) parcels total 1,079.58 acres in size and are owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. These parcels have a FLUA designation of AP, are within the AP Zoning District and are part of the J.W. Corbett Wildlife Management Area;
 - **PCN's 00-39-42-13-00-000-5000:** This one (1) parcel totals 757.7 acres in size and is owned by the Indian Trail Improvement District. This parcel has a FLUA designation of AP and is within the AP Zoning District; and
 - **PCN 00-39-42-26-00-000-1010:** This one (1) parcel totals 76.46 acres in size, is owned by Florida Power & Light Company and is utilized for purposes of electric transmission lines. This parcel has a FLUA designation of AP and is within the AP Zoning District.

Southern Portion (aka Cowan Parcel)

- **North:** To the north of the subject property are the following parcels:
 - **PCN's 00-40-42-17-00-000-7010/00-40-42-18-00-000-7010:** Directly to the north of this portion of the subject property are these two PCN's totaling 170.82 acres that are utilized for purposes of a drainage canal owned by

the Indian Trail Improvement District. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District.

- **South:** To the south of the subject property are the following parcels:
 - **Various PCN's:** Directly to the south of this portion of the subject property are seven vacant/residential/agricultural parcels. These parcels range in size from 5.3 acres to 8.56 acres, have a FLUA designation of either RR-10 and are within the AR Zoning District.
- **East:** To the east of the subject property, across 180th Avenue North (a 100' public ingress/egress easement) are a variety of parcels (details below):
 - **PCN's 00-40-43-03-00-000-1010 & 00-40-43-04-00-000-5010:** Directly to the east of this portion of the subject property are these two PCN's totaling 370.87 acres that are utilized for purposes of a drainage canal owned by the City of West Palm Beach. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District.
- **West:** To the west of the subject property are the following parcels:
 - **Various PCN's:** Directly to the west of this portion of the subject property are six vacant/agricultural parcels. These parcels range in size from 5.01 acres to 26.65 acres, have a FLUA designation of either RR-10 and are within the AR Zoning District.

LUSA DESIGNATION

1. Justification

The proposed development will necessitate facilities to service the proposed 3,897 dwelling units, 300,000 square feet (s.f.) of retail uses and 50,000 s.f. of office uses, and many civic and recreational uses requiring services and should therefore be designated as a Limited Urban Service Area (LUSA). This will ensure that the proposed project is in compliance with Objective 3.5 in that services will be provided at levels of service (LOS) that meet or exceed the minimum standards as established elsewhere in the Comprehensive Plan. The significant relative advantage of designating the subject property as a LUSA is the potential for the proposed development to create a transition and a buffer to existing conservation lands while also creating the potential to address long-standing drainage issues in the area which are clearly environmental benefits. As such, the applicant has justified the designation of the subject property as a LUSA.

There are many public benefits derived by this project:

- A minimum of 1,000 acres of the subject site will remain in bona fide agricultural use;
- Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area;
- A minimum of 66.67 percent of the overall site shall remain in Required Open Space;
- A minimum of 50 percent of the overall site shall remain in Exterior Open Space. It is noted that the 1,000 acres of bona fide agriculture and 640 acres for the ITID are part of the Exterior Open Space;
- A minimum of 47 acres for commercial services will be provided within three commercial nodes to service the needs of the residents;
- A minimum of 125 acres for public and private civic sites, when only 97.4 acres are required (2% of 4,871 acres per Table 3.E.2.C. of the ULDC). Of the 125 acres, a minimum of 40 acres will be conveyed to the School District of Palm Beach County for use as future school sites, subject to the School District of Palm Beach County agreeing that should the site not be utilized for a future school site, the land would revert back to Palm Beach County. Of the 125 acres, another 5 acres is allocated for and will be dedicated to Palm Beach County for a future Fire-Rescue station, which was identified by the provider as being needed in the geographic area;
- Improve 60th Street North from Seminole Pratt Whitney Road to the western most point on ingress/egress on the Cowan property; improve 190th Street

North from 60th Street North to Hamlin Blvd.; improve Orange Blvd. from its present terminus at 180th Ave to 190th Street North; and, connect Hamlin Boulevard from 190th Street North to the present terminus of Hamlin Blvd. west of 180th Ave. North;

- Provide a minimum of 53 acres of on-site recreation for the residents when the code requires 24 acres (per Table 3.E.2.C. of the ULDC); Provide that any water management tract that counts towards Exterior Open Space shall: (1) be accessible to the general public via an 8 foot wide paved pedestrian pathway adjacent to some part of the water management tract; and (2) is usable by the general public for fishing and non-motorized boating activities; and, (3) the developers, its successors and assigns, shall ensure that any water management tract that counts towards Exterior Open Space shall remain open to the general public for those uses and that no future HOA Board can restrict or otherwise prohibit access to the general public;
- 11 miles of 8' wide paved pedestrian pathways open to the general public;
- 17.5 miles of equestrian trails open to the general public;
- Rural Parkways as follows: Rural Parkways as follows: (1) 180th Ave. North from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed in the parkway easement at the southern limits adjacent to Orange Blvd. (2) 190th Street North adjacent to the developable area of Indian Trails Grove PUD, a minimum of 50 feet wide easement in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed within the parkway easements at the intersection of 190th Street North and Hamlin Blvd. (3) Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be permitted on the eastern limits of this parkway easement. (4) Orange Blvd. from Hamlin Blvd. to 190th Street North, a minimum of 50 feet wide easement on the south side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. (5) 60th Street North from the eastern limits of the Indian Trails Grove PUD (Cowan parcel), a minimum of 50 feet wide easement adjacent to the south side of 60th Street North, in order to accommodate a multipurpose paved pedestrian pathway (from the eastern limits of the PUD to the westernmost PUD entrance on the

Cowan parcel) and equestrian trail (from the eastern limits of the PUD to the western limits of the PUD (Cowan parcel)) with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements; a project entry sign shall be permitted at the eastern end of this parkway easement.

- Perimeter buffers (to the extent not covered by a Rural Parkway), a minimum of 50 feet wide adjacent to the developable portion of the project;
- Provision of Palm Tran Bus Easements in the event service is provided in the future; and,
- In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

FLUA AMENDMENT CONSISTENCY & COMPATIBILITY

1. Justification

The applicant is requesting to amend the FLUA designation of the subject property from AP, in part, and RR-10, in part, to WCR, in whole. Per Policy 2.1-f of the FLUE of the PBC Plan an applicant must provide adequate justification for the proposed future land use.

The proposed FLUA amendment meets the required factors as follows:

- 1) Per Future Land Use Element Policy 2.1-f, the proposed use is suitable and appropriate for the subject site:

Applicant's Description: The proposed amendment would allow comparable residential density within the central western portion of PBC by converting properties currently used for agricultural purposes within an area which has seen continual development since the early 1960's. The proposed project will provide residences that will accommodate the future population of PBC and support the internal neighborhood commercial uses and the non-residential uses within the Minto West project. As shown in the aerials above the subject property was once wetlands as was the land area now known as The Acreage. Over time the subject property was converted into land used for agricultural purposes but conditions have and continue to change that warrant the request to amend the FLUA designation on the subject property to WCR. The subject site is one of the last remaining large scale agricultural production sites remaining from what is now construed as the Acreage. Once the 14,000+ lots within the Acreage were vested, remaining agricultural lands were left in an area that is predominately in residential use.

The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 350,000 s.f. of non-residential development as part of the overall development. Please refer to the “Non-Residential Intensity Analysis” prepared by Warner Real Estate Advisors, Inc. in this attachment for reference. As the Central Western Communities grew, Palm Beach County began studying the area to determine how best the remaining large undeveloped parcels--including the 5,000-acre site of Indian Trails Grove--would fit into the community and remediate the land use imbalance caused by the overwhelming predominance of single-family residences in The Acreage. The objective was to ameliorate the existing pattern of development by providing more commercial opportunities, varied housing types, and a job base in conjunction with any residential development. The County first studied the area with the Midlands Study, which was completed in 1989. This was followed up by the Acreage Neighborhood Plan in 1995, the Loxahatchee Groves Neighborhood Plan in 1996, the Managed Growth Tier in 1999, and the Central Western Communities Sector Plan from 1999-2007, including the Central Western Communities Sector Plan Remedial Amendment prepared by Palm Beach County to address compliance issues with that sector plan, but which was withdrawn before going into effect. This prior planning work found ways to remediate the existing sprawl pattern while taking steps to ensure new development would be compatible with it.

The applicant has designed the Indian Trails Grove community utilizing principles contained in the Central Western Communities Sector Plan Remedial Amendment which were intended to remediate the existing sprawl pattern and complement the development pattern of the recently approved Minto West project. These design standards also are intended to make Indian Trails Grove compatible with the surrounding area of only 0.8 units per acre. The design principles required setting aside land that would not be used for development. With the applicant preserving over two-thirds of the site in open space, the area remaining for vertical development will be more compact with various commercial nodes, retail and office uses provided to service the proposed residential units. Land is allocated for use as civic sites, both public and private, schools, parks, a fire station, religious institutions, and such services as day care. Through the extensive trail systems and interconnectivity, the design of the community will encourage walkability. Over 40 percent of the community is within a one-half mile radius of a commercial node and over two-thirds of the residents will be within a one-quarter mile radius of an amenity (commercial, recreation, or civic site). Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area. These 640 acres will allow additional

water to be removed from the MO Canal and stored on-site, which in turn will allow streets and home sites within the upper basin of The Acreage to drain quicker.

2) Per Future Land Use Element Policy 2.1-f, the basis for the requested change is based upon the following criteria:

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

Applicant's Description: Directly to the east of the subject property is the +/-3,788-acre Minto West project that was granted a FLUA Amendment approval through PBC Ordinance No. 2014-030 on October 29, 2014 to allow the Agricultural Enclave (AGE) FLUA designation. The approved scope of development is as follows:

- **Approved Residential:** 1.20 units per 1 acre or 4,546 units
- **Approved Non-Residential:**
 - 500,000 s.f. of retail;
 - 1,050,000 s.f. of light industrial and research and development;
 - 450,000 s.f. of commercial offices uses;
 - 200,000 s.f. of civic uses;
 - 150 room hotel; and
 - 3,000 student college.

The approvals granted for Minto West will provide for a variety of services and non-residential uses that could be supported by the additional residential uses on the subject property. Minto West is geographically different from Indian Trails Grove in that Minto West is bisected by Seminole Pratt Whitney Road, which is the main north/south roadway corridor servicing the Acreage. As the regional hub and thru being bisected by Seminole Pratt Whitney Road, Minto West is a more appropriate location to provide the regional based non-residential uses servicing the geographic area. Indian Trails Grove is better suited as a spoke off of the regional hub, providing those non-residential uses necessary to service the proposed residential units within the project and providing other civic and pedestrian amenities for the geographic area, in addition to those being proposed within Minto West, but in a size and magnitude so as to not compete with the regional nature of the Minto West nonresidential uses (again geographic location being the primary differential between the Minto West and Indian Trails Grove projects).

- *Changes in the access or characteristics of the general area and*

associated impacts on the subject site.

Applicant's Description: The approvals granted for the Sluggett Property, Lion Country Safari and Minto West (aka Callery-Judge Groves) reflect a change in the characteristics of the area that were within the CWC Sector Plan. All three of these changes were approved by the CWC Sector Plan and clearly demonstrate changes in land use and development potential for other properties in the general area of the subject site, at uses and intensities consistent with that requested via the subject amendment application.

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

Applicant's Description: Please see the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc. found in this attachment in which population projections were analyzed to justify the need for the proposed residential and non-residential uses.

- *Inappropriateness of the adopted FLU designation*

Applicant's Description: As detailed above entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan and the subject property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Rural Residential Planned Development with a density of 1 unit per 1.25 acres (or 00.80 units per 1 acre). Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

As shown in the aerials above the subject property was once wetlands as was the land area now known as The Acreage. Over time the subject property was converted into land used for agricultural purposes but conditions have and continue to change that warrant the request to amend the FLUA designation on the subject property to WCR. The subject site is one of the last remaining large scale agricultural production sites remaining from

what is now construed as the Acreage. Once the 14,000+ lots within the Acreage were vested, remaining agricultural lands were left in an area that is predominately in residential use.

The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 350,000 s.f. of non-residential development as part of the overall development. Please refer to the “Non-Residential Intensity Analysis” prepared by Warner Real Estate Advisors, Inc. in this attachment for reference. As the Central Western Communities grew, Palm Beach County began studying the area to determine how best the remaining large undeveloped parcels--including the 5,000-acre site of Indian Trails Grove--would fit into the community and remediate the land use imbalance caused by the overwhelming predominance of single-family residences in The Acreage. The objective was to ameliorate the existing pattern of development by providing more commercial opportunities, varied housing types, and a job base in conjunction with any residential development. The County first studied the area with the Midlands Study, which was completed in 1989. This was followed up by the Acreage Neighborhood Plan in 1995, the Loxahatchee Groves Neighborhood Plan in 1996, the Managed Growth Tier in 1999, and the Central Western Communities Sector Plan from 1999-2007, including the Central Western Communities Sector Plan Remedial Amendment prepared by Palm Beach County to address compliance issues with that sector plan, but which was withdrawn before going into effect. This prior planning work found ways to remediate the existing sprawl pattern while taking steps to ensure new development would be compatible with it.

As detailed above, allowing the WCR FLUA designation on the subject property is justified because there has been a change in circumstances (correction in the single-use pattern) that affects the subject property.

2. Residential Density Increases

Per Future Land Use Policy 2.4-b the proposed FLUA amendment meets the required factors as follows:

- Demonstrate a need for the amendment.

Applicant’s Description: The Indian Trails Grove project will contribute to the long-term sustainability of the central western communities by providing

a form of development that is compatible with The Acreage, protects the J.W. Corbett Wildlife Management Area by providing an appropriate transition and separation, and providing central services as detailed above in the “LUSA Designation” section. More specifically the Indian Trails Grove project, (a) is proposed to be developed at 00.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area, (b) is not subject to the TDR program as the subject property is not currently or proposed to be within the Urban/Suburban Tier which is the only Tier in which receiving sites are allowed, (c) will be designed in a manner that creates the appropriate transition and separation between developed areas and the J.W. Corbett Wildlife Management Area thereby protecting it from any potential impact from the proposed development and, (d) will, as shown in Attachments H through O, be adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, and any future mass transit opportunities, etc.

- Demonstrate that the current land use is inappropriate.

Applicant’s Description: As detailed above, entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan and the subject property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Planned Unit Development in the WCR FLUA designation with a density of 1 unit per 1.25 acres (or 00.80 units per 1 acre). Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

The site is at the western end of The Acreage; lands to the east either have been developed or are approved for development. The site is bordered on the north and west sides by State-owned land that will never be developed. The site had been in agricultural production since the early 1960s as a citrus farm. In the early 2000s, the citrus trees became diseased due to greening and eventually died. The applicant purchased the property as the citrus production was completed and greening devastated the property.

