



COMPREHENSIVE PLAN AMENDMENT STAFF REPORT MINTO WEST AMENDMENT - ROUND 14-3

DEO TRANSMITTAL, AUG. 27, 2014

I. General Data

Project Name:	Minto West Agricultural Enclave (LGA 2014-007)
FLUA Amendment Summary:	To modify the Future Land Use Atlas to revise previously adopted conditions of approval, including the Conceptual Plan and Implementing Principles, on a 3,735.43 acre site with Agricultural Enclave (AGE) future land use designation, and to change the future land use designation on 53.17 acres from Rural Residential, 1 unit per 10 acres (RR-10) to AGE. Changes to intensity and density are summarized below: <ul style="list-style-type: none"> • Increase the residential density from 0.80 du/acre (2,996 units) to a maximum of 1.20 du/acre (4,546 units) for net increase of 1550 units; • Increase the non-residential intensity from a maximum of 235,000 sq. ft. of commercial uses to a maximum of 500,000 sq. ft. retail, 1.5 million of economic development uses (office, light industrial and research and development) and 200,000 sq. ft. of Civic uses, and to allow a 150-room hotel and a 3,000 student college.
Text Amendment Summary:	To modify the Agricultural Enclave provisions in the Comprehensive Plan to revise the Introduction & Administration, Future Land Use, and Transportation Elements, and the Map Series as follows: <ul style="list-style-type: none"> • Revise policies and definitions; • Update references related to the Agricultural Lands and Practices Act; • Expand and update the list of Rural Parkways; and • Modify the Map Series to: <ul style="list-style-type: none"> ○ Designate 53.17 acres as a Limited Urban Service Area on: <ul style="list-style-type: none"> ▪ Service Areas Map LU 2.1; and, ▪ Managed Growth Tier System Map LU 1.1; ○ Update Rural Parkways on the Thoroughfare Right of Way Identification Map TE 14.1.
Acres:	3,788.60 total acres
Location:	East and west of Seminole Pratt Whitney Blvd., south of 60 th St. N. and north of 50 th St. N. and Sycamore, and West of 140 th Avenue North
Project Managers:	Bryan Davis, CNU-A, Urban Designer/Principal Planner Stephanie Gregory, Planner II
Applicants:	Minto PBLH, LLC, and Seminole Improvement District
Agent:	Cotleur and Hearing, Inc.
Staff Recommendation:	Staff recommends <i>approval with conditions</i> of the amendments based upon the findings and conclusions contained within this report.

II. Site Data

Current Future Land Use

Current FLU:	Rural Residential, 1 unit per 10 acres (RR-10) on 53.17 acres and Agricultural Enclave (AGE) on 3,735.43 acres
Existing Land Use:	Vacant and Agricultural
Current Zoning:	Agricultural Residential (AR) and Public Ownership (PO)
Current Dev. Potential Max:	2,996 residential units and 235,000 square feet of commercial retail and office

Proposed Future Land Use Change

Proposed FLU:	Agricultural Enclave (AGE) with revisions to conditions, Conceptual Plan and Implementing Principles
Proposed Zoning:	Traditional Town Development (TTD)
Dev. Potential Max/Conditioned:	4,546 residential units, 2.0 million square feet of nonresidential uses, 200,000 square feet of civic uses, a 150-room hotel and a 3,000-student college.

General Area Information for Site

Tier/Tier Change:	Rural Tier – No Change
Utility Service:	Seminole Improvement District
Overlay/Study:	None
Comm. District:	Commissioner Santamaria, District 6

III. Hearing History

Local Planning Agency: *Denial*, motion by Dr. Vinikoor, seconded by Mr. Brake, passed in a 12-1 vote (with Ms. Levitt-Moccia dissenting) at the August 8, 2014 public hearing. The motion included the addition of Conditions F & G shown in Exhibit 1 at the recommendation of staff. The Commission expressed support for the overall design concept proposed, but also discussed compatibility with the existing Rural and Exurban Tiers, the proposed intensity of the non-residential development, the lack of analysis on traffic, the need for quantifiable public benefits and commitments from the developer to addressing those issues. The agent for the applicant made a presentation and answered questions. Representatives from the Indian Trail Improvement District (ITID) made a presentation opposing the project. Approximately 41 members of the public submitted comment cards in opposition, citing traffic and drainage impacts, the timing of improvements, change of character, and support for the existing approval. One member of the public submitted a card and spoke in support.

Board of County Commissioners Transmittal Public Hearing: *Transmit*, motion by Comm. Vana, seconded by Comm. Valeche, passed in a 5-2 vote (with Comm. Santamaria and Comm. Burdick dissenting) at the Aug. 27th hearing. The motion included adding Condition H shown in Exhibit 1 at the recommendation of staff. Board discussion focused on traffic issues such as the non-residential and residential land use balance and phasing, impact fee determination and the cost to the County of needed improvements to the roadway network. The Board also discussed other impacts on public facilities and services such as water and wastewater, as well as

schools. Approx. 46 members of the public spoke opposition, citing change of lifestyle while supporting the density and intensity allowed in the existing approval. Representatives from the Indian Trail Improvement District (ITID) and Alerts of PBC, Inc. each made a presentation opposing the project. One member of the public spoke in support citing benefits of the new plan.

State Review Comments:

Board of County Commissioners Adoption Public Hearing:

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IV. Executive Summary

This staff report reviews and analyzes the application submitted by Minto West, a subsidiary of Minto Community, to modify the Future Land Use Atlas (FLUA) and revise an approval granted by the Board of County Commissioners in 2008 to a former citrus grove (Callery Judge Groves) comprised of 3,788.60 acres located in the middle of the Central Western Communities of the County.

As this amendment includes several components (FLUA amendment, text amendments, modification of conditions of approval, Conceptual Plan and Implementing Principles). Below is an outline and summary of the data and analysis that is provided in this report:

A. Proposed Density and Intensity

The originally submitted application requested approval for 6,500 residential units and 1.4 million sq. ft. of non-residential use. After negotiation meetings with the applicant pursuant to Statutes, the applicant amended the application reducing the requested density to 1.2 du/ac and increasing the non-residential to 2.0 million square feet (which includes 500,000 square feet of retail and 1.5 million of economic development uses (light industrial, office and research and development) as well as adding 200,000 sq. ft. of civic uses, a 150-room hotel and 3,000 student college. These changes were in response to the County's position regarding consistency with past planning efforts that showed an imbalances of land uses and the opportunity for this site to provide significant public benefits.

B. Review against Agricultural Enclave Provisions

As with the original 2008 development approval, the current modifications are requested under the provisions of the Agricultural Lands and Practices Act. Section 163.3162 (4) of the Florida Statutes and the County's Comprehensive Plan.

1. Qualification as an Agricultural Enclave

The Statute establishes criteria for properties to qualify as Agricultural Enclave. The subject site qualified as an Agricultural Enclave by the County in 2008 and ratified as such by the State. Therefore, it is not subject to review nor determination by this report.

2. Procedures for Agricultural Enclave Land Use Amendments

The Statute sets forth specific procedures and a unique process for land use amendment for lands qualified as Agricultural Enclaves.

a. Surrounding Land Uses

Per statute, if the proposed densities and intensities are consistent with those of the surrounding land uses, the project is entitled to a presumption that it is not urban sprawl. The proposed land uses are more dense and intense than the currently approved uses, but the staff assessment is that they are compatible. In any case, staff has evaluated the proposed project against the State's urban sprawl criteria and found no indicators of sprawl.

b. New Urbanism

Per statute, if the project exceeds 640 acres, it is required to include appropriate new urbanism components. The project includes new urbanism concepts as required, through application of the proposed text amendments, design of the Conceptual Plan and guidance of the Implementing Principles.

c. Good Faith Negotiations

Pursuant to Statute, the project density and intensity are to be negotiated in good faith by the County and the owner. Staff held several negotiation meetings with the applicant to discuss the project impacts including traffic. Staff supported a density increase above the current project approval up to 1.2 units/acre provided that quantifiable public benefits would be offered by the applicant. In addition, staff supported an increase in the amount of employment generating, non-residential uses due to the long-standing land use imbalances in the Central Western Communities.

i. Resulting Density and Intensity Proposal

Following the negotiations, the applicant amended the application reducing the requested density to 1.2 du/ac, and increasing the non-residential to 2.0 million square feet. A list of public benefits was also substituted by the applicant.

ii. Resulting Public Benefits Proposal

Following the negotiations, the applicant submitted a list of public benefits to be provided by the development. Among the significant public benefits to be provided by the applicant is the opportunity to address regional drainage and water supply issues and provision of usable open space.

C. Review of the Text and Map Series Amendment, and the Site-Specific Amendment

The proposed amendments were also reviewed pursuant to the County Amendment review procedures. The analysis determined that the site specific amendment meets all level of service standards, is compatible with adjacent uses and is consistent with Comprehensive Plan policies. Staff also reviewed proposed text amendments to the Comprehensive Plan by the applicant. Staff did not concur with the applicant's submitted language (Exhibit 19) and proposed alternative language to be adopted in (Exhibit 2).

V. Background

Amendment Request

The applicant, Minto PBLH, LLC, and the Seminole Improvement District (SID), are proposing to modify an Agricultural Enclave, known previously as Callery-Judge Groves, which was established in 2008 (Ordinance 2008-019) pursuant to Florida Statutes. Most of the subject site received a newly created Agricultural Enclave (AGE) future land use designation along with entitlements for limited residential density and non-residential intensity. The applicant seeks to revise conditions of approval to increase density and intensity, modify the Conceptual Plan and Implementing Principles, expand land area, and modify text language of the Comprehensive Plan. The site also includes two parcels owned by SID, which are currently used for a water and wastewater treatment plant, and drainage purposes as well as a parcel that had previously belonged to Palm Beach County. The aforementioned parcels totaling 53.17 acres were not included in the original Callery-Judge Groves Agricultural Enclave, but are included in the current request. The applicant is seeking an AGE designation for these parcels.

Subject Site

According to the application submitted, the “subject property is currently in active agricultural, with built parcels including a utility site and a packing plant.” In addition, the “subject property is roughly co-extensive with Seminole Improvement District (SID), a legislatively-created special district with the authority to provide public infrastructure and services and to operate district facilities. SID provides drainage, water and wastewater services for the subject property, and owns a canal right-of-way and/or easement for access and drainage from the subject site running approximately four miles south to the C-51 Canal.” The site is located within the County’s Rural Tier in an area known informally as the Central Western Communities (CWC), a 57,000 acre area predominated by low density residential and agricultural lands. The uses surrounding the Agricultural Enclave include residential, commercial, schools and other public uses.

History of Area Planning Efforts

This portion of the County has been the subject of numerous planning efforts due to the long-standing land use imbalances of the area as well as the increasing number of land use amendment requests for large, vacant parcels. An extensive history of these efforts in is provided in Exhibit 8, and a brief history of these efforts is outlined below:

Midlands Study

The "Midlands Study," completed in 1989, examined the central swath of the unincorporated County, to determine what the future infrastructure needs of the area, with a focus on health, safety and welfare, and determine whether limiting factors existed in the area that merited curbing potential development. It coalesced many independent and specialized studies into summaries, and distilled the relevant issues into a single document.

Acreage Neighborhood Plan

The Acreage Neighborhood Plan was completed in 1995, and received by the BCC in 1996, was a statement of local desires and intended outcomes. The Acreage Neighborhood Plan included the following concepts: the promotion of rural character, continuing agricultural uses, preserving the area’s way of life while also providing for identified community needs, and addressing land use conflicts that accommodated orderly growth and protect natural resources.

Loxahatchee Groves Neighborhood Plan

The Loxahatchee Groves Neighborhood Plan was received by the BCC in 1996. It identified many local issues which included a desire to maintain the existing quality of life, through the preservation of the natural environment and rural atmosphere, while balancing property rights, land use and compatibility concerns, and desired changes.

Managed Growth Tier System

The Managed Growth Tier System (MGTS) was adopted in 1999, establishing a concept that fundamentally linked service areas, development densities and intensities, and desired character of each tier. The MGTS placed this area in the Exurban and Rural Tiers.

Central Western Communities Sector Plan

After the establishment of the MGTS, the County pursued establishing a Sector Plan for the CWC area in 1999-2007. This Sector Plan process was an optional strategic planning effort, established in State statute, to identify and implement specific planning strategies to address the unique needs of an area. The CWC Sector Plan was the first undertaken in the State. In the CWC area, the intent was to address the imbalance of uses within the area, through a coordinated approach that incorporated design as a key component. The Sector Plan was intended to yield a conceptual master plan addressing regional issues including land use, services, infrastructure, and the environment and plan for the region's future. After approximately five years of community involvement, and multiple revisions, the BCC adopted the Sector Plan Conceptual Overlay in 2005. However, the Department of Community Affairs (DCA) found the amendment "not-in-compliance" with Chapter 163, Florida Statutes, and after extended negotiations in 2007, the County repealed the amendment in 2007.

The County continued exploring centralized planning for the area, through a non-sector plan overlay in the Comprehensive Plan. However, many of the original "large parcels" intended for eventual development in the Sector Plan area had either received separate land use amendment and development approvals outside of the Sector Plan, were located in the newly incorporated Loxahatchee Groves and therefore were no longer subject to the Sector Plan, or opted to utilize the DRI process. After almost two additional years of pursuing that overlay option, in 2009 the County discontinued the effort altogether.

Amendment History

Portions of the site have been the subject of several land use amendment applications.

Industrial (1998)

The first amendment, known as "98-47 USAB 1 Golden Groves/Seminole LUSA," was for a 130-acre portion to change the FLU designation from RR-10 to Commercial Low with an underlying Industrial (CL/IND), and designate the site as a Limited Urban Service Area (LUSA). The Golden Groves amendment site was located on the east side of Seminole-Pratt Whitney Road, to the east and south of the packing plant. Both the Planning Division and the Land Use Advisory Board (LUAB) recommended denial. The amendment was not transmitted by the BCC in July 1998.

Central Western Communities Sector Plan (2005)

The subject site was also among the properties to be addressed through the Sector Planning process undertaken by the County in 1999-2007. The BCC adopted the Sector Plan Conceptual Overlay in 2005. Under this Plan up to 3,200 units (0.8 units/acre), and up to 400,000 square feet (inclusive of the existing Grove Marketplace approval) in the form of a TMD, were called for in the overlay. However, the Department of Community Affairs (DCA) found the amendment "not-in-compliance" with Chapter 163, Florida Statutes, and after extended negotiations in 2007, the County repealed the amendment in 2007.

Development of Regional Impact (2004-2007)

Between 2004 and 2007, the property owner at the time, Callery-Judge Groves, proposed the Traditional Town Development (TTD) land use designation, Development of Regional Impact (DRI) and associated text amendments in order to achieve residential uses with employment, commercial and office uses, open space and institutional and public facility uses, and designating the Groves as a LUSA. Also included was the provision for more

than 600 acres of surface water management systems with the potential to provide offsite water quality benefits to the region. The BCC transmitted the request for this 'new town' project, incorporating New Urbanism principles and concepts in the design, which included a maximum of:

- 10,000 residential dwelling units (20% workforce housing)
- 1,300,000 square feet retail
- 500,000 square feet office
- 2,000,000 square feet workplace/high tech
- college/university
- 2,000 students – School, Elementary
- 1,300 students – School, Secondary
- 250,000 square feet community facility uses
- 280,000 square feet utility uses
- 150 rooms – Hotel
- 18 hole Golf Course and Country Club

At the adoption hearing in May 2007, staff recommended denial of the full request as the residential density was too high, the plan had insufficient open space, and the uses were too spread out. However, staff recommended approval of an alternative action, which included a reduction of the unit count to approximately 4,800 residential dwelling units (1.2 du/acre), but no reduction in the non-residential intensity of the proposed new town. This alternative action was consistent with the densities and intensities proposed in the Sector Plan Remedial Amendment. However, at the hearing, the applicant requested the BCC consider only the applicant's full request. The BCC voted to not adopt the applicant's TTD request, and similarly denied the DRI approval request.

Callery-Judge Grove Agricultural Enclave (2008)

In 2008, the property owner at the time, Callery-Judge Groves, requested an amendment pursuant to the Agricultural Lands and Practices Act, Section 163.3162(4), F.S. The Agricultural Enclave (AGE) future land use designation was adopted by Ordinance 2008-019. The text amendment established the current polices in the Plan, and the FLUA amendment included the current conditions of approval limiting the site to 2,996 units and 235,000 square feet of retail and office uses, just under the thresholds that would have triggered DRI review.

Current Amendment (2014)

Following the approval of the Callery-Judge Agricultural Enclave FLUA amendment, no further development action took place. In September 2013, the entirety of the Callery-Judge Groves was sold to a subsidiary of Minto Communities, the applicant for the current proposed amendment.

On October 28, 2013, as permitted by the Comprehensive Plan, the BCC authorized an additional large scale amendment round for the processing of this amendment. Subsequently, on November 4, 2013, the Minto West representatives submitted a proposed FLUA amendment application to increase the residential density from 2,996 residential units (0.80 du/acre) to 6,500 residential units (1.7 du/acre), and increase the non-residential intensity from a maximum of 235,000 square feet of Commercial uses to 1.4 million square feet of non-residential uses, a 150-room hotel, 3,000-student college, and a baseball stadium. The submittal also included a request for privately initiated text amendments to the Comprehensive Plan, which were initiated by the BCC on April 28, 2014. These text

amendments will modify policies in the Plan related to the Agricultural Enclave (AGE) Future Land Use provisions, including transects and providing public benefits.

As a result of the good faith negotiations required by statute between the County and the applicant (as described in Section VII), a revised application was submitted on July 22, 2014 to reduce the requested residential units to 4,546 units (1.2 du/acre), and increase the intensity associated with the Enclave to 2.0 million square feet of non-residential uses, 200,000 square feet of civic uses, a 150-room hotel and a 3,000-student college. The baseball stadium request was eliminated.

The current request is also accompanied by a concurrent rezoning application (TDD/R 2014-094 Minto West) from Agricultural Residential (AR) and Public Ownership (PO) to Traditional Town Development (TTD) as well as amendments to the Unified Land Development Code (ULDC). All items will be heard together for a final adoption hearing scheduled for October 29, 2014.

VI. Intent of the Amendment

According to the application, the proposed amendments are intended to "address the land use imbalance characteristic of the central western communities."

The proposed amendment includes:

Site-specific Future Land Use Atlas (FLUA) amendment to:

- change the future land use designation on 53.17 acres from RR-10 to AGE, and
- revise conditions of approval to increase density and intensity from 2,996 units and 235,000 square feet of non-residential uses to 4,546 units, 2.0 million square feet of non-residential uses, 200,000 square feet of civic uses, 150-room hotel and 3,000 student college as well as to revise the Conceptual Plan and Implementing Principles.

Text amendment to:

- revise text of the Comprehensive Plan, specifically, Introduction & Administration, Future Land Use and Transportation Elements.
- revise the Map Series to identify 53.17 acres as a Limited Urban Service Area on the Managed Growth Tier System Map LU 1.1 and Service Areas Map LU 2.1, and to revise Rural Parkways on the Thoroughfare Right of Way Identification Map TE 14.1.

Agricultural Enclave

The applicant's intent is that the proposed amendment be considered pursuant to the Agricultural Enclave provisions of the Florida Statutes. These provisions, (1) establish criteria for properties to qualify as Agricultural Enclaves, and (2) establish procedures for land use amendments on Agricultural Enclaves.

In order to qualify as an Agricultural Enclave, a given parcel must meet certain tests for location, agricultural use, ownership, surrounding land being either developed or committed to development, the provision for infrastructure or an alternative provider, and an ultimate size limitation. The specific criteria are found in s. 163.3164(4), F.S., and provided in Exhibit 7.

Once a property is qualified as an Enclave, it is determined to be urban and the proposed amendment to revise its density and intensity is subject to review under the statutory process for

amendment review, as well as under special provisions of the Agricultural Lands and Practices Act. Specifically s. 163.3162(4), F.S., allows the owner to avail themselves of a unique process for a Comprehensive Plan amendment, specifically:

- if the proposed land uses and intensities of use are consistent with the those of the industrial, commercial, or residential areas that surround the parcel, the amendment is presumed not to be urban sprawl.
- if the parcel is larger than 640 acres, the amendment must include appropriate new urbanism concepts such as clustering, mixed-use development, the creation of rural village and city centers, and the transfer of development rights
- The local government and the parcel owner have 180 days to negotiate in good faith to reach consensus on the land uses and intensities of use that are consistent with the surrounding uses
- Upon conclusion of good faith negotiations, the amendment must be transmitted to the state land planning agency for review, regardless of whether the local government and owner reach consensus on the land uses and intensities
- If the local government fails to transmit the amendment within 180 days after receipt of a complete application, the amendment must be immediately transferred to the state land planning agency for such review.

VII. Comprehensive Data and Analysis

As outlined in the Intent of the Amendment - Section VI of this report, the proposed amendment includes a site-specific amendment, revising both the land area under the AGE FLU designation and the conditions of approval that relate to density and intensity of the site. The amendment also includes a text amendment that addresses changes to the elements of the Comprehensive Plan and to various maps of the map series of the Comprehensive Plan. To facilitate the review of this substantial amount of information, the data and analysis for these amendments are provided below, organized as follows:

- Analysis of the proposed amendments pursuant to the Agricultural Enclave provisions of the Statute;
- Analysis of the Text (Element and Map Series) amendments pursuant to provisions of the Comprehensive Plan and general planning statutes
- Analysis of the FLU Atlas (site-specific amendment and conditions of approval) pursuant to the provisions of the Comprehensive Plan and general planning statutes

Criteria to be determined an Agricultural Enclave

In order to qualify as an Agricultural Enclave (per s. 163.3164(4), F.S.), a given parcel must meet certain tests:

- (a) Owned by a single person or entity;
- (b) In continuous agricultural use for 5 years prior to amendment application;
- (c) Surrounded on at least 75 percent of its perimeter by property developed with industrial, commercial, or residential uses, or designated for such, with at least 75 percent developed
- (d) Has public services available or scheduled consistent with applicable concurrency provisions
- (e) Does not exceed 4,480 acres, provided the property is surrounded by existing or authorized residential development that will result in a density at buildout of at least 1,000 residents per square mile; else, limited to 1,280 acres.

Staff Assessment: The previous Agricultural Enclave amendment complied with all of the above criteria and was therefore determined to be an Agricultural Enclave consistent with all applicable statutes by the professional staff, the BCC, and the DCA. The DCA issued a Notice of Intent to find the amendment "in compliance" on October 17, 2008. No administrative challenge was filed.

The proposed FLUA amendment, consisting of 53.17 acres, is surrounded by the approved Callery-Judge Groves Agricultural Enclave. The proposed addition will not change the outside boundaries of the existing Agricultural Enclave, but will absorb portions which were previously excluded from the prior amendment due to ownership. As such, the proposed amendment is considered to be consistent with the criteria for qualification as an Agricultural Enclave.

Agricultural Enclave Unique Process

Once a property is qualified as an Enclave, the proposed amendment is subject to review under the process required by State statute for all Comprehensive Plan amendments, but is also subject to the provisions of the Agricultural Lands and Practices Act, specifically s. 163.3162(4), F.S., allows the owner to avail themselves of a unique process for a Comprehensive Plan amendment. These provisions, provided in Exhibit 7, are addressed below:

1. Surrounding Land Use Analysis

The Agricultural Land and Practices Act states that Agricultural Enclave amendments:

"Such amendment is presumed not to be urban sprawl as defined in s. 163.3164 if it includes land uses and intensities of use that are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel."

Therefore, s. 163.3162 FS entitles an Agricultural Enclave to the presumption clearing it of the urban sprawl criteria if the proposed densities and intensities are consistent with the surrounding area.

Staff Assessment: This analysis of surrounding uses is distinct and separate from the perimeter analysis required in the initial determination of whether a parcel qualifies as an Agricultural Enclave. The analysis of surrounding land uses addressed in this section is for the purpose of determining whether the proposed land uses are "consistent with" the uses that surround the parcel; if determined to be consistent, the amendment is presumed to not be urban sprawl.

This language presented several challenges for interpretation. The statute does not provide a clear definition of the term "*areas that surround*". The language does not explicitly mandate that the land uses and intensities of use for an Agricultural Enclave are exactly the same as immediately adjacent neighborhoods. The statute also is construed to mean that if the uses and intensities of use are not consistent with the uses that surround the parcel, then an Enclave does not have the presumption of not being urban sprawl. As such, should an Enclave propose densities and intensities of use that are not consistent with the surrounding land use analysis, it would require a review under s. 163.3177(6)(a)9.a & b, F.S.

The prior amendment for the Callery-Judge Groves Agricultural Enclave submitted an analysis which identified an average density of 2.11 units/acre, and a median density of

1.11 units/acre and proposed 0.8 units/acre, which was adopted as part of the AGE designation approved by the BCC. This was considered to be consistent with surrounding area, and the amendment was presumed to not constitute sprawl. The applicant's revised proposal is for 1.2, which is higher than the original approval. The applicant submitted an analysis by Warner Real Estate Advisors, Inc. to comply with the statutory requirement. An explanation of the methodology and staff's response can be found in Exhibit 10.

As the consistency provision is related only to the presumption clearing an Agricultural Enclave of the urban sprawl criteria, Planning staff analyzed the proposal utilizing the Urban Sprawl Criteria in Section IX.F.2 to allow the Board to consider a range of densities. Staff's assessment is that the amendment as proposed does not meet any of the indicators of urban sprawl, and would not contribute to urban sprawl in the County.

2. New Urbanism

The Agricultural Lands and Practices Act states that:

"Each application for a comprehensive plan amendment under this subsection for a parcel larger than 640 acres must include appropriate new urbanism concepts such as clustering, mixed-use development, the creation of rural village and city centers, and the transfer of development rights in order to discourage urban sprawl while protecting landowner rights."

Staff Assessment: Therefore, the incorporation of new urbanism concepts in both the text amendment and associated Conceptual Plan and Implementing Principles are key, as the incorporation of these components are directed by statute in order to discourage urban sprawl.

The Plan defines "new urbanism" as the "collective term for the condition of a compact mixed use settlement including the physical form of its development and its environmental, functional, economic, and socio-cultural aspects." However, the larger movement now known as "New Urbanism" began to coalesce in the early 1990s (although the antecedents date back another twenty years). It was borne out of concern over the development paradigm and its effects, where the "placelessness" of modern suburbs, disinvestment and decline of central cities, the separation of communities by income and race, the challenges of raising children where two incomes are required, and the environmental impacts wrought by development that necessitates automobile dependence as part of daily life. After analyzing the root causes, a growing national movement emerged to restore urban centers, reconfigure sprawling suburbs, conserve environmental assets, and preserve the collective built legacy through urban design and planning. It has remained a market-oriented, multi-disciplinary movement committed to addressing the social and economic implications of design decisions. In 1996, to articulate their approach the Congress of the New Urbanism adopted a Charter consisting of 27 principles. These principles are intended to be detailed but flexible prescriptions for place making, which address planning and design at all scales from a regional to specific parcel basis.

The Callery-Judge Groves Agricultural Enclave approved in 2008 had some new urbanism components, that were ensured through the use of the 'transect' in FLUE Policy 2.2.5-e as a density clustering tool, the Conceptual Plan and New Urbanism Guiding Principles. Many of the details used existing ULDC concepts, including the

Planned Unit Development (PUD) exclusively as the residential component with additional requirements for centralized neighborhood open spaces, walkability, and interconnectivity. The Village Center, which was to be designed as a Traditional Marketplace Development (TMD). It some potential to provide authentic urbanism, if done sensitively and responsibly. Although allowed as an option within the Comprehensive Plan's Policy 2.2.5-g, achieving the Traditional Town Development (TTD) and garnering a master planned development, remained a remote possibility. Staff initially sought to employ the TTD back in 2008, given the familiarity with the concept and adapting it to the area in prior DRI and Sector Plan Remedial Amendment iterations. However, the applicant did not agree to an outright requirement for a TTD, and it remained as an option for an Agricultural Enclave. Staff support was due to the TTD's clear, demonstrable "new urbanism" concepts embedded within the ULDC requirements for the Zoning district.

The current Minto West Agricultural Enclave includes a concurrent rezoning request. Ostensibly this demonstrates commitment to the development concept, but it also takes advantage of new statutory provisions that allow for concurrent rezoning with a comprehensive plan land use amendment request. Through the statute's good faith negotiations with the County, the applicant agreed to rezone to a TTD, rather than just apply the transect to conventional suburban development districts. The original application included deleting many of the Transect provisions, due to the use of the proposed zoning district. Staff found that unacceptable as the TTD district would need modifications to be applied to the AGE FLU, and those changes would be without basis in the Plan. Thus, staff recommended the applicant scrap their proposed text amendment and instead worked to address providing greater detail and specificity in the policies pertaining to the Agricultural Enclave. This approach effectively doubles up on the regulatory side of the new urbanism, using the TTD zoning and the Enclave's Transect. The TTD through zoning operates as a form-based code. The transect, although primarily describing intended character and regulating density by location, also indicates to some extent the zoning, and allowable uses. One system works through property development and detailed use regulations and the other pertains to the larger concept of where and how to locate density and intensity within the development.

3. Good Faith Negotiations

The Agricultural Lands and Practices Act states that:

- The local government and the parcel owner have 180 days to negotiate in good faith to reach consensus on the land uses and intensities of use that are consistent with the surrounding uses
- Upon conclusion of good faith negotiations, the amendment must be transmitted to the state land planning agency for review, regardless of whether the local government and owner reach consensus on the land uses and intensities
- If the local government fails to transmit the amendment within 180 days after receipt of a complete application, the amendment must be immediately transferred to the state land planning agency for such review.

In addition, per the statute's required '*good faith negotiations*' for density and land uses, for several months leading to the Public Hearings, the applicant and County staff met regularly to negotiate the intensities of the proposed land uses and amendments to relevant policies of the Comprehensive Plan for the proposal per agreement in writing following the submittal of the application. Chapter 163.3162(4)(a), F.S., states that "*the*

local government and owner must agree in writing to a schedule for information submittal, public hearings, negotiations, and final action on the amendment". The original schedule, as agreed to in December 2013, would have led to a Transmittal Hearing in June, well before the potential impacts of the initial application were fully understood and evaluated. As such, the applicant and staff mutually agreed to renegotiate the schedule, and agreed to extend the good faith negotiations beyond the 180 days.

During the negotiation process, the applicant and County discussed the following items:

- Reduction of density and increasing intensity to address land use imbalances
- Regulatory mechanisms to ensure appropriate new urbanism concepts
- Public Benefits that could be provided by the project
- Conceptual Plan and Implementing Principles
- Quantity and location of Open Space within the Enclave
- Evaluation and minimizing potential impacts
- Compatibility

Density and Intensity

Minto West originally submitted an application requesting approval for 6,500 residential units and 1.4 million square feet of non-residential uses for a net increase of 3,504 units and 1,165,000 sq. ft. of non-residential. Staff held several negotiation meetings with the applicant pursuant to the statute. After initial review of the application and considering the potential traffic impacts, staff stated a position of recommending a maximum density of 1.2 units per acre and up to 2.0 million sq.ft of employment generating, non-residential uses provided that quantifiable public benefits would be provided by the project.

This concept of providing a public benefit for CWC area residents in exchange for a 1.2 unit per acre density is carried forward from the Sector Plan, and was further clarified in the Remedial Amendment. In addition, the increase in non-residential units is consistent with staff's position and numerous planning efforts and data that demonstrate a need to balance land uses, specifically through the introduction of non-residential uses in the area. As such Exhibit 9 - CWC Sector Plan Settlement Agreement Non-Residential Needs Analysis, shows the need in 2007.

In order to determine if the Sector Plan Remedial Amendment concept remained valid, staff examined the prior analysis over the course of the Sector Plan evolution, and incorporated updated information on population and development approvals. This fundamentally examines if 1). the long standing imbalance of land uses remains in the CWC area, and 2). to what extent can the Minto West project address regional needs rather than the Enclave statute's "floor" based on surrounding uses, employed during the 2008 approval, and therefore provide a public benefit and contributing to a larger planning objective. The non-residential multipliers were utilized from the Sector Plan Remedial Amendment, these are a combined 36 square feet per capita for commercial uses (retail and office needs), and 22 square feet per capita for industrial uses. Note that the "Future 2035" row's numbers reflect the inclusion of the 2,996 units, and 235,000 square feet of non-residential uses (as the "Built/Apr" column includes all development approvals); the "Minto West" row addresses what the project itself would add above the existing 2008 approval; the "Future 2035 (w/Minto)" is the composite.

Existing and Future Needs vs. Minto West Supply (2014)

	Population	Retail/Office			Industrial/Employment		
		Demand at 36 sf/capita	Built	Need	Demand at 22 sf/capita	Built	Need
Existing 2013 Population	41,150	1,481,400	191,312	1,290,088	905,300	0	905,300

	Population	Retail/Office			Industrial/Employment		
		Demand	Built/Apr	Need	Demand	Built/Apr	Need
Future 2035 Population	62,561	2,252,196	958,737	1,293,459	1,376,342	0	1,376,342
Minto West (1,550 du @ 3.15 pph)	4,883	175,788	715,000	-539,212	107,426	1,050,000	-942,574
Future 2035 (with Minto West)	67,444	2,427,984	1,673,737	754,247	1,483,768	1,050,000	433,768

This indicates that the revised application submittal in July 2014 proposes to add non-residential uses in excess of what the Enclave itself would need. However, when examining the larger CWC area, the increased non-residential uses proposed, contributes to meeting, but does not fully address the long-term need.

In conclusion, the County has consistently maintained, through numerous years of planning efforts and studies (including the Sector Plan), that this site has an opportunity due to its centralized location in the CWC an opportunity to address imbalances of land uses through additional non-residential development as well as regional water/drainage solutions and to provide for workforce housing. These benefits were considered along with the public facilities impacts as analyzed in Section IX.E.

Public Benefits

Throughout the negotiation process, staff encouraged the applicant to pursue "good neighbor" initiatives in their conceptual planning efforts for the project. Additionally, the applicant conducted on their own initiative a public involvement and outreach program to generate awareness of and solicit input on the project. Outreach reportedly included extensive mailings to residents within the CWC area, creation of a website, establishing a community center on site for ongoing meetings with small groups of residents to go over concerns, holding design charrettes, and attending meetings of various stakeholder groups in the area. These meetings informed and influenced the design, as they worked to identify specific needs within the area. This response to local specific needs, and a consistent emphasis by staff that this project must provide quantifiable public benefits to the larger area to warrant and justify any increase over the existing approval. The applicant has provided an overview of public benefits that the Minto West project would provide (see Exhibit 20). A summary of the relevant benefits from that list that are over-and-above those provided in typical development in the County include:

- Create a mixed use community design to addresses regional land use imbalance and potential to reduce vehicle miles travelled.

- The provision of 242 acres of parks and recreation uses, 15 miles of perimeter trails for pedestrians cyclists and equestrians, 10 miles of pedestrian and bike pathways within the project, all proposed to be open to the public, as well as constructed and maintained by SID; this would not create a long-term fiscal obligation for the County.
- Creation of a 4 mile long linear park along the M-2 canal, also maintained by SID. Note this is outside of the amendment area.
- Civic site dedications for a Fire Station, Sherriff's sub-station, other Governmental Uses, and an Elementary School site.
- Establish over 2,000 acres of open space to be used for various agricultural, recreational, with substantial environmental commitments including polishing marshes and flow ways to address water quality, and creating lakes to provide wetland habitat.
- Potential to address ITID flooding, accepting 160 cfs of ITID discharge on-peak (equivalent to 1"/day); using an inverted siphon at the M-canal, connecting to the M-2 canal.
- Provide flowage easement for regional water storage for 250 acres of lake area (estimated land cost valued at \$3.4 million).
- Reservation of land for future Park-and-Ride and Palm Tran facilities to serve as a transit hub within the CWC area.

In addition, as part of negotiations, staff requested a reduction in the unit request, increase the non-residential uses, proposed text language to the Comprehensive Plan, conditions of approval and modifications to the Conceptual Plan (see Exhibits 1 to 4) to ensure that the public benefits are quantifiable and achievable. The specifics regarding the proposed text and map series amendments can be found in Section VIII. However, generally these benefits remain consistent with those required in the Sector Plan and include:

- contributions and funding of roadway impacts beyond proportionate share
- workforce housing
- addressing regional water issues supply and/or drainage
- providing publicly accessible recreational facilities and sites
- regional connectivity through equestrian, bicycle, pedestrian trails
- provision of a minimum percentage of open space

By contrast, limited public benefit would be afforded by the 2008 Callery-Judge Groves AGE approval. The Conceptual Plan and Implementing Principles that were adopted along with the FLUA amendment in 2008 can be found in Exhibit 6. The two rural parkways, one along Persimmon and the other along 140th Street North, provided some measure of buffering and limited trail connection, but not the larger regional connectivity as had been envisioned in the Sector Plan. Furthermore, the approved non-residential uses only addressed the needs that the growth proposed within the Callery-Judge Groves, and any civic use provisions were based on the minimum required by code. Significant roadway impacts were identified in the long range traffic study provided in 2008. However, that applicant indicated they would not commit to build any necessary improvements and made representations that development may occur incrementally to avoid addressing cumulative impact to public facilities.

VIII. Text & Map Series Amendment Data and Analysis

Proposed Text and Map Series Amendments

On November 4, 2013 the applicant submitted a request for privately initiated text amendments to the Comprehensive Plan which were initiated by the Board of County Commissioners on April 28, 2014. The applicant's proposed language can be found in Exhibit 19. During the negotiation period as outlined in Section VII, staff expressed the importance of maintaining the Transect Zones in the Plan as well as the need to incorporate language that will achieve public benefits for the Central Western Communities. As a result, staff's proposed text (which the applicant has agreed to) can be found in Exhibit 2. In addition, the data and analysis for each text change can also be found in Exhibit 5.

Conceptual Plan and Implementing Principles

This proposed amendment is modifying several policies relating to the AGE land use designation in the FLUE; however, both the current and revised policies require that the AGE include a Conceptual Plan and Implementing Principles. (See Exhibits 3 and 4 respectively)

The applicant revised the Conceptual Plan and Implementing Principles which will be adopted as part of the ordinance. The Conceptual Plan attempts to graphically depict the general location of the development areas that are discussed both in the associated text amendment and in the textual design component called the 'Implementing Principles'. The Implementing Principles have been designed specifically for the Minto West project (as opposed to the broader text amendments). The text amendment establishes and refines policies to ensure new urbanism concepts. The Implementing Principles will be used as a tool to guide the development approval process from concept to site plan and Zoning approval. They will also serve as a consistent set of principles that underpin the development and provide a consistent basis for and guide future decisions.

The Conceptual Plan identifies the general locations of the Transects, and establishes important design components to demonstrate new urbanism concepts. These include:

- The Natural Transect that will act as a physical divide between the development area (Sub-Urban and Urban Transects) and the existing suburban development pattern which surrounds the Enclave and also will serve as a contiguous, linked open space system.
- The Sub-urban Transect through Neighborhood sub zones that will cluster nearly all of the residential units east of Seminole Pratt Whitney Road, on no more than 40% of the Enclave land area, and provide transition from lower to higher density as development is located further from the perimeter.
- The new Urban Transect that establishes the "village and city centers" concept expressed in the statute, in the center of the project along Seminole-Pratt Whitney Road.
- Identifying the location of public and private civic sites that would be necessary and desired over the build-out of the project, at locations that are integrated with to complete an authentic community.

ULDC Implications: Concurrent with the FLUA and text amendment request are revisions to the Unified Land Development Code related to incorporating the Traditional Town Development regulations. Many of the previous code provisions for the Agricultural Enclave Overlay, are proposed to be deleted and will instead rely upon the Conceptual Master Plan and Implementing Principles to be adopted with the FLUA Amendment. The FLUA, Comprehensive

Plan text amendments, Rezoning and ULDC amendments will be heard concurrently at the adoption hearing scheduled on October 29, 2014.

IX. FLUA Amendment Data and Analysis Summary

This section of the report examines the consistency of the FLUA amendment (specifically with regard to the proposed 53.17 acres to change the future land use designation from RR-10 to AGE as well as the modification of conditions of approval, including the Conceptual Plan and Implementing Principles) with the County's Comprehensive Plan and the impacts on public facilities and services. The application included an analysis (see Exhibit 12) to demonstrate consistency with the several of the existing Goals, Objectives and Policies of the Comprehensive Plan.

A. Consistency with the Comprehensive Plan - General

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

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

The applicant has prepared a Justification Statement (Exhibit 11) which states that the proposed amendment request is justified as it will "amend the existing Callery Judge Agricultural Enclave to create a balanced, attractive and functional mixed-use community to enhance and support the existing sprawl-pattern development in the western communities." Furthermore, the application indicates that the development "will allow for viable commercial development including employment opportunities to serve the residential densities on the property and within the surrounding area" and serves "the County's goal of addressing the land use imbalance in the area as reflected in numerous County initiated studies and planning efforts." The applicant asserts that the project would "direct future development to an appropriate location, specifically to address the need for balanced growth, the provision of services and employment opportunities."

Staff Assessment: This policy is the umbrella policy over the entire FLUA amendment analysis and many of the items are addressed elsewhere in this report as identified above. With regard to the justification statement, staff concurs with the applicant's assessment that proposed amendment would provide significant non-residential square footage to address a long-standing land use imbalance in the CWC area. This was a

priority for the County for nearly 10 years before the Sector Plan effort was finally discontinued. However, the outcome was not because the identified needs and issues had been resolved--it was a combination of factors, including the inability to reach consensus with DCA and the interveners in a timely manner and the economic recession which temporarily abated development pressures in the area. Many of the issues persist. The proposal is more appropriate to addressing regional issues than the prior approval's 235,000 s.f. of retail and office uses, which minimally provided non-residential uses necessitated by the original 2,996 units. Furthermore, the centralized location of the Agricultural Enclave within the low density residential area provides the best single location to place a viable, sustainable hub of non-residential uses in a community setting.

2. **County Directions – 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.*

Staff Assessment: The proposed amendment is consistent with the County Directions as it provides for a balanced, innovative development pattern, in an area both underserved with non-residential uses and features a single-use homogeneous sprawl pattern. Although the surrounding areas land use pattern was established prior to the Comprehensive Plan and the County Directions, it openly contravenes the Directions in their guidance to provide sustainable communities, efficient land uses, cost effective delivery of services and facilities, the incorporation of design as an organizing element, the provision of open space networks. This Enclave represents an opportunity to address deficiencies within the established land use pattern, to provide employment office, commercial, recreation and residential uses integrated within a community. In addition, the applicant has provided an analysis of the proposed amendment's consistency with County Directions in Exhibit 12.

B. Consistency with Managed Growth Tier System

Future Land Use Element Objective 1.1, Managed Growth Tier System, states that “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:

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;”
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."

Staff Analysis: During the 2008 approval of the Gallery-Judge Agricultural Enclave, the subject site was determined to be an Agricultural Enclave pursuant to The Agricultural Land and Practices Act and therefore determined to be urban. As the Comprehensive Plan at the time did not have a mechanism for the required new urbanism component and urban service delivery within the Rural Tier, a new Future Land Use designation was created and the designation of the site as a Limited Urban Service Area (LUSA) was used as a planning tool to avoid affecting policies related to the Rural Tier. Therefore the broader goals and objectives of the Managed Growth Tier System are considered.

In a general sense, strategy 2 seeks to avoid or minimally use of conservation and environmentally sensitive lands, and this response to developing in a context sensitive approach is a fundamental underpinning of the Tier System. In the case of the Agricultural Enclave, it has no environmentally sensitive land (due to the clearing of the land for agriculture and drainage), and is of sufficient size that it is appropriate to further detail the location, type, intensity and form of development to ensure compatibility. As such no natural resources, environmentally sensitive lands or systems would be threatened. There is the potential to provide some longer term environmental mitigation and improve or restore hydrological flows to some natural systems. Therefore, the Enclave is consistent with this strategy.

Strategy 3 fundamentally requires growth accommodation in conjunction with the curbing of urban sprawl, through a mitigating factor of using compact development form to achieve sustainability. More compact development with a mixing of uses in close proximity equates to sustainable development, and a more efficient use of the land. The use of the Transect to provide density gradients, including significant areas of the enclave that do not feature density or intensity further this strategy. In addition, employing the TTD zoning district, with prescribed urban forms, and proximity of uses to create a walkable development pattern within the Enclave also furthers this strategy.

Relevant to the Agricultural Enclave, Strategy 7, which pertains to the provision of employment generating uses commensurate with population growth to achieve a broad economic base. Proposed within the Urban Transect of the Enclave is a significant employment center, which would include up to 1.5 million square feet of office, light industrial, research and development, and a small college, in a part of the County that has virtually none of these uses.

Strategy 8 indicates that the provision of service delivery and adequate public facilities should be timed in such a way that they prioritize already developed areas with deficiencies as well as growth in a timely manner. The Enclave has the potential to provide most of their own internal infrastructure needs through SID.

As such, the proposed amendment is consistent with these strategies of the Managed Growth Tier System.

C. Compatibility

Compatibility is defined as a condition in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use is unduly negatively impacted directly or indirectly by the other use. The applicant has provided a detailed

discussion (see Exhibits 11 and 12) stating that the proposed amendment is more appropriate as it is "incorporating new urban principals through the proposed Implementing Principles and by providing needed employment and commercial uses to serve residents within the entire central western communities, Minto West will alleviate, rather than exacerbate, the existing urban sprawl pattern development, thereby addressing an identified planning need."

The site is largely bounded by the Acreage, an antiquated subdivision dominated by 1.25 acre lots. To the south of the eastern part of the site is the Town of Loxahatchee Groves, a large lot community (averaging approximately 1 unit per 5 acres) that supports both residential and various agricultural uses (nurseries, equestrian, row crops, livestock, aviaries). To the northwest is Indian Trail Groves with an RR-10 designation on most of the area and a Rural Residential, 1 unit per 5 acres (RR-5) area forming a part of the boundary with the subject site. Also, along the east side of Seminole Pratt-Whitney Road and otherwise surrounded by the subject site is the Grove Market, a shopping plaza with a Commercial Low with underlying RR-10 (CL/RR-10) FLU designation. Finally, along the west side of Seminole Pratt-Whitney Road, adjacent to the site on its north, south and east sides (across the roadway) is Seminole Ridge High School, which has an RR-10 designation. The Grove Market and the elementary and middle schools were formerly part of the Callery-Judge property, but received development approvals through the County for these uses and have been subsequently developed.

Staff Analysis: The AGE FLU designation, with its approved density of 2,996 units and 235,000 square feet of non-residential uses, was previously determined to be **compatible** with the surrounding land use designations. The effect of the proposed amendment is to add 53.17 (or less than 2% of the overall acreage), and to increase the overall density such that it would raise the overall density 0.4 units/acre, a 50% increase over the approved density.

In assessing the compatibility of the proposed density, staff notes that there are many instances within the County where adjacent land use designations differ significantly without incompatibility. In every instance, where two different land use designations abut, the difference in density is at least 50%, and often much greater. For example, where LR-1 abuts LR-2, the difference in density is 100%. Where HR-8 abuts HR-12, the increase is 50%. Where RR-5 abuts RR-10, the increase is 100%. In most cases where these situations exist, the differences are not discernable and the uses are stable and compatible.

With regard to intensity, The total non-residential development proposed in the Minto West application includes 2,200,000 square feet of uses. Although the Enclave does not derive intensity from FAR--it is based on the surrounding use analysis in the statute and subject to the legislative authority of the BCC--a comparison of FAR is helpful in assessing compatibility. When this intensity of non-residential use is compared to the overall size of the Enclave, the resultant FAR is approximately .013, well under Rural and Exurban Tier FAR limitation (0.10). Furthermore, if the entirety of the land area that could be allocated to the Sub-Urban Transect (40%) is removed from consideration, the FAR increases to only .022. These proposed intensities of use, when measured and compared to the maximum development intensity allowed in the Rural and Exurban Tiers, are consistent with the intensity of and compatible with the surrounding areas.

In addition, there is the broader requirement (Policy 2.2.1-b) to examine for the furtherance of other Goals Objectives and Policies of the Plan (as discussed elsewhere). As the proposed amendment would contribute to addressing land use

imbalance, provides a sustainable form of development addresses and ameliorates an existing area of urban sprawl, consistent with this requirement. Staff finds that while there will be some impacts to residential uses, the proposed increase in density and intensity are **compatible** with the surrounding area.

There are also considerable additional measures to ensure **visual compatibility** with the Rural and Exurban Tiers that surround the Agricultural Enclave. These are consistent with general concepts from the Sector Plan, that would have required compact development forms on large parcels, surrounded by large areas of open space to provide separation and address visual compatibility. The Enclave would be required to have large swaths of Natural Transect that essentially form a greenbelt around the Enclave. These act as a buffer and are proposed to have considerable separation, landscaping and recreated natural water features. The proposed amendment would allow for a minimally used agricultural operation to convert and provide predictable development that helps to ameliorate the regional land use imbalance in the CWC area. Additional steps to ensure compatibility are the establishment of 80-foot rural parkway easements that are to feature additional paths and 70% native landscaping along both sides of Seminole Pratt Whitney Road through the Agricultural Enclave. These would further buffer through trips on the major north south route, limiting and further obscuring development areas from view. Furthermore, additional policy revisions provide for design standards to be implemented through the zoning process which will required to depict and ensure a compatible character of development that is appropriate for the area.

This project will be required to provide and maintain a clear landscaped and open space edge through at a minimum doubling the minimum perimeter edge condition standard required in Policy 2.2.5-e under the Natural Transect. Other requirements address minimum average width for the Natural Transect and limitations on the density of development that can be placed near the edge of the Enclave. This protection is accomplished through converting a once active citrus grove that has been partly denuded due to various citrus blight eradication programs, and improving it to appear as a native vegetative area at the perimeter edge. The north and east edges (along the future 60th Street North/M-canal, and 140th Street North) are designated as rural parkway easements within the Natural Transect. These rural parkways are required to have high native species content included in the landscape to buffer and enhance the character of the area by providing additional trails and recreational opportunities, commensurate with the public needs, and ensure further compatibility with the surrounding area. Use of native species in landscaping the perimeter edge provides a natural, or rural landscape where only active grove operations had been before. Additional proposed policy revisions allow for environmental mitigation and restoration to occur within the Enclave and land used for this purpose could be appropriately located to provide additional separation between the edge and the development areas of the Enclave. Furthermore, existing and future residents in the area who utilize select collector roads within the Enclave would be further screened from development through the inclusion of rural parkways for segments along Seminole-Pratt Whitney Road, Persimmon, and a to-be-named future "town center parkway." The intent is to pull the development away from the edges, in part to require compaction for density purposes, but to also ensure compatibility. The additional rural parkways within the Enclave further help obscure development areas, and ease the transition. Only those who would venture in to the Employment Center or Town Center components of the Urban Transect would appreciably experience any development intensity, and these would likely be to either traverse the Enclave or use the center as the intended hub of the CWC area. It

should be noted that the Employment Center is proposed to be located a minimum of 80 feet beyond the edge of the right-of-way for Seminole Pratt Whitney Road, behind the rural parkway. The Town Center component, although not specifically screened by a rural parkway easement, is proposed to be pulled away from Seminole-Pratt Whitney Road, separated by flanking lunette-shaped lakes of approximately 500-700 feet wide (east-west), and 3,000 feet long (north-south).