Instead of allowing the land to sit idle, the applicant took steps to convert the site into a row crop farm. This transformation entailed knocking down dead trees, root raking the property, burning the material, and then de-rocking the site. The property was filled with a cap rock, which had large veins running great distances throughout the property. (The ability for a row crop farmer to grow crops would be impaired if the rocks had remained because phosphorus levels would be too high and the plants would lack the required nutrients to thrive.) Once these activities were completed, the site had to be leveled. It took approximately five years to complete the majority of the conversion. Today, the property is leased to farmers who grow sugar cane, peppers, beans, squash, Chinese vegetables, and other crops. The applicant is committed to keeping a minimum of 1,000 acres in active agriculture. Until the drainage component of the plan is implemented to facilitate drainage in The Acreage, approximately 1,700 acres will remain in agriculture.

- Transfer of Development Rights, Workforce Housing, and Affordable Housing Program utilization.

Applicant's Description: As noted above, the TDR program is not applicable to the subject site as the site is not a receiving area under the program. Since the subject property is not within the Urban/Suburban Tier then neither the provisions of the Workforce Housing Program (WHP) and Affordable Housing Program (AHP) would apply; however, the applicant is proposing to provide 10.0% of the total units in accordance with the WHP, consistent with that required of the Minto West project.

3. Comprehensive Plan, Florida Statutes and Compatibility:

Comprehensive Plan

- **County Directions**

- *Livable Communities.* Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.

1. **Applicant's Description:** The Indian Trails Grove project will promote the enhancement, creation and maintenance of a livable community the central western part of PBC through the following elements:

a. **Balance of Land Uses:** The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 350,000 s.f. of non-residential development as part of the overall development. As The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (00.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;
- A total 300,000 square feet of retail and 50,000 square feet of office uses are provided to service the neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage.

b. **Organized Open Space:** The proposed project will have a variety of organized open space including, but not limited to, (1) a substantial amount of open space along the west property line (approximately 1,068 acres of water resources/agriculture and 640 acres of a conceptual

impoundment expansion), (2) 50' to 150' open space buffers throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 42-acre addition to the existing County park, (6) a new 22.6-acre park, (7) approximately 17 miles of equestrian trails and (8) approximately 53 acres of private recreation.

c. Preservation of Natural Features: The project will provide an appropriate transition and separation between the development and the conservation area to the north and west

d. Incorporation of Distinct Community Design Elements: The incorporation of approximately 17 miles of public equestrian trails provides a unique design feature that provides a long-standing element for the central western communities.

e. Personal Security: Providing planned residential communities will enhance the already safe environment of the central western communities.

f. Provision of Services:

i. **Water/Wastewater:** As detailed in the service confirmation letter from the PBC Water Utilities Department (PBCWUD) dated November 2, 2015 it was confirmed that PBCWUD has the capacity to provide the required level of service for the project through the extension of existing facilities. These existing facilities include a 12" water main and 8" force main along Hamlin Boulevard at PBC Park "F" and a 30" water main and a 20" force main along Seminole Pratt Whitney Road at 64th Place North. Furthermore, there was a Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book (ORB) 18924, Page (PG) 0357 on July 19, 2005. Copies of the agreement and the assignment are included in Attachment I.

ii. **Drainage:** As detailed in the Statement of Legal Positive Outfall (Attachment J) prepared by GLH Engineering legal positive outfall will be provided via a 200' easement, recorded in

Official Records Book 1428, Page 581 to the L-8 Canal which is an existing facility adjacent to the west side of the subject property.

iii. **Fire:** As detailed in the service confirmation letter from the PBC Fire Rescue Department (Attachment K) it was confirmed that the nearest PBC Fire Rescue station, which is Station #22 located approximately 2.41 miles from the subject property, is unable to serve the new development on the subject property. As shown in the Master Plan found in Attachment Q the proposed project includes the provision of a civic parcel in the northeast corner that is proposed to accommodate new facilities for the Fire Rescue Department and the Sherriff's office. Therefore, the land will be dedicated to Palm Beach County by the applicant and the applicable fees (i.e., impact fees) paid by the applicant will provide adequate funding for the construction of these facilities.

iv. **Traffic:** As detailed in the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White (Attachment H) the proposed development will utilize existing roadways (with planned future improvements) such as 60th Street and Seminole Pratt Whitney Road. While these roadways will require improvements the proposed project will connect to and enhance the existing roadway network in an efficient and cost-effective manner.

g. Education Opportunities: As shown in the Master Plan found in Attachment Q the proposed project includes the provision of two civic parcels, one for a new middle school and one for a new elementary school.

h. Employment Opportunities: Beyond the substantial construction jobs that will be generated by the proposed project there will be a significant number of long-term employment opportunities created including, but not limited to, teaching positions at the proposed schools, retail jobs at the commercial centers, and the potential for administrative, clerical, and numerous other jobs within the office and light industrial components located within the project.

i. **Passive Recreation Opportunities:** The proposed

project will have a variety of passive recreation areas including approximately 11.5 miles of pedestrian and bicycle pathways located within expansive perimeter buffers, a 42-acre addition to the existing County park located on Hamlin Blvd. at the northern limits of the project, a new 22.6-acre County park centrally located, and approximately 17 miles of equestrian trails traversing the perimeter of the project. In addition, the project includes approximately 53 acres of private recreation located throughout the site that will offer both active and passive recreational opportunities.

- *Growth Management.* Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.

1. Applicant's Description: The Indian Trails Grove project will contribute to the long-term sustainability of the central western communities by providing a form of development that is compatible with The Acreage, protects the J.W. Corbett Wildlife Management Area by providing an appropriate transition and providing central services as detailed above in the "LUSA Designation" section. More specifically the Indian Trails Grove project, (a) is proposed to be developed at 00.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area, (b) is not subject to the TDR program as the subject property is not currently or proposed to be within the Urban/Suburban Tier which is the only Tier in which receiving sites are allowed, (c) will be designed in a manner that creates the appropriate transition / separation between the proposed development area and the J.W. Corbett Wildlife Management Area thereby protecting it from any potential impact from the proposed project, and, (d) will, as shown in Attachments H through O, be adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway network, water/wastewater, drainage facilities, and any future mass transit opportunities, etc.

- *Infill, Redevelopment and Revitalization.* Address the needs of

developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.

1. Applicant's Description: The subject property is not within what would be classified as an "urban" area and, therefore, this direction is not applicable.

o *Land Use Compatibility.* Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.

b. **Applicant's Description:** The Indian Trails Grove project is proposed to be developed at 00.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area. The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (0.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;
- A total 300,000 square feet of retail and 50,000 square feet of office uses are provided to service the neighborhood commercial needs of residents, providing for internal capture of roadway trips. The

non-residential uses will help to offset the existing imbalance of land uses within The Acreage.

- *Neighborhood Integrity.* Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.

1 Applicant's Description: The Indian Trails Grove project is adjacent to the western boundary of The Acreage. The proposed development is compatible with The Acreage by proposing a comparable density, not encroaching into the geographic boundaries of the neighborhood with development and respecting the social fabric. The proposed development plan provides for three intensities of residential development. The higher density pods are located adjacent to the proposed commercial parcels, and all the high density units are located within ¼ mile radius of said commercial parcels. Medium density pods are situated between the higher density pods and the low density pods. The lower density pods then radiate outward from the medium density pods towards the perimeter of the development site, thereby ensuring that the lower density areas (those areas of single family homes) are located proximate to the adjacent single family residential homes on the perimeter of the development to ensure compatibility of use.

- *Economic Diversity and Prosperity.* Promote the growth of industries that have relatively high wages and that can diversify the economic base.

1 Applicant's Description: The Indian Trails Grove project will provide residences that will support the proposed 350,000 s.f. of non-residential uses within the project and the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.

- *Housing Opportunity.* Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of very-low and low-income housing, Countywide, through the Workforce Housing Program.

1. **Applicant's Description:** The Indian Trails Grove project will provide 10.0 % of the total units as workforce housing and, as such, will contribute to the adequate distribution of varied housing opportunities.

- *Economic Activity Centers.* Encourage the development of Planned Industrial Developments primarily designed to accommodate and

promote manufacturing industry and other value-added activities.

1. **Applicant's Description:** The Indian Trails Grove project includes 50,000 s.f. of commercial office uses which will be located within the centrally located commercial parcels and will be supported by the residences within the community. In addition, the additional 3,897 residential units will also support the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.
- *Research and Development Communities.* Support the location of regional economic development activities in the County, which promote science and/or technology uses and other significant employment opportunities and educational initiatives resulting in new technologies and manufacturing activities.
 1. **Applicant's Description:** The Indian Trails Grove project will provide residences that will be supportive of the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.
- *Level of Service Standards.* Establish specific, public facility level of service standards that are directly linked to the Capital Improvement Program, to accommodate an optimum level of public facility and service improvements needed as a result of growth.
 1. **Applicant's Description:** The Indian Trails Grove project will comply with all applicable level of service standards and, if necessary, will provide the necessary capital improvements to ensure that current level of service standards is maintained.
- *Linear Open Space and Park Systems.* Enhance the appearance of the County by providing an open space network that will become a visual and functional organizer of recreational activities, natural resources and other open space areas. This should include public lands, passive as well as active recreation areas, beaches and conservation areas.
 1. **Applicant's Description:** The Indian Trails Grove project provides a vast amount of open space which includes a variety of recreational uses and opportunities for the proposed residents and the general public. Included within the overall open space is approximately 1,068 acres of water resources / agriculture, and 640 acres of a conceptual impoundment expansion located along the western limits of the project, 50' to 150' open space buffers throughout the community which include pedestrian pathways, a 42-acre addition to existing County park, a new 22.6-acre County park centrally located, approximately 17 miles of equestrian trails, an approximately 53 acres of private recreation.

- *Environmental Integrity.* Encourage restoration and protection of viable, native ecosystems and endangered and threatened wildlife by limiting the impacts of growth on those systems; direct incompatible growth away from them; encourage environmentally sound land use planning and development and recognize the carrying capacity and/or limits of stress upon these fragile areas.

1. **Applicant's Description:** The Indian Trails Grove project will be designed in a manner that creates the appropriate transition and separation between the proposed development and the J.W. Corbett Wildlife Management Area thereby protecting it from any potential impact from the project. This transition provides: (1) a minimum one-half mile separation from the developable area to the Corbett WMA area located to the north and east of S17/T42/R40; (2) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the north and west of S18/T42/R40; (3) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the west of S19/T42/R40; (4) a minimum one-half mile separation from the developable area the Corbett WMA/Moss Tract located to the west of S30/T42/R40; (5) a minimum one-half mile separation from the developable area to the Corbett/Moss area located on the west side of S31/T42/R40; (6) a minimum of 250 feet of separation from the developable area to the Corbett WMA area located to the north of S21/T42/R40; and, (7) a minimum of 250 feet of separation from the developable area to the Corbett WMA located to the northeast of S20/T42/R40. The 250- foot separation from the Corbett WMD/Moss Tract for Sections 21 and 20 is five times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC, which requires, "a reduction in building intensity near natural areas and preserve areas by the creation of a minimum 50 foot buffer zone." The one-half mile separation from the Corbett WMD/Moss Tract for Sections 17, 18, 19, 30, and 31 is fifty times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

Although there are no on-site natural features that warrant preservation, the amendment provides that a minimum of 66.67 percent of the site will be retained in Required Open Space. As noted above, more than 50 percent of the site will be retained in Exterior Open Space. This includes areas for water resources and agricultural production, and other

perimeter open space uses such as lakes, greenway buffers and trails. This Exterior Open Space is in addition to the Interior Open Space areas located within the developable portion of the project. As a result of both the Exterior Open Space and Interior Open Space, only 1/3 of the overall site is eligible for use in Vertical Development Area.

By strategically locating more than 50 percent of the open space on the perimeter of the site, the adjoining State-owned Moss property and Corbett WMA are protected from further encroachment of residential development.

- *Design.* Promote the concept of design to direct development, in rural and urban areas. Design is used to prepare and implement policies and plans that guide the physical development of the built environment and make such development functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals.

Applicant's Description: The design of the Indian Trails Grove project will be functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals. It will create a "pedestrian friendly" environment by providing walkable and connected communities through a continuous paved pedestrian and bicycle pathway. The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (00.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in

proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;

- A total 300,000 square feet of retail and 50,000 square feet of office uses are provided to service the neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage.

1.

○ *A Strong Sense of Community.* Encourage citizen involvement, neighborhood spirit, and local pride in the County, and a commitment to working constructively on community problems.

1. **Applicant's Description:** The proposed project, with its sensitivity to adjacent environmental areas, provision of approximately 17 miles of equestrian trails/11.5 miles of paved pedestrian pathways, provision of public gathering areas in the proposed parks, civic and commercial sites, eventual reliance on a homeowner's association and the fact that it is proposed at a compatible density to adjacent residential areas will contribute to a strong sense of community.

○ *Agricultural and Equestrian Industries.* Support and enhance agriculture and equestrian-based industries.

1. **Applicant's Description:** The Indian Trails Grove project will preserve approximately 1,068 acres of active agriculture / water resource area while also providing approximately 17 miles of equestrian trails for the public. As noted above, 1,000 acres will be retained in active agricultural production use.

○ *Historic Preservation.* Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage. Retain the local sense of place by preserving and protecting historic places, buildings and structures.

1. **Applicant's Description:** There are no known historical or archaeologically significant resources within the Indian Trails Grove project. See Attachment N for a Cultural Resources Assessment Report prepared by Robert S. Carr and for letters from the Florida Department of State in which the Department confirmed that no previously recorded cultural resources existed.

○ *Climate Change.* Increase resilience through appropriate land use strategies for adaptation and mitigation of climate change impacts.

1. **Applicant's Description:** The Indian Trails Grove will

contribute to the better storage and/or distribution of stormwater in the general area thereby mitigating potential climate change impacts.

- *Externalities*. Recognize major negative externalities and attempt when economically feasible to place economic negative externalities away from neighborhoods.

1. **Applicant's Description:** The proposed commercial, office, and light industrial uses within the Indian Trails Grove project will be designed in a manner where they are internalized to the greatest extent possible.

- b. **FLUE Policy 1.4-a:** The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier by:

1. Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;
- i. Providing facilities and services consistent with the character of the area;
- j. Preserving and enhancing natural resources; and,
- k. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the rural community.