Limited, sustainable agricultural uses are also proposed to be allowed to continue and new agricultural uses may also be established within the Enclave's Natural Transect in the revised Policy 2.2.5-d. This potentially preserves some agricultural uses and also allows some potential for integrating food production within the development.

Considering the data and analysis provided above, staff's assessment is that the proposed amendment does not create an incompatibility.

D. Consistency with County Overlays, Plans, and Studies

- 1. Overlays – FLUE Policy 2.1-k** states *“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.”*

Staff Analysis: The proposed amendment is not located within an overlay.

- 2. Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *“The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval.....”*

Staff Analysis: The site is not located within an Neighborhood Plan area. However, in Exhibit 8, an exhaustive account of planning studies and neighborhood plans was provided. These indicated locally identified needs and the potential value and concerns that the uncertainty over this parcel has long had for the CWC area.

E. Public Facilities and Service Impacts

The proposed amendment will increase the development potential on the site from 2,996 residential units and 235,000 square feet of non-residential uses to 4,546 units and 2.0 million square feet of non-residential uses in addition to 200,000 square feet of civic uses, a 150-room hotel and 3,000-student college. Public facilities impacts are detailed in the table in Exhibit 16, and are as follows:

1. Traffic Analysis:

An Agricultural Enclave is exempt from FLUE Policy 3.5-d. The applicant prepared a long range traffic impact analysis per the amendment application requirements. This analysis is based on the original 6,500 unit request submitted in December 2013 and is included as Exhibit 17. Due to the complexity of the Minto West Agricultural Enclave project, and the concurrent zoning requests, traffic analysis is ongoing and a full determination of the traffic impacts and associated mitigation will be available prior to the adoption public hearing of the FLUA amendment. This analysis will also address the

proportionate share of improvements required to mitigate the roadway impacts identified in the Minto West concurrency study.

2. **Mass Transit:** The nearest bus stop is approximately 7 miles away at Southern Boulevard and Seminole Pratt Whitney Road which services Route 40. Palm Tran has indicated that they have no comments regarding the proposed amendment.
3. **Potable Water & Wastewater:** Seminole Improvement District (SID) is the potable water and wastewater provider. In a letter dated October 25, 2013, the District Manager for SID indicates that they are "willing to provide the necessary water and wastewater services within its jurisdictional boundaries. Water and wastewater services may be provided through any combination of the following including but not limited to existing facilities, expansion of facilities and infrastructure, or interlocal agreements." Additionally, SID is a co-applicant on this project.

The Palm Beach County Water Utilities Department had no comments.

4. **Environmental:** According to the applicant's "natural features and inventory map" prepared by EW Consultants, Inc., "the long and consistent use history on the Minto West site has resulted in elimination of all native and natural habitat features from the property." Staff has worked with the Department of Environmental Resources Management (ERM) and County Administration to explore and determine if long-term and regional water resource issues can be addressed in part within the Enclave as a potential public benefit.
5. **Historic Resources:** Each future land use amendment application requires a statement by the County Archaeologist regarding the identification of any historical and archaeological resources located on or within 500 feet of this property. According to the letter dated October 28, 2013, that given recent research regarding the site, staff recommends that the applicant schedule a meeting with the County Archaeologist "to discuss areas to be tested and when testing should be occur."
6. **Fire-Rescue:** According to Palm Beach County Fire-Rescue in a letter dated October 22, 2013, "this property is primarily served by station #22 which is located at 5060 Seminole Pratt Whitney Road. The farthest point of this property from the fire station is approximately 4 miles and the closest point being right next to the station. The estimated response time to the subject property could range from 3 minutes 30 seconds to 10 minutes 30 seconds, depending on the interior road network and connectivity, also the development layout. For fiscal year 2013, the average response time (call received on scene) from this stations zone is 9:45." Information submitted with the Zoning application indicates that a permanent fire station is proposed to be built in one of the proposed public civic parcels adjacent to the existing Grove Marketplace on the east side of Seminole-Pratt Whitney Road.
7. **Drainage:** Seminole Improvement District (SID) is the drainage provider for the site. To better understand drainage and water supply issues in this area of the County, and ascertain if the Minto West Agricultural Enclave could provide a regional public benefit as contemplated during the Sector Plan efforts, County staff met individually with the staff of Loxahatchee Groves Water Control District (LWCD) and Indian Trail Improvement District (ITID), as well as the City of West Palm Beach, and the South Florida Water Management District (SFWMD) over the course of the negotiation process. Broadly speaking, all of the area south and east of the M-canal, L-8 canal, and

L-8 Tieback canal discharge into the C-51 canal which outfalls into the Lake Worth Lagoon, and in due course, out to tide. The County and others have long sought to reduce drainage outfalls to the Lake Worth Lagoon (to help preserve the fragile ecosystem within it), through ultimately restoring flow from this area north to the Loxahatchee Slough and the Northwest Fork of the Loxahatchee River. This has a policy basis within the Comprehensive Plan, Conservation Element Policy 2.3-f, which indicates that the County, SFWMD, and other appropriate agencies shall work to re-establish the historic hydrological connections between Grassy Waters, the Slough and the Loxahatchee River.

The District Administrator for LGWCD indicated that there was effectively no need to interconnect their system with Minto West/SID, as LGWCD has adequate discharge to the SFWMD's C-51 canal, and is not seeking additional drainage capacity. Water quality issues were also discussed, however, LGWCD indicated reluctance to explore that issue.

The ITID drainage consultant indicated that Minto West/SID could provide some benefit to address their drainage needs through a combination of on-site storage and discharge through their permit. However, ITIDs need for additional allowable discharge is considerable, and the Minto West project alone cannot address the deficiencies. A combination of larger solutions is needed, but nevertheless, the Minto West project could contribute to some drainage solution.

Staff met with Administration and Engineering staff from the City of West Palm Beach who indicated that the City is interested exploring ways to improve its water supply at Grassy Waters, which is wholly dependent upon precipitation. They believe that the Minto West project has the potential to supply Grassy Waters with additional water, and would provide a public benefit. They also indicated that historically the Callery-Judge Groves has priority in drawing water from the M-canal. Simply converting the parcel to a non-agricultural use, this would automatically provide the City's Grassy Waters Preserve with an immediate benefit, as water would no longer be diverted from the M-canal to Callery. Furthermore, if efforts are made to improve surface water quality through various polishing marshes in the Minto West project, and if Minto obtains permits to allow the M-canal to be the outfall for the development, the staff indicated they would be amenable to considering the additional supply.

County staff met with SFWMD on the project to determine the Minto West's potential role within the larger north County watershed. SFWMD staff said that they have previously examined regional water issues in central Palm Beach County, but those efforts were abandoned. They indicated that they would pursue restarting the federal planning process to look at this region again, but had not yet done so. However, the Minto West project could contribute to larger regional needs in advance of that planning effort. At the meeting, SFWMD staff pointed out that different issues and purposes are involved--that ITID is looking to address flood control issues, and they (SFWMD) are studying restoration of water flow within the region. This increases the complexity in achieving a solution. In a follow-up letter dated April 16, 2014, SFWMD indicated that "within the watershed, our focus will be on providing storage and water quality treatment to support supplemental deliveries through the Grassy Waters Preserve without compromising the integrity of this important ecological system." Given the proximity of the Minto West project to the M-canal, SFWMD expressed that although the specific volume of storage needed is not yet known, that "it would be important that this storage be near the M-canal to allow ease of delivery and to the greatest extent possible be separate from the

overall surface water management features for any proposed development within the area." Furthermore, SFWMD indicated that efforts to support "local flood improvement goals while allowing stored water to be available to assist in meeting the restoration flows to the Loxahatchee River would likely have broad support."

With the exception of LGWCD, there is a general expressed consensus and indication that a public benefit could be provided through using the Minto West project as a component of a comprehensive regional water approach. However, it is not clear if such an approach would address one or more of the following concepts--stormwater management/discharge, environmental/hydrological restoration, or water quality and supply issues. It is beyond the scope of this amendment to resolve such issues, but may have critically served to begin renewed discussions. Ongoing regional planning efforts will need to be undertaken to create a fully integrated system. However, the applicant, in their public benefits analysis, indicates that land would be dedicated for a "flowage easement" to create an area up to 250 acres in size (see Exhibit 20). In addition, a memo written by Palm Beach County Water Resources Manager, Ken Todd, is attached in Exhibit 25 for additional information regarding this issue.

8. **Health Impacts:** No comments have been provided by the Department of Health on the project in either the Land Use or Zoning processes.
9. **Parks and Recreation Impacts:** The applicant has indicated that the subject site will be serviced by the Okeeheele North Park (regional), Phil Foster Park (beach) and Seminole Palms Park (district) as well as the recreational facilities that will be built as the project develops. The Parks and Recreation Department has an interest in the dedication of land for a future district park within the property to serve future residents of the development. This is indicated as Civic area "C-4" on the west side of Seminole Pratt Whitney Road, immediately south of the Seminole Ridge Community High School. This parcel is proposed to be a County District park, of approximately 50 acres in size. The applicant has indicated that SID would be responsible for the construction and maintenance of this park. Furthermore, two additional parks are proposed to be located within the Enclave, these would also be owned and maintained by SID.
10. **Public School System:** Three public schools are immediately adjacent to the site: Golden Grove Elementary; Western Pines Middle School; and Seminole Ridge High School. Through a letter dated July 21, 2014, the School District analyzed the request to a stated 4,549 units. The School District's analysis was based upon the 1,553 unit increase from the existing Enclave's 2,996 units; however, it indicated only 1,053 units were considered as 500 units would be "age restricted" and thus generate no students. The School District's revised analysis stated the revised proposal would generate an additional 116 elementary students, 51 middle students, and 72 high students. The District indicates that "the applicant has agreed to contribute a 12 acre net elementary school site for a public elementary school to the School District in relation to this project." The District's letters and related correspondence from the applicant are provided in Exhibit 24.
11. **Library:** The applicant indicates that the Acreage Branch Library, located at 15801 Orange Blvd, Loxahatchee, FL will service the subject property. The library is located approximately 1.8 miles north of the subject site.

F. Florida Statutes (FS) Consistency

- 1. Data & Analysis Applicable to F.S.:** Section 163.3177(6)(a), Florida Statutes, require that local governments future land use plans be based on a number of factors, including population projections, the character of undeveloped land, availability of public services, and other planning objectives.

Staff Analysis: This amendment has been analyzed with consistency to Florida Statutes as demonstrated throughout the body of this report.

- 2. Data and Analysis Applicable to Florida Statues - Consistency with Urban Sprawl: Consistency with Urban Sprawl:** The Agricultural Lands and Practices Act [163.3162(4), F.S.] states that amendments for land defined as an agricultural enclave [163.3164(33), F.S.] are “*presumed to be consistent with rule 9J-5.006(5), Florida Administrative Code*”, i.e., the Urban Sprawl Rule, provided that the project includes “*appropriate new urbanism concepts*”. The statute goes on to state [163.3162(5)(b), F.S.] that this “*presumption may be rebutted by clear and convincing evidence.*” In order to address the Urban Sprawl Rule, the applicant has provided analysis to demonstrate consistency in Exhibit 13. Section 163.3177(6)(a)9.a., F.S., establishes a series of primary indicators to assess whether a plan amendment does not discourage the proliferation of urban sprawl. The statute states that the evaluation of the presence of these indicators shall consist of an analysis of the plan amendment within the context of features and characteristics unique to each locality. The analysis in the table below indicates that the proposed amendment does not encourage the proliferation of urban sprawl.

If urban sprawl was indicated by any of these factors, staff would review the proposed amendment against the new section added in 2011 (163.3177(6)(a)9.b) which establishes that the plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of eight additional criteria. However, since none of the factors in the first analysis were triggered, the second analysis is not necessary.

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
Criteria Related to Land Use Patterns		
Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low intensity, low-density, or single use development or uses.	The parcel already has an AGE FLU designation with a condition limiting it to 0.8 maximum density. The proposal would add 53.17 acres of AGE, increase the maximum density to 1.2, and allow for additional non-residential uses within a larger area of established low density residential use.	No
Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.	The proposed AGE future land use designation does not constitute urban development. Nor does the site emanate from existing urban development, as it is surrounded by low density residential at an average density of 1 unit per 1.25 acres to 1 unit per 5 acres.	No

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.	This amendment does not discourage or inhibit infill development or the redevelopment of existing neighborhoods and communities as the site is located within the Rural Tier which provides a different lifestyle and development pattern than that of the Urban/Suburban Tier where infill and redevelopment are a priority.	No
Fails to encourage functional mix of uses.	The proposed amendment does not fail to encourage a functional mix of uses as the proposed zoning is inherently a mixed-use master planned district.	No
Results in poor accessibility among linked or related land uses.	The proposed amendment would not result in the any accessibility issues for the residential parcels surrounding the subject site.	No
Results in the loss of significant amounts of functional open space.	The proposed amendment on this site will not result in the loss of significant amounts of functional open space as the applicant would now be required by the Plan to provide 55% of the development as Natural Transect. This is a net increase of 15% open space over the previously approved Enclave. Furthermore the TTD zoning would require additional open space within the Urban and Sub-urban Transects.	No
Criteria related to sites located outside or at the edge of the Urban Service Area		
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	The Enclave is already designated a Limited Urban Service Area, with identified service providers, in an area that s. 163.3162(4), F.S. determines to be Urban.	No
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	No natural resources remain on the site. This is due to the establishment of citrus growing operations on the site nearly 50 years ago, and subsequent use of the grove. However, some potential to reestablish native vegetation, habitat, and environmental mitigation on site is possible and encouraged within the policies for the Enclave.	No
Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.	Agricultural operations occur west of the M-canal, within the Silver Lakes property in the southeast corner of the Enclave and to the south in Loxahatchee Groves. Due to the 55% minimum Natural Transect open space requirement for the Enclave, and the minimum perimeter buffer widths, ample separation is required to ensure more than adequate protection.	No

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
Fails to provide a clear separation between rural and urban uses.	The amendment will not fail to provide a clear separation between rural and urban uses as the Enclave would be required to provide a clear separation between the Rural/Exurban Tier uses, at an absolute minimum this would be at least 200 feet (where previously 100 feet was the minimum). Increased separation is mandated through other specific policy requirements and is intended to further new urbanism concepts such as clustering.	No
Criteria Related to Public Facilities		
Fails to maximize use of existing public facilities and services.	Information regarding the proposed amendment has been distributed to the County service departments for review and there are adequate public facilities and services available to support the amendment.	No
Fails to maximize use of future public facilities and services.		
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.	Adequate services can be provided to this site, according to the service providers. Also, the subject site is currently surrounded by existing residential communities which receive services. Furthermore, the Enclave would begin to balance land uses and ameliorate outdated development pattern.	No
Overall Assessment: As demonstrated above, the proposed amendment does not meet any of the indicators of urban sprawl, and would not contribute to urban sprawl in the County.		

X. Public and Municipal Review

The Comprehensive Plan Intergovernmental Coordination Element Policy 1.1-c states that *“Palm Beach County will continue to ensure coordination between the County’s Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities.....”*

- A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on April 17, 2014 and May 2, 2014. To date, no objections through the IPARC process to this amendment have been received. In addition, municipal notice was sent to the City of Palm Beach Gardens, the City of West Palm Beach, the Town of Loxahatchee Groves, and the Villages of Royal Palm Beach and Wellington on June 24, 2014. As of the publication of the Planning Commission Report, no written comments had been received from these municipalities. Any written comments will be added to Exhibit 26 throughout the hearing process.
- B. Other Notice:** Interested parties were notified by mail on June 24, 2014 including the Acreage Landowners Association, South Florida Water Management District, Loxahatchee Groves Water Control District and Indian Trail Improvement District. As of the publication of the Planning Commission Report, the Division had received a letter from Indian Trail Improvement District, Acreage Landowners Association and the Riverwalk of the Palm Beaches Home Owner's Association objecting to the amendment. Written comments will be added to Exhibit 26 throughout the hearing process.

Public notice by letter, was mailed to the owners of properties within 1,000' of the perimeter of the site on June 24, 2014. The Division has received numerous correspondence via mail and email from the public. As of the publication of the Planning Commission report, the Division had received 29 emails and letters in opposition which generally describe the traffic impacts that would be caused by the density and intensity increases as well as the effect on the lifestyle of the area. These letters can be found in Exhibit 27 along with additional letters as they are received during the amendment process. As of the publication of the Planning Commission report, the Division had received 37 emails and 509 mailers in support. Samples of these mailers can be found in Exhibit 28 along with additional letters as they are received.

- C. Informational Meeting:** The Division hosted a meeting with residents and interested parties to relay information regarding the amendment and development approval process on July 8, 2014 at the Seminole Ridge High School Auditorium. The meeting was attended by approximately 120 residents and members of the public as well as staff from County departments such as Planning Zoning & Building, Engineering, County Attorney and Environmental Resources Management. Sixteen (16) members of the public spoke and concerns raised by residents include how the proposed development will fit into the existing residential area, the amount and need for the commercial proposed, the required new urbanism component and issues related to traffic distribution onto ITID roads and the impact of the development on the overall road network.
- D. Meetings with Interested Parties:** As part of the notification process, the Planning Division met with the following interested parties and staff from affected municipalities to give an overview of the amendment and discuss concerns:
- Indian Trail Improvement District
 - City of West Palm Beach
 - City of Palm Beach Gardens
 - South Florida Water Management District
 - Loxahatchee Groves Water Control District
 - Village of Royal Palm Beach
 - Village of Wellington
 - Treasure Coast Regional Planning Council
 - North County Intergovernmental Meeting
 - Commissioner Burdick's Town Hall Meeting
 - Commissioner Santamaria's Monthly Forum (to be held August 20, 2014)

XI. Conclusions and Recommendation

The proposed amendment, including the staff proposed text changes and FLUA amendment with Conceptual Plan and Implementing Principles, coupled with the use of the Traditional Town Development zoning district includes appropriate new urbanism concepts pursuant to the Agricultural Enclave statute. The amendments have been tailored to incorporate the provisions of the Agricultural Enclave while preserving the integrity of the County's Comprehensive Plan. In addition, the amendment will address regional deficiencies through the provision of public benefits for residents of the Central Western Communities.

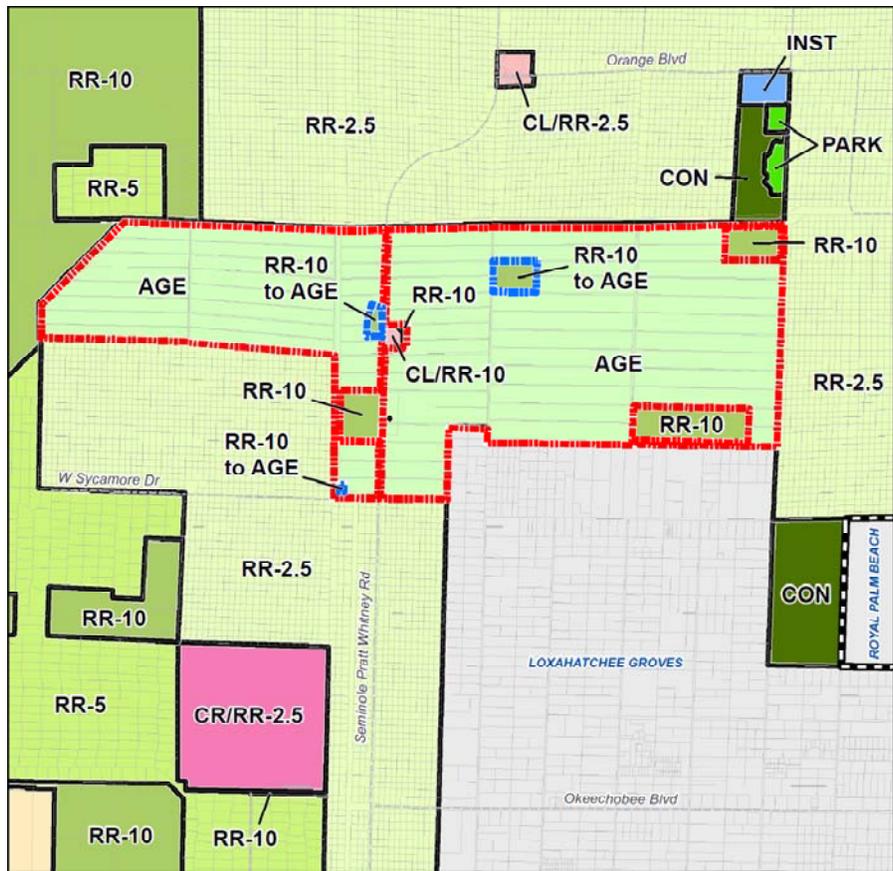
Based on the findings presented in this report, County staff recommends **approval with conditions** of the amendment as shown in Exhibits 1 through 4.

Exhibits

1.	Future Land Use Map Amendment with Legal Description	E – 1
2.	Proposed Text & Map Series Amendments (to be adopted)	E – 9
3.	Proposed Implementing Principles (to be adopted)	E – 21
4.	Proposed Conceptual Plan (to be adopted)	E – 24
5.	Data and Analysis for Proposed Text & Map Series Amendments	E – 25
6.	2008 Callery-Judge Groves Conceptual Plan and Implementing Principles (to delete)	E – 29
7.	Agricultural Lands and Practices Act (Ch. 163.3162, F.S.)	E – 34
8.	History of the Central Western Communities Planning Efforts	E – 36
9.	2007 CWC Sector Plan Settlement Agreement Non-Residential Needs Analysis	E – 41
10.	Evaluation of Applicant's Residential and Non-Residential Analysis	E – 46
11.	Applicant's Justification Statement	E – 48
12.	Applicant's Consistency with the Comprehensive Plan Analysis	E – 50
13.	Applicant's Consistency with the Urban Sprawl Rule Analysis	E – 55
14.	Applicant's Residential Density Analysis	E – 58
15.	Applicant's Non-Residential Analysis	E – 75
16.	Applicant's Public Facilities Analysis Table	E – 116
17.	Applicant's Traffic Study	E – 119
18.	Applicant's Disclosure of Interest	E – 120
19.	Applicant's Originally Proposed Text Amendments	E – 125
20.	Applicant's Public Benefits and Outreach	E – 131
21.	Applicant's Agricultural Classification Letter	E – 134
22.	Potable Water & Wastewater Letter (dated 10/25/13)	E – 135
23.	South Florida Water Management District (SFWMD) Letter (dated 4/16/14)	E – 136
24.	School District Letters (dated 7/21/14 and 7/1/14)	E – 137
25.	Memo from K. Todd to V. Baker (dated 6/11/14)	E – 142
26.	Correspondence – Municipal and Organizations	E – 152
27.	Correspondence – Public Opposition	E – 153
28.	Correspondence – Public Support	E – 154

Exhibit 1

Amendment No.:	Minto West Agricultural Enclave (LGA 2014-007)
FLUA Page No.:	40, 41, 47 and 48
Amendment:	From Rural Residential, 1 unit per 10 acres (RR-10) to Agricultural Enclave (AGE) on 53.17 acres; to modify conditions of approval on 3,735.43 acres with AGE future land use; and to apply conditions of approval, inc. Conceptual Plan and Implementing Principles, on the entire site.
Location:	East and west of Seminole Pratt Whitney Blvd., south of 60 th St. N. and north of 50 th St. N. and Sycamore, and West of 140 th Avenue North
Size:	3,788.601 total acres
Property No.:	<p>AGE Future Land Use (Ord. 2008-019): 00-40-43-01-00-000-1010; 00-40-43-01-00-000-1020; 00-40-43-02-00-000-1010; 00-40-43-02-00-000-9000; 00-40-43-03-00-000-1020; 00-40-43-03-00-000-1030; 00-40-43-12-00-000-1000; 00-40-43-12-00-000-1020; 00-40-43-12-00-000-3030; 00-41-43-05-00-000-1030; 00-41-43-05-00-000-1040; 00-41-43-06-00-000-1010; 00-41-43-06-00-000-1020; 00-41-43-07-00-000-1000; 00-41-43-07-00-000-1010; 00-41-43-08-00-000-1010; 00-41-43-08-00-000-1020;</p> <p>RR-10 Future Land Use: 00-40-43-01-00-000-7030; 00-41-43-06-00-000-3010; 00-40-43-12-00-000-7010;</p>



Conditions:

- A. Maximum gross density is 0.80 du/acre (2,996 maximum units), 1.20 DU/acre (4,546 maximum units); no additional density bonuses are permitted;
- B. No more than 115 building permits for residential units shall be issued to the Gallery Judge Groves Agricultural Enclave within the first five (5) years following effective date of the Plan Amendment; and
Non-residential uses shall be limited to the following intensities:
- 500,000 square feet of Commercial Uses (retail, personal services, restaurants, etc.)
 - The following uses consistent with the Economic Development Center land use designation:
 - 450,000 square feet of Commercial Office (business/professional offices, etc.)
 - 450,000 square feet of Light Industrial Uses (as referenced in the FLUA Regulation Section of the Plan)
 - 600,000 square feet of Research and Development Uses (Laboratory, Manufacturing and Processing, and other related "clean" industrial uses)
 - 200,000 square feet of Civic uses (government services, places of worship, daycare facilities, etc.)
 - 150 room Hotel
 - 3,000 student College/University
- C. Development of the site must conform with the Site Data table, the Conceptual Plan and the Guiding-Implementing Principles.
- D. The Zoning development order shall include the provision of at least 10% of the residential units shall be provided as workforce housing.
- E. The Zoning development order shall include provisions requiring the project to address regional drainage and/or water supply needs: providing at least 160 cfs discharge (1"/day) on peak, and a flowage easement for 250 acres of lake, and/or other equivalent solutions.
- F. Prior to the adoption hearing, the Conceptual Plan and Implementing Principles shall be revised as follows:
- The Conceptual Plan shall be revised to indicate that a maximum of 15% of Enclave may be developed under the PUD-Residential Pod standards;
 - Depict location of Rural Parkways on the Conceptual Plan; and
 - The Implementing Principles shall be revised to include provisions consistent with the "Transect Zone" definition in the Plan.
- G. The Zoning development order shall include a "Transect Plan" which further details the Transect Zones and sub-zones, demonstrating full compliance with all relevant policies, the Conceptual Plan and Implementing Principles.
- H. To ensure a balanced development with a diversity of uses: at the time of rezoning, the project shall include a phasing plan and/or conditions of approval requiring minimum non-residential development to be included in each phase, unless all non-residential uses are built-out.