- **Applicant's Description:** The proposed project will:

1. Preserve and enhance the rural landscape by providing additional cultural, recreational and open space resources (as detailed above);
2. Provide facilities and services that are consistent with the nearby communities;
3. Enhancing the natural resources to the west by providing an appropriate open space transition between the proposed development and the natural area; and
4. Proposing a density (00.80 du/ac) that is compatible with the surrounding community.
5. Preserve approximately 1,068 acres of active agriculture / water resource area while also providing approximately 17 miles of equestrian trails for the public. As noted above, approximately 1,068 acres will be retained in active agricultural production use.

- a. **FLUE Policy 1.4-h:** The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and collocating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and

libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

Applicant's Description: As shown on the attached Master Plan the proposed civic, recreation and commercial sites are either adjacent to existing civic sites or are clustered together within several locations throughout the project which provide for better accessibility while promoting a pedestrian friendly and walkable community. The development portion of the plan is compacted to less than 50 percent of the site, with the Vertical Development Area further limited to a maximum of 33.33 percent of the site.

This design, coupled with the location of shopping and employment opportunities at several locations within the site, will result in more than two-thirds of the residential units being located within one quarter-mile radius of commercial, civic, or recreation uses, with one-quarter mile to one-half mile being generally accepted as "walkable clusters".

The development plan provides for three intensities of residential development: High, Medium and Low. High density pods are located adjacent to all three commercial nodes, and all the High density units are located within a one-quarter mile radius of the commercial nodes. Medium density pods are situated between the commercial nodes/high density pods and the low density pods. The lower density pods then radiate outward from the medium density pods towards the perimeter of the development site, thereby ensuring that the lower density areas (those areas of single family homes) are located proximate to the adjacent single family residential homes on the perimeter of the development to ensure compatibility of use. This transition of density, from higher elements at the core to the lower elements at the perimeter, serves to establish a logical and orderly transition of density from the commercial nodes to the perimeter of the site. This transition of density allows for compaction of use and a logical and orderly development pattern as the higher density elements (townhomes and zero lot line units) are proximate to the core and the larger single family units are proximate to the perimeter of the site.

- b. **FLUE Policy 1.4-i:** Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional

water resource management protection, and incorporation of greenway/linked open space initiatives.

- **Applicant's Description:** The Indian Trails Grove project will be designed in a manner that creates the appropriate transition / separation between the proposed development area and the J.W. Corbett Wildlife Management Area. In addition, a vast amount of open space has been provided which include, but not be limited to, (1) approximately 1,068 acres of water resources / agriculture and 640 acres of a conceptual impoundment expansion within the open space parcel along the western limits of the project, (2) 50' to 150' open space buffers which include paved pedestrian pathways throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 42-acre addition to the existing County park, (6) a new 22.6-acre County park, (7) approximately 17 miles of equestrian trails and (8) approximately 53 acres of private recreation, all of which contribute to the greenway linked open space initiatives and the protection of the existing native ecosystem north and west of the site.

- c. **FLUE Objective 2.1:** This objective states that PBC shall designate on the FLUA sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth.

- **Applicant's Description:** Allowing the requested FLUA designation to allow an increase in residential density will provide additional housing opportunities for the expected growth in the population of PBC.

- d. **FLUE Policy 2.1-a:** Future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area and shall also not underutilize the existing or planned capacities of urban services.

- **Applicant's Description:** As shown in Attachments H through O the subject property is adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, and any future mass transit opportunities, etc. This is the case if the subject property is developed residentially or commercially.

- e. **FLUE Policy 2.1-b:** The County shall utilize a range of residential future land use categories to plan for growth and non-residential land use designations to support and serve the residential and tourist populations as described in the FLUA Regulation Section of this Element. The entitlement,

minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in the FLUA Regulation Section.

- o **Applicant's Description:** The allowance of the new WCR FLUA designation will provide an appropriate and compatible residential category in the central western communities that will support and serve the residential and tourist populations.
- f. **FLUE Policy 2.1-c:** The Comprehensive Plan shall use population projections and associated dwelling unit projections to guide public and private entities in planning for urban development and redevelopment. The projections shall also guide the location, timing and capacity of urban services and facilities, where other regulatory planning tools do not apply.
- o **Applicant's Description:** Please see the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc. found in this attachment in which population projections were analyzed to justify the need for the proposed residential and non-residential uses.
- g. **FLUE Policy 2.1-d:** The future land use designation for individual parcels shall be limited to the designations identified by the applicable Tier in Table III.C. in the FLUA Regulation Section (unless otherwise specified within this Element) and shall be shown on the Official Future Land Use Atlas (FLUA) maintained by the Planning, Zoning and Building Department. The Atlas shall depict future land use designations for all parcels in unincorporated Palm Beach County, including underlying/ alternative land uses, and the boundaries and ordinance numbers of all adopted FLUA amendments.

Applicant's Description: The proposed Comprehensive Plan Text Amendments propose adding the WCR designation to Table III.C to ensure consistency with this policy.

- h. **FLUE Policy 2.1-f:** The following will detail how the impact of the proposed FLUA on the items listed:
- o The natural environment, including topography, soils and other natural resources;

Applicant's Description: Please see Attachment L for the Natural Feature Inventory & Map. The amendment directs future development to a specific geographic area in the Central Western Communities that will not have an adverse impact on natural resources and ecosystems. The design of Indian Trails Grove will protect adjacent natural resources and ecosystems. Those resources include the Moss Tract west of the site and the Corbett Wildlife Management Area (Corbett

WMA) north and west of the site. To protect these natural resources and systems, the amendment provides 1,708 acres of contiguous open space (the 1,068 acres being part of the Exterior Open Space) on the western and northern perimeters of the site, buffering the Moss Tract and Corbett WMA from potential effects of future development and directs growth away from them.

As the result, this open space provides: (1) a minimum one-half mile separation from the developable area to the Corbett WMA area located to the north and east of S17/T42/R40; (2) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the north and west of S18/T42/R40; (3) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the west of S19/T42/R40; (4) a minimum one-half mile separation from the developable area the Corbett WMA/Moss Tract located to the west of S30/T42/R40; (5) a minimum one-half mile separation from the developable area to the Corbett/Moss area located on the west side of S31/T42/R40; (6) a minimum of 250 feet of separation from the developable area to the Corbett WMA area located to the north of S21/T42/R40; and, (7) a minimum of 250 feet of separation from the developable area to the Corbett WMA located to the northeast of S20/T42/R40. The 250-foot separation from the Corbett WMD/Moss Tract for Sections 21 and 20 is five times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC, which requires, “a reduction in building intensity near natural areas and preserve areas by the creation of a minimum 50 foot buffer zone.” The one-half mile separation from the Corbett WMD/Moss Tract for Sections 17, 18, 19, 30, and 31 is fifty times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

Relative to the freestanding parcel located on the southern side of the project (known as the Cowan property), it is noted that the Cowan property is located in an area surrounded by large-lot single-family home sites, existing agricultural operations and landscape nursery operations (to the north, west and south) and to the east by the City of West Palm Beach ‘M’ Canal and then the western limits of the Minto West project/native transect element. The Indian Trails Grove plan provides a minimum 250-foot separation from the developable area to the lands to the west, south, east, and a majority of the land to the north (less the civic and commercial nodes located south of the intersection of 60th Street and 190th Street) of the site. The maximum required buffer width of a PUD adjacent to an agricultural use pursuant to Table 7.F.9.B. of the ULDC is a 20’ Type 3 Buffer. Within the AGR

Tier, the maximum required buffer between the PUD development area and an adjacent agricultural property is 50 feet (3.E.2.F.4.d). The 250 feet provided is 12 times the minimum required by Table 7.F.9.B. of the ULDC and 5 times the minimum required for a PUD development parcel in the AGR Tier adjacent to an agricultural use.

The Indian Trails Grove plan directs development away from adjoining properties and existing natural resources and ecosystems by providing significant spatial separations to adjoining lands. These separations are a minimum five times that required under the current ULDC regulations, and, relative to the Corbett WMD/Moss Tract, in many places fifty times that required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

The applicant has designed the Indian Trails Grove community utilizing principles contained in the Central Western Communities Sector Plan Remedial Amendment which were intended to remediate the existing sprawl pattern and complement the development pattern of the recently approved Minto West project. These design standards also are intended to make Indian Trails Grove compatible with the surrounding area of only 0.8 units per acre. The design principles required setting aside land that would not be used for development. With the applicant preserving over two-thirds of the site in open space, the area remaining for vertical development will be more compact with various commercial retail and office nodes provided to service the proposed residential units. Land is allocated for use as civic sites, both public and private, schools, parks, a fire station, religious institutions, and such services as day care. Through the extensive trail systems and interconnectivity, the design of the community will encourage walkability. Over 40 percent of the community is within a one-half mile radius of a commercial node and over two-thirds of the residents will be within a one-quarter mile radius of an amenity (commercial, recreation, or civic site). Upon the written request by the ITID dated no later than January 31, 2018, a 640-acre parcel will be dedicated to the Indian Trail Improvement District to alleviate the historic drainage problems in The Acreage. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area.

- The availability of facilities and services;
 - **Applicant's Description:** Below is more detailed information on each of those facilities and services:
 - a. **Water/Wastewater:** As detailed in the service

confirmation letter from the PBC Water Utilities Department (PBCWUD) dated November 2, 2015 it was confirmed that PBCWUD has the capacity to provide the required level of service for the proposed project through the extension of existing facilities. These existing facilities include a 12" water main and 8" force main along Hamlin Boulevard at PBC Park "F" and a 30" water main and a 20" force main along Seminole Pratt Whitney Road at 64th Place North. Furthermore, there was a Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book (ORB) 18924, Page (PG) 0357 on July 19, 2005. Copies of the agreement and the assignment are included in Attachment I.

- b. **Drainage:** As detailed in the Statement of Legal Positive Outfall (Attachment J) prepared by GLH Engineering legal positive outfall will be provided by the L-8 Canal which is an existing facility adjacent to the west side of the subject property.
- c. **Fire:** As detailed in the service confirmation letter from the PBC Fire Rescue Department (Attachment K) it was confirmed that the nearest PBC Fire Rescue station, which is Station #22 located approximately 2.41 miles from the subject property, is unable to serve the new development on the subject property. As shown in the Master Plan found in Attachment Q the proposed project includes the provision of a civic parcel in the northeast corner that is proposed to accommodate new facilities for the Fire Rescue Department and the Sherriff's office. Therefore, the land will be dedicated to Palm Beach County by the applicant and the applicable fees (i.e., impact fees) paid by the applicant will provide adequate funding for the construction of these facilities.
- d. **Traffic:** As detailed in the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White (Attachment H) the proposed development will utilize existing roadways (with planned future improvements) such as 60th Street and Seminole Pratt Whitney Road. While these roadways will require

improvements the proposed project will connect to and enhance the existing roadway network in an efficient and cost-effective manner.

o The adjacent and surrounding development;

Applicant's Description: As noted in the introduction, The Acreage is characterized by large-lot (minimum 1 unit per 1¼ acres) single-family homes on well and septic systems, serviced by a grid roadway network consisting of both paved and dirt roadways, swale drainage, limited non-residential development, limited civic, and limited neighborhood related active recreational opportunities. As The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (00.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- All residential units will be serviced by central potable water and sanitary sewer from the Palm Beach County Water Utilities Department (PBCWUD) which has the capacity and has already invested public infrastructure improvements in this area to accommodate growth plans that never materialized and that are currently under-utilized;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;
- All uses are serviced by paved roadways;
- A total 300,000 square feet of retail and 50,000 square feet of office uses are provided to service the

neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage; and,

- Meets or exceeds the ULDC requirements for a PUD for both recreation (minimum of 0.006 acres per unit) and public/private civic dedication (minimum of 2 percent of the total PUD).

o The future land use balance;

- **Applicant's Description:** As stated previously, the proposed FLUA Amendment to WCR on the subject property will be consistent with all of the provisions of FLUE Policy 2.1-f. As such, amending the FLUA designation on the subject property will continue to provide a balanced future land use in the area as it will allow both residential and non-residential uses.

o The prevention of urban sprawl as defined by 163.3164(51), F.S.;

- **Applicant's Description:** The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 350,000 s.f. of non-residential development as part of the overall development. (See further discussion noted under Florida Statutes, Section 163.3177 continued below).

o Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and

- **Applicant's Description:** While the subject property was within the limits of the CWC Sector Plan, that plan was rescinded by the BCC in 2007.

i. **FLUE Policy 2.1-g:** The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.

o **Applicant's Description:** The proposed amendment would allow additional residential density and non-residential uses previously described within the central western portion of PBC by converting properties currently used for agricultural purposes within an area which has seen continual development since the early 1960's. The proposed project will provide residences that will accommodate the future population of PBC and support the internal neighborhood

commercial and office uses in addition to the non-residential uses within the Minto West project.

- j. **FLUE Policy 2.1-h:** The County shall not approve site specific FLUA amendments that encourage piecemeal development.
 - o **Applicant's Description:** The proposed FLUA amendment will enhance and build on the balanced development pattern in the Central Western Communities as evidenced by other projects, such as the Minto West project. As such, the FLUA amendment on the subject property does not encourage piecemeal development.

- k. **FLUE Policy 2.1-i:** As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for interconnectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.
 - o **Applicant's Description:** The proposed FLUA amendment will not cut off any parcels from access to public right-of-way's.

- l. **FLUE Policy 2.1-k:** Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.
 - o **Applicant's Description:** As described in the Comprehensive Plan Text Amendment justification the applicant has proposed to create the Indian Trails Grove Overlay in order to address the proposed density, which is compatible with The Acreage and reflects the densities proposed in the CWC Sector Plan, and the varied uses surrounding the subject property. The overlay is better suited to the subject property than its current Rural Tier designation (or potential re-designation to the Exurban Tier) since it provides policies that address the unique attributes and potential benefits of the subject property while also not opening up other areas of the County that don't share these attributes/benefits.

Florida Statutes

- **Florida Statutes, Section 163.3177.(6).(a).9** provides that “[t]he future land use element and any amendments to the future land use element shall

discourage the proliferation of urban sprawl.” See additional details under the sub-sections below.

- **Florida Statutes, Section 163.3177.(6).(a).9.a:** The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below along with the applicant’s descriptions. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment discourages urban sprawl.
 - (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.
 - **Applicant’s Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
 - (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.
 - **Applicant’s Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
 - (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - **Applicant’s Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
 - (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.
 - **Applicant’s Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has

detailed how the project discourages the proliferation of urban sprawl.

- (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.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

- (VI) Fails to maximize use of existing public facilities and services.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

- (VII) Fails to maximize use of future public facilities and services.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

- (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.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

- (IX) Fails to provide a clear separation between rural and urban uses.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

- **Applicant’s Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (XI) Fails to encourage a functional mix of uses.
- **Applicant’s Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (XII) Results in poor accessibility among linked or related land uses.
- **Applicant’s Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (XIII) Results in the loss of significant amounts of functional open space.
- **Applicant’s Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

INTRODUCTION

Florida law requires that comprehensive plans and plan amendments discourage the proliferation of urban sprawl. § 163.3177(6)(a)9., F.S. By statutory definition, urban sprawl means “a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner and failing to provide a clear separation between urban and rural uses.” § 163.3164(51), F.S. Florida law further provides that a plan amendment that incorporates at least four of eight statutory criteria “shall be determined to discourage the proliferation of urban sprawl.” § 163.3177(6)(a)9.b., F.S. The Indian Trail Groves amendment to the Palm Beach County Comprehensive Plan satisfies all eight criteria, which will be explained in more detail below.

A sprawl analysis of proposed development in the Central Western Communities must begin with consideration of the planning context of that portion of Palm Beach County. The site is at the western edge of the Acreage, a residential community consisting of approximately 15,000 single-family lots. There are limited commercial opportunities in the area and many of the non-arterial roadways are dirt roads which turn into dead ends.

The community was developed in a grid like pattern and is comprised entirely of single-family homes on a minimum of 1¼-acre lots.

Public facilities are a major concern. The vast majority of the homes are served by wells and septic tanks, and there are virtually no water bodies in the area to address drainage. As a result, the area is prone to flooding during heavy storms. In the early 1990s, the area was exempted from transportation concurrency, which meant that all homes built in the area no longer had to meet the County's traffic performance standards. This exemption resulted in many homes being built, notwithstanding the amount of traffic generated by new residents. With limited job opportunities in the area due to the paucity of nonresidential development, most workers must leave the area in the morning and return home at night. As a result, The Acreage appears to be a textbook example of urban sprawl.

As the Central Western Communities grew, Palm Beach County began studying the area to determine how best the remaining large undeveloped parcels--including the 5,000-acre site of Indian Trails Grove--would fit into the community and remediate the land use imbalance caused by the overwhelming predominance of single-family residences in The Acreage. The objective was to ameliorate the existing pattern of development by providing more commercial opportunities, varied housing types, and a job base in conjunction with any residential development. The County first studied the area with the Midlands Study, which was completed in 1989. This was followed up by the Acreage Neighborhood Plan in 1995, the Loxahatchee Groves Neighborhood Plan in 1996, the Managed Growth Tier in 1999, and the Central Western Communities Sector Plan from 1999-2007, including the Central Western Communities Sector Plan Remedial Amendment prepared by Palm Beach County to address compliance issues with that sector plan, but which was withdrawn before going into effect. This prior planning work found ways to remediate the existing sprawl pattern while taking steps to ensure new development would be compatible with it.

The applicant has designed the Indian Trails Grove community utilizing principles contained in the Central Western Communities Sector Plan Remedial Amendment which were intended to remediate the existing sprawl pattern and complement the development pattern of the recently approved Minto West project. These design standards also are intended to make Indian Trails Grove compatible with the surrounding area of only 0.8 units per acre. The design principles required setting aside land that would not be used for development. With the applicant preserving over two-thirds of the site in open space, the area remaining for vertical development will be more compact with various commercial nodes, office, and light industrial uses provided to service the proposed residential units. Land is allocated for use as civic sites, both public and private, schools, parks, a fire station, religious institutions, and such services as day care. Through the extensive trail systems and interconnectivity, the design of the community will encourage walkability. Over 40 percent of the community is within a one-half mile radius of a

commercial node and over two-thirds of the residents will be within a one-quarter mile radius of an amenity (commercial, recreation, or civic site). Upon the written request by the ITID dated no later than January 31, 2018, a 640-acre parcel will be dedicated to the Indian Trail Improvement District to alleviate the historic drainage problems in The Acreage, which in turn will allow streets and home sites within the upper basin of The Acreage to drain quicker. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area.

The site is at the western end of The Acreage; lands to the east either have been developed or are approved for development. The site is bordered on the north and west sides by State-owned land that will never be developed. The site had been in agricultural production since the early 1960s as a citrus farm. In the early 2000s, the citrus trees became diseased due to greening and eventually died. The applicant purchased the property as the citrus production was completed and greening devastated the property.

Instead of allowing the land to sit idle, the applicant took steps to convert the site into a row crop farm. This transformation entailed knocking down dead trees, root raking the property, burning the material, and then de-rocking the site. The property was filled with a cap rock, which had large veins running great distances throughout the property. (The ability for a row crop farmer to grow crops would be impaired if the rocks had remained because phosphorus levels would be too high and the plants would lack the required nutrients to thrive.) Once these activities were completed, the site had to be leveled. It took approximately five years to complete the majority of the conversion. Today, the property is leased to farmers who grow sugar cane, peppers, beans, squash, Chinese vegetables, and other crops. The applicant is committed to keeping a minimum of 1,000 acres in active agriculture. Until the drainage component of the plan is implemented to facilitate drainage in The Acreage, approximately 1,708 acres will remain in agriculture.

The Indian Trails Grove plan amendment discourages the proliferation of urban sprawl because it satisfies all eight of the following criteria, as set forth in section 163.3177(6)(a)9.b., Florida Statutes.

1. 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.

The Indian Trails Grove site has been heavily disturbed since the early 1960s, when the site was initially cleared for a large citrus grove agricultural operation. The citrus grove operation included the removal of most of the site's natural vegetation (except for several isolated and small wetland areas), installation of drainage ditches, and the construction of several farm-related structures to manage and maintain the citrus grove operation. By 2005, the detrimental effects of citrus greening had devastated the citrus grove operation and the citrus grove had effectively ceased operation. Upon acquisition of the property

in 2005, Palm Beach West Associates I, LLLP (current owner) started the conversion of the property from the prior citrus grove into active agricultural production. The initial impact relative to natural resources and ecosystems, therefore, occurred when the land was initially cleared and drained for the citrus grove operation in the early 1960s and is not the result of, nor adversely impacted by, the development proposed with this amendment. The site contains no significant habitat or other natural feature that warrants protection, according to the CPA Environmental Assessment prepared by WGI. All wetlands remaining on the site have been highly impacted by exotic and nuisance plant species and are isolated by the active farm fields. No state or federal listed plant or wildlife species have been identified. Therefore, the site is suitable for development.

Article 1 of the ULDC defines open space as, “land reserved for or shown on an approved plan, such as but not limited to: easements, preservation, conservation, wetlands, well site dedicated to PBCWUD, recreation, greenway, landscaping, landscape buffer, and water management tracts”). The amendment for Indian Trails Grove directs new vertical development to land areas constituting no more than 33.33 percent of the total site; meaning the developer is committing that a minimum of 66.67 percent of the total land area will remain in some form of open space (the minimum 66.67 percent of open space hereinafter referred as “Required Open Space”). The developer is also committing that a minimum of 50 percent of the total site will remain in some form of exterior open space. Exterior open space shall be limited to preservation, conservation, passive and/or active recreation, perimeter landscape buffers, rural parkways, pedestrian pathways, wetlands, bona fide agriculture, regional water management, fallow land, perimeter water management areas, public and/or private civic uses, and/or, equestrian uses (hereinafter referred to as “Exterior Open Space”). Perimeter water management areas shall only count as Exterior Open Space if the water management area is accessible to the general public from a publically accessible buffer or open space tract that includes a minimum 8-foot wide paved pedestrian pathway that connects the perimeter of the site to the water management area, and the water management area is available for use by the general public for fishing and non-motorized boating activities. The residual open space areas (i.e. the areas within the 66.67 percent of Required Open Space, but not within the Exterior Open Space areas) constitute the land within the developable portion of the site that is utilized for open space uses (as defined in Article 1 of the ULDC above) (hereafter referred to as “Interior Open Space”). Said another way, the area eligible for vertical development within Indian Trails Grove is limited to a maximum of 33.33 percent of the overall site (hereinafter “Vertical Development Area”); 1,624 acres being the resulting Vertical Development Area.

The amendment directs future development to a specific geographic area in the Central Western Communities that will not have an adverse impact on natural resources and ecosystems. The design of Indian Trails Grove will protect adjacent natural resources and ecosystems. Those resources include the Moss Tract west of the site and the Corbett Wildlife Management Area (Corbett WMA) north and west of the site. To protect these

natural resources and systems, the amendment provides 1,708 acres of contiguous open space (the 1,068 acres being part of the Exterior Open Space) on the western and northern perimeters of the site, buffering the Moss Tract and Corbett WMA from potential effects of future development and directs growth away from them.

As the result, this open space provides: (1) a minimum one-half mile separation from the developable area to the Corbett WMA area located to the north and east of S17/T42/R40; (2) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the north and west of S18/T42/R40; (3) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the west of S19/T42/R40; (4) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the west of S30/T42/R40; (5) a minimum one-half mile separation from the developable area to the Corbett/Moss area located on the west side of S31/T42/R40; (6) a minimum of 250 feet of separation from the developable area to the Corbett WMA area located to the north of S21/T42/R40; and, (7) a minimum of 250 feet of separation from the developable area to the Corbett WMA located to the northeast of S20/T42/R40. The 250-foot separation from the Corbett WMD/Moss Tract for Sections 21 and 20 is five times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC, which requires, “a reduction in building intensity near natural areas and preserve areas by the creation of a minimum 50 foot buffer zone.” The one-half mile separation from the Corbett WMD/Moss Tract for Sections 17, 18, 19, 30, and 31 is fifty times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

Relative to the freestanding parcel located on the southern side of the project (known as the Cowan property), it is noted that the Cowan property is located in an area surrounded by large-lot single-family home sites, existing agricultural operations and landscape nursery operations (to the north, west and south) and to the east by the City of West Palm Beach ‘M’ Canal and then the western limits of the Minto West project/native transect element. The Indian Trails Grove plan provides a minimum 250-foot separation from the developable area to the lands to the west, south, east, and a majority of the land to the north (less the civic and commercial nodes located south of the intersection of 60th Street and 190th Street) of the site. The maximum required buffer width of a PUD adjacent to an agricultural use pursuant to Table 7.F.9.B. of the ULDC is a 20’ Type 3 Buffer. Within the AGR Tier, the maximum required buffer between the PUD development area and an adjacent agricultural property is 50 feet (3.E.2.F.4.d). The 250 feet provided is 12 times the minimum required by Table 7.F.9.B. of the ULDC and 5 times the minimum required for a PUD development parcel in the AGR Tier adjacent to an agricultural use.

The Indian Trails Grove plan directs development away from adjoining properties and existing natural resources and ecosystems by providing significant spatial separations to adjoining lands. These separations are a minimum five times that required under the current ULDC regulations, and, relative to the Corbett WMD/Moss Tract, in many places

fifty times that required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

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

The amendment promotes the efficient and cost-effective provision or extension of public infrastructure and services. As noted in the introduction, The Acreage is characterized by large-lot (minimum 1 unit per 1¼ acres) single-family homes on well and septic systems, serviced by a grid roadway network consisting of both paved and dirt roadways, swale drainage, limited non-residential development, limited civic, and limited neighborhood related active recreational opportunities. As The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (0.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- All residential units will be serviced by central potable water and sanitary sewer from the Palm Beach County Water Utilities Department (PBCWUD) which has the capacity and has already invested public infrastructure improvements in this area to accommodate growth plans that never materialized and that are currently under-utilized;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;
- All uses are serviced by paved roadways;
- A total 300,000 square feet of retail and 50,000 square feet of office uses are provided to service the neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage; and,
- Meets or exceeds the ULDC requirements for a PUD for both recreation (minimum of 0.006 acres per unit) and public/private civic dedication (minimum of 2 percent of the total PUD).

Recently, the County approved a large scale Traditional Town Development known as Minto West. Minto West is located proximate to this development (due east of Cowan).

Like Minto West, this amendment seeks to remediate the existing land use imbalance in The Acreage and other portions of the Central Western communities through a mix of land uses and cost-effective public infrastructure and services, as follows:

Water and Wastewater: Water and wastewater lines already exist adjacent to or near the site, including a 12-inch water main and an 8-inch force main along Hamlin Boulevard at PBC Park “F” and a 30-inch water main and 20-inch force main along Seminole Pratt Whitney Road at 64th Place North. Treatment capacity exists at current water and wastewater treatment plants, as confirmed by PBCWUD by letter dated November 2, 2015. Adequate capacity exists to meet the required level of service for 3,897 residential units, 300,000 square feet of retail and 50,000 square feet of office use.

The cost of providing water and wastewater service to the site will be paid for entirely by the developer pursuant to the Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, LP/Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book 18924, Page 0357 on July 19, 2005. See Attachment I.

Additionally, Indian Trails Grove will create a loop of water mains that will create an opportunity for existing residents to get off individual wells and tap into the central potable water system.

Drainage: The L-8 canal adjacent to the site will provide legal positive outfall. No new drainage facilities will be needed to serve the site, except for on-site retention facilities to be constructed at the developer’s expense.

In addition, Indian Trails Grove will provide for a 640-acre expansion to the existing Indian Trails Improvement District Impoundment site. When completed, this impoundment expansion will alleviate existing flooding issues in the Acreage’s upper basin by providing up to 5,000 acre-feet of additional water storage capacity. Without the 640-acre expansion area, the opportunity to improve the drainage capacity of The Acreage’s upper basin is severely limited.

Public Schools: By letter dated August 12, 2015, the Palm Beach County School District has determined that the adjacent schools, plus those in adjacent concurrency service areas, have adequate capacity to accommodate projected enrollment from Indian Trails Grove.

If additional school capacity is needed in the future, the Palm Beach County School District currently has a vacant site for a high school adjacent to Indian Trails Grove. In addition, the plan for Indian Trails Grove designates civic sites that are suitable for a future elementary school and a future middle school, if needed.

Parks: The 57-acre Samuel Friedland Park (a/k/a District Park “F”) is located adjacent to the site and includes ballfields, soccer fields and other facilities for active recreation. In addition, the amendment designates more than 40 acres adjacent to the District Park “F” for a future expansion to be undertaken by Palm Beach County. This 40-acre addition would provide access from District Park “F” to the Corbett WMA.

Transportation: The site is adjacent to existing roads of 180th Ave. North, Orange Blvd, 60th Street North, and Hamlin Blvd. that will serve Indian Trails Grove. Nevertheless, the amendment will ensure a development form and transportation options that reduce the need for expansion of existing roads in the Central Western Communities through 22 percent internal capture. Transportation options include the commitment for a trolley to provide service from homes in Indian Trails Grove to on-site non-residential uses. In addition, the trolley will take Indian Trails Grove residents to commercial areas within the Minto West project, in part reducing vehicular trips on external roads. The commitment to the trolley includes the following:

- 1) The trolley will commence operations upon the receipt of 1,000 Certificates of Occupancy within the development;
- 2) The trolley will be free to the residents of the development;
- 3) The trolley will provide services, at a minimum, from 7:00 AM to 10:00 PM, seven days a week;
- 4) The trolley will service and have stops along Carol Street, Indian Trails Blvd., 190th Street North, Orange Blvd. and the 60th Street North, at various locations;
- 5) The trolley will include stops at all three commercial nodes;
- 6) The trolley will include stops at the private recreation site located along 190th Street North;
- 7) The trolley will include as part of its route travel along 60th Street North to the non-residential elements of the Minto West development;
- 8) The trolley will continue service unless the service obligation is waived by the Board of County Commissioners due to low ridership;
- 9) The trolley will be maintained by the developer, its successors and assigns, at no cost and expense to Palm Beach County; and,
- 10) The developer, its successors and assigns, will keep a monitoring log of the ridership and provide to the County upon request.