Legal Description

DESCRIPTION :

Sections 1, 2, and 3, Township 43 South, Range 40 East; EXCEPTING from said Section 3, that part thereof lying North of the following described line; BEGINNING at a point on the West line of said Section 3, and 1343.16 feet Northerly of the Southwest corner of Section 3; thence run Northeasterly along the South line of Canal "M" right-of-way a distance of 4096.52 feet, more or less, to a point on the North line of said Section 3; said point being 2447.94' Westerly of the Northeast corner of said Section 3.

ALSO:

Section 12, less the East 1/2 of the Southeast 1/4 thereof. All in Township 43 South, Range 40 East, Palm Beach County, Florida.

ALSO:

Sections 5, 6 and the North 1/2 of Sections 7 and 8, in Township 43 South, Range 41 East, less the North 250 feet of said Section 5 and 6, conveyed to the City of West Palm Beach by Deed dated July 26, 1956, and recorded September 25, 1956, in Deed Book 1156, Page 58, for Canal "M" right-of-way, which deed was corrected in part by a corrective quit-claim deed dated October 7, 1963, and filed October 8, 1963, in O.R. Book 924, Page 965, Palm Beach, County, Florida.

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 14566, Page 1779, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 9169, Page 136, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 9232, Page 1206, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14034, Page 1119, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14676, Page 953, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

Silver Lake Palm Beach, LLC parcel, recorded in O.R. 15391, Page 754, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

Seminole Pratt-Whitney Road parcels, recorded in O.R. Book 1544, Page 378, O.R. Book 10202, Page 430 and O.R. Book 10289, Page 488, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

Grove Market Place parcel, recorded in O.R. Book 10113, Page 1668, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

Grove Market Place retention parcel, recorded in O.R. Book 10101, Page 452, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

Seminole Water Control District parcel, recorded in Official Records Book 2902, Page 1351, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT:

DESCRIPTION: A strip of land 80 feet wide lying in Section 1, Township 43 South, Range 40 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of Section 1, Township 43 South, Range 40 East; Thence S.00°59'07"W. along the West boundary of said Section 1, a distance of 349.11 feet to a point on the Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County; said point also being the **POINT OF BEGINNING**; Thence Easterly along said Southerly boundary of M-Canal, as found monumented, the following two (2) courses: 1) S.87°46'28"E., 370.84 feet; 2) N.88°36'57"E., 1,406.04 feet to the West right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida; Thence S.01°42'52"W. along said West right of way line, a distance of 80.12 feet to a point on a line 80.00 feet south of and parallel with said Southerly boundary of M-Canal, said parallel line also being the south line of the M-Canal Road Easement, an 80 foot wide City of West Palm Beach Easement, recorded in said Deed Book 1156, Page 58; Thence Westerly along said south line of the M-Canal Road Easement the following two (2) courses: 1) ; S.88°36'57"W., a distance of 1,404.23 feet; 2) N.87°46'28"W., a distance of 371.63 feet to said West boundary of Section 1; Thence N.00°59'07"E along said West boundary of Section 1, a distance of 80.02 feet to the **POINT OF BEGINNING**.

THE ABOVE ALSO BEING DESCRIBED AND BASED UPON FIELD SURVEY, AS FOLLOWS:

PARCEL 1

DESCRIPTION: A parcel of land lying in Sections 1, 2, 3, and 12, Township 43 South, Range 40 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 1, run thence along the West boundary of said Section 1, S.00°59'07"W., 429.13 feet to a point on the Southerly boundary of M-Canal Road Easement, an 80 foot wide City of West Palm Beach Easement, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County, said point also being the **POINT OF BEGINNING**; thence along said Southerly boundary of M-Canal Road Easement, the following two (2) courses: 1) S.87°46'28"E., 371.63 feet; 2) N.88°36'57"E., 1,404.23 feet to the West right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida; thence along said West right of way line, S.01°42'52"W., 3,336.40 feet to the Northerly most corner of additional right of way for Seminole-Pratt Whitney Road, recorded in Official Records Book 10289, Page 488, of the Public Records of Palm Beach County, Florida; thence along the West right of way line of said additional right of way for Seminole-Pratt Whitney Road, the following three (3) courses: 1) S.02°59'15"W., 540.13 feet; 2) S.01°42'52"W., 280.00 feet; 3) S.00°26'29"W., 540.13 feet to a point on aforesaid West right of way line of Seminole-Pratt Whitney Road, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34; thence along said West right of way line, the following two courses: 1) S.01°42'52"W., 5,032.98 feet to a point of curvature; 2) Southerly, 0.81 feet along the arc of said curve to the left having a radius of 22,968.61 feet and a central angle of 00°00'07" (chord bearing S.01°42'49"W., 0.81 feet) to the agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in Road Plat Book 6, Page 136, of the Public Records of Palm Beach County Florida; thence along said agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in aforesaid Road Plat Book 6, Page 136, N.89°12'49"W., 501.96 feet to the Southeast corner of Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351, both of the Public Records of Palm Beach County, Florida; thence along the East, North, and West boundary of said Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351, in respective order, the following three (3) courses: 1) along a line lying 1,090.00 feet East of and parallel with the agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in aforesaid Road Plat Book 6, Page 136, N.00°29'31"E., 60.00 feet; 2) along a line lying 60.00 feet North of and Parallel with aforesaid agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 640.01 feet 3) along a line lying 450.00 feet East of and parallel with aforesaid agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, S.00°29'31"W., 60.00 feet to aforesaid agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, also being the Southwest corner of aforesaid Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351; thence along said agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 450.01 feet to the agreed upon Southwest corner said Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136; thence along aforesaid agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in Official Records Book 5863, Page 1155, and Official Records Book 8434, Page 1410, both of the Public Records of Palm Beach County, Florida, N.00°29'31"E., 5,166.68 feet to the agreed upon and monumented Southeast corner of Section 2, as surveyed by K.C. Mock and referenced in said

Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410; thence along the agreed upon and monumented South boundary of said Section 2, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410, N.85°08'43"W., 5,338.63 feet to the agreed upon Southeast corner of Section 3, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410; thence along the agreed upon and monumented South boundary of said Section 3, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410, N.88°35'25"W., 5,305.73 feet to the West boundary of aforesaid Section 3, Township 43 South, Range 40 East; thence along said West boundary of Section 3, as found monumented, N.01°02'29"E., 1,369.21 feet to the Easterly boundary of aforesaid M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in aforesaid Deed Book 1156, Page 58; thence along said Easterly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in said Deed Book 1156, Page 58, as found monumented, N.44°59'32"E., 4,057.61 feet, to the North boundary of aforesaid Township 43 South, Range 40 East, as re-established by John T. Pickett in 1955 and referenced in aforesaid Road Plat Book 6, Page 136; thence along said North boundary of Township 43 South, Range 40 East, as re-established by John T. Pickett in 1955 and referenced in said Road Plat Book 6, Page 136, also being along a line lying 80.00 feet South of and parallel with aforesaid Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in aforesaid Deed Book 1156, Page 58, S.87°46'28"E., 7,799.26 feet to aforesaid West boundary of Section 1 and the **POINT OF BEGINNING**.

LESS AND EXCEPT FROM PARCEL 1:

The School District of Palm Beach County parcel, recorded in O.R. 14566, Page 1779, of the Public Records of Palm Beach County, Florida.

TOGETHER WITH:

PARCEL 2:

DESCRIPTION: A parcel of land lying in Sections 1 and 12, Township 43 South, Range 40 East, and in Sections 5, 6, 7, and 8, Township 43 South, Range 41 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 1, run thence along the West boundary of said Section 1, S.00°59'07"W., 349.11 feet to a point on the Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County; thence along said Southerly boundary of M-Canal, as found monumented, the following five (5) courses: 1) S.87°46'28"E., 370.84 feet; 2) N.88°36'57"E., 1,506.19 feet to a point on the East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida, said point also being the **POINT OF BEGINNING**; 3) continue N.88°36'57"E., 3,785.92 feet; 4) along a line lying 250.0 feet South of and parallel with aforesaid Section 6, Township 43 South, Range 41 East, S.89°48'53"E., 5,270.08 feet; 5) along a line lying 250.0 feet South of and parallel with

aforsaid Section 5, Township 43 South, Range 41 East, N.88°40'55"E., 5,270.77 feet to the East boundary of said Section 5, Township 43 South, Range 41 East; thence along said East boundary of Section 5, Township 43 South, Range 41 East, S.01°54'46"W., 5,428.97 feet to the Southeast corner thereof, also being the Northeast corner of aforesaid Section 8, Township 43 South, Range 41 East; thence along the East boundary of the North 1/2 of said Section 8, Township 43 South, Range 41 East, S.02°00'06"W., 2,713.58 feet to the East 1/4 corner of said Section 8, Township 43 South, Range 41 East; thence along the South boundary of said North 1/2 of Section 8, Township 43 South, Range 41 East, as found monumented and occupied, N.88°32'08"W., 4,963.38 feet to the East boundary of Silver Lake Enterprises, Inc. Parcel 1B, recorded in Official Records Book 14034, Page 1119, of the Public Records of Palm Beach County, Florida; thence along the East, North, and West boundary of said Silver Lake Enterprises, Inc. Parcel 1B, in respective order, the following three (3) courses: 1) along a line lying 324.98 feet East of and parallel with the West boundary of aforesaid North 1/2 of Section 8, Township 43 South, Range 41 East, N.02°13'06"E., 50.00 feet; 2) along a line lying 50.00 feet North of and parallel with aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, N.88°32'08"W., 275.00 feet; 3) along a line lying 50.00 feet East of and parallel with aforesaid West boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, S.02°13'06"W., 50.00 feet to aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East; thence along aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, as found monumented and occupied, N.88°32'08"W., 50.00 feet to the West 1/4 corner of said North 1/2 of Section 8, Township 43 South, Range 41 East, also being a point on the East boundary of the North 1/2 of aforesaid Section 7, Township 43 South, Range 41 East; thence along said East boundary of the North 1/2 of Section 7, Township 43 South, Range 41 East, S.02°10'05"W., 65.55 feet to the South boundary of said North 1/2 of Section 7, Township 43 South, Range 41 East, as found monumented and occupied, also being called out as the East-West quarter section line of said Section 7 per Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), recorded in Official Records Book 2330, Page 1076, of the Public records of Palm Beach County, Florida; thence along said South boundary of the North 1/2 of Section 7, Township 43 South, Range 41 East, as found monumented and occupied, also being called out as the East-West quarter section line of said Section 7 per said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.89°11'37"W., 5,208.43 feet to the East line of aforesaid Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), ; thence along said called out East line of Section 12, per said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.01°28'15"E., 486.67 feet to the East-West Quarter Section line of said Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan); thence along said East-West Quarter Section line of Section 12, as called out in Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.88°16'09"W., 1,406.28 feet to the West line of the East Quarter of Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan); thence along said West line of the East Quarter of Section 12, as called out in Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), S.01°22'47"W., 2,572.97 feet to the agreed upon and monumented South boundary of said Section 12, as surveyed by K.C. Mock and referenced in Road Plat Book 6, Page 136, of the Public Records of Palm Beach County Florida; thence along said South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 2,389.96 feet to aforesaid East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378; thence along said East right of way line of Seminole-Pratt Whitney Road, N.01°42'52"E., 5,449.92 feet to the South right of way line of Persimmon Street, recorded in Official Records Book 10202, Page 430, of the Public Records of Palm Beach County, Florida; thence along the South and East right of way lines of said Persimmon Street, in respective order, the following two (2) courses: 1) S.88°17'08"E., 646.56 feet; 2) N.01°42'52"E., 80.00 feet to the Southeast corner of GROVE MARKET PLAT, according to the plat thereof recorded in Plat Book 82, Page

67, also being the Southwest corner of Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, of the Public Records of Palm Beach County, Florida; thence along the South boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.88°17'08"E., 140.00 feet to the Southeast corner thereof; thence along the East boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, N.01°42'52"E., 797.74 feet to the Northeast corner thereof; thence along the North boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.88°47'12"W., 437.96 feet to the Northwest corner thereof; thence along the Westerly boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.43°17'08"E., 45.79 feet to the Northeasterly corner of aforesaid GROVE MARKET PLAT; thence along the North boundary of said GROVE MARKET PLAT, and the North right of way line of additional right of way for Seminole-Pratt Whitney Road, recorded in aforesaid Official Records Book 10202, Page 430, N.88°17'08"W., 381.55 feet to aforesaid East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378; thence along said East right of way line of Seminole-Pratt Whitney Road, N.01°42'52"E., 3,541.19 feet to the **POINT OF BEGINNING**.

LESS AND EXCEPT FROM PARCEL 2:

The School District of Palm Beach County parcel, recorded in O.R. 9169, Page 136, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT FROM PARCEL 2:

The School District of Palm Beach County parcel, recorded in O.R. 9232, Page 1206, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT FROM PARCEL 2:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14034, Page 1119, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT FROM PARCEL 2:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14676, Page 953, of the Public Records of Palm Beach County, Florida.
and;

LESS AND EXCEPT FROM PARCEL 2:

Silver Lake Palm Beach, LLC parcel, recorded in O.R. 15391, Page 754, of the Public Records of Palm Beach County, Florida.

Containing: 3,788.601 acres more or less.

Exhibit 2

Proposed Text and Map Series Amendments (to be adopted)

A. Introduction and Administration Element, Minto West Agricultural Enclave

REVISIONS: To revise the statutory reference to the Agricultural Lands and Practices Act. The revisions are numbered below, and shown with the added text underlined.

1. **REVISE AGRICULTURAL ENCLAVE DEVELOPMENT** – Has the meaning given it in s. 163.3164(~~334~~), Florida Statutes pursuant to 163.3162(~~54~~), Florida Statutes.
2. **REVISE TRANSECT ZONE (T-ZONE)** – one of several areas of the County either within the Priority Redevelopment Areas of the Urban Redevelopment Area regulated by a form-based code, or an Agricultural Enclave regulated by a Conceptual Plan and implementing Principles that establish a range of densities and intensities and that demonstrate compliance with S. 163.3162(~~54~~), Florida Statutes. Transect zones are administratively similar to the land use designations and their corresponding zoning districts in conventional codes, except that in addition to the building use, density, height, and setback requirements, other elements of the intended habitat are integrated including those of the private lot and building and public frontage. General New Urbanism transect classifications (from highest to lowest density/intensity) are: urban core, urban center, general urban, sub-urban, rural, and natural.

B. Future Land Use Element, Minto West Agricultural Enclave

REVISIONS: To revise the Agricultural Enclave FLU policies and implementing provisions. The revisions are numbered below, and shown with the added text underlined.

OBJECTIVE 2.2 Future Land Use Provisions - General

2.2.5 Agricultural

1. **REVISED Policy 2.2.5-d:** The County shall recognize Agricultural Enclaves pursuant to Florida Statutes section 163.3162(~~54~~) by assigning the Agricultural Enclave (AGE) Future Land Use Designation through a Future Land Use Amendment process in accordance with the procedures set forth in Florida Statutes Chapter 163 for Agricultural Enclaves. To the extent the density, intensity and required new urbanism concepts of an AGE conflict with the policies of the Rural Tier, the site specific amendment approval shall be governed by the Agricultural Enclave in s. 163.3162(4) FS, by this policy and policies 2.2.5-e, 2.2.5-f, and 2.2.5-g. The site specific plan amendment ordinance adopting an Agricultural Enclave future land use shall include a Conceptual Plan and implementing Principles that establish ~~and~~ the range of densities and intensities and that demonstrate compliance with s. 163.3162(~~54~~), Florida Statutes. The Conceptual Plan shall include a Site Data table establishing an overall density and intensity for the project consistent with the requirements of s. 163.3162(~~54~~), Florida Statutes, as well as minimum and maximum percentages for the acreages of the Transects shown on the Plan and other binding standards. The Conceptual Plan and Implementing Principles can only be revised through the Future Land Use Atlas amendment process. All development orders must be consistent with the adopted Conceptual Plan and implementing Principles. Bona fide agricultural uses shall be permitted until such time as a specific area of the Enclave physically converts to the uses permitted by such

development orders. Bona fide agricultural uses shall be permissible after conversion to the extent indicated on the Conceptual Plan. Utility outparcels lying within and surrounded by a qualifying agricultural enclave may also be assigned the AGE Future Land Use Designation.

2. **REVISED Policy 2.2.5-e:** The Agricultural Enclave ~~e~~CConceptual pPlan shall include a series of transect zones which act as the essential 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 Enclave and adjacent existing communities. An Agricultural Enclave shall be developed utilizing the Traditional Town Development Zoning District to demonstrate compliance with the "appropriate new urbanism concepts" as set forth in s. 163.3162(4), Florida Statutes. Each Agricultural Enclave shall include at least one Neighborhood Zone and one Village Center. The Agricultural Enclave Traditional Town Development shall be comprised of the following pods: Traditional Neighborhood Developments, Traditional Marketplace Developments, Employment Centers (as Multiple Use Planned Developments), may also include limited Planned Unit Developments, as well as incorporating significant open space outside of the pods to further the Statute's clustering requirement and to promote compatibility with surrounding uses. Each neighborhood pod may be developed according to the appropriate transect zones based on the density/intensity assigned on the eConceptual pPlan and Implementing Principles. An interconnected network of streets shall link each development area together to form cohesive neighborhoods and an organized transportation network that allows for pedestrian, bicycle and equestrian circulation. The following transect zones and other components are permitted:

- **Natural Transect** - shall consist of active recreation, pastures, greenspace within rural parkways and open space including agriculture, preservation, conservation, wetlands, passive recreation, greenways, landscaping, landscape buffers, water management tracts, and wellfields. A minimum of ~~40~~⁵⁵% of the Enclave total acreage shall be within this transect. All entitlement density associated with the Natural Transect may only be transferred to another transect within the Agricultural Enclave. The Natural Transect shall define the boundaries of an Agricultural Enclave except where the Enclave abuts schools or commercial areas. The Natural Transect may also be located throughout the Enclave to provide open space and connectivity within and between neighborhoods.
 - **Rural Parkways** – The Conceptual Plan shall recognize Thoroughfare Right-of-Way Identifyication Map roadways within the Enclave as corridors that act as regional connectors of neighborhoods and zones within the project and connecting to the surrounding communities by designating these roadways as Rural Parkways as indicated in Transportation Element Policy 1.4-q. These corridors shall be designed with opportunities for alternate modes of transportation such as pedestrian pathways, bike lanes and equestrian trails. Only the greenspace portions of rural parkways shall contribute to the minimum Natural Transect requirements.
 - **Natural Transect Open Space** – Open lands and landscape buffers shall include linked public ~~or private~~ pedestrian, bicycle and equestrian trails, ~~when possible~~ and shall be used to define and connect different neighborhoods and zones, as well as providing a surrounding greenbelt for the overall Agricultural Enclave. The linked open space network shall

be available for passive recreation, and enable potential future connections to regional trails and linked open space networks. The Conceptual Plan shall include appropriate separations and buffering from the surrounding existing communities. A minimum of a ~~400~~200-foot separation edge ~~will~~shall be provided from any adjacent parcels not wholly surrounded by the Agricultural Enclave, with the separation edge averaging at least 400 feet in width.

- **Water** – A portion of the the Natural Transect of an AGE shall be allocated to address any or all of the following: 1). regional deficiencies concerning stormwater management; 2). regional water supply solutions; 3). provide opportunities for environmental mitigation and restoration. The purpose is to provide a larger public benefit by addressing regional issues beyond the boundaries of a designated Agricultural Enclave. Land within the Natural Transect allocated for this provision, may be set aside for other uses consistent with the Natural Transect until such time when the land is utilized to provide this benefit.
- ~~Rural Transect – The Rural Transect shall consist of sparsely settled lands including managed woodlands, agricultural lands, and equestrian estates. A range of very low densities from one unit per 20 acres to a maximum of one unit per two acres is permitted. Equestrian Centers, accessory commercial recreation facilities associated with the equestrian centers, and Neighborhood and Village Centers are permitted within this Transect zone. A minimum of 20% and a maximum of 25% of the Enclave total acreage shall be within this Transect.~~
- **Sub-urban Transect** – consists of low-to-moderate-density residential areas with some potential for the mixing of uses. The Sub-urban Transect shall develop at an overall gross density ranging between one unit per two acres to ~~six~~eight dwelling units per acre. An interconnected network of streets shall link each sub-zone together to form cohesive neighborhoods and an organized transportation network that allows for bicycle and pedestrian circulation. Each neighborhood shall have a gathering space, such as a green or park, connected by a network of streets that will allow most residents to live within a 5-10 minute walk of a green space. A maximum of up to 40% of the Enclave total acreage shall be within this Transect. Notwithstanding the provisions of the Sub-Urban Transect, any portion of residential development proposed to be located within 660 feet of the perimeter edge of the AGE shall be developed at a residential density that corresponds to the adjacent development density. The Sub-urban Transect shall consist of the following sub-zones:
 - **Neighborhood Edge** – The Neighborhood Edge Zone shall be developed at a minimum gross density of one unit per two acres and a maximum gross density of one unit per acre. Neighborhood Edge Zones shall comprise a maximum of 20% of the Agricultural Enclave total acreage. The Neighborhood Edge Zone shall be adjacent the Natural Transect, Neighborhood General Zone or the Neighborhood Center Zone.
 - **Neighborhood General** – The Neighborhood General Zone shall be developed at a minimum gross density of 1 unit per acre and a maximum gross density of ~~3~~5 units per acre, and may include small-scale, neighborhood-serving uses where appropriate. Neighborhood General

Zones shall comprise a maximum of 30% of the Agricultural Enclave total acreage. The Neighborhood General Zone may abut the Natural Transect, Rural Transect, or the Neighborhood Edge and Neighborhood Center Zones of the Sub-urban Transect, and the Urban Transect.

- **Neighborhood Center** – The Neighborhood Center shall contain a minimum gross density of 4 units per acre, and shall contain a minimum of 20% of the Enclave's units. Neighborhood Centers shall be pedestrian-friendly, incorporate residential uses ~~integrated in mixed-use buildings~~, which enfront publicly accessible open spaces, and shall be linked to the adjacent residential neighborhoods through pedestrian and vehicular interconnections. ~~The A mixed-use component shall be designed as a Traditional Marketplace Development, or utilize the Neighborhood Center utilizing the provisions of a Traditional Neighborhood Development in the ULDC.~~ Those portions of the Neighborhood Center Zone not developed as a ~~TMD or TND~~ Neighborhood Center, shall be located within a ¼ mile (5 minute walk) radius to commercial, mixed-uses, public spaces, or schools to encourage alternative modes of transportation. Neighborhood Center Zones shall comprise no more than 10% of the land area of the entire Agricultural Enclave. The Neighborhood Center Zone may abut the Neighborhood General Zone, Urban Transect, ~~or the Natural Transect where it consists of a Rural Parkway,~~ and arterial roadways.
- ~~**Village Center** – A portion of the Neighborhood Center Zone may be designated as a Village Center. The Village Center shall be designed as a Traditional Marketplace Development, a pedestrian-friendly retail and office development. The Village Center shall incorporate some residential uses integrated in mixed-use buildings and shall be linked to the adjacent residential areas through pedestrian and vehicular interconnects.~~
- **Urban Transect** – shall consist of the most intense components of the Agricultural Enclave including a majority of the non-residential uses designed as a Town Center and an Employment Center. The Urban Transect shall be centrally located within the Agricultural Enclave, and generally adjacent to an arterial thoroughfare. Up to 10% of the total acreage of the Agricultural Enclave may be assigned to the Urban Transect. Residential uses in the Urban Transect may utilize up to 20% of the total units for the Enclave, not to exceed 12 units per acre, and shall be located proximate to Neighborhood Center Zones. The Urban Transect may abut the Sub-urban Transect's Neighborhood Center and Neighborhood General Zones, the Natural Transect, and arterial roadways.
 - **Town Center** –The Urban Transect shall include a Town Center. The Town Center shall be a Traditional Marketplace Development, a pedestrian-friendly predominantly retail and office development oriented to streets and useable open spaces. The Town Center shall incorporate some residential uses vertically integrated in mixed-use buildings and shall have pedestrian and vehicular connectivity with the adjacent residential neighborhoods of the Sub-urban Transect.
 - **Employment Center** – The Urban Transect shall also include an Employment Center. The Employment Center shall be a Multiple Use Planned Development or other appropriate Traditional Development District.