The plan also includes an 11.5-mile system of 8 foot wide pedestrian/bicycle trails and 17 miles of equestrian trails to give residents non-vehicular transportation options/choices for visiting stores, parks, schools, and other venues within Indian Trails Grove. The 11.5-mile system of 8-foot wide pedestrian trails/bicycle trails and 17 miles of equestrian trails will be available for use by the general public and the developer will ensure that all future successors and assigns cannot preclude public accessibility to these areas.

The amendment includes a commitment to provide on-site Palm Tran bus shelter

easements at various locations within the community in the event that Palm Beach County decides in the future to extend bus service to the area.

The amendment will result in the following roadway improvements being made by the developer at no cost to the County:

- 1) Extension of 60th Street North from Seminole Pratt Whitney Road to the western most point on ingress/egress on the Cowan property;
- 2) Extension of 190th Street North from 60th Street North to Hamlin Blvd.;
- 3) Extension of Orange Blvd. from 180th Ave. North to 190th Street North; and,
- 4) Connection of Hamlin Boulevard from 190th Street North to the present terminus of Hamlin Blvd. west of 180th Ave. North.

These features of the plan are intended to reduce demand on the road capacity in the Central Western Communities. Where capacity enhancements are needed, the applicant will pay its proportionate share to mitigate off-site transportation impacts consistent with the Traffic Impact Statement prepared by Simmons & White. In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

To summarize the developer's commitments and the many public benefits derived by this project:

- A minimum of 1,000 acres of the subject site will remain in bona fide agricultural use;
- Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area;
- A minimum of 66.67 percent of the overall site shall remain in Required Open Space;
- A minimum of 50 percent of the overall site shall remain in Exterior Open Space. It is noted that the 1,000 acres of bona fide agriculture and 640 acres for the ITID are part of the Exterior Open Space;
- A minimum of 47 acres for commercial services will be provided within three commercial nodes to service the needs of the residents;
- A minimum of 125 acres for public and private civic sites, when only 97.4 acres are required (2% of 4,871 acres per Table 3.E.2.C. of the ULDC). Of the 125 acres, a minimum of 63 acres will be conveyed to the School District of Palm Beach County for use as future school sites, subject to the School District of Palm Beach County agreeing that should the site not be utilized for a future school site, the land

would revert back to Palm Beach County. Of the 125 acres, another 5 acres is allocated for and will be dedicated to Palm Beach County for a future Fire-Rescue station, which was identified by the provider as being needed in the geographic area;

- Improve 60th Street North from Seminole Pratt Whitney Road to the western most point on ingress/egress on the Cowan property; improve 190th Street North from 60th Street North to Hamlin Blvd.; improve Orange Blvd. from its present terminus at 180th Ave to 190th Street North; and, connect Hamlin Boulevard from 190th Street North to the present terminus of Hamlin Blvd. west of 180th Ave. North;
- Provide a minimum of 53 acres of on-site recreation for the residents when the code requires 23.4 acres (per Table 3.E.2.C. of the ULDC); Provide that any water management tract that counts towards Exterior Open Space shall: (1) be accessible to the general public via an 8 foot wide paved pedestrian pathway adjacent to some part of the water management tract; and (2) is usable by the general public for fishing and non-motorized boating activities; and, (3) the developers, its successors and assigns, shall ensure that any water management tract that counts towards Exterior Open Space shall remain open to the general public for those uses and that no future HOA Board can restrict or otherwise prohibit access to the general public;
- 11.5 miles of 8' wide paved pedestrian pathways open to the general public;
- 17 miles of equestrian trails open to the general public;
- Rural Parkways as follows: (1) 180th Ave. North from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. (2) 190th Street North adjacent to the developable area of Indian Trails Grove PUD, a minimum of 50 feet wide easement in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed within the parkway easements at the intersection of 190th Street North and Hamlin Blvd. (3) Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be permitted on the eastern limits of this parkway easement. (4) Orange Blvd. from Hamlin Blvd. to 190th Street North, a minimum of 50 feet wide easement on the south side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. (5) 60th Street North from the eastern limits of the Indian Trails Grove PUD (Cowan parcel), a minimum of 50 feet wide easement adjacent to the south side of 60th Street North, in order

to accommodate a multipurpose paved pedestrian pathway (from the eastern limits of the PUD to the westernmost PUD entrance on the Cowan parcel) and equestrian trail (from the eastern limits of the PUD to the western limits of the PUD (Cowan parcel)) with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements; a project entry sign shall be permitted at the eastern end of this parkway easement.

- Perimeter buffers (to the extent not covered by a Rural Parkway), a minimum of 50 feet wide adjacent to the developable portion of the project;
- Provision of Palm Tran Bus Easements in the event service is provided in the future; and,
- In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

All the above improvements/dedications are being made at no cost to Palm Beach County to reduce the cost of the provision of infrastructure and therefore promote the efficient and cost-effective provision or extension of public infrastructure and services.

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

Promotes walkable and connected communities. The amendment will create a “pedestrian-friendly environment” by providing walkable and connected communities through continuous 8-foot wide paved pedestrian/bicycle pathways and 5-foot wide paved sidewalks. More than 11.5 miles of 8-foot wide paved pedestrian/bicycle pathways sidewalks are provided, in combination with and connecting to 5-foot wide sidewalks on every local residential street, for walking and biking, provides connectivity from every home to every other home, and to all civic, recreational and commercial uses within the project. Furthermore, wherever communities are not bifurcated by a collector road, pathways are provided to connect communities without having to traverse the external pathway network. The 8-foot wide paved pedestrian pathways will not be gated or secured in any manner; they will be open to the general public. These pathways connect to the lands to the west of the site, such that residents and others can access the pedestrian pathway system for the entire community.

Provides for compact development. The development portion of the plan is compacted to less than 50 percent of the site, with the Vertical Development Area further limited to a maximum of 33.33 percent of the site.

This design, coupled with the location of shopping and employment opportunities at several locations within the site, will result in more than two-thirds of the residential units

being located within one quarter-mile radius of commercial, civic, or recreation uses, with one-quarter mile to one-half mile being generally accepted as “walkable clusters”.

The development plan provides for three intensities of residential development: High, Medium and Low. High density pods are located adjacent to all three commercial nodes, and all the High density units are located within a one-quarter mile radius of the commercial nodes. Medium density pods are situated between the commercial nodes/high density pods and the low density pods. The lower density pods then radiate outward from the medium density pods towards the perimeter of the development site, thereby ensuring that the lower density areas (those areas of single family homes) are located proximate to the adjacent single family residential homes on the perimeter of the development to ensure compatibility of use. This transition of density, from higher elements at the core to the lower elements at the perimeter, serves to establish a logical and orderly transition of density from the commercial nodes to the perimeter of the site. This transition of density allows for compaction of use and a logical and orderly development pattern as the higher density elements (townhomes and zero lot line units) are proximate to the core and the larger single family units are proximate to the perimeter of the site.

The minimum and maximum acreages and minimum and maximum net density of the High, Medium and Low density housing is reflected on Table 1 below, which corresponds to the same categories on the development plan.

Overall, the developer is making the following commitments relative to clustering of residential development to the non-residential elements of the development plan:

- 20 percent of the total units shall be located within one-quarter mile radius of the commercial nodes;
- 40 percent of the total units shall be located within one-half mile radius of the commercial nodes.
- Over two-thirds of the total units shall be located within one-quarter mile radius of commercial, recreational, or civic uses.

**Table 1: Land Use Mix
SITE DATA TABLE**

High Density Residential				
Unit Type	Land Area		Net Density DU/Acre	
	Min. Acres	Max. Acres	Min.	Max.
High Density 1 (ZLL & TH)	62	94	5.00	7.00
High Density 2 (ZLL)	65	98	3.00	5.00
Medium Density Residential				
Unit Type	Land Area		Net Density DU/Acre	
	Min. Acres	Max. Acres	Min.	Max.
ZLL & SF	346	519	2.00	4.00
Low Density Residential				
Unit Type	Land Area		Net Density DU/Acre	
	Min. Acres	Max. Acres	Min.	Max.
SF	942	1413	1.00	3.00
MAXIMUM NUMBER OF RESIDENTIAL UNITS - 3,897 (00.80 du/ac.) (High Density, Medium Density and Low Density Residential)				

Open Space		
	Min. %	Max. %
Total Required Open Space	66.67%	80.00 %
Exterior Open Space	50.00%	70.00 %
Civic Requirement		
	Min. %	Max. %
Total Civic	2.00%	4.00%
Commercial Requirement		
	Min. Acres	Max Acres
Total Commercial	47	56
Recreation Requirement		
	Min. Acres	Max Acres
(3,897 Residential Units)		
.006 acres per unit	24	65

Note: Exterior Open Space is included in Total Open Space.

Note: Commercial includes: 300,000 SF Retail and 50,000 SF Office. 47 acres being 2% of the developable area (total acreage less EXTERIOR open space).

Provides for a mix of uses at densities and intensities that will support a range of housing choices. The mix of commercial, civic, and recreation uses on the site will provide a basis for a range of housing choices. These will include townhomes, zero lot line homes, and a minimum of 3 different lot sizes for single family homes ranging from 65' wide lots to over 100' wide lots. In addition, the applicant has committed that 10 percent (10%) of the on-site for-sale residential units will meet criteria for Workforce Housing Units (as defined in Article 5 of the ULDC) with limitations on sales prices/affordability ranges. The chart in the preceding section shows the allocation of housing types within the respective categories of High density, Medium density and Low density.

Provides for a multimodal transportation system, including pedestrian, bicycle, and transit, if available. Given the absence of public transportation in the Central Western Communities, Indian Trails Grove has been designed to provide as many transportation options as reasonably possible. These options include the commitment for a trolley to provide transportation service from homes in Indian Trails Grove to on-site non-residential development as well as commercial areas of the Minto West project, reducing vehicular trips on external roads. In addition, the plan includes an 11.5-mile system of pedestrian and bicycle trails and 17 miles of equestrian trails. The amendment also includes a commitment to provide on-site Palm Tran bus shelters in the event that Palm Beach County decides in the future to extend bus service to the area.

4. Promotes conservation of water and energy.

By concentrating the developable portion of the site to less than one-half of the overall, the master plan promotes conservation of water and energy through site design. The preservation of 1,000 acres for agricultural production and dedication of 640 acres for the Indian Trails Improvement District (ITID) along the western limits of the site, the resulting development pattern reduces the travel distance to the on-site centers and civic areas for shopping, work, and recreation, which reduces energy consumption. The clustering of units onto a smaller portion of the site, as opposed to a development pattern of 1 unit per 1 and one-quarter acres over the entirety of the site, results in a more compact development pattern. While the overall density of the development plan is the same density as The Acreage (0.8 du/acre), the development plan is designed to concentrate development on a smaller footprint of the site (again less than 50 percent) through the clustering of units, density range, allocation of non-residential uses throughout the development plan, and the transition of uses from the core to the perimeter. Through these measures, a more balanced development pattern is created than that which exists exterior to the site. The result promotes a more compact form of development that promotes conservation of water and energy that than which exists exterior to the site.

In addition, the amendment will promote conservation of water and energy through the following commitments for Indian Trails Grove:

Table 2: Energy and Water Conservation Commitments

Item	Category	Feature	FL Bldg. Code Requires	GL Homes Provides Per Unit	Benefit
1	Energy Conservation	Leak Free Ducts	No Requirement	Leak Free Duct Test	Leaky duct systems typically add 20-40% to the heating and cooling costs on a monthly utility bill.
2	Energy Conservation	Thermostat	Manual Thermostat	Programmable Thermostat	Substantial energy savings are realized when the home is not occupied.
3	Energy Conservation	HVAC Equipment	14 SEER	16 SEER	Energy efficient central air conditioners use 8% less energy than conventional new models.
4	Energy Conservation	Refrigerator	No Requirement	Energy Star Refrigerator	Energy Star refrigerators are 9% more efficient than models meeting minimum federal standards.
5	Energy Conservation	Windows	Average SHGC=0.50	Low E Double Pane Insulated Windows (Average SHGC = 0.32)	As much as 25% of a home's energy can be lost through windows. A lower Solar Heat Gain Coefficient (SHGC) is more energy efficient.
6	Energy Conservation	Home Energy Monitor	No Requirement	Home Energy Monitor	Displays energy consumption in real time. The information encourages implementation of energy efficient practices and cost savings.
7	Energy Conservation	Car Charging Station	No Requirement	Car Charging Station	A car-charging station in each home garage will encourage the use of electric vehicles.
8	Energy Conservation	Attic Insulation	R-19	R-30	As much as 25% of a home's energy can be

					lost through the roof. Better insulation will reduce heat loss/gain in the home.
9	Energy Conservation	Waste Management	No Requirement	A construction waste management plan will be posted at the jobsite. Recycled waste reports will be received that specify weight of all recycled materials.	Recycled construction materials (e.g., wood, cardboard, metals, drywall, plastic, or concrete) can be recycled offsite, diverting waste from landfills. It conserves energy because it takes less energy to manufacture products from recycled materials.
10	Water Conservation	Dishwasher	No Requirement	Energy Star Dishwasher	Energy Star dishwashers save, on average, 1,600 gallons over a lifetime.
11	Water Conservation	Lavatory Faucets	2.2 Gal/minute	1.5 Gal/minute	Saves the average family 700 gallons per year for each home.
12	Water Conservation	Toilets	1.6 Gal/flush	1.28 Gal/flush	Saves approximately 13,000 gallons per year for each home.
13	Water Conservation	Irrigation Water Source	No Requirement	Use recycled stormwater runoff within the community for irrigation. Pumps will draw from stormwater retention ponds.	35% of the water used in an average U.S. home is used for landscape irrigation.
14	Water Conservation	Irrigation Design	No Requirement	Irrigation system has two zones: Zone 1 for beds and Zone 2 for turf.	Uses 25-40% less water than conventional irrigation system.
15	Water Conservation	Irrigation Design	No Requirement	Drip irrigation installed in the landscape beds.	Drip irrigation provides water to plant roots. There is much less water lost to runoff, evaporation, and wind drift.
16	Water Conservation	Smart Irrigation Controllers	No Requirement	The irrigation system(s) is controlled by smart	Experts estimate that as much as 50 percent of irrigation water is wasted

				controller(s) - Evapotranspiration (ET) based irrigation controller with an integrated weather station or a soil moisture sensor based irrigation controller.	due to overwatering caused by inefficiencies in irrigation methods and systems. Irrigation control technologies can significantly reduce overwatering by applying water only when plants need it.
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Also, depending on the final design of the 640 acres by the ITID, the 640 acres could provide up to 5,000 acre feet of additional water storage capacity in the northern basin of the ITID.

5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

The Indian Trails Grove site contains active row-crop farming for such produce as sugar cane, tomatoes, green beans, peppers, squash, and Chinese vegetables. The amendment provides for a minimum of 1,000 acres of active agriculture to continue on-site after development, as part of the 1,708 acres of open space set aside on the western side of the site. It is noted that prior to acquisition of the site by the applicant, a majority of the site was a defunct citrus grove. The applicant undertook the efforts to convert the defunct citrus grove to active agricultural and is committing to keeping a minimum of 1,000 acres in active agricultural production. In addition, as part of the 1,708 acre set aside, 640 acres will be dedicated to the ITID. Until the 640 acres is dedicated, almost 1,700 acres will remain in active agriculture. It should be noted that farmland is typically privately owned and operated, and therefore does not constitute a type of use that should be construed as being accessible or usable by the general public, even though the use itself is an open space.

The clustering of development on less than 50 percent of the site also serves to preserve existing farmland. A development pattern similar to The Acreage (one home per one and one-quarter acres) would use the entirety of the site in a sprawl-like development pattern and result in the loss of 100 percent of the site for agricultural production. By clustering, a minimum of 1,000 acres will be retained in active farming while achieving other public benefits for the Central Western Communities.

6. Preserves open space and natural lands and provides for public open space and recreation needs.

Preserves open space and natural lands. Although there are no on-site natural features that warrant preservation, the amendment provides that a minimum of 66.67 percent of the site will be retained in Required Open Space. As noted above, more than 50 percent of the site will be retained in Exterior Open Space. This includes areas for water resources and agricultural production, and other perimeter open space uses such as lakes, greenway buffers and trails. This Exterior Open Space is in addition to the Interior Open Space areas located within the developable portion of the project. As a result of both the Exterior Open Space and Interior Open Space, only 1/3 of the overall site is eligible for use in Vertical Development Area.

By strategically locating more than 50 percent of the open space on the perimeter of the site, the adjoining State-owned Moss property and Corbett WMA are protected from further encroachment of residential development.

Provides for public open space and recreation needs. The amendment provides for ample lands for recreation and usable open space. These components of the master plan include a 42-acre parcel as an addition to the District Park “F”; a new 22-acre park site; 17 miles of equestrian trails; and 11.5 miles of pedestrian and bicycle pathways (not including sidewalks within residential areas). In addition, the plan provides for an expansive perimeter lake system that likewise will be open to the general public for uses such as for fishing and non-motorized boating activities. While the developer, its successors and assigns, will own and be responsible for the ongoing maintenance of the perimeter lake system, the perimeter lake system will remain open to the general public and connection to same will be provided through the 8-foot paved pedestrian pathways and adjoining buffer areas, which also shall remain open to the general public. No gates will preclude public access to the paved pedestrian pathway system or equestrian trail system.

In addition to these facilities available to the general public, Indian Trails Grove will provide additional recreational facilities for the use of residents. These include clubhouses, tennis courts, swimming pools, fitness facilities, and playgrounds, which constitute over 53 acres of the project.

7. Creates a balance of land uses based upon the demands of the residential population to the nonresidential needs of an area.

The site will include 300,000 square feet of retail and 50,000 square feet of office use, located in three nodes—to provide shopping and employment options for residents of Indian Trails Grove. In addition, the extensive recreation and open space system included within the plan will ensure that residents will be able to meet all their recreational needs within Indian Trails Grove. Adjacent elementary and middle schools will serve residents, and additional school sites are provided on-site in case they are needed as the project

builds out. Community services such as religious institutions and day-care also can be provided on-site through several private civic sites.

As noted in the Indian Trails Non Residential Intensity Analysis performed by Warner Real Estate Advisors, Inc., revised 11/2/2015:

- The Study Area will have a built out population of over 93,000 people (See Table 1 and Appendix A of the above referenced study);
- The study area currently has over 5.7 million sq. ft. of existing and approved commercial and industrial uses, excluding the 300,000 sq. ft. of commercial and 50,000 sq. ft. of office proposed in this application (See Table 2 and Appendix B of the above referenced study);
- Overall, Indian Trails Grove will also support additional supply of non-residential uses which, in part, will be provided by the adjoining and recently approved Minto West that contained over 2 million square feet of commercial, office and employment center uses. (See Table 3 of the above referenced study, provided below).

Indian Trails Grove Commercial is proposed to be three separate centers with a total of 300,000 square feet of retail and 50,000 square feet of office. The North Center is planned for 125,000 square feet of retail, the Central Center for 100,000 square feet of retail, and the South Center for 75,000 square Feet of retail. The office and light industrial areas have not specifically been designated, and the light industrial area will most likely allow any of the Economic Development Center Uses allowed under the ULDC.

Per the Urban Land Institute definitions 1, one of the centers could be considered a community center, and one a neighborhood center. The Central Center could be considered neighborhood or community, depending upon the tenants. However, for this analysis, the three centers were analyzed for aggregate use and not for their site-specific location, which is appropriate for a non-residential needs analysis.

Table 3 Supply and Demand Analysis

Study Area – Supply Demand Non Residential									
Land Use	SF Per Capita	Peak Population Study Area including ITG and MW	Study Area Demand	Supply Built	Supply FLU/Approved (including MW)	ITG New Supply	Total Supply	Surplus / Deficit	Supply Demand Ratio
Commercial Uses	47	93,385	4,389,116	1,198,984	1,295,285	300,000	2,794,269	(1,594,847)	63.7%
Commercial Office Uses	24	93,385	2,241,251	360,643	754,800	50,000	1,165,443	(1,075,808)	52.0%
Light Industrial R & D	35	93,385	3,268,491	30,412	1,050,000	-	1,080,412	(2,188,079)	33.1%
Civic Uses / College	20	93,385	1,867,709	445,917	620,443	-	1,066,360	(801,349)	57.1%

Note: No market factor has been applied.

¹ Per the Urban Land Institute, "A neighborhood center's typical size is about 60,000 square feet of gross leasable area, but in practice, it may range from 30,000 to 100,000 or more square feet." Neighborhood centers sell convenience goods, groceries and personal services to the immediate neighborhood community. The typical market area for a neighborhood center is a 10-minute drive time.

"A community center's typical size is about 150,000 square feet of gross leasable area, but in practice, it may range from 100,000 to 500,000 or more square feet. Centers that fit the general profile of a community center but contain more than 250,000 square feet are classified as super community centers." Community centers sell a wider range of products that includes apparel, building materials/hardware and appliances. The typical market area for a community retail center is a 20-minute drive time.

As noted above, the three commercial nodes as proposed are supported by substantive data and analysis as to demand and available supply. The proposed commercial nodes are designed to be complimentary to those uses proposed in the Minto West project while providing the convenience of location and services to the residents of the development. The clustered design of the plan ensures that 20 percent of the units are within one-quarter mile radius of one of the three commercial nodes and 40 percent of the units are within one-half mile radius of one of the three nodes, with one-quarter mile to one-half mile being generally accepted as "walkable" clusters. The design supports the synergy of the residential elements to the non-residential elements. Minto West is generally construed to be the regional hub in the emerging Central Western Communities, and Indian Trails Grove will be one spoke to the hub. The commercial elements of Indian Trails Grove will complement the Minto West regional uses, while providing the appropriate level of non-residential development to serve the proposed community on site. The location of Indian Trails Grove does not support the level of regional activity

approved in Minto West, the data supporting that the 350,000 square feet proposed is appropriate for the level of development activity being sought with this application.

8. 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.

The amendment will help to remediate the sprawl pattern in the Central Western Communities as typified by The Acreage, with its 1 unit / 1.25 acre gross density and a land use imbalance with over 15,000 residential lots (number of lots in The Acreage) and limited non-residential development to provide jobs and services that meet residents' daily needs.

By contrast, Indian Trails Grove provides a mix of uses with 350,000 square feet of retail and office to accompany the 3,897 residential units. This balance will provide a better jobs / housing ratio than older neighborhoods in this part of Palm Beach County. Additionally, Indian Trails Grove will promote a more balanced land use pattern through the provision of land areas dedicated for public and private civic uses in the form of parks, schools, religious institutions, day care, etc., and recreational areas.

These various uses (civic and recreation) are organized into an urban form with other non-residential development, including neighborhood commercial nodes that will meet residents' daily needs, located within a short distance from a majority of homes. So it will be possible for a majority of residents (over two-thirds) to walk or ride a bike for one-quarter mile radius to a commercial node, civic or recreational amenity. The plan's design also will result in a range of housing choices, such as townhomes, zero-lot homes, and at least three different lot sizes for single-family detached dwellings.

Given the absence of public transportation in the Central Western Communities, Indian Trails Grove has been designed to provide as many transportation options as reasonably possible. These options include the commitment for a trolley to provide transportation service from homes in Indian Trails Grove to on-site non-residential development as well as commercial areas of the Minto West project, reducing vehicular trips on external roads. In addition, the plan includes an 11.5-mile system of pedestrian and bicycle trails and 17 miles of equestrian trails. The amendment also includes a commitment to provide on-site Palm Tran bus shelters in the event that Palm Beach County decides in the future to extend bus service to the area.

This plan will help to remediate serious infrastructure deficiencies from the existing development pattern in the Central Western Communities. For example, Indian Trails Grove is designed to provide for a 640-acre expansion to the existing Indian Trails

Improvement District Impoundment site, which upon completion will alleviate existing flooding issues in the Acreage's upper basin by providing up to 5,000 acre-feet of additional water storage capacity.

CONCLUSION

The design and other commitments for Indian Trails Grove, as described above, demonstrate that the amendment will discourage the proliferation of urban sprawl based on the criteria set forth in section 163.3177(6)(a)9.b., F.S. The design of the community reduces many of the sprawl characteristics and imbalances of the Acreage and will provide opportunities for current and future residents which are not currently being served by the area through the following public benefits:

- A minimum of 1,000 acres of the subject site will remain in bona fide agricultural use;
- Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area;
- A minimum of 66.67 percent of the overall site shall remain in Required Open Space;
- A minimum of 50 percent of the overall site shall remain in Exterior Open Space. It is noted that the 1,000 acres of bona fide agriculture and 640 acres for the ITID are part of the Exterior Open Space;
- A minimum of 47 acres for commercial services will be provided within three commercial nodes to service the needs of the residents;
- A minimum of 125 acres for public and private civic sites, when only 97.4 acres are required (2% of 4,871 acres per Table 3.E.2.C. of the ULDC). Of the 125 acres, a minimum of 40 acres will be conveyed to the School District of Palm Beach County for use as future school sites, subject to the School District of Palm Beach County agreeing that should the site not be utilized for a future school site, the land would revert back to Palm Beach County. Of the 125 acres, another 5 acres is allocated for and will be dedicated to Palm Beach County for a future Fire-Rescue station, which was identified by the provider as being needed in the geographic area;
- Improve 60th Street North from Seminole Pratt Whitney Road to the western most point on ingress/egress on the Cowan property; improve 190th Street North from 60th Street North to Hamlin Blvd.; improve Orange Blvd. from its present terminus at 180th Ave to 190th Street North; and, connect Hamlin Boulevard from 190th Street North to the present terminus of Hamlin Blvd. west of 180th Ave. North;

- Provide a minimum of 53 acres of on-site recreation for the residents when the code requires 24 acres (per Table 3.E.2.C. of the ULDC); Provide that any water management tract that counts towards Exterior Open Space shall: (1) be accessible to the general public via an 8 foot wide paved pedestrian pathway adjacent to some part of the water management tract; and (2) is usable by the general public for fishing and non-motorized boating activities; and, (3) the developers, its successors and assigns, shall ensure that any water management tract that counts towards Exterior Open Space shall remain open to the general public for those uses and that no future HOA Board can restrict or otherwise prohibit access to the general public;
- 11 miles of 8' wide paved pedestrian pathways open to the general public;
- 17.5 miles of equestrian trails open to the general public;
- Rural Parkways as follows: Rural Parkways as follows: (1) 180th Ave. North from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed in the parkway easement at the southern limits adjacent to Orange Blvd. (2) 190th Street North adjacent to the developable area of Indian Trails Grove PUD, a minimum of 50 feet wide easement in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed within the parkway easements at the intersection of 190th Street North and Hamlin Blvd. (3) Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be permitted on the eastern limits of this parkway easement. (4) Orange Blvd. from Hamlin Blvd. to 190th Street North, a minimum of 50 feet wide easement on the south side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. (5) 60th Street North from the eastern limits of the Indian Trails Grove PUD (Cowan parcel), a minimum of 50 feet wide easement adjacent to the south side of 60th Street North, in order to accommodate a multipurpose paved pedestrian pathway (from the eastern limits of the PUD to the westernmost PUD entrance on the Cowan parcel) and equestrian trail (from the eastern limits of the PUD to the western limits of the PUD (Cowan parcel)) with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements; a

project entry sign shall be permitted at the eastern end of this parkway easement.

- Perimeter buffers (to the extent not covered by a Rural Parkway), a minimum of 50 feet wide adjacent to the developable portion of the project;
- Provision of Palm Tran Bus Easements in the event service is provided in the future; and,
- In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

For the reasons enumerated above, the Indian Trails Grove amendment satisfies all eight criteria for discouraging urban sprawl.

COMPREHENSIVE PLAN TEXT AMENDMENTS

1. Requested Comprehensive Plan Text Amendments:

- Add new objective and policies to the Future Land Use Element (FLUE) to create the Indian Trails Grove Overlay;
- Revise the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Indian Trail Grove Overlay (ITGO);
- Revise the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;
- Revise the Special Planning Areas Map LU 3.1 to identify the location of the Indian Trails Grove Overlay;
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190th Street
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190th Street as an 80' right of way north from 60th Street North to Orange Blvd;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as a collector roadway from Seminole Pratt Whitney Road to 190th Street;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 190th Street as a collector roadway from 60th Street North to Orange Blvd; and
- Creation of a new residential Future Land Use Atlas (FLUA) designation titled Western Communities Residential Development (WCR) along with the establishment of the subject property within the LUSA. The WCR FLUA designation shall limit the maximum residential density of the Indian Trails Grove project to 00.80 dwelling units per acre.