The Employment Center is to accommodate office, light industrial uses, research and development, and other value-added activities and support uses; therefore ancillary uses including limited commercial, hotels, colleges/universities, are expected to occur to support its major function as a regional employment center and to implement effective mobility strategies.

3. **REVISED Policy 2.2.5-gf:** ~~The Agricultural Enclave shall be rezoned through one of the following options: • The Agricultural Enclave shall be rezoned to an Agricultural Enclave Traditional Town Development including a Traditional Market Development and a Master Plan shall be submitted at the time of the rezoning application. The Master Plan shall be submitted in compliance with the Unified Land Development Code (ULDC) and the Technical Requirement Manual. (relocated from Policy 2.2.5-i)~~ The Agricultural Enclave Traditional Town Development shall incorporate Design Standards, "appropriate new urbanism concepts" and shall include the following:

- **Neighborhood Design** – Neighborhoods shall be based on a street design that fosters alternate modes of transportation such as pedestrian pathways, bike lanes and/or equestrian trails. Neighborhoods shall consist of low-to-moderate-density residential areas, which may include the mixing of uses. Neighborhoods shall contain centrally located gathering places, and major buildings.
- **Internal Street Network** – Sub-urban and Urban Transects shall be developed with enhanced connectivity, such as providing connectivity between neighborhoods, schools, employment, civic, and retail uses where appropriate. Streets shall be configured to provide efficient circulation systems for pedestrians, non-motorized vehicles and motorists, and serve to functionally integrate the various activities in each zone. Streets and squares that are internal to the neighborhoods should be designed to be a safe, comfortable, and interesting environment to the pedestrian. All components of the site design, streetscape, and architecture shall contribute to the composition and definition of streets and public spaces.
- **Civic & Recreation** – Appropriately scaled concentrations of civic and institutional uses shall be distributed in proximity to the individual neighborhoods and within Natural, Sub-urban and Urban Transect zones. Civic sites and gathering places shall be located at important sites to reinforce community identity. A range of parks, from tot-lots and village greens to ball fields and passive parks should be distributed within or near residential neighborhoods.
- **Community Vision** – Comprised of graphic depictions and written descriptions, the intended community vision shall guide the character of the project and address compatibility within the AGE and also the surrounding area. This shall include architecture, landscape, urban design, and other necessary components of public spaces and streets. These shall allow for individual variety without affecting visual and functional compatibility, consistent with the intended character within the AGE, and to ensure a cohesive, coordinated design over the build-out of the Traditional Town Development.
- ~~A single development order or series of individual development orders consistent with:
 - a. ~~The Conceptual Plan and implementing principles required in Policies 2.2.5-d and 2.2.5-e;~~~~

b. ~~New Urbanism Design Guiding Principles of the Ordinance adopting the Future Land Use Atlas Amendment establishing the Agricultural Enclave.~~

4. **NEW Policy 2.2.5-g:** Within an Agricultural Enclave, Utilities uses may be allowed within any Transect Zone, subject to special siting criteria set forth in the Unified Land Development Code, the Zoning Master Plan, or as identified on the adopted Conceptual Plan. The placement of utility uses in residential areas shall be controlled through the ULDC to ensure the protection of existing and planned residential areas from adverse impacts of the facility.

5. **DELETE** *(relocated to Policy 2.2.5-f)* **Policy 2.2.5-i:** ~~At the time of rezoning of any portion of an Agricultural Enclave, the application will include design requirements including the following new urbanism concepts:~~

~~• **Neighborhood Design** — Neighborhoods within the Sub-urban Transect shall be based on a street design that fosters alternate modes of transportation such as pedestrian pathways, bike lanes and/or equestrian trails. Neighborhoods shall consist of low-to-moderate density residential areas, which may include the mixing of uses. Neighborhoods shall contain centrally located gathering places, and major buildings.~~

~~• **Internal Street Network** — Sub-urban Transects shall be developed with enhanced connectivity, such as providing connectivity between neighborhoods, schools, civic uses, and retail uses where appropriate. Streets shall be configured to provide efficient circulation systems for pedestrians, non-motorized vehicles and motorists, and serve to functionally integrate the various activities in each zone. Streets and squares that are internal to the neighborhoods should be designed to be a safe, comfortable, and interesting environment to the pedestrian.~~

~~• **Civic & Recreation** — Appropriately scaled concentrations of civic and institutional activity shall be distributed in proximity to the individual neighborhoods and within Natural, Rural and Sub-urban Transect zones. Civic sites and gathering places shall be located at important sites to reinforce community identity. A range of parks, from tot-lots and village greens to ball fields and passive parks should be distributed within or near neighborhoods.~~

~~• **Water Systems** — The water retention systems shall be designed to provide connectivity with the open spaces and buffers where appropriate.~~

6. **REVISED Policy 3.3-a:** The Limited Urban Service Area: The following are designated as Limited Urban Service Areas: *(unaltered text omitted for brevity)*

6. an Agricultural Enclave pursuant to Florida Statute section 163.3162(54).

(unaltered text omitted for brevity)

The LUSA shall be depicted on the Service Areas Map in the Map Series upon designation through a Plan amendment. The official boundaries of each LUSA shall be depicted on the Service Areas Map in the Map Series. Within a designated Agricultural Enclave, the rules and property development regulations governing densities and intensities of the Urban/Suburban Tier shall apply.

7. **REVISED Policy 3.5-d:** The County shall not approve a change to the Future Land Use Atlas which:
- 1) results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon the MPO's 2025 Long Range Transportation Plan dated March 18, 2002. Significant impact shall be as defined in Table 3.5 -1.

**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 trips increase will 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 2025 Long Range Transportation Plan dated March 18, 2002.

** When calculating net trip increase, consideration will 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; 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)(4).

8. REVISED

**TABLE III.C.1
RESIDENTIAL CATEGORIES & ALLOWED DENSITIES**

<u>Category</u>	<u>Dwelling Units Per Gross Acres</u>			
	Maximum	Standard ¹	Minimum	Entitlement ²
<i>Unaltered text omitted for brevity</i>				
Agricultural Enclave ⁶	---	---	---	---
<i>Unaltered text omitted for brevity</i>				

1. to 5. are unaltered and omitted for brevity

6. The density of an Agricultural Enclave shall be determined utilizing the provisions of s. 163.3162(54), Florida Statutes, and shall be clearly indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.

9. REVISED

**TABLE III.C.2
Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories
and Non-Residential Uses**

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
<i>Unaltered text omitted for brevity</i>						
Agriculture	<u>AGE</u>	<u>not allowed</u>	<u>not allowed</u>	<u>See note⁹</u>	<u>Not allowed</u>	<u>Not allowed</u>
<i>Unaltered text omitted for brevity</i>						

Notes:

1. to 8. are unaltered and omitted for brevity

9. The intensity of an Agricultural Enclave shall be determined utilizing the provisions of s. 163.3162(4), Florida Statutes, and shall be clearly indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.

C. Transportation Element, Minto West Agricultural Enclave

REVISIONS: To revise the Rural Parkways policies and implementing provisions. The revisions are numbered below, and shown with the added text underlined.

- REVISED 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 Section 163.3162 Florida Statutes and in FLUE Policies 2.2.5-d and 2.2.5-e the County hereby establishes the Rural Parkway concept.~~ 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

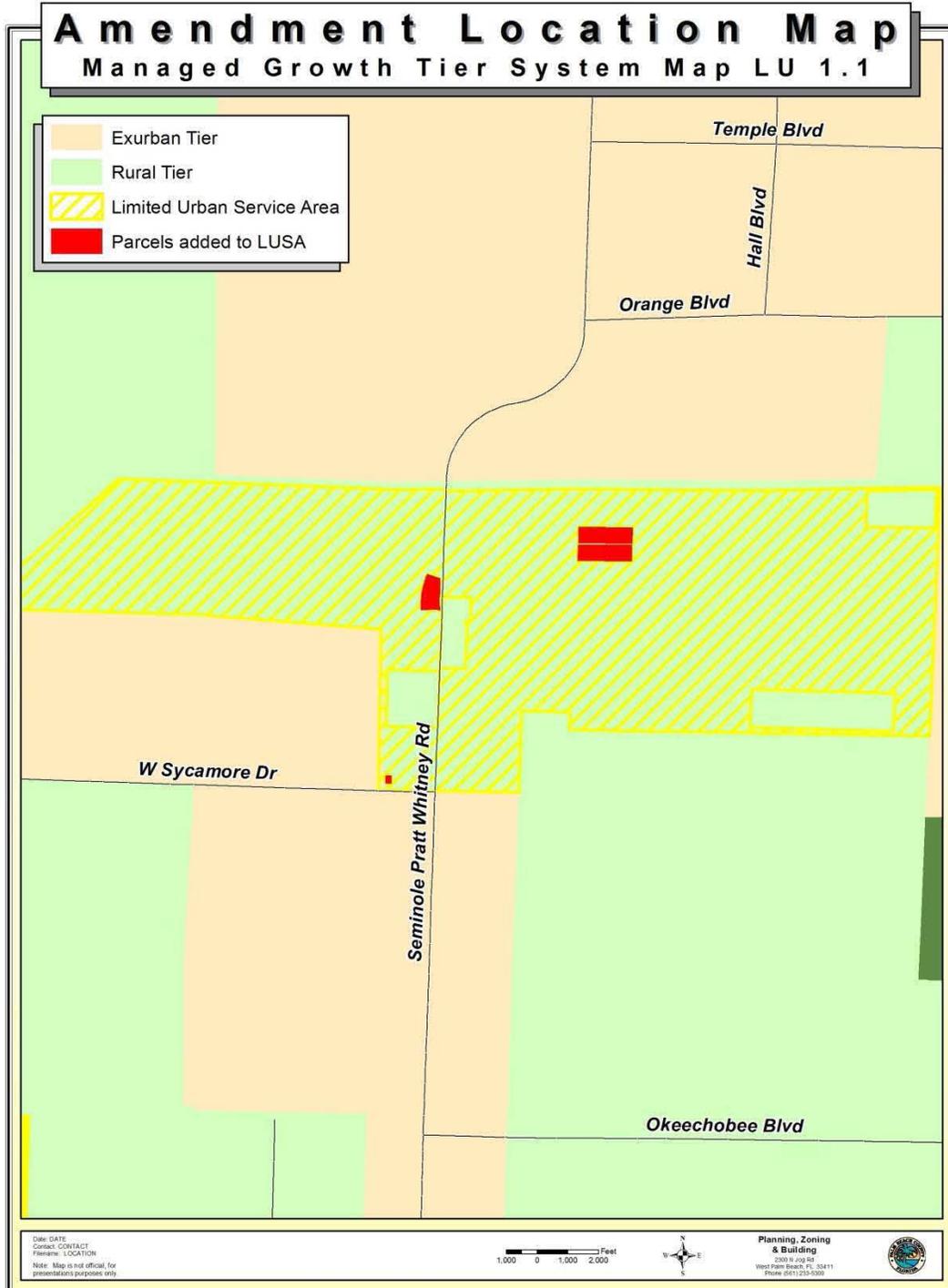
dedicates a parkway easement to Palm Beach County for non-vehicular pathways. Such dedications shall only be required when consistent with the criteria contained in Transportation Policy 1.4-d. The following roadway segments are hereby designated as Rural Parkways: *(unaltered text omitted for brevity)*

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

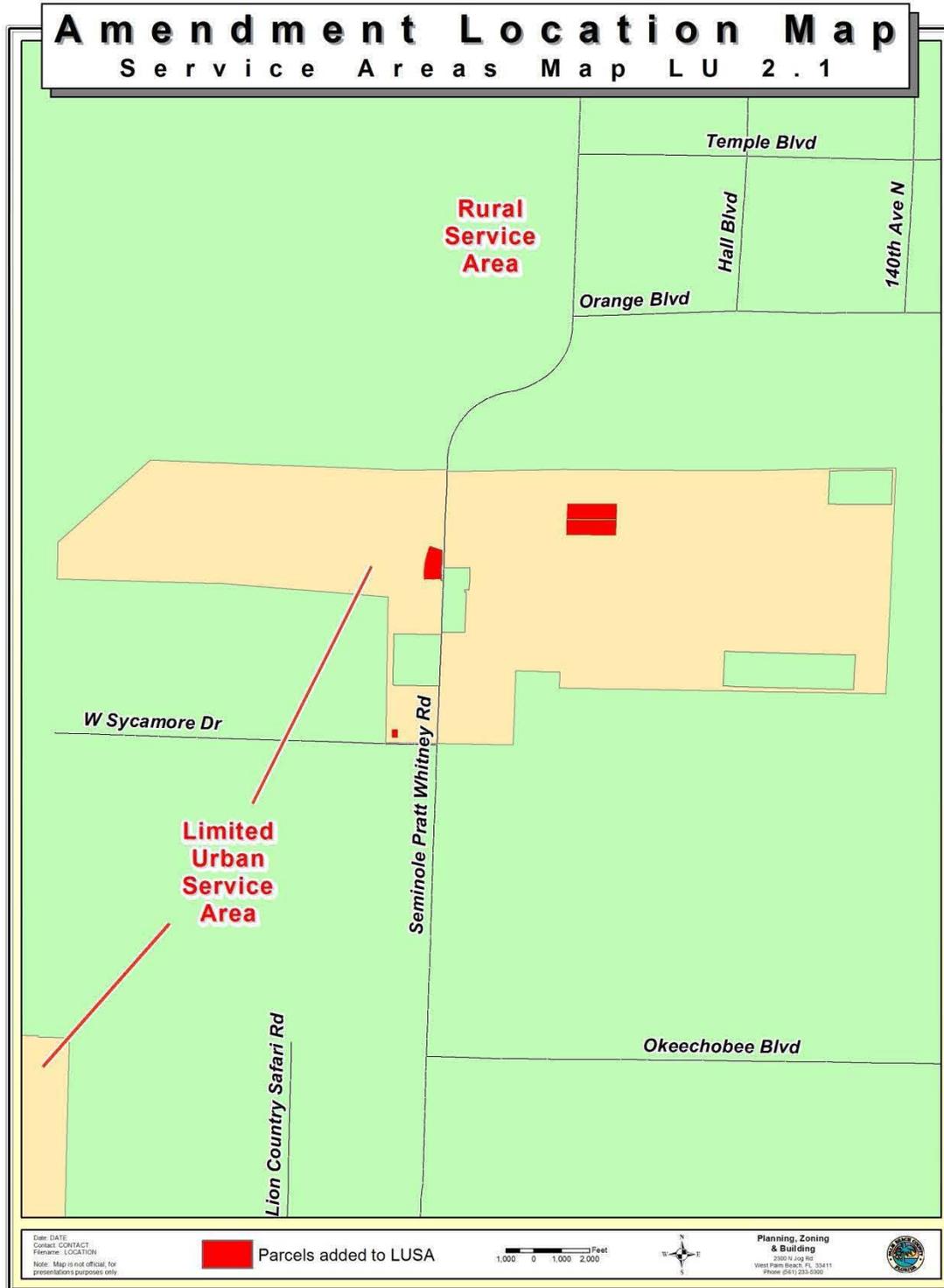
D. Map Series, Managed Growth Tier System Map LU 1.1, Minto West Agricultural Enclave

REVISIONS: To depict the Minto West Agricultural Enclave as a Limited Urban Service Area.



E. Map Series, Service Area Map LU 2.1, Minto West Agricultural Enclave

REVISIONS: To depict the Minto West Grove Agricultural Enclave as a Limited Urban Service Area.



F. Map Series, Thoroughfare Right Of Way Identification Map TE 14.1, Minto West Agricultural Enclave

REVISIONS: To revise depictions of rural parkways the Thoroughfare Identification Map.

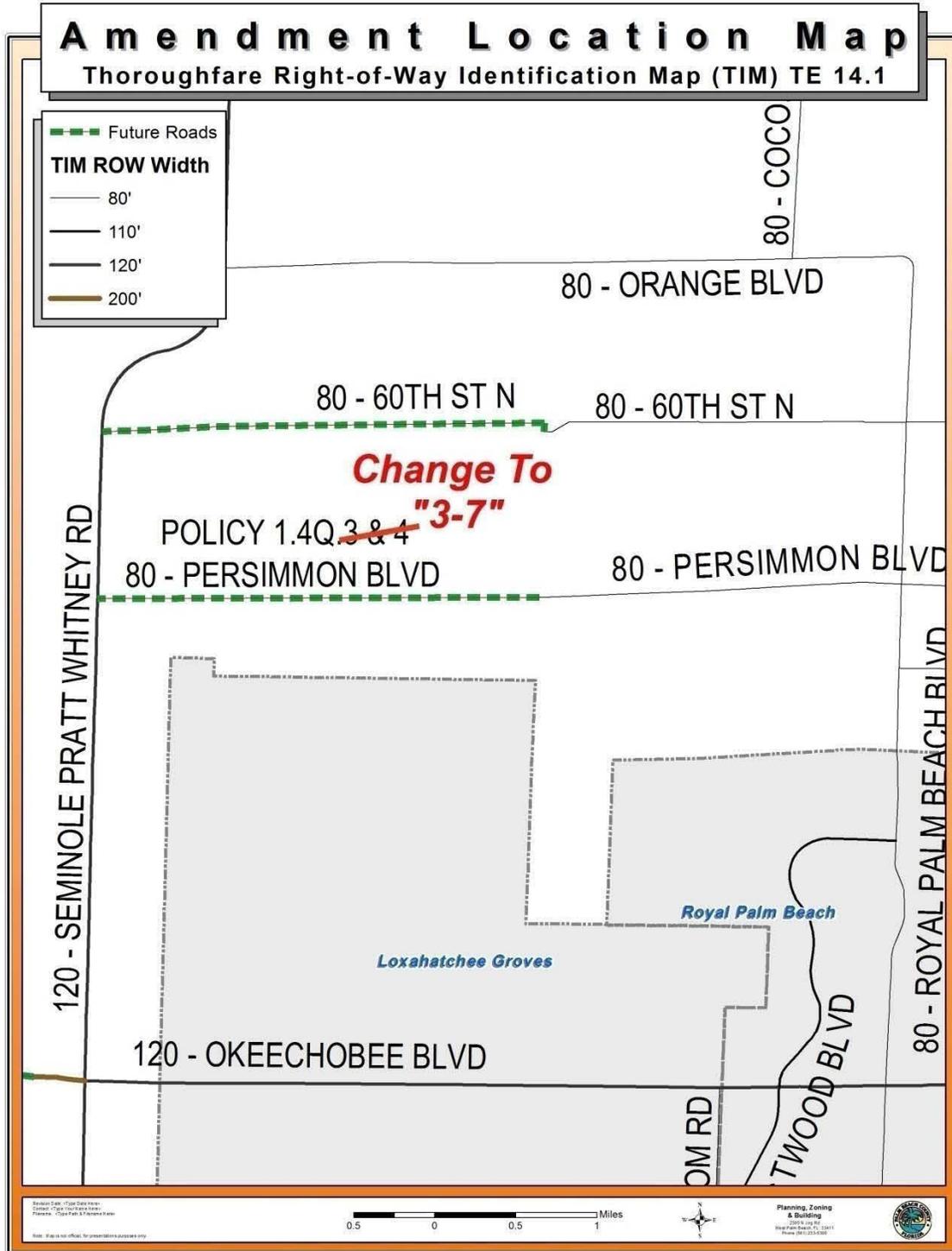


Exhibit 4
Proposed Implementing Principles (to be adopted)

Minto West Implementing Principles

The Implementing Principles are an accompaniment to the Minto West Conceptual Plan to ensure the implementation of appropriate values of the region within the Agricultural Enclave, while allowing flexibility during subsequent zoning and site planning.

Balance the Western Communities

Currently, the western communities include a vast amount of residential units and a minimal amount of consumer services. Minto West will provide long-desired commercial, employment, and recreational opportunities to achieve a more balanced mix of land uses within the western communities. Minto West proposes intensity increases, which will allow for viable commercial development including employment opportunities to serve the residential densities on the property and within the surrounding area. Minto West moves in the direction of accomplishing the County's goal of addressing the land use imbalance in the area as reflected in numerous County initiated studies and planning efforts. As such, the Minto West continues to direct future development to an appropriate location, specifically to address the need for balanced growth, the provision of services and employment opportunities. By providing needed employment and commercial uses to serve residents within the entire central western communities, Minto West will alleviate, rather than exacerbate, the existing urban sprawl pattern development, thereby addressing an identified County planning need.

Connecting the Communities

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

Provide a Town Center

Minto West will provide long-desired commercial, employment, and recreational opportunities to achieve a more balanced mix of land uses within the western communities in a town center setting. Minto West's proposal to increase nonresidential intensity will set the stage for an economic development center that will continue to encourage a functional mix of uses. The workplace and commercial uses will become a great resource for the surrounding residential community, limiting the east-west trips that are created today along the major corridors.

Implement Traditional Neighborhood Design

Residential neighborhoods shall be based on a street design that fosters alternate modes of transportation such as pedestrian pathways and/or bicycle lanes. Neighborhoods shall be designed with character and clearly defined gathering places, with many residences within walking distance of such places.

Provide for Civic and Recreation Opportunities

Appropriately scaled concentrations of civic and institutional activity shall be distributed in proximity to each residential neighborhood. Civic sites and gathering places shall be located at important sites to reinforce community identity. A range of parks from tot-lots and village greens, to regional parks and passive parks, which will be distributed within or near neighborhoods. Each neighborhood will include appropriately scaled civic and recreation

spaces to meet the needs of the communities' residents. The majority of the more active recreational uses will occur just west of Seminole Pratt Whitney Road and on the eastern portion of the property, as shown on the Conceptual Plan.

Design Neighborhoods with Housing Variety

Minto West shall include a variety of neighborhood types allowing for a variety of housing types and lot sizes. The Minto West Conceptual Plan depicts the general locations of residential neighborhoods. The specific location, densities and number of dwelling units will be determined during the approval of the Master Plan and Site Plan, not to exceed the overall density permitted for the parcel. Generally, lower density residential areas will occur towards the edges of the property, with higher density development approaching Seminole Pratt Whitney Road. Additionally, factors such as proximity to schools, civic and recreation areas, or the Town Center will result in clustering of densities to further pedestrian accessibility.

Create an Internal Street Network

The Minto West Enclave shall be developed with enhanced connectivity between neighborhoods, schools, civic uses, and retail uses where appropriate. The Minto West Conceptual Plan provides for a hierarchy of streets connecting with the County's Thoroughfare Roads, which provides for circulation and access from the neighborhoods both to the Thoroughfare Roads as well as between individual neighborhoods, schools, and the Town Center. Excluding roadways identified on the County's Thoroughfare Map, streets shall be designed in a pedestrian-friendly manner with appropriate street cross sections for slow travel speeds. Streets and squares internal to the neighborhoods will be safe, comfortable, and interesting to the pedestrian where appropriate. Properly configured, they encourage walking and will enable neighbors to know each other and their communities.

Build Corridors

Persimmon Boulevard and Seminole Pratt Whitney Road are corridors that act as connectors of neighborhoods and districts within Minto West and surrounding communities. These corridors shall be designed as rural parkways with opportunities for alternate modes of transportation such as pedestrian pathways, bike lanes, and equestrian trails where appropriate.

Provide for Separation of and Buffering to Adjacent Neighborhoods

Minto West shall include appropriate separations and buffering from the surrounding existing communities. The Minto West Conceptual Plan depicts appropriate buffers around the entire property. These buffer areas will not only provide physical separation, but will contain features such as trails and landscape enhancement areas for the use of existing and future residents. Additionally, density considerations around the perimeter will ensure compatibility with the surrounding community.

Maintain Agricultural Uses

Agricultural Enclaves are encouraged to maintain agricultural uses and activities. For that reason, incremental conversion of Agricultural Enclaves to nonagricultural use is permitted. The property shall be rezoned to Agricultural Enclave Overlay with an accompanying Master Plan, consistent with the Conceptual Plan and these Implementing Principles. The County Planning, Zoning & Building Department will maintain records of the total density and/or intensity approved to ensure that the total approved units do not exceed the maximum density and/or intensity granted in accordance with the FLUA amendment and Conceptual Plan. The conceptual plan provides areas within the natural transect that may be used as open space including continued and new agricultural use.