2. **Justification:** The creation of the Indian Trails Grove Overlay, along with the necessary map amendments, will provide the regulatory framework to allow residential development (and accessory commercial development) on the subject property while also providing protective measures that will create a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. Next, the inclusion of 60th Street North on the Thoroughfare Right of Way Identification Map TE 14.1 and Functional Classification of Roads Map TE 3.1 will ensure that the subject property contains sufficient depth, width and frontage, or appropriate access thereto, a public street shown on the Thoroughfare Right of Way Identification Map per the Planned Unit Development (PUD) design objectives found in PBC Unified Land Development

Code (ULDC) Article 3. E.1. C.1. Next, the request to exempt the Indian Trails Grove Overlay from Policy 3.5-d will provide the same flexibility provided to other large, unique projects in PBC including the Agricultural Enclave, the SR-7 Economic Development Overlay (EDO) and the Inland Logistics Center. Next, the allowance of the Indian Trails Grove Overlay to be designated as a Limited Urban Service Area (LUSA), consistent with the same allowance for the Agricultural Enclave, will ensure that adequate facilities can be provided to the overlay. Lastly, the creation of a new rural residential Future Land Use Atlas (FLUA) designation titled WCR will allow for residential density on the subject property consistent with the densities provided in the CWC Sector Plan.

3. **Consistency:** These Comprehensive Plan Text Amendments will ensure that the proposed project is compatible with the character of existing and planned development, conserve open space, promote environmental sustainability and manage water resources. More specifically, the requested Comprehensive Plan Text Amendments are consistent with the intent, objective and policies of the Comprehensive Plan (verbatim language from Plan is italicized) as follows:

OBJECTIVE 1.1 Managed Growth Tier System

Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers to:

- 1. Ensure sufficient land, facilities and services are available to maintain a variety of housing and lifestyle choices, including urban, suburban, exurban, and rural living;*
- 2. Preserve, protect, and improve the quality of natural resources, environmentally sensitive lands and systems by guiding the location, type, intensity, and form of development;*
- 3. Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;*
- 4. Enhance existing communities to improve or maintain livability, character, mobility, and identity;*
- 5. Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;*
- 6. Protect agricultural land for farm uses, including equestrian uses;*
- 7. Strengthen and diversify the County's economic base to satisfy the demands of the population for employment growth, and provide opportunities for agricultural operations and employment centers; and,*
- 8. Provide development timing and phasing mechanisms in order to prioritize the delivery of adequate facilities and services to correct deficiencies in existing communities and accommodate projected growth in a timely and cost effective manner.*

Applicant's Consistency Statement: The proposed form of development, while compatible with the density of the surrounding communities, will provide different housing and lifestyle choices from what currently exists in the Rural Tier. Next, as indicated in proposed Policy 1.12-f below, development within the Indian Trails Grove Overlay will be required to provide 66.67% open space. 33.33% of the required open space is to (1) be set aside in the form of contiguous area and shall be limited to preservation, conservation, passive recreation, wetlands, bona fide agriculture, regional water management, fallow land, and/or equestrian uses and (2) be clustered along the western edge of the Overlay. This open space will protect the natural resources and environmentally sensitive lands adjacent to the subject property by serving as a buffer between those resources and while also providing the opportunity to improve the quality of these resources through stormwater management. Next, as will be detailed in the concurrent FLUA Amendment application, the proposed development on the subject property does not encourage the proliferation of urban sprawl per Section 163.3177.(6).(a).9., Florida Statutes. Next, the Indian Trails Grove Overlay is adjacent to the western boundary of The Acreage. The proposed text amendments will ensure that development within this overlay is compatible with The Acreage by proposing a comparable density, not encroaching into the geographic boundaries of the neighborhood with development and respecting the social fabric. Next, as indicated in proposed Policy 1.12-f below, the required open space is allowed to include bona fide agriculture thus providing for the possible retention of agricultural operations within the overlay. Furthermore, the plan of development includes provisions for approximately 17 miles of equestrian trails that provide a unique design feature and a long-standing element for the central western communities.

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.*

Applicant's Consistency Statement: As will be detailed in the concurrent FLUA Amendment application the proposed FLUA designation of WCR, after analyzing the adjacent natural resources, wellfield zone locations, infrastructure, etc., will not exceed the natural or manmade constraints of the area.

Policy 2.1-b: *The County shall utilize a range of residential future land use*

categories to plan for growth and non-residential land use designations to support and serve the residential and tourist populations as described in the FLUA Regulation Section of this Element. The entitlement, minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in the FLUA Regulation Section.

Applicant's Consistency Statement: The allowance of the new WCR FLUA designation will provide an appropriate and compatible residential category in the central western communities that will support and serve the residential and tourist populations.

Policy 2.1-c: *The Comprehensive Plan shall use population projections and associated dwelling unit projections to guide public and private entities in planning for urban development and redevelopment. The projections shall also guide the location, timing and capacity of urban services and facilities, where other regulatory planning tools do not apply.*

Applicant's Consistency Statement: As will be detailed in the concurrent FLUA Amendment application population projections were analyzed to justify the need for the proposed residential and non-residential uses.

Policy 2.1-d: *The future land use designation for individual parcels shall be limited to the designations identified by the applicable Tier in Table III.C. in the FLUA Regulation Section (unless otherwise specified within this Element) and shall be shown on the Official Future Land Use Atlas (FLUA) maintained by the Planning, Zoning and Building Department. The Atlas shall depict future land use designations for all parcels in unincorporated Palm Beach County, including underlying/ alternative land uses, and the boundaries and ordinance numbers of all adopted FLUA amendments.*

Applicant's Consistency Statement: These proposed Comprehensive Plan Text Amendments propose adding the WCR FLUA designation to Table III.C to ensure consistency with this policy.

Policy 2.1-k: *Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.*

Applicant's Consistency Statement: The main intent of the proposed language for the Indian Trails Grove Overlay is to provide focused policies that address specific issues related to that portion of the central western communities. Associated map amendments are also being requested.

4. All of the above will be accomplished through the following text amendments:

i. Table of Contents – Future Land Use Element (add)

Objective 1.12 Indian Trails Grove Overlay (ITGO)

ii. **OBJECTIVE 1.4 Rural Tier**

General: The Rural Tier includes agricultural land and rural settlements that range in density from primarily 1 dwelling unit per 5 acres to 1 dwelling unit per 20 acres, except in special planning areas such as, but not limited to, the Indian Trails Grove Overlay (ITGO). These areas support large agricultural operations as well as single-family homes with small family - owned agricultural businesses, including equestrian related uses. Due to the declining availability of land and the increase in population in the Urban and Exurban Tiers, the Rural Tier is beginning to experience pressure for urban densities and nonresidential intensities normally associated with a more urban area. The strategies in the Rural Tier are established to protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that is consistent with the policies of the Rural Tier.

Objective: Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area, recognizing the existence of both large undeveloped tracts as well as areas containing densities equal to or less than 1 dwelling unit per 5 acres established prior to the adoption of the 1989 Comprehensive Plan located in proximity to environmentally sensitive natural areas while protecting the Rural Tier lifestyle. The Rural Tier shall be afforded rural levels of service, except in special planning areas such as, but not limited to, the Indian Trails Grove Overlay (ITGO).

Policy 1.4-a: The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier by:

1. Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;
2. Providing facilities and services consistent with the character of the area;
3. Preserving and enhancing natural resources; and,
4. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the rural community.

Policy 1.4-b: The Rural Residential (RR-5) Future Land Use category shall be established to maintain a rural residential lifestyle for the Rural Tier. The County will initiate an amendment to the Future Land Use Atlas to designate qualifying subdivisions which meet the criteria listed below, as RR-5:

1. The average lot size is less than 10 acres;
2. The number of lots eligible for further subdivision does not exceed 15% of the total number of existing lots, consistent with the County's 85% Rule described in the FLUA Regulation Section; and,
3. The number of potential new lots created has minimal impact on the transportation network as defined in Land Use Policy 3.5-d.

This future land use category shall recognize all existing lots as of the date of the designation, but shall require a minimum of 5 acres for all newly created lots thereafter, unless developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. Development Orders or Permits, which require a specific plan for development, shall comply with the provisions of the concurrency management system of the County.

Policy 1.4-c: To protect rural areas and provide for preservation of agriculture, minimum density requirements shall not be established in the Rural Tier.

Policy 1.4-d: Any parcel of land in the Rural Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless: each parcel created is consistent with the minimum lot size required by its respective future land use designation or is developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development or as a Planned Unit Development developed under the Western Communities Residential Development (WCR) Future Land Use Category. Parcels may be subdivided for the purpose of enlarging other parcels in the subdivision. The overall number of units of the reconfigured lots may not exceed the original number of units calculated for the lots being reconfigured.

Policy 1.4-e: All contiguous lots which are owned by the same person or entity as of December 1, 1989 shall comply with the density requirement of the applicable land use designation under the

Comprehensive Plan, as amended, unless exempted by the 85% Rule defined in the FLUA Regulation Section. A lot(s) not exempted under this policy shall be combined with another commonly owned contiguous lot(s) to:

1. Comply with the density requirement; or
2. Reduce the density inconsistency if there are not sufficient contiguous lots to fully comply with the density requirement.

Policy 1.4-f: The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as depicted on the Federal Functional Classification of Roads Map TE 3.1), unless it is shown that a vehicular cross connection can be established to an adjacent site with a non-residential future land use designation, or such development is planned as a Traditional Marketplace Development (TMD).

Policy 1.4-g: Non-residential development shall be designed in the form of a Traditional Marketplace, or the development shall comply with rural design standards in the ULDC to ensure protection of the character of the Tier and to minimize impacts on adjacent neighborhoods. Standards for Traditional Marketplace Development shall also reflect the scale and character of the Rural Tier.

Policy 1.4-h: The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and collocating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

Policy 1.4-i: Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional water resource management protection, and incorporation of greenway/linked open space initiatives.

Policy 1.4-j: The existence of public facilities of any kind, including potable water, wastewater and/or reclaimed water pipelines, shall not be used as justification for making future land use decisions that increase density and/or intensity in the Rural Tier. In order to ensure system efficiency, properties within an area where a public or privately owned potable water, reclaimed water, and/or wastewater utility has been granted or assigned utility service area rights by Palm Beach County, the utility may extend lines and the properties may connect to the utility's system.

Policy 1.4-k: The County shall continue to assign areas with a RR20 Future Land Use designation as TDR sending areas as an incentive to preserve wetlands, consistent with Future Land Use Objective 2.4 regarding the TDR program.

Policy 1.4-l: The County shall continue to provide the rural zoning regulations for areas designated Rural Residential in order to protect and maintain the rural communities of present and future residents of these areas. The regulations shall, at a minimum:

1. Retain the Agricultural Residential zoning designation and the agricultural uses permitted by the Unified Land Development Code.
2. Provide for zoning districts, which appropriately accommodate residential and/or agricultural uses consistent with the applicable Rural Residential future land use category;
3. Provide assurances that agricultural uses shall be allowed in rural residential neighborhoods;
4. Guarantee the keeping of livestock;
5. Maintain specific regulations to restrict the types of non-residential and nonagricultural uses allowed and promote the rural character through design, and provide for locational criteria, which will prohibit the scattering of such uses throughout the Rural Tier;
6. Provide limitations on the types and number of uses permitted by the conditional use process;
7. Allow home occupation uses that will not degrade the rural character of the area;
8. Include provisions for non-conforming agricultural uses consistent with this Plan, while not violating the Right-to-Farm Act;
9. Include provisions that restrict clear-cutting for residential purposes to encourage: preservation of open space and

protection of native vegetation and tree canopy in front, rear and side yards: preservation of environmental systems, protection of wildlife and retention of the rural character of the Rural Tier.

10. Provide protection for Rural Residential areas in the Rural Tier from the impacts associated with commercial mining operations and excavation, such as, but not limited to, hauling activity, blasting, vibration, noise, dust, and glare.
11. Provide for the enhancement and continuation of equestrian uses and facilities to support equestrian operations and events.

iii. **OBJECTIVE 1.12 Indian Trails Grove Overlay (ITGO)**

General: The Purpose of the Overlay is to provide a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into conservation areas. It achieves compatibility with the existing residential development pattern in the surrounding area while furthering remediation of the historic land use imbalance in that area through the additional nonresidential uses and residential support for other projects whose non-residential development is intended to do so.

Objective: This Overlay enables the appropriate transition between rural/suburban development, preservation and conservation areas while allowing for residential development at a density that is compatible with the surrounding area. The ITGO achieves compatibility with the existing residential development pattern in the surrounding area and remediates the historic land use imbalance in the central western communities and provides other benefits.

Policy 1.12-a: The Indian Trails Grove Overlay is depicted on the Special Areas Planning Map LU 3.1, in the Map Series and consists of approximately 4,871 acres of land generally located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard.

Policy 1.12-b: The Western Communities Residential Development (WCR) Future Land Use category shall be established to allow a compatible density with the existing rural residential lifestyle adjacent

to the Indian Trails Grove Overlay.

Policy 1.12-c: Development shall only occur in the format of a Planned Development District Planned Unit Development and commercial nodes consistent with the form of the Traditional Marketplace in the Comprehensive Plan, with a minimum gross land area of 900 acres. The maximum number of residential units shall be limited to 3,897; the maximum amount of non-residential commercial retail uses shall be limited to 300,000 square feet; and, the maximum amount of non-residential commercial office uses shall be limited to 50,000 square feet.

Policy 1.12-d: For the purposes of contiguity, any land area within the Indian Trails Grove Overlay shall be considered contiguous so long as it is submitted under one unified plan of development (aka Conceptual Plan).

Policy 1.12-e: In addition to other public facilities required by the ULDC, the following shall be provided at developer expense:

1. Paved on-site roads to serve all uses.
2. On-site central water and wastewater service with an off-site loop main that will allow other residences in the vicinity to connect to central services.
3. On-site retention and drainage facilities that connect to the L-8 canal.
4. A minimum 11 miles of 8-foot-wide paved pedestrian and bicycle pathways, open to the public.
5. A minimum 17.5 miles of equestrian trails open to the public.
6. On-site bus shelter easements for Palm Tran.
7. Off-site road improvements that include:
 - a. Extension of 60th Street North from Seminole Pratt Whitney to 190th Street North.
 - b. Extension of 190th Street North from 60th Street North to Hamlin Boulevard.

- c. Extension of Orange Blvd. from 180th Ave. North to 190th Street North.
 - d. Connection of Hamlin Boulevard from its present terminus to 190th Street North.
8. In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

Policy 1.12-f: The developer shall provide a trolley for scheduled seven-day-a-week shuttle service to on-site nonresidential uses and areas, and to commercial centers in Minto West. Service shall be provided at no charge to riders after the developer receives 1,000 certificates of occupancy for on-site residential units. The trolley shall remain in service at the expense of the developer or assigns until such time as the County authorizes the service to end in the event of low ridership.

Policy 1.12-g: A range of housing choices shall be provided through the provision of three different density ranges as depicted on the Conceptual Plan.

Policy 1.12-h: The developer shall dedicate the following land for public facilities to serve on-site residents and other users within the surrounding area:

1. Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area.
2. Upon written request of the Palm Beach County School Board or receipt of no less than 250 building permits, whichever shall later occur, dedicate a 15.5 acre site for a future elementary school and a 25.0 acre site for a future middle school, constructed at school board expense. An additional 22.6 acres adjacent to either the elementary school site or middle school site shall be dedicated upon request of the Palm Beach County School Board with the concurrence of Palm Beach County. The development shall take all required drainage

from the school sites into the development's storm water management system.

3. Prior to receipt of no less than 250 building permits, a minimum 40 acres adjacent to District Park "F" for its expansion, constructed at County expense.
4. Prior to receipt of no less than 250 building permits, a five acre site for a Palm Beach County Fire-Rescue station.

iv. **Policy 3.3-a:** The limited Urban Service Area: The following are designated as Limited Urban Service Areas:

1. the area described as the United Technology - Pratt and Whitney Overlay;
2. the area defined as the General Aviation Facility/ North County Airport;
3. the Agricultural Reserve; and
4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
5. the area east of the SFWMD L-8 Canal within the Glades Area Protection Overlay; **and**
6. an Agricultural Enclave pursuant to Florida Statute section 163.3162(5); **and**
7. the Indian Trails Grove Overlay.

...

v. **Policy 3.5-d:** The County shall not approve a change to the Future Land Use Atlas which:

**TABLE 3.5-1
Significant Impact**

Net Trip Generation**	Distance
1 – 50	No significant impact
51 – 1,000	Only address directly accessed link on first accessed major thoroughfare*
1,001 – 4,000	One (1) mile*

4,001 – 8,000	Two (2) miles*
8,001 – 12,000	Three (3) miles*
12,001 – 20,000	Four (4) miles*
20,001 – up	Five (5) miles*

* A project has significant traffic: (1) when net trip increase will impact FIHS and SIS facilities which are already exceeding the adopted LOS or cause the adopted LOS for FIHS or SIS facilities to be exceeded; and/or (2) where net trip increase impacting roads not on the FIHS or SIS is greater than one percent (1%) for volume to capacity ratio (v/c) of 1.4 or more, two percent (2%) for v/c of 1.2 or more and three percent (3%) for v/c of less than 1.2 of the level of service "D" capacity on an AADT basis of the link affected up to the limits set forth in this table. The laneage shall be as shown on the MPO's latest adopted LRTP.

** When calculating net trip increase, traffic associated with all prior Land Use Atlas amendment approvals for the property that has not yet received development order approvals, shall be cumulatively included in the analysis. Consideration will also be given to alternative modes of transportation (i.e. bicycle lanes, bicycle paths, bus lanes, fixed rail, and light rail facilities) in reducing the number of net trips. These alternative modes must either be operating at the time of the change to the Future Land Use Atlas or be included in both the Transportation Element (Mass Transit) and the Capital Improvement Element of the Comprehensive Plan.

or;

2) results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1-b.

This policy shall not be applicable to an Agricultural Enclave pursuant to Florida Statutes section 163.3162(5). This policy shall not be applicable to the area designated as SR-7 Economic Development Overlay (EDO). This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Indian Trails Grove Overlay.

vi. Amend Table III.C., as follows:

Table III.C

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA ¹
Rural Residential	RR-20, RR-10	---	X	X	---	---
	RR-5	---	X	X	---	---

	RR-2.5	---	X	---	---	---
<u>Western Communities Residential</u>	<u>WCR</u>			<u>X</u>		
Urban Residential	LR, MR, HR	X	---	---	---	---

- vii. Amend Table 2.2.1-g.1 (Residential Future Land Use Designation Maximum Density) as follows:

Table 2.2.1-g.1
Residential Future Land Use Designation Maximum Density

Future Land Use Designation		Dwelling Units per Gross Acre	
		Standard	Maximum
Agricultural Reserve	AGR	0.20	1
Agricultural Enclave ²	AGE	---	---
Rural Residential, 1 unit per 20 acres	RR-20	0.05	
Rural Residential, 1 unit per 10 acres	RR-10	0.10	
Rural Residential, 1 unit per 5 acres	RR-5	0.20	
Rural Residential, 1 unit per 2.5 acres	RR-2.5	0.40	
<u>Western Communities Residential</u>	<u>WCR</u>	<u>0.80</u>	
Low Residential, 1 unit per acre	LR-1	1	
Low Residential, 2 unit per acre	LR-2	1.5	2
Low Residential, 3 unit per acre	LR-3	2	3
Medium Residential, 5 unit per acre	MR-5	4	5
High Residential, 8 unit per acre	HR-8	6	8
High Residential, 12 unit per acre	HR-12	8	12
High Residential, 18 unit per acre	HR-18	8	18

1. The Entitlement density is 1 unit per lot or as follows: Rural Residential 0.05 du/acre; Western Communities Residential 0.05 du/acre; Low Residential 0.10 du/acre; Medium Residential 0.20 du/acre; and High Residential 0.40 du/acre, whichever is greater.
2. The density of an Agricultural Enclave shall be determined utilizing the provisions of s. 163.3162(5), Florida Statutes, and shall be clearly indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.

- viii. Amend Table 2.2.1-j.1 (Residential Future Land Use – Zoning Consistency) as follows:

**Table 2.2.1-j.1
Residential Future Land Use - Zoning Consistency¹**

Future Land Use Designation	Consistent Zoning	
	Zoning District	Planned Development
Agricultural Reserve	AGR	AGR-PUD
Rural Residential	AR, RE	RR-PUD, MHPD, RVPD
<u>Western Communities</u>	<u>AR</u>	<u>PUD</u>
Low Residential	RE, RT, RTS, RS	PUD, TND, MHPD
Medium Residential	RE, RT, RS, RTU, RM ²	PUD, TND, MHPD
High Residential	RE, RT, RS, RM, RH	PUD, TND, MHPD

Note:

1. The RTS, RTU, and RH zoning districts and the Special Exception for a PUD have been discontinued. Properties with these districts shall not be required to rezone and shall utilize the property development regulations of their equivalent districts which are as follows: RTS equals RT; RTU equals RS; RH equals RM, Special Exception for a PUD equals a PUD.
2. The RM District is consistent with the MR-5 designation only for those areas zoned RM prior to the Plan's August 31, 1989 adoption.

- ix. Add new objective and policies as follows:

Objective 4.5 – Western Communities Residential (WCR) Development

General: The County shall recognize the unique characteristics of agricultural parcels that are adjacent to existing residential communities within the Rural Tier that seek to develop by assigning the Western Communities Residential Development (WCR) Future Land Use Designation through a Future Land Use Amendment process. A WCR site specific amendment that supports balanced growth may occur in the Rural Tier and may exceed rural densities and intensities. A WCR site specific amendment shall achieve compatibility with the existing residential development pattern in the surrounding area of the Rural Tier while furthering remediation of the historic land use imbalance in the western communities and providing other benefits.

Policy 4.5-a: The site specific plan amendment ordinance adopting a

Western Communities Residential Development future land use shall include a Conceptual Plan. The Conceptual Plan can only be revised through the Future Land Use Atlas amendment process.

Policy 4.5-b: All development orders must be consistent with the adopted Conceptual Plan.

Policy 4.5-c: Agricultural uses shall be permitted within the WCR Future Land Use Designation until the land physically converts to the uses permitted by such development orders. Agricultural uses shall be permissible uses within open space areas to the extent indicated on the Conceptual Plan or site specific amendment ordinance.

Policy 4.5-d: A Western Communities Residential Development Conceptual Plan shall include a Site Data table establishing an overall density and intensity for the project, as well as minimum and/or maximum percentages for the acreages shown on the Plan and other binding standards. Conceptual Plan shall include a depiction of the residential; non-residential, recreational, civic, and open space elements of the project and allow the clustering of the density to promote a variety of neighborhoods and housing types and to act as transition areas between the Western Communities Residential Development and adjacent existing communities.

Policy 4.5-e: A Western Communities Residential Development shall utilize the Planned Unit Development (PUD) zoning district of the Unified Land Development Code, with the form of the commercial nodes reflected on the Conceptual Plan, which commercial nodes shall be designed consistent with the form of the Traditional Marketplace provisions of the Comprehensive Plan. Each residential pod within a WCR Planned Unit Development may be developed according to the density/intensity assigned on the Conceptual Plan.

Policy 4.5-f: In order to achieve compatibility with the existing residential development pattern in the surrounding area and create a more sustainable land use pattern through compactness of design, any land developed utilizing the WCR future land use plan category shall be required to exhibit the following characteristics:

1. A maximum permissible gross residential density of 0.80 DU/AC.
2. The project shall provide a minimum of 66.67% of the gross site acreage in open space uses (the Required Open Space). A minimum of 50% of the gross site acreage shall be in the form of

Exterior Open Space which shall be limited to preservation, conservation, passive and/or active recreation, perimeter landscape buffers, rural parkways, pedestrian pathways and greenways, wetlands, bona fide agriculture, regional water management, fallow land, perimeter water management areas, public and/or private civic uses, and/or, equestrian uses. Perimeter water management areas shall only count as Exterior Open Space if the water management area is accessible to the general public from a publically accessible buffer or open space tract that includes a minimum 8-foot wide paved pedestrian pathway that connects the perimeter of the site to the water management area. Perimeter water management areas shall be available for use by the general public for fishing and non-motorized boating activities. Land area allocated as Exterior Open Space counts towards meeting the minimum Required Open Space.

3. A minimum of 33.33% of the gross site acreage shall be provided in one large contiguous open space land area and shall be depicted on the Conceptual Plan approved by the Board of County Commissioners. Land area allocated as part of the 33.33% contiguous open space counts towards meeting the minimum Required Open Space.
4. Neighborhood-serving commercial nodes shall comprise no less than 2% of the overall developable land area (developable land area being defined as the area available for development less the required Exterior Open Space). The commercial nodes shall: (1) be designed consistent with the form of the Traditional Marketplace provisions of the Comprehensive Plan; and, (2) be depicted on the Conceptual Plan approved by the Board of County Commissioners.
5. A minimum 20% of the residential units shall be located within one-quarter mile radius of commercial nodes; a minimum 40% of the residential units shall be located within one-half mile radius of commercial nodes; and a minimum of 66% of the residential units shall be located within one-quarter mile radius of commercial nodes or civic uses (public or private) or recreation uses (public or private).
6. Higher density residential areas shall be located adjacent to and within one-quarter mile radius of any commercial node. Lower density residential areas shall be located around the perimeter of the development area to promote compatibility with existing development in the surrounding area. Medium density residential shall be located between commercial nodes/High density residential areas and the Low density residential areas. All of which shall be reflected on the Conceptual Plan approved by the Board of County Commissioners.
7. A minimum of 10.0% of on-site for-sale units shall be provided as

workforce housing based on the County's affordability standards.

- x. Add the following definition to the Introduction/Administration Element of the Comprehensive Plan:

Western Communities Residential Development - A development pattern which allows for a mixed-use design concept comprised of a mixture of land uses, including residential, retail, office, recreation, civic, etc., located within close proximity to each other, in order to provide for a variety of housing, recreation, shopping, and employment opportunities.

- xi. Amend Transportation Element **Policy 1.4-q** as follows:

Policy 1.4-q: The Rural Parkway concept is established to protect the rural character of roadways outside of the Urban/Suburban Tier, and those roadways identified on the Conceptual Plan of an Agricultural Enclave designated pursuant to FLUE Policies 2.2.5-d and 2.2.5-e. Rural Parkways shall accommodate future transportation planning needs to ensure that the cross-section and alignment of the roads preserves the rural residential lifestyle, sense of place and quality of life of the adjacent areas. For properties fronting on rural parkways, a portion of the designated Right-of-Way may be retained in private ownership provided that the property owner dedicates a parkway easement to Palm Beach County for non-vehicular pathways. Such dedications shall only be required when consistent with the criteria contained in Transportation Policy 1.4-d. The following roadway segments are hereby designated as Rural Parkways:

1. Northlake Boulevard, from Seminole Pratt-Whitney Road to the western edge of the Palm Beach Gardens Municipal Golf Course, with a 50 foot easement on Beach side of the road being dedicated exclusively for multipurpose paths.

2. Lyons Road, from Atlantic Avenue to Boynton Beach Boulevard, with a 100 foot easement on each side in order to accommodate multipurpose pathways. Undulating berms, no taller than five feet and landscaped with native vegetation, shall be required. No walls shall be allowed within the parkway easements.

Within a designated Agricultural Enclave:

3. Persimmon Boulevard, from 140th Avenue North to approximately 3,700 feet east of Seminole Pratt Whitney Road (as measured along the

centerline, and not located within an Urban or Sub-urban Transect), a 50 foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.

4. 140th Avenue North from the municipal boundary of Loxahatchee Groves to 60th Street North, a 50 foot easement on the west side in order to accommodate a multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements.

5. The future "Town Center Parkway" within the Agricultural Enclave, from 60th Street North to approximately 2,500 feet east of Seminole Pratt Whitney Road (as measured along the centerline, and not located within an Urban or Sub-urban Transect), a 50 foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.

6. Seminole Pratt Whitney Road from Sycamore Drive to Persimmon Boulevard, and from 1,400 feet south of 60th Street North to 60th Street North, an 80 foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. However, for each segment, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director. "Entrance signs" for a District Park located adjacent to the rural parkway easement may also be allowed within the rural parkway easement, subject to the approval by the Planning Director.

7. 60th Street North from 140th Avenue North to the M-canal crossing at 59th Lane North, a 50 foot easement on the south side in order to accommodate a multipurpose pathway landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements.

Within the designated Indian Trails Grove Overlay:

8. 180th Ave. North from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation shall be required. No walls shall be allowed within the parkway easement. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
9. 190th Street North adjacent to the Indian Trails Grove PUD, a minimum of 50 feet wide easement on the east and west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
10. Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north in order to accommodate a multipurpose pathway and equestrian trail and a 50 feet wide easement on the south side to accommodate a multipurpose pathway, both landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
11. 60th Street North from the western limits of the M-1 canal to 190th Street North, a minimum of 50 feet wide easement on the south side of 60th Street North, in order to accommodate a multipurpose paved pedestrian pathway (from the eastern limits of the PUD to the westernmost PUD entrance) and equestrian trail (from the eastern limits of the PUD to the westernmost PUD entrance) with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a context-sensitive community identification monument may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.