Respect the Natural Environment

The development shall respect environmental stewardship consistent with the goals of the western communities. Because the proposed amendment enhances the infill development on property, which today contains no natural environmental features, it reflects environmentally sound land use planning by directing growth away from environmentally sensitive areas. In addition, large open space areas and water features provide an opportunity for significant environmental enhancement where today no such features exist. There are no native and natural habitat features on the property. However, through the development of the site, a large amount of vegetation, lakes, and other natural features will be created.

Minto West may also include or incorporate lands for environmental mitigation or restoration.

Be a Good Neighbor

It is important to ensure the involvement of the surrounding community and receive input from the existing residents in the neighborhoods that are within close proximity to Minto West. Although not everyone's wishes can be granted, the underlying themes and their vision for the area should be considered and included in the design process. Some of these themes include providing separation at the edges of the property and also designing lower density residential communities in these areas as well, more consistent with the adjacent neighborhoods.

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Exhibit 5

Data and Analysis of Proposed Text & Map Series Amendments

A. Introduction and Administration Element Revisions

1. & 2. REVISE 'AGRICULTURAL ENCLAVE DEVELOPMENT' and 'TRANSECT ZONE'

Staff Assessment: These definitions are proposed to address for statutory reference changes and consistency in reference and capitalization of specific terms in the Plan.

B. Future Land Use Element Revisions

1. REVISE Policy 2.2.5-d

Staff Assessment: Policy 2.2.5-d, establishes the Agricultural Enclave FLU designation in the Plan. It also proposes to address for statutory reference changes and consistency in reference and capitalization of specific terms in the Plan. Additional text was inserted into the policy to clarify that there is no internal inconsistency within the Plan. This is due to the statutory pre-emption of the Enclave statute that does not directly equate to the County's Tier system. Furthermore, the County Attorney's office had opined that the local comprehensive plan could not erect a barrier that would preclude realizing the legislative intent in the statute. The amendment is a clean-up and further clarification, after establishing the Policy basis to create a unique AGE FLU, and satisfying the statutory requirements to be an Enclave, the surrounding area analysis is conducted to determine density and intensity. The surrounding area analysis previously conducted, and found to be consistent with the statute, exceeds a population density of 1,000 persons/square mile. Per the statute, s. 163.3164(4), the area is determined urban, despite the Rural/Exurban Tier. There is no real mechanism in the Plan to address this. However, due to SID, and its special district, the existing Enclave has a LUSA designation. The Plan provides generally that for areas receiving urban levels of service, they are afforded development provisions of the Urban suburban tier.

2. REVISE Policy 2.2.5-e

Staff Assessment: Policy 2.2.5-e, previously established the Transects for the Agricultural Enclave FLU designation in the Plan. The new urbanism concepts utilized the 'Transect' approach. Fundamentally, the Transect as employed in new urbanism, is a mechanism to achieve clustering through density gradients within the project. The Introduction and Administration Element of the Plan defines the Transect as being "a cross-section of the environment showing a range of different habitats. The rural-urban Transect of the human environment used in New Urbanism is generally divided into six transect zones. These zones describe the physical form and character of the place, according to the density/intensity of its land use and urbanism." Each transect within the Enclave (Natural, Sub-Urban and Urban) describes the intended character of development, based on a range of densities. This approach represents an established new urbanism technique that will preserve the atmosphere of very low density/rural areas through the provision of ample open spaces, clearly delineating and separating existing external development from the Enclave's proposed development. In addition to providing a "buffer" effect, it provides an accessible greenbelt for existing and future residents that also accommodates a range of open space uses. It also further promotes

clustering meaningful density within neighborhoods in precluding spreading out the residential density as the area is already allocated to other uses.

A minimum of 55% of Agricultural Enclave acreage be limited to open space uses, and shall be assigned to the 'Natural Transect'. This is an increase of 15% over the existing policy requirement. This Transect promotes open space and will allow agriculture, pastures, and rural parkways in addition to the allowable uses within the existing ULDC definition of open space (preservation, conservation, wetlands, wellfields, passive recreation, greenways, landscaping, landscape buffers, water management tracts).

A maximum of 10% of the total Enclave may be assigned to the 'Urban Transect' and limited to no more than 20% of the units. It is proposed to accommodate the city center concept included in the statute, and would be the most intense areas development located for maximum accessibility within the central portions of an Enclave. The Urban Center has two components a Town Center and an Employment Center. The town center concept equates to at Traditional Marketplace District, and features a concentrated area for retail, personal service, government, institutional, and office uses with some mixing of uses (residential) required. The employment center is geared towards providing workplace, or uses that would fall under the definition in the Plan as a business center, or would termed as Economic Development Center (generally commercial office spaces, clean light industrial and manufacturing uses including research and development, colleges, and ancillary commercial uses that support employment). However, there is not an explicit mandate within to provide the Urban Transect.

The remainder of the land area not allocated to either the Urban or Natural Transects (up to a maximum of 40%) is assigned to the Sub-urban Transect. Conceivably all of the units could be located here if no Urban Transect is provided, and at a minimum 80% of the units shall be clustered into the Sub-urban Transect, which shall include neighborhoods ranging from rural densities at the edge of the development area, transitioning to densities up to eight units per acre. This helps to ensure compatibility at the perimeter of the Enclave, allows for the requisite clustering of density called for in the statute, and helps to create the new urbanism required. This is done through refining the Sub-urban Transect into three subsequent density gradients, or sub-zones, each with an associated density range: Neighborhood Edge, Neighborhood General, and Neighborhood Center. The areas of the greatest density within this Transect are identified as the Neighborhood Center Zones, which may include mixed-use development. The existing TTD code allows a maximum of 10% of the development area to be developed as residential pods of PUDs. Through the good faith negotiations and the zoning submittals, the applicant has requested an increase to develop 15% of the overall TTD as residential pods of PUDs. Staff feels that through the application of the Sub-urban transect's neighborhood zones, which further detail more finite density gradients, and all the other policies and standards for the Enclave would still apply. These require connectivity, pedestrian-orientation, centrally located open spaces for neighborhood identity, and other design specific criteria. The intent seems to be to provide a lower density, less formalized residential pattern. If located as transitional elements between more intensely developed traditional developments and the perimeter of the Enclave, the concept could be compatible with new urbanism.

It should be noted that staff proposes the deletion of the 'Rural Transect' from the Agricultural Enclave. This originally was to comprise 20-25% of the land area within the enclave at rural densities ranging from one unit per 20 acres to 1 unit per two acres.

Although the density within this Transect was compatible with the surrounding character of the area, it perpetuated a sprawl-type condition as written and depicted on the adopted Conceptual Plan. It was indicated to be exclusively to the west side of Seminole-Pratt Whitney Road. The Rural Transect conceptually was intended to serve as the final and least intense of the developed areas, ringing the more intense areas as a transition before the peripheral Natural Transect. It was an additional step to ensure compatibility with relatively "thin" minimum widths (100') of Natural Transect in the original approved policy. As a concept, the Rural Transect is consistent with new urbanism, as many of the current practitioners of new urbanism recognize that rural development is a critical component to urbanism. However, the Enclave is surrounded by thousands of acres of 1-acre+ lot residential estates. In the context of this site, providing approximately 900 acres to allow for another 40-400+ lots of very low density homes would only perpetuate and exacerbates the imbalance of uses, and squanders land that could otherwise be put to uses for the betterment of the CWC area. Although the Rural Transect is proposed to be deleted, the concept of providing increased separation between the perimeter edge and any development areas (i.e., the Sub-Urban and Urban Transects) within the Enclave has not been lost. Staff proposes doubling the absolute minimum width of the Natural Transect along the perimeter edge from 100 feet to 200 feet. The intent was to provide more, but existing conditions otherwise constrain portions of the site, were Seminole Ridge Community High School abuts the M-2 canal, which is a consistent 200 feet wide as it traverses the parcel. However, to otherwise achieve meaningful separation of development from the perimeter, the policy also includes a standard requiring an average minimum width of 400 feet for the Natural Transect. Furthermore, the Sub-urban Transect is proposed to include a provision which further promotes compatibility respective of the perimeter of the Enclave. Any residential development proposed to be located with 660 feet (1/8 of a mile) of the perimeter edge, would be required to develop at a residential density that corresponds to the adjacent density (external to the Enclave).

The village center concept from the existing enclave policy is proposed for modification expanded, renamed, and given additional roles. It is proposed to be removed from the Sub-urban Transect, and placed in the Urban Transect--the form of development for any retail component would remain the same, using the TMD standards already established in the Plan and ULDC. The inclusion of an Employment Center clarifies that uses beyond simply neighborhood serving are included (intended to be community-serving as had been identified in the Sector Plan). However, as identified previously in the Urban Transect discussion, there is no explicit requirement for an Enclave to have an Urban Transect. Their provision is dependent upon the surrounding uses analysis and the legislative discretion afforded to the BCC in setting policy. However, it includes maximum standards for density, and intensity standards would be established on the Conceptual Plan and in the Implementing Principles adopted with a FLUA amendment.

3. **REVISE Policy 2.2.5-gf:**

Staff Assessment: The revisions to this policy explicitly refer to the Zoning side of an AGE. They are now required to rezone to a TTD. No longer is there an option to utilize a non-master planned course of action. This rectifies one of the biggest shortcomings of the previous Enclave's negotiation.

4. REVISE Policy 3.3-a:

Staff Assessment: This clarifies that the LUSA provisions require urban/suburban tier provisions .

5. REVISED Policy 3.5-d:

Staff Assessment: This revision only updates the reference to the Agricultural enclave.

6.&7. REVISE TABLE III.C.1 and TABLE III.C.2

Staff Assessment: This revision addresses the notes in the table, updating the statutory citation and reiterates that the intensity of development for an AGE is not by Floor Area Ratio, but rather by the amount indicated in the Site Data Table that are adopted with the site specific FLUA amendment for an Agricultural Enclave.

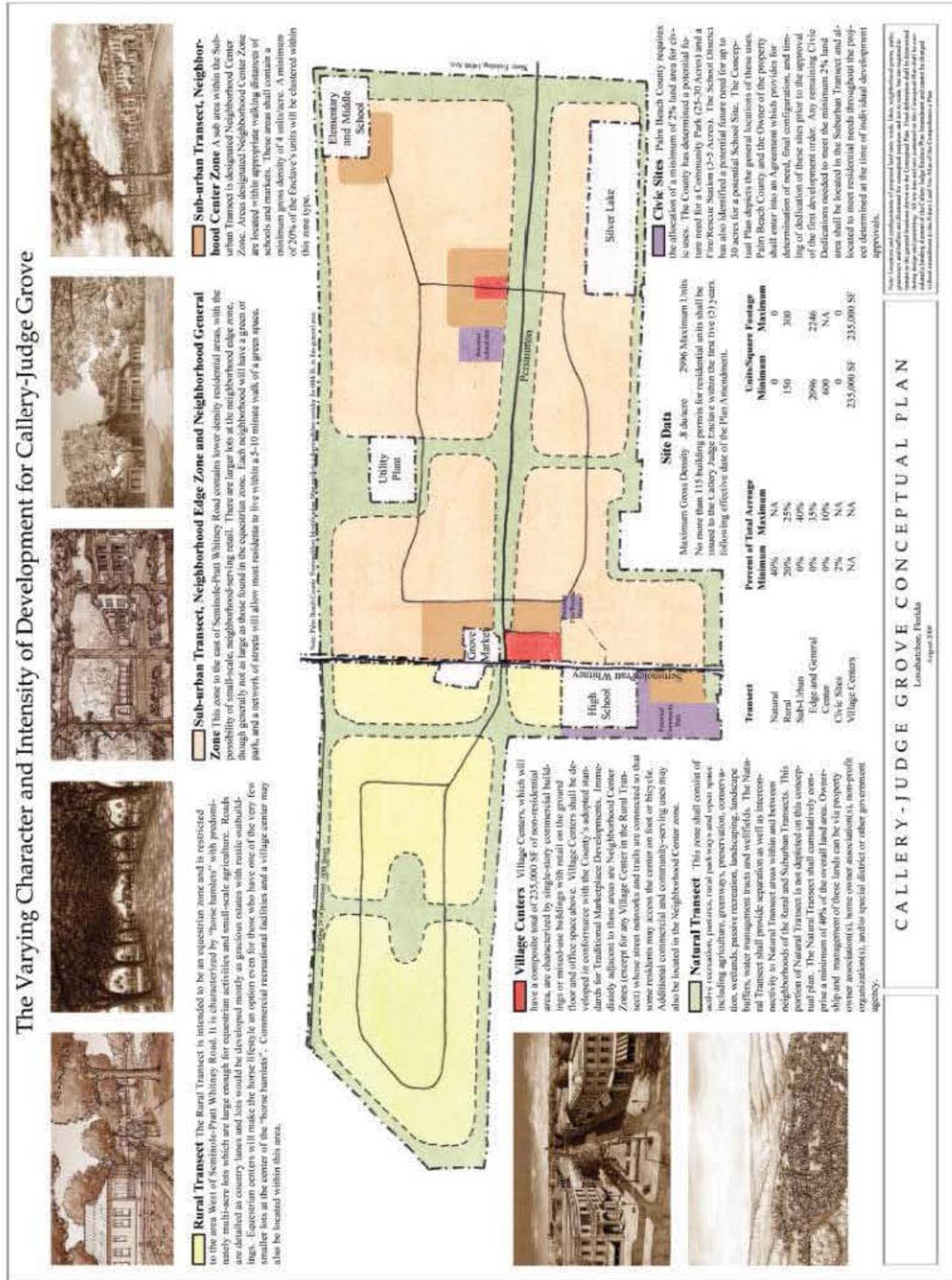
C. Transportation Element Revisions

1. REVISE Policy 1.4-q:

Staff Assessment: The increase in rural parkways is a response to the cross-sections for the many roadways that the applicant's team proposed within Agricultural Enclave. These were expanded to further the pathway connections buffering, and separations that is inherent in providing rural parkway easements. The segments that stop at fixed distances reflect the Conceptual Plan and where Transect zones are changing from Natural to Sub-urban or Urban. Additionally, incorporating the adjacencies of Seminole-Pratt Whitney Road as a rural parkway, this helps to ease transitions, making them less abrupt when entering the Enclave on the roadway and would help to obscure the development.

Exhibit 6

2008 Callery Judge Groves Conceptual Plan & Implementing Principles (To be Deleted and Replaced with Exhibits 3 & 4)



**2008 Callery-Judge Groves
New Urbanism Guiding Principles
(To be Deleted and Replaced with Exhibit 3)**

The agricultural enclave legislation (F.S. 163.3162) requires parcels larger than 640 acres to include appropriate new urbanism concepts in order to discourage urban sprawl while protecting landowner rights. This would include such things as clustering, mixed-use development and the creation of rural village and city centers. The conceptual plan and set of policies below include new urbanist concepts and meet the intent of the Statute, while allowing for flexibility in the creation of the subsequent Zoning Master Plans.

- **Design Fundamentals** - The Village Center, the districts, the neighborhoods, and the corridors are the essential elements of the project that form identifiable areas. The physical definition of streets and gathering spaces shall be key elements during the rezoning process. The Callery-Judge Grove Conceptual Plan has been designed to allow for a long-term conversion from existing agricultural uses to residential or commercial uses as the economy and market dictates. Individual neighborhoods will be developed incrementally with specific design standards and details adopted at the time of development approvals including a variety of design standards which include new urbanism elements listed herein.

- **Transects, Zones & Clustering** – Transects and Zones generally emphasize a special single use, and shall follow the principles of neighborhood design when possible. The Callery-Judge Grove Conceptual Plan clusters density into three districts, with the overwhelming majority of the density of the property to the east side of Seminole Pratt-Whitney Road to provide for better efficiency of infrastructure and services and a variety of neighborhoods. Three general areas are established with an arrangement of densities and intensities reflective of their location within the Enclave. The areas are defined by the County’s Planned Thoroughfare network which bisect the property north to south (Seminole-Pratt Whitney Road) and east to west (Persimmon Boulevard). The design of the areas allows for accommodation of the County’s large width Thoroughfare Roads with appropriate buffers from the neighborhoods while providing a network of local streets within and between each neighborhood. Each area will be further subdivided into Transects, Zones and individual neighborhoods that may incorporate the additional new urbanist principals listed herein.
 - **Rural Transect** –The Rural Transect is intended to be an equestrian zone and is restricted to the area west of Seminole-Pratt Whitney Road. It is characterized by “horse hamlets” with predominately multi-acre lots which are large enough for equestrian activities and small-scale agriculture. Roads are detailed as country lanes and lots would be developed mostly as gracious estates with rustic outbuildings. Equestrian centers will make the horse lifestyle an option even for those who have one of the very few smaller lots at the center of the “horse hamlets”. Commercial recreational facilities and a Village Center may also be located within this area.

 - **Sub-urban Transect, Neighborhood Edge Zone and Neighborhood General Zone** – This zone to the east of Seminole-Pratt Whitney Road contains lower density residential areas, with the possibility of small-scale, neighborhood-

serving retail. There are larger lots at the neighborhood edge zone, though generally not as large as those found in the equestrian zone. Each neighborhood will have a green or park, and a network of streets will allow most residents to live within a 5-10 minute walk of a green space.

- **Sub-urban Transect, Neighborhood Center Zone** - A sub area within the Sub-urban Transect is designated Neighborhood Center Zone. Areas designated Neighborhood Center Zone are located within appropriate walking distances of schools and markets. These areas shall contain a minimum gross density of 4 units/acre. A minimum of 20% of the Enclave's units will be clustered within this zone type.
- **Village Center** - Village Centers, which will have a composite total of 235,000 sf of non-residential area are characterized by single-story commercial buildings or mixed-use buildings with retail on the ground floor and office space above. Village Centers shall be developed in conformance with the County's adopted standards for Traditional Marketplace Developments. Immediately adjacent to these areas are Neighborhood Center Zones (except for any Village Center in the Rural Transect) whose street networks and trails are connected so that some residents may access the center on foot or bicycle. Additional commercial and community-serving uses may also be located in the Neighborhood Center zone.
- **Natural Transect** - This zone shall consist of active recreation, pastures, greenspaces of rural parkways and open space including agriculture, greenways, preservation, conservation, wetlands, pastures, active and passive recreation, landscaping, landscape buffers, water management tracts, and wellfields. The Natural Transect shall provide separation as well as interconnectivity to Natural Transect areas within and between neighborhoods of the Rural and Suburban Transects. This portion of the Natural Transect is not depicted on this conceptual plan. The Natural Transect shall cumulatively comprise a minimum of 40% of the overall land area. Ownership and management of these lands can be via property owner association(s), homeowner association(s), non-profit organization(s), and/or special district or other government agency.
- **Neighborhood Design** - Neighborhoods shall be based on a street design that fosters alternate modes of transportation such as pedestrian pathways, bike lanes and/or equestrian trails. Neighborhoods shall be designed with character and clearly defined gathering places, with many residences within 10-minute walking distance of such places. The Callery-Judge Grove Conceptual Plan provides character sketches and text committing the development of the individual neighborhoods to appropriate scales built around common greens or parks. Different neighborhoods will be designed using unique themes accommodating the demographic profile of the new residents. Additionally, the Unified Land Development Code permits the construction of limited commercial services which may be constructed in the center or adjacent to these neighborhoods.
- **Civic & Recreation** – Appropriately scaled concentrations of civic and institutional activity shall be distributed in proximity to the individual neighborhoods Civic sites and gathering places shall be located at important sites to reinforce community identity. A range of parks, from tot-lots and village greens to ball fields and passive parks, should be distributed within or near neighborhoods. Each Transect or Zone will include appropriately scaled civic and recreation spaces to meet the needs of the communities' residents. The Rural Transect will provide for larger spaces and trails appropriate to

equestrian activities and uses. The Sub-urban Transect will include civic and recreation uses such as ball parks, tot lots, recreation centers and passive parks. The Callery-Judge Grove Conceptual Plan recognizes the significant east-west distance of Persimmon Boulevard and has, therefore, sited an additional commercial/civic area in the eastern area to accommodate residents in this portion of the project. The Natural Transect's open lands and landscape buffers shall include pedestrian access and equestrian trails when possible and shall be used to define and connect different neighborhoods and districts. Palm Beach County requires the allocation of a minimum 2% land area for civic uses. The County has determined a potential future need for a Community Park (25-30 acres) and a Fire-Rescue Station (3-5 acres). The School District has also identified a potential future need for up to a 30 acres for a potential school site. The Conceptual Plan depicts the general locations of these uses. Palm Beach County and the owner of the property shall enter into an Agreement which provides for determination of need, final configuration, and timing of dedication of these sites prior to the approval of the first development order. Any remaining Civic Dedications needed to meet the minimum 2% land area shall be located in the Sub-urban Transect and allocated to meet residential needs throughout the project determined at the time of individual development approvals.

- **Neighborhood and Housing Variety** – The overall project shall include a variety of neighborhood types allowing for a variety of housing types and lot sizes. The Callery-Judge Grove Conceptual Plan provides for a range of densities which in turn will provide for a variety of densities, lot sizes and housing types. Additionally, factors such as proximity to schools, civic and recreation areas, or the Village Center will result in clustering of densities to make use of pedestrian accessibility.
- **Corridors** – Persimmon Boulevard and Seminole Pratt Whitney Road are corridors that act as regional connectors of neighborhoods and districts within the project and connecting to the surrounding communities. These corridors shall be designed with opportunities for alternate modes of transportation such as pedestrian pathways, bike lanes and equestrian trails where appropriate.
- **Internal Street Network** – The Callery-Judge Enclave shall be developed with enhanced connectivity, such as providing connectivity between neighborhoods, schools, civic uses, and retail uses where appropriate. The Callery-Judge Grove Conceptual Plan provides for a hierarchy of streets connecting with the County's Thoroughfare Roads which provides for circulation and access from the neighborhoods both to the Thoroughfare Roads as well as between individual neighborhoods, schools, and the Village Center. Excluding roadways identified on the County's Thoroughfare Map, streets shall be designed in a pedestrian-friendly manner for slow travel speeds. Streets and squares internal to the neighborhoods should be safe, comfortable, and interesting to the pedestrian where appropriate. Properly configured, they encourage walking and enable neighbors to know each other and protect their communities.
- **Separation of and Buffering** – The project shall include appropriate separations and buffering from the surrounding existing communities. The Callery-Judge Grove Conceptual Plan depicts appropriate buffers around the entire property. These buffer areas will not only provide physical separation, but will contain features such as trails and landscape enhancement areas for the use of the project's residents. Additionally, the Conceptual Plan recognizes that lot size considerations around the perimeter will ensure compatibility with the surrounding community.

- Implementation** - Agricultural Enclaves are encouraged to maintain agricultural uses and activities. For that reason, incremental conversion of Agricultural Enclaves to non-agricultural uses is permitted. A range of densities is affixed to each area by the Conceptual Plan. Portions of each area may be re-zoned individually. At the time each portion of the Enclave is re-zoned through the DRO Process, the County Planning, Zoning & Building Department will maintain records of the total density and/or intensity approved to ensure that the total approved units does not exceed the maximum density and/or intensity granted in accordance with the process governed by Section 163.3162(5), Florida Statue.

- Site Data**

Transect	Percent of Total Acreage		Units/Square Footage	
	Minimum	Maximum	Minimum	Maximum
Natural	40%	NA	0	0
Rural	20%	25%	150	300
Sub-urban	0%	40%	----	----
- Edge & General	0%	35%	2,096	2,246
- Center	0%	20%	600	NA
Civic Sites	2%	NA	0	0
Village Centers	NA	NA	235,000 sf	235,000 sf
Maximum Gross Density	0.80 du/acre		2,996 maximum units	
No more than 115 building permits for residential units shall be issued to the Callery Judge Enclave within the first five (5) years following effective date of the Plan Amendment.				

Exhibit 7 Agricultural Lands & Practices Act

163.3162 Agricultural Lands and Practices Act.--

(1) SHORT TITLE.--This section may be cited as the "Agricultural Lands and Practices Act."

(2) LEGISLATIVE FINDINGS AND PURPOSE.--The Legislature finds that agricultural production is a major contributor to the economy of the state; that agricultural lands constitute unique and irreplaceable resources of statewide importance; that the continuation of agricultural activities preserves the landscape and environmental resources of the state, contributes to the increase of tourism, and furthers the economic self-sufficiency of the people of the state; and that the encouragement, development, and improvement of agriculture will result in a general benefit to the health, safety, and welfare of the people of the state. It is the purpose of this act to protect reasonable agricultural activities conducted on farm lands from duplicative regulation.

(4) AMENDMENT TO LOCAL GOVERNMENT COMPREHENSIVE PLAN.--The owner of a parcel of land defined as an agricultural enclave under s. 163.3164 may apply for an amendment to the local government comprehensive plan pursuant to s. 163.3184. Such amendment is presumed not to be urban sprawl as defined in s. 163.3164 if it include land uses and intensities of use that are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel. This presumption may be rebutted by clear and convincing evidence. Each application for a comprehensive plan amendment under this subsection for a parcel larger than 640 acres must include appropriate new urbanism concepts such as clustering, mixed-use development, the creation of rural village and city centers, and the transfer of development rights in order to discourage urban sprawl while protecting landowner rights.

a)The local government and the owner of a parcel of land that is the subject of an application for an amendment shall have 180 days following the date that the local government receives a complete application to negotiate in good faith to reach consensus on the land uses and intensities of use that are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel. Within 30 days after the local government's receipt of such an application, the local government and owner must agree in writing to a schedule for information submittal, public hearings, negotiations, and final action on the amendment, which schedule may thereafter be altered only with the written consent of the local government and the owner. Compliance with the schedule in the written agreement constitutes good faith negotiations for purposes of paragraph (c).

(b)Upon conclusion of good faith negotiations under paragraph (a), regardless of whether the local government and owner reach consensus on the land uses and intensities of use that are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel, the amendment must be transmitted to the state land planning agency for review pursuant to s. 163.3184. If the local government fails to transmit the amendment within 180 days after receipt of a complete application, the amendment must be immediately transferred to the state land planning agency for such review. A plan amendment transmitted to the state land planning agency submitted under this subsection is presumed not to be urban sprawl as defined in s. 163.3164. This presumption may be rebutted by clear and convincing evidence.

(c) If the owner fails to negotiate in good faith, a plan amendment submitted under this subsection is not entitled to the rebuttable presumption under this subsection in the negotiation and amendment process.

(d) Nothing within this subsection relating to agricultural enclaves shall preempt or replace any protection currently existing for any property located within the boundaries of the following areas:

1. The Wekiva Study Area, as described in s. 369.316; or
2. The Everglades Protection Area, as defined in s. 373.4592(2).

History.—s. 1, ch. 2003-162; s. 2, ch. 2006-255; ss. 1, 9, ch. 2011-7; s. 5, ch. 2011-139; HJR 7103, 2011 Regular Session; s. 1, ch. 2012-83; s. 1, ch. 2013-239.

s. 163.3164(4) “Agricultural enclave” means an unincorporated, undeveloped parcel that:

- (a) Is owned by a single person or entity;
- (b) Has been in continuous use for bona fide agricultural purposes, as defined by s. 193.461; for a period of 5 years prior to the date of any comprehensive plan amendment application;
- (c) Is surrounded on at least 75 percent of its perimeter by:
 1. Property that has existing industrial, commercial, or residential development; or
 2. Property that the local government has designated, in the local government’s comprehensive plan, zoning map, and future land use map, as land that is to be developed for industrial, commercial, or residential purposes, and at least 75 percent of such property is existing industrial, commercial, or residential development;
- (d) Has public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government or can be provided by an alternative provider of local government infrastructure in order to ensure consistency with applicable concurrency provisions of s. 163.3180; and
- (e) Does not exceed 1,280 acres; however, if the property is surrounded by existing or authorized residential development that will result in a density at buildout of at least 1,000 residents per square mile, then the area shall be determined to be urban and the parcel may not exceed 4,480 acres.

Exhibit 8

History of the Central Western Communities Planning Efforts

Planning and Development History of the Area

Callery-Judge Groves was established in the mid-1960s, and consisted of approximately 4,000 acres at its inception. Aerial photography from 1964 indicates that the area prior to being cleared, drained, and placed into citrus production, was originally a lowland/wetland habitat commonly found in this area of the County. Some limited agricultural operations were occurring to the south of the eastern arm of the parcel in the area of what is now Loxahatchee Groves, prior to the advent of Callery-Judge Groves. Additionally, agricultural operations were already extant to the west. However, there was little, if any, residential development in the area surrounding the Groves. Shortly after the establishment of the Groves was the creation of the Seminole Water Control District (now Seminole Improvement District) by the Florida Legislature in 1970. This special district was created to provide services as well as construct, maintain and operate infrastructure within the district. Specifically the services are to provide drainage, water, and wastewater services, and provide positive outfall to the C-51 canal via the M-2 canal. Aerial photography from December 1968 indicates that the improvements and growing operations had commenced, and there was no residential development surrounding the Groves. Callery-Judge Groves went on to grow citrus for juice production for nearly 30 years. In 1995, the Groves built a packing plant and modified its' operations to that of packing fruit for domestic and international consumption.

The western portion of the M-canal forms the northern and western-most boundaries of the existing Agricultural Enclave. This portion of the M-canal, which connects the West Palm Beach Water Catchment Area/Grassy Waters Preserve (Grassy Waters) to the L-8 and L-8 tieback canals, was begun in the late 1950s, and completed in 1960. Grassy Waters--an area measuring approximately 20 square miles, consists of pristine wetlands, is a part of the Loxahatchee Slough, and is regarded as being a remnant of the original Everglades--serves as a surficial reservoir and is located within the municipal limits of the City of West Palm Beach. It is the principal potable water supply for West Palm Beach, the Town of Palm Beach, and the Town of South Palm Beach. In linking Grassy Waters to the western canals via the M-canal and through pumping, the water supply for the eastern municipalities and the delicate ecological balance of the wetlands could be augmented with an additional source of water during times of drought. Nevertheless, as an agricultural operation, the Grove has an allowance to draw water for irrigation from the M-canal as needed.

The Callery-Judge Groves is surrounded by two other adjacent special districts, the Loxahatchee Groves Water Control District (LGWCD), and the Indian Trail Water Control District (now known as the Indian Trail Improvement District (ITID)). LGWCD is south of the eastern portion of Callery-Judge Groves and, corresponds to the municipal limits of Loxahatchee Groves, which incorporated in 2006. The Loxahatchee Groves area dates back to 1917 when the West Palm Beach Canal (C-51) was completed, linking Lake Okeechobee to the coastal area. The approximately 8,000 acre area was established as originally as citrus groves with some dairy operation occurring locally. LGWCD was established in 1925 by the Florida Legislature, and is responsible for maintaining the farm roads and canals within its boundary. This area is relatively well drained and discharges into the C-51 canal. Over time the agricultural uses within the LGWCD have transitioned to local nursery, equestrian and residential uses. ITID, established in 1957 by the Florida Legislature to construct public works to drain the land, provide and maintain roads, and address recreational needs, is located to the southwest, west, north and east sides of Callery-Judge Groves, and consists of approximately 64,000 acres. It noteworthy to include that ITID has the authority to provide water and sanitary

sewer, but has not employed this power. However, due to its more remote location and the prioritization of the nearby Royal Palm Beach development (originally owned by the same developer), the intent of the developers that the area was not to be a residential area (ANP Informational Elements, p. 74), and the initial establishment of agricultural uses, drainage for ITID was designed to provide minimal property drainage (accommodate the 3-year storm event). Thus, it received a lower allowable discharge than the other special districts in the area. This resulted in drainage constraints following periodic inundations that continue to have deleterious effects on the area. This was most recently exhibited by Tropical Storm Isaac in late August 2012, when the area experienced the 100-year storm event with approximately 15 inches of rain falling over a 72-hour period.

Within ITID, Royal Palm Beach Colony, began offering 1-acre plus lots for sale in 1969. In all, the Royal Palm Beach Colony offerings comprised approximately 22,000 acres located north, east, and south of the Enclave. Although initially sold with the stated intent that they were not "homesites," residences began to appear in the area by the later 1970s as a response to population growth. The area was known by a variety of names over the years, eventually coalescing around a unified identity, "The Acreage," due to the subdivision pattern of one-acre-plus size lots. The Acreage is the largest developed component within ITID, with the other units remaining in agricultural or conservation uses. As The Acreage slowly developed, an imbalance of land uses began to emerge: the sprawling single-family detached residential pattern, created an automobile dependent area that both desired and required the gradual extension of public facilities and services. It set up a paradoxical situation whereby the appeal of developing in the area was in part due to the relatively low cost of individual home ownership with comparatively reduced "amenities." This is the so called "drive for value" phenomenon. However, this then obligated service providers to address the demands placed on the system and to provide and maintain comparatively large sums of capital expenditures for the minimal infrastructure necessary to support development.

Midlands Study

The "Midlands Study," completed in 1989, examined the central swath of the unincorporated County, to determine what the future infrastructure needs of the area, with a focus on health, safety and welfare, and determine whether limiting factors existed in the area that merited curbing potential development. It coalesced many independent and specialized studies into summaries, and distilled the relevant issues into a single document. Included within the study area was The Acreage and Callery-Judge Groves. The central section of the County at that time was beyond the established Urban Service Area, was generally zoned for agricultural residential uses, were sparsely settled with a mixture of agricultural, equestrian, and residential estates as well as unimproved lands, were covered by multiple special districts, had little roadway access and connectivity. Furthermore, to varying degrees, the Midlands area was under development pressure. The Midlands Study broadly recommended that the County explore adding additional roadways to the "R-O-W (right-of-way) Protection Map" to accommodate the potential population density forecast for the area. The recommendation specifically called for additional major collectors and minor arterials to be identified, protected and acquired through dedication for areas north of SR 80/Southern Boulevard. This represented a fundamental shift in The Acreage. Previously the issues had been mainly road maintenance and drainage, but traffic congestion had not been of concern until the later 1980s.

A specific recommendation that pertains to the Amendment area includes conducting a "Land Use Study of Callery-Judge Grove." Indicated in the Midlands study is the recommendation that the County should conduct a study "due to the potential land use conflict inherent in the continued operation of a citrus grove within an area experiencing increased residential construction." This acknowledgement of the potential for incompatibilities and conflicts between

the existing residential uses in the Acreage and the growing of citrus framed the issue that has persisted for 25 years and encompasses the present Amendment.

The Midlands Study framed the critical issues facing the central part of the County, established the framework for subsequent Planning efforts in the area. Over the subsequent years, the BCC and the residents of the area created a unified planning area and task force to address concurrency, identified preferred roadway infrastructure improvements and thoroughfares to accommodate current and future growth, eventually culminating in a neighborhood plan.

Acreage Neighborhood Plan

The Acreage Neighborhood Plan was completed in 1995. Within the supporting documents for the adopted plan are what are "informational elements" and a lengthy "technical appendix." In the informational elements, on page 45 of the "Future Government Element," it contemplates a future incorporation of the Acreage, with a passing reference to the Callery-Judge Groves is made. In it proposes that (municipal) incorporation coupled with the addition of the orange groves "could supply The Acreage with sites for commercial, industrial, and other zoning that The Acreage currently does not have." The "Land Use Element" includes a goal and objective to identify possible commercial (retail and office) and civic (places of worship and daycare facilities) use locations within The Acreage--ostensibly to site them appropriately and preserve the established development pattern without opening up the entirety of the thoroughfare network to potential strip-commercial development. Although it states that the preference of the residents is to locate commercial centers outside of, or adjacent to The Acreage, it calls for a 'commercial bubble' near Seminole-Pratt Whitney Road and 60th Street North (p. 50). Also recommended is for any non-residential development to provide "ample buffering and screening... to minimize the impact on neighboring properties." Similar to the commercial node identified within the Callery-Judge Groves, a future school site is also identified for that location. The significance is that The Acreage has for some time considered the Groves site, although technically outside the limits of the Neighborhood Plan, as a centrally-located position where it is appropriate to put nearly all of the necessary non-residential uses for a community (specifically referenced are commercial, industrial, institutional and civic uses). All other locations identified for non-residential uses are beyond the edge of The Acreage Neighborhood Plan.

In addition to detailing uses, considerable emphasis was given to examining infrastructure needs, especially the road network. The transportation network has been limited to three east west connections to the eastern/coastal portion of the County. These are, from north to south, Northlake Boulevard, Okeechobee Boulevard, and SR 80/Southern Boulevard. Passing reference is made to extending 45th St. from West Palm Beach, through Grassy Waters and connecting to 60th St. North to provide a central route connecting the CWC area to the east, relieving other roadways. However, such a notion had consistently been opposed by West Palm Beach due to the potential environmental threat to the wetlands and their water supply. However, a consistent theme of the document was to provide additional thoroughfare connections, including extending Seminole-Pratt Whitney to SR 710/Beeline Highway, which has since been precluded. Most of the other recommendations were for roads internal to The Acreage to be improved and/or connected including the construction of SR 7, improvements to Persimmon, 140th Road North, and 60th Road North. In addition to the vehicular lanes, recommendations also included providing sidewalks along paved roads on at least one side of the road, provisions for bicycling, and providing connections for equestrian trails within and adjacent to The Acreage. An equestrian trail is also detailed to traverse The Acreage area along the M-Canal/60th Street North alignment. Other infrastructural concerns of note are the "Water & Sewer Element," which further addresses drainage issues, indicates that minimizing the impact of non-residential uses through reduced impervious cover (p.72).

Central Western Communities Sector Plan

After the establishment of the MGTS, the County pursued establishing a Sector Plan for the CWC area. This Sector Plan process was an optional strategic planning effort, established in State statute, to identify and implement specific planning strategies to address the unique needs of an area. The CWC Sector Plan was the first undertaken in the State. In the CWC area, the intent was to address the imbalance of uses within the area, through a coordinated approach that incorporated design as a key component. The Sector Plan was intended to yield a conceptual master plan addressing regional issues including land use, services, infrastructure, and the environment and plan for the region's future.

The Sector Plan promoted the use of innovative planning and development strategies, and enabled specific area plans to be subsequently adopted without having to go through the rigorous DRI review. The Sector Plan was based on eight (8) Guiding Principles, which established the overall objectives and desired outcomes from the planning effort. The Guiding Principles of the CWC Sector Plan are as follows:

- Preserve Rural Character and Preserve Open Space
- Promote Sustainable and Livable Communities
- Promote Environmental Sustainability
- Manage Water Resources
- Provide Adequate Services and Facilities
- Minimize Traffic Impacts
- Promote Economic Sustainability
- Promote Fiscal Sustainability

Essential to the Sector Plan was the fundamental concept of reducing threats to the existing rural residential areas. In the Sector Plan, many of the daily needs of area residents would be addressed through the allocation of regional needs in community and neighborhood-serving specific geographic areas consistent with the scale of the area. Each specific area required a conceptual site plan that in some detail addressed site and regional stormwater/drainage, open space, buffering and separation, provided connectivity, ensured rural character, and provided development in the prescribed allocation called for in the Sector Plan, whether a village center, employment center or other mixed use development. These were to have been presented in subsequent site specific amendments, with corresponding zoning applications if approved. For areas intended for residential and mixed-use development, a residential density of 0.8 units/acre was generally proposed. Although this was reflective of The Acreage's existing density, it required significant clustering, to create a compact development area to curb the potential for urban sprawl at such a low density while also providing sufficient open space for drainage, environmental, recreational, and other identified needs.

The Sector Plan examined the existing and projected population at build-out, and then looked at per capita needs for non-residential uses. The full analysis is included in Exhibit 9. In summary, the data indicated that in 2006-07 that the existing development pattern in the CWC area generated a demand for 3.6 million square feet of combined commercial and industrial uses.

After approximately five years of community involvement, multiple revisions, and modifications to accommodate *ad hoc* development desires, the Board of County Commissioners (BCC) adopted the Sector Plan Conceptual Overlay in 2005. However, the Department of Community Affairs (DCA) issued a notice of intent to find this plan "not-in-compliance" with Chapter 163, Florida Statutes.

The County attempted to negotiate a settlement with the DCA and interveners in the ensuing Comprehensive Plan Challenge. In the spring of 2007, the County prepared a Remedial Amendment and Stipulated Settlement Agreement for DCA. The Remedial Amendment was based on the general concepts of the adopted Sector Plan, but it also was a refinement of many of the concepts, meant to overcome the challenge. In the proposed Remedial Amendment, the County included a new provision that Callery-Judge Groves would be developed in a Rural Traditional Development form, closely based on the existing Traditional Town Development (TTD) provisions in the Plan and Code. It added one critical concept to the TTD: increased open space (the TTD was always intended for use in the Urban/Suburban with at least 5 units/acre, and limited useable open space). At least 60% of the TTD had to be reserved for open space uses such as stormwater retention that addressed area drainage needs, recreational uses, trails, environmental mitigation and restoration. The remainder of the site would feature development with a net residential density of 5 units/acre.

In attempting to "truth" this new Rural Traditional Development concept, the 0.8 units/acre was deemed too low to achieve the requisite development form (other densities explored were 1.6, 1.2, and 1.0). To achieve the intended outcomes stated in the guiding principles of the Sector Plan, staff proposed including a density performance standard. This standard was only applicable to a centrally-located development, with direct thoroughfare access, provided ample workforce housing, addressed regional drainage/water supply/environmental issues, provided significant employment and commercial uses to address the regional use imbalance, and could meet the development form and minimum net density requirements. Provided that a specific area plan met all the performance standards, then it would be allowed to develop at 1.2 dwelling units per acre. If it did not meet those standards, then an area plan could only propose a density of 0.8 units/acre. This was the BCC direction given to staff in April 2007, and formed the basis of the County's Sector Plan Remedial Amendment and Stipulated Settlement Agreement.

Staff continued negotiations with DCA; however, due to an inability to reach agreement with the DCA within the specified timeframe before the final administrative hearing on the non-compliant amendment, the County repealed the Ordinance adopting the Sector Plan effort. The County continued exploring centralized planning for the area, through a proposed non-sector plan overlay in the Comprehensive Plan. However, many of the original "large parcels" intended for eventual development in the Sector Plan had either received separate land use amendment and development approvals outside of the Sector Plan, were located in the newly incorporated Loxahatchee Groves and therefore were no longer subject to the Sector Plan, or opted to utilize the DRI process, obviating the need for the Sector Plan. After almost two additional years of pursuing that overlay option, the County discontinued the effort altogether in 2009.

Exhibit 9
2007 CWC Sector Plan Settlement Agreement
Non-Residential Needs Analysis

The supply and demand for commercial, office, and industrial needs for the Central Western Communities Sector Planning area has been re-evaluated based on the newly proposed Traditional Development Options increased ability to balance these uses in the Overlay. The following analysis compares the existing conditions with future conditions based on current future land use designations and the ability for each of the sites with traditional development potential to develop at their maximum capacity. For the purposes of evaluation, both the supply and demand generated from the newly incorporated Loxahatchee Groves are considered within the totals.

Current and Planned Population

Currently there are just under 45,000 residents within the portion of the Central Western Communities Sector Planning Area, including the residents of the newly incorporated Loxahatchee Groves. The following chart provides an examination of the current units/population, with the future at build-out at adopted Future Land Use Designations (the bulk of which is at rural residential densities) and the currently built and approved non-residential square footages. The current person per household rate according to the 2000 US Census is approximately 3.2 persons per household. This table assumes that this pph would continue into the future if the existing development pattern continued into the future.

Existing and Future CWC Units/Population

Area	Acres	Existing		Future at FLU Capacity	
		Built Units	Population	Total Units	Population
Rural Residential	39,930	13,976	44,723	20,874	66,797
RTD Potential	11,781	1	3	866	2,771
Total	51,711	13,977	44,726	21,740	69,568

Within the CWC Sector Plan area, there is a very limited amount of commercial (office and retail) uses, and no industrial/employment uses permitted. Currently, there are non-residential uses built and additional approved at the intersection of Seminole-Pratt and Orange Boulevards, the Grove Market on Seminole-Pratt Boulevard, and throughout Loxahatchee Groves which total approximately 389,000 square feet.

Non-Residential Multipliers

In order to establish appropriate multipliers for Commercial and Industrial development, County staff examined data published by companies specializing in retail, office and industrial markets to determine the average amount of square footage per capita within Palm Beach County, and subsequently translate these average into multipliers.

For the commercial retail multiplier, County staff examined the Terranova Corporation's published data that indicated that Palm Beach County had 20 sq.ft. retail per capita in 2005, and that the national average was 20 sq.ft. per capita. The Terranova Corporation also referenced these figures at the 2005 Urban Land Institute South Florida Economic & Development Outlook Program. Further, Robert Gibbs of Gibbs Planning Group, specialists in retail consulting, also has cited a 20 sq.ft. retail per capita figure as a national average.

For the commercial office multiplier, County staff examined County-wide office data in comparison to population estimates. The first quarter 2007 Palm Beach County Office Market report by CB Richard Ellis reported that the total office in the County had 21,082,402 sq.ft. net rentable building area at the end of 2006. For this time period, the Bureau of Economic and Business Research (BEBR) estimated that the population of the County population 1,287,987. Dividing the office building area by the population, County staff have determined that 16 sq.ft. of office per capita is an approximate estimate for the County.

For the industrial multiplier, the County applied the same methodology to compare existing square footage to population estimates. The first quarter 2007 Palm Beach County Industrial Market report by CB Richard Ellis reported that the total industrial market in the County had 46,254,896 sq.ft. rentable building area at the end of 2006. This includes industrial/flex properties, multi/single tenant and owner user, 10,000 sq.ft. and greater. Dividing this industrial square footage by BEBR 2006 population, County staff have determined that a 36 sq.ft per capita estimate is appropriate for the County.

These multipliers are comparable to those used initially by Wilson-Miller with the original data prepared examining the need within the CWC Sector Plan. Initially, Wilson-Miller proposed nearly 4,000,000 million square feet for the anticipated 60,200 population. This translates into a multiplier of 20 sq.ft. per capita retail (1,205,000 sq.ft.), 12 sq.ft. per capita office (735,000 sq.ft), and 33 sq.ft. per capita industrial (2,000,000).

Current and Future Demand

These figures represent all levels of commercial and industrial, including neighborhood, community, and regional uses. Since the CWC Sector Plan is currently a rural and ex-urban densities, the vast majority of the non-residential commercial needs are fulfilled by uses that are located outside of the area, primarily within adjacent municipalities. Industrial/employment needs are primarily met by major centers such as downtown West Palm Beach and other employment centers such as those within the United Technologies Overlay area. Some area residents commute to work as far as Broward County and beyond.

One of the primary principals of the CWC Sector Plan Overlay is to balance non-residential uses by establishing new opportunities for non-residential development and to reduce trips. However, this principal must be weighed carefully against other principals that mandate that future development must be designed in a manner to meet projected needs of existing and future residents while maintaining a more exurban lifestyle. Considering these principals, in addition to existing non-residential development surrounding the CWC and planned non-residential as part of the Scripps related developments further east, it is appropriate that the amount of non-residential development planned for within the CWC Sector Plan be less than the Countywide averages. As such, it is reasonable to reduce multipliers in an attempt to reflect more neighborhood and community based uses, and thus not reflect more intensive regional type uses less appropriate to the area, such as heavy industrial uses. Therefore the industrial multiplier has been reduced to 24 sq.ft. per capita. In addition to existing non-residential development surrounding the **CSV** and planned non-residential as par of the Scripps related developments further east, it is fitting that the amount of non-residential development planned for within the CWC be less than the County-wide averages.

Existing Imbalance

The following table examines the imbalances between the current and future population of the Rural Residential with the amount of built/approved non-residential uses, in relation to the demand based on the multipliers presented. The table highlights the existing imbalance of commercial and industrial/employment uses of approximately 2 million square feet, and a future imbalance of 3.6 million square feet combined.

Rural Residential CWC Area Existing and Future Population and Projected Commercial and Industrial Need (excluding RTD potential areas)

	Population	Retail/Office 36 sf/capita			Industrial/Employment 22 sf/capita	
		Demand	Blt/Apr	Need	Demand	Need
Existing	44,723	1,610,028	389,000	1,221,028	1,073,352	1,073,352
Future Build out	66,797	2,404,692	389,000	2,015,692	1,603,128	1,603,128

In order to address the existing imbalance of non-residential uses to residential, and to ensure that future residential development is designed in tandem with non-residential uses, the previously proposed Rural Planned Development Options in the Sector Plan have been replaced in the CWC Sector Plan Overlay Settlement Agreement amendments to offer a more traditional development pattern. These development patterns are proposed for four locations, and will allow these sites to be developed at a density that is similar to that of the bulk of the CWC. Developments utilizing these options will be required to provide several community-wide benefits, including being designed in a manner to cluster the residential development to preserve 60% open space and ensuring that non-residential needs are met. The Traditional Town Development option will be permitted on one of the four sites (Callery Judge-Groves), and permit a higher density (up to 1.2 du/acre) in return for added community-wide benefits and additional non-residential development as detailed in the amendment. The Traditional Village Development option will be permitted on the remainder of the three sites, and will allow up to .80 du/acre.

Rectifying the Existing Imbalance

In May 2006, the Board of County Commissioners transmitted the Callery Judge-Groves Traditional Town Development DRI, which proposes to add 3.8 million square feet of commercial and industrial uses. The CWC Sector Plan Overlay Settlement Agreement amendments propose to incorporate this non-residential development into the Plan in order to rectify the existing non-residential shortfall. This site shall act as the regional hub for the Overlay area, and will include a greater amount of non-residential uses, including industrial and employment related uses. As indicated in the table below, there is an existing demand in the CWC Sector Plan area for approximately 3.6 million square feet of commercial/industrial uses. The proposed non-residential on Callery will provide adequate non-residential development to serve both the existing needs and the needs of the new residents within the Callery site. There is a very slight excess of industrial/employment type uses proposed in the Central RTD, but this difference is nominal.

Existing and Future Needs vs. Callery Supply

		Units	Population	Non Res.	Non-Residential Demand		
					Retail/Office 36 sf/capita	Industrial/ Employment 24 sf/capita	Total
Callery	4,000	4,800	15,360	0	552,960	368,640	921,600
Rural Res.	39,930	20,874	66,797	389,000	2,015,692	1,603,128	3,618,820
Total	43,930	25,674	82,157	389,000	2,568,652	1,971,768	4,540,420
Additional CWC Sites In process or proposed					386,000	0	386,000
Callery Non Residential Proposed					1,800,000	2,000,000	3,800,000
Non-Residential Remaining Demand					382,652	(28,232)	354,420

Ensuring Sustainable Future Development

In order to ensure that future development in the CWC Sector Plan Overlay is designed in a sustainable manner, the Settlement Agreement amendments proposed that the remaining three tracts available for significant future development be designed to have a balance of residential and commercial/industrial uses. This table depicts the demand generated by the .80 density proposed on each site with the maximum non-residential square footage for Commercial (retail/office) uses and Industrial/Employment uses proposed. Industrial uses shall be permitted in these developments only in the form of Traditional Employment Centers. The Lion Country tract is not required to provide employment, as the existing commercial recreation facility is expected to be retained. For the purpose of evaluating traffic impacts, the maximum trip generation for each category has been evaluated.

Proposed CWC New Residential Demand vs. Proposed Supply

		Units	Population		Non-Residential Demand*		
					Retail/Office 36 sf/capita	Industrial/ Employment 24 sf/capita	Total
Western	6,218	4,974	15,918	Demand	573,048	382,032	955,080
				Proposed	550,000	350,000	900,000
Southern	943	754	2,414	Demand	86,904	57,936	144,840
				Proposed	100,000	50,000	150,000
Lion Country	620	496	1,587	Demand	57,132	38,088	95,220
				Proposed	60,000	-	60,000

Conclusion

As demonstrated, there is a significant shortfall of commercial and industrial/employment uses currently existing in the CWC Sector Plan Overlay area that will be rectified by the proposed development options within the CWC Sector Plan Overlay Settlement Agreement amendments.

Total Existing and Proposed CWC Non-Residential Supply

	Commercial Retail/Office	Industrial/ Employment*	Total
Central	1,800,000	2,000,000	3,800,000
Western	550,000	350,000	900,000
Southern	100,000	50,000	150,000
Lion Country	60,000	-	60,000
Total RTD	2,510,000	2,400,000	4,910,000
Rural Res. Area Built/Approved	389,000	-	389,000
Rural Res. Area CWC Proposed/In Process	386,000	-	386,000
Total CWC	3,285,000	2,400,000	5,685,000

Exhibit 10

Evaluation of Applicant's Residential and Non-Residential Analysis

The analysis by Warner Real Estate Advisors, Inc. examined the residential, commercial, and industrial land uses within a 5-mile radius surrounding the perimeter of the site. The analysis concluded that the densities and intensities requested are those surrounding the site and therefore consistent (see Exhibit 14). According to the applicant, the residential analysis demonstrated that 2.40 units per acre is the overall average density within the 5-mile radius, and 1.74 million square feet of commercial/office uses is consistent with the per capita ratio within the radius. This is the same methodology employed in the study supporting the prior Enclave approval.

Upon review of the studies, County staff determined that they were prepared using professionally accepted methodologies. However, staff acknowledges that the "weighting by units" methodology for the residential analysis used by the applicant is one way to determine the surrounding density. As a brief summary, the applicant's residential analysis was calculated by multiplying the average density of a project times the number of units in the project. All of the projects were then summed, and divided by the number of units in the study area to arrive at an average density of 2.40 units per acre for the 5-mile radius. As a result, this method gives more consideration to the higher density areas. Another methodology to determine consistency with residential areas would be to calculate an average density based on acreage by totaling all the units and then dividing by the total acreage within the 5-mile radius. This is an extrapolation of the methodology outlined in the Comprehensive Plan for determining the residential density of a given parcel. As the consistency provision is related only to the presumption clearing an Agricultural Enclave of the urban sprawl criteria, Planning staff analyzed the proposal utilizing the Urban Sprawl Criteria and finds that the amendment does not meet any of the indicators of urban sprawl, and would not contribute to urban sprawl in the County.

The Warner study also provided a corresponding non-residential use analysis (see Exhibit 15). The methodology employed in that study essentially examined the existing built and unbuilt square footages for commercial, industrial and other non-residential uses, as well as total acres for commercial recreation and number of hotel rooms. Then the population projection at build-out for the 5-mile radius (total number of built and unbuilt homes from the residential analysis multiplied by the Census-indicated persons per household (pph) for the area). The existing agricultural enclave approval was not included in the study. The Warner Study determined the per capita amount for each use category by taking the total amount of a particular use (square feet/acres/rooms) and dividing by the projected population at build out. This resulted in five "multipliers": 46.14 square foot/person for Commercial, 11.81 square foot/person for Industrial, 0.0033 rooms/person for Hotels, 0.0147 acres of Commercial Recreation per person and 33.5 square foot/person for Other Non-Residential. These were then applied to the Enclave requested dwelling units (the original 6,500 unit request--the study was not revised after the applicant lowered unit count to 4,546), the population was determined based on the pph, and then multiplied by the five use types. This provided the corresponding non-residential uses the project could incorporate to be consistent with the amounts available for the surrounding area. This methodology is a method for determining the corresponding non-residential uses a given project would need based on a surrounding area build-out ratio of residential to a specific non-residential use type. It provides an analysis consistent with the statutory requirement. However, such an analysis does not begin to address a greater imbalance within the region. The County's Planning Division has long identified a shortcoming in non-residential uses within the larger CWC area. In looking at the 5-mile radius, the study and analysis (as well as the statute) would perpetuate this imbalance in assuming the existing uses, and their corresponding

ratio of residential to non-residential uses are the appropriate ratios for the area. Furthermore, the statute does not require a "demand" or other market study to determine need.

Only 53.13 acres of RR-10 are proposed to be amended from RR-10 to AGE, and these parcels were previously excluded due to ownership, but are internal and contiguous to the existing AGE designated lands. These include a 13.13 acre parcel now owned by Minto PBLH LLC, located immediately west of Seminole-Pratt Whitney Road opposite the existing Grove Market shopping center. The other two parcels are owned by SID, a 38.97 acre parcel currently used for a utility plant, located approximately 3900 feet east of Seminole Pratt Whitney road, and a 1.07 acre parcel at the southwest corner of the Enclave adjacent to the M-2 canal. Staff feels they should be added to the Enclave legislatively, to facilitate the administration and development of the overall Enclave. Otherwise they would be "enclaves" within the Enclave, and could be regarded as residual parcels. As such, staff proposes revising Policy 2.2.5-d to facilitate the inclusion of these "enclaves" within the Enclave.

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Exhibit 11
Applicant's Justification Statement

Minto West
Consistency and Compatibility Statement

JUSTIFICATION STATEMENT:

The attached Future Land Use Atlas (FLUA) amendment and associated Comprehensive Plan Text Amendments (“Text Amendments”) are submitted by Minto PBLH, LLC, and the Seminole Improvement District (“SID”) to amend the existing Callery Judge Agricultural Enclave to create a balanced, attractive and functional mixed-use community to enhance and support the existing sprawl-pattern development in the western communities. The proposed FLUA will amend the original Callery Judge Agricultural Enclave, created in 2008 pursuant to the Agricultural Lands and Practices Act, Section 163.3162(4), F.S., to develop the Minto West Agricultural Enclave with increased residential density and non-residential intensity, consistent with the surrounding development and to address the land use imbalance characteristic of the central western communities.

Background

The site is located East and West of Seminole Pratt Whitney Blvd., South of 60th Street North, and North of 50th Street N, East of Mead Hill Drive and 44th Street North, East of 190th Terrace North and West of 140th Avenue North. The 3,788.60-acre property is located in the Rural Tier and has a current FLUA designation of Agricultural Enclave and Rural Residential-10. The subject property is currently in active agricultural, with built parcels including a utility site and a packing plant.

The subject property is roughly co-extensive with SID, a legislatively-created special district with the authority to provide public infrastructure and services and to operate district facilities. SID provides drainage, water and wastewater services for the subject property, and owns a canal right-of-way and/or easement for access and drainage from the subject site running approximately four miles south to the C-51 Canal.

Currently, the land uses surrounding the Agricultural Enclave consist of residential, schools, commercial parcels and some public sites, all of which have been approved by the County since the grove was built. A great majority of the residential and nonresidential uses were built since the late 1980’s and were exempted from concurrency rules in the early 1990’s by the creation of the Acreage Unified Planning Area. The site is bounded by the M Canal on the North. Immediately North of the M Canal are single-family, residential properties in the unincorporated Acreage community. The Acreage is a sprawling, antiquated subdivision, consisting of 33 square miles of 1.25-acre lots, in the Exurban Tier. These lots are inclusive of road and drainage rights-of-way. An elementary and middle school are located on the adjacent land area in the northeast corner of the subject site. The adjacent land to the east is residential (the Acreage). The adjacent land area to the south is also residential and includes portions of the Acreage and the Town of Loxahatchee Groves, a primarily low-density residential community consisting of 7,650 acres. The site is bounded by the M Canal on the West. Across from the M Canal on the west are agricultural uses and rural residential. Along Seminole-Pratt Whitney Road through the site lie the Seminole Ridge High School, the packing facility and a commercial shopping center.

The subject site has been recognized for special planning by Palm Beach County for twenty years through a variety of planning efforts. These include the Sector Planning effort, which recognized the urbanized, sprawling residential development pattern of the surrounding area that is unsupported by sufficient non-residential uses.

Proposed Amendments

Originally established as an Agricultural Enclave in 2008, 3745.58-acres of the site was approved with a gross density not to exceed .80 units per acre (2,996 units) and intensity not to exceed 235,000 square feet of non-residential uses. In support of the original request, an analysis of the residential density surrounding the site was prepared, per the requirements of the statute that the proposed agricultural enclave be consistent with the density and intensity of the surrounding community. That analysis, prepared by Warner and Associates, and included with this application¹ shows an average residential density of 2.11 units per acre within the five (5) mile study area. However, due to statutory Development of Regional Impact thresholds in place at the time, the prior owner limited the residential density to .80 units per acre in order not to subject the project site to DRI review. The small amount of non-residential requested and ultimately approved was also limited by the desire to avoid DRI status. Since that time, the DRI statute has been amended and the project, at the current proposed density and intensity, would not be subject to DRI review.

The Minto West Agricultural Enclave will contain a mix of residential housing types together with commercial, retail, office, education, and public and private civic facilities, as more specifically defined in the amended Conceptual Plan to be adopted with the proposed FLUA. The proposed gross density will not exceed approximately 1.2 units per acre and 2 million square feet of non-residential uses, a hotel and civic uses. The non-residential uses are designed to address the needs of the Minto West residential development as well as the latent demand for such uses created by the surrounding, single-use development pattern. This demand has been identified in numerous studies conducted by the County through its various sector planning efforts. The proposed mix of uses will incorporate appropriate new urbanism concepts as described in the Implementing Principals to be adopted as part of the FLUA, while maintaining compatibility with the surrounding community through generous buffers and lower density development along the perimeter of the project.

¹ An updated analysis is being prepared by Warner and Associates and will be submitted under separate cover.

Exhibit 12

Applicant's Consistency with the County's Comprehensive Plan

CONSISTENCY WITH DIRECTIVES, GOALS, OBJECTIVES, AND POLICIES:

At the time of adoption of the Agricultural Enclave designation for the property, the Comprehensive Plan was amended to implement the Agricultural Lands and Practices Act, Section 163.3162(4), F.S., through an amendment package, which included text amendments and a FLUA amendment. The controlling policy, FLUE Policy 2.2.5, required the adoption of a Conceptual Plan with implementing principles and a Site Data table establishing the land uses and densities and intensities for the property consistent with the requirements of the Statute. Policy 2.2.5 also anticipates and provides for amendment of the adopted Conceptual Plan as is proposed here. Minto West will contain a mix of residential housing types, commercial, retail, office, educational facilities, and recreational uses, which are consistent with those uses in the area and the uses already approved for the property.

C. County Directions

The Future Land Use Element was created and has been updated based on input from the public and other agencies through citizen advisory committees, public meetings, interdepartmental reviews, and the Board of County Commissioners. All contributed to the generation of the long-term planning directions, which provide the basis for the Goals, Objectives and Policies of the Future Land Use Element. These directions reflect the kind of community the residents of Palm Beach County desire.

1. 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 at levels appropriate to the character of the community, and opportunities for education, employment, active and passive recreation, and cultural enrichment.*

Response: Minto West furthers the livable community design of the approved Agricultural Enclave. As is depicted on the amended Conceptual Plan and in the Implementing Principles, Minto West now proposes an even greater balance and mixture of uses, clustering, and other new urbanism concepts with greater opportunities to discourage and remediate an existing pattern of urban sprawl, as required by Section 163.3162(4), F.S. The surrounding area is characterized by single use residential sprawl. The Minto West community will have a balanced mix of land uses, which will address the community's, and the surrounding area's, non-residential needs in a well planned community.

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

Response: Minto West proposes a sustainable, balanced development pattern consistent with the uses and intensities of development in the surrounding area as required by Section 163.3162(4). The surrounding pattern is not efficient and the Minto West community will provide much needed balance in the central western area. The proposed uses and increases in densities and intensities remain consistent with the surrounding area and allow for efficient use of the property, a greater balance of

land uses and additional opportunities to remediate the established jobs to housing imbalance in the surrounding area. Public facilities and services to serve the additional densities and intensities will be provided in a cost-efficient and timely manner as documented in attached correspondence.

3. Infill Development. *Encourage infill development in urban areas to increase efficient use of land, and existing public facilities and services.*

Response: The proposed amendment increases the densities and intensities on an infill site already approved for development, enhances the site's multi-use development form resulting in more efficient use of land and of the related public facilities and services to be provided, in part, by SID.

4. 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.*

Response: As discussed above, the Minto West development lies in the center of a vast area of committed, sprawl-pattern development. The central western communities have been the subject of numerous County studies and initiatives aimed at addressing the land use imbalance of the area. As an Agricultural Enclave, the densities and intensities proposed for Minto West are, by definition, consistent and compatible with this development.² More importantly, by incorporating new urbanism principals through the proposed Implementing Principles and by providing needed employment and commercial uses to serve residents within the entire central western communities, Minto West will alleviate, rather than exacerbate, the existing urban sprawl pattern development, thereby addressing an identified County planning need.

11. 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.*

Response: Minto West's proposed Conceptual Plan and Implementing Principles continue to provide for linear open space throughout the project and on its perimeter, ensuring functional recreational opportunities and open space for the use of its residents while ensuring the development is appropriately buffered from the surrounding community.

12. 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.*

Response: Because the proposed amendment enhances the infill development on property, which today contains no natural environmental features, it reflects environmentally sound land use planning by directing growth away from environmentally sensitive areas. In addition, large open space areas and water features provide an opportunity for significant environmental enhancement where today no such features exist.

13. Design. *Promote the concept of design to direct development, in rural and urban areas. Design is*

² See attached analysis prepared by Warner and Associates.

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.

Response: Minto West is proposed on one of the few remaining sites large enough to accomplish functional, orderly, and efficient design on a meaningful scale, which allows an economically viable development form while also meeting accepted community and planning goals to address the lack of employment opportunities and services necessary for the surrounding community.

Managed Growth Tier System

Response: The property, which is located in the Rural Tier, is surrounded by land within the Exurban Tier and, within the study area, the Urban/Suburban Tier. The area is identified as Urban or as an Urban Designated Place by the U.S. Census Bureau according to the 2010 census results. The statutory mandate for any Agricultural Enclave requires consistency with surrounding development and the inclusion of new urbanism concepts, which aligns with the principles and provisions in the County's managed growth tier system. The underlying purpose of the managed growth tier system will be achieved through the distinct approach for creating agricultural enclaves, which includes the development of a Conceptual Plan and Implementing Principals that require the incorporation of appropriate new urbanism concepts while also providing transition and buffers between the project and surrounding development. Therefore, the proposed FLUA and text amendments are consistent with the underlying intent of the managed growth Tier system.

GOAL 2 LAND PLANNING

It is the GOAL of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

OBJECTIVE 2.1 Balanced Growth

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

Response: Minto West proposes intensity increases, which will allow for viable commercial development including employment opportunities to serve the residential densities on the property and within the surrounding area. The proposed amendment moves in the direction of accomplishing the County's goal of addressing the land use imbalance in the area as reflected in numerous County initiated studies and planning efforts. As such, the proposed amendment continues to direct future development to an appropriate location, specifically to address the need for balanced growth, the provision of services and employment opportunities.

POLICY 2.1-f

Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use

is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:

1. The natural environment, including topography, soils, and other natural resources;

Response: There are no native and natural habitat features on the property. However, through the development of the site, a large amount of vegetation, lakes, and other natural features will be created.

2. The availability of facilities and services;

Response: Water, sewer, and wastewater capacity will be provided by SID, an existing service provider on site, which will ensure resources are used most efficiently. Capacity letters have been provided herein. Transportation facility needs will be addressed as required. The proposed mix of land uses will reduce vehicular trips eastbound and overall miles traveled by existing and future residents.

3. The adjacent and surrounding development;

Response: The subject site is surrounded by sprawling residential development. This development pattern has caused the subject site to be described as the “hole in the doughnut.” The approval of increased densities and intensities on the property will fill the “hole in the doughnut” with a range of residential densities, consumer services, and employment opportunities currently lacking within the western communities.

4. The future land use balance;

Response: Currently, the western communities include a vast amount of residential units and a minimal amount of consumer services. Minto West will provide long-desired commercial, employment, and recreational opportunities to achieve a more balanced mix of land uses within the western communities.

5. The prevention of urban sprawl as defined by 9J-5.006(5)(g), Florida Administrative Code (F.A.C.);

Response: The site is currently surrounded by urban development. Per Section 163.3162, F.S., the subject site is presumed not to be urban sprawl, because the proposed development program is consistent with the uses and intensities surrounding the parcel. However, an analysis of the urban sprawl indicators is provided below.

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

Response: There are no community plans or special studies for the subject site. The Acreage residential community, which borders the subject site, does have a recognized Neighborhood Plan. Minto West is not within the boundaries of the Acreage Neighborhood Plan. As discussed above, the proposed densities and intensities of development and implementing principals address the existing land use imbalance characteristic of the area while providing transition and buffering between the proposed development and the surrounding community

7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.*

Response: The proposed amendment will be processed and reviewed pursuant to the applicable requirements of the Intergovernmental Coordination Element.

Policy 2.2-a: Future Land Use Provisions- General

All development approvals and actions within the unincorporated limits of the County shall be consistent with the provisions contained within the Comprehensive Plan, as amended. Such approvals shall also be consistent with any restrictions or special conditions attached to a Comprehensive Plan amendment, as referenced on the Future Land Use Atlas contained within the Ordinance adopting the amendment.

Response: The County's system permits staff to view conditions, concept plans and applicable FLUA guidelines and implementing principles such as those adopted and proposed for Minto West. This ensures that conditions are carried forward through the development order and site planning processes, ultimately ensuring that the development of the property will conform to the requirement of the FLUA amendment including the Site Data table and Implementing Principles. Policy 2.2.5-d provides that these limiting conditions may only be amended through the FLUA amendment process.

Policy 2.2.1-b:

Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain[ed] to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.

Response: Minto West's mix of residential housing types - single and multi-family - is the same as that already approved for the property under the existing Agricultural Enclave designation. Therefore, the project does not place an incompatible future land use into an area designated for residential use. The subject property is already approved for development of commercial, office, recreational, educational and other civic uses. Design standards depicted on the Conceptual Plan, Site Data table and Implementing Principles continue to require that uses be located and organized so as to prevent encroachment of nonresidential uses on residential uses external to the project. Minto West's proposal continues to provide for landscape buffers, linear parks, and lakes to ensure transition and compatibility with external uses, all as depicted on the revised conceptual plan.

Policy 2.4-b Residential Density Increases

Response: Due to the Agricultural Lands and Practices Act, Section 163.3162(4), F.S., this Policy is not applicable to Agricultural Enclaves, and the Policy is being amended to reflect the same.

Policy 3.5-d:

Response: This policy is not applicable to an Agricultural Enclave pursuant the Policy itself and to Florida Statutes section 163.3162(5), F.S. See letter at Attachment H.

Exhibit 13

Applicant's Consistency with the Urban Sprawl Rule

Consistency with Section 163.3177(6)(a)9.a.

Section 163.3162(4), F.S., states that an amendment for land defined as an Agricultural Enclave is presumed not to be urban sprawl. The following analysis demonstrates consistency with the urban sprawl requirements of Section 163.3177(6)(a)9.a. and Policy 2.1-f.

9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

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

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

Response: Minto West proposes a multi-use development form at increased intensities and densities that will minimize the external effect of the project through a balance of housing, employment, commercial, recreational and civic land uses to meet the needs of its residents and employees while offering opportunities to the residents of the surrounding community. The project does not trigger this indicator.

(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.

Response: Minto West is not proposed within a rural area. The Census Bureau defines the surrounding area as urban. The property is surrounded by a large urban residential subdivision. There are no undeveloped lands, available for development of a multi-use development as is proposed here, between the property and the urban development to the east. Consistent with the County's sector planning efforts, the property continues to be the appropriate location for the development types and intensities proposed as a means to address the existing single-use sprawl pattern development surrounding the project. The project does not trigger this indicator.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

Response: The property's size and shape allow for master planning which will continue to allow uses to be designed in a balanced and efficient manner. The project is not isolated as it is proposed on a site that is surrounded by significant residential uses. The project does not trigger this indicator.

(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.

Response: There are no natural environmental features on the site. The proposed changes to the approved development pattern for the property will not result in failure to protect and conserve the listed natural resources. The project does not trigger this indicator.

(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.

Response: The predominant adjacent land use is residential subdivision. The proposed changes to the approved development pattern will not result in reduced protections for any accessory agricultural uses in the area since the buffering and separation in the approved conceptual plan is similar to that proposed in the amendment. The project does not trigger this indicator.

(VI) Fails to maximize use of existing public facilities and services.

Response: The increased intensities proposed for Minto West will further maximize use of the existing public facilities and services to be provided by the SID including the central water and sewer facilities. The proposed development, including the mix of uses, will improve traffic patterns in the area. The project does not trigger this indicator.

(VII) Fails to maximize use of future public facilities and services.

Response: See above response to indicator (VI).

(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.

Response: Minto West will continue to allow for balanced, sustainable development resulting in the efficient provision of services. The project does not trigger this indicator.

(IX) Fails to provide a clear separation between rural and urban uses.

Response: The property is surrounded by a large suburban residential subdivision denominated as urban by the most recent U.S. Census Bureau data. The property is already approved for residential and nonresidential uses similar in type and scale to that proposed for Minto West. As is depicted on the concept plan for the project, the commercial, office, workplace and educational uses will continue to be located towards the center of the subject parcel along Seminole Pratt Whitney Road to maximize separation between those uses and the surrounding residential community. Additionally, buffers along the perimeter of the property remain in place and density transition requirements will be implemented. The project does not trigger this indicator.

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

Response: Minto West continues to encourage and provide for infill development by providing a rare opportunity for a multi-use development form in a location with the ability to remediate the existing single use, small lot development pattern of the surrounding community. The project does not trigger this indicator.

(XI) Fails to encourage a functional mix of uses.

Response: Minto West's proposal to increase nonresidential intensity focused economic development center uses, continues to encourage a functional mix of uses. The workplace and commercial uses will create functionality for the surrounding residential community. The project does not trigger this indicator.

(XII) Results in poor accessibility among linked or related land uses.

Response: Access to the property is through Seminole Pratt-Whitney Road. The roadway is planned for widening to six lanes. The concept plan continues to depict a cohesive plan for interconnected roadways ensuring the project will be coordinated and developed in an efficient manner. The project does not trigger this indicator.

(XIII) Results in the loss of significant amounts of functional open space.

Response: The Conceptual Plan continues to incorporate open useable space throughout the site. The existing agricultural use does not provide any accessible open space for use by the public. Therefore, the project does not trigger this indicator.

As demonstrated above, the proposed amendment does not meet any of the indicators of urban sprawl and would, instead, remediate existing urban sprawl development patterns in the County. Because no indicators of urban sprawl are triggered by the proposed amendment, an analysis of whether the project incorporates a development pattern or urban form components that reflects discouragement of urban sprawl as provided for in Section 163.3177(6)(a)9.b is not required. However, the proposed amendment:

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

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

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

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Exhibit 14
Applicant's Residential Density Analysis

Warner Real Estate Advisors, Inc.

Minto West
Residential Density
Analysis

12/16/2013

Pages E-58 to E-74



December 16, 2013

Ms. Tara W. Duhy, Esq.
Lewis, Longman & Walker, P.A.
515 North Flagler Drive, Suite 1500
West Palm Beach, Florida 33401

Re: Minto West - Residential

Dear Tara,

As you have requested, enclosed you will find an updated residential analysis that identifies the types and quantities of residential development surrounding the Minto Agricultural Enclave. This study updates the prior January 7, 2008 study developed for the Callery–Judge Grove Agricultural Enclave. This study computed the overall gross residential density of residential projects and communities for a five mile study area surrounding the Minto West project. In total, residential density was researched, analyzed and computed for 104 different communities/areas located in the study area.

Based on this research and analysis, this report concludes that within a five mile area the overall average density is approximately 2.40 units per acre and the median density is .95 units per acre. Since the Minto West Enclave is proposed at the density of 1.71 units per acre, it is well below the average densities of the area.

Thank you for the opportunity to work with you on this project.

Sincerely,

Rick Warner
Warner Real Estate Advisors, Inc.

Methodology

Below is a description of the methodologies used to determine the residential density surrounding the Minto West property.

1. Study Area - A five mile radius surrounding Minto West was selected for the following reasons:
 - a. This is consistent with the traffic impact analysis area for traffic concurrency.
 - b. The non-residential analysis was based on a five mile study area, thus population and housing were studied on similar bases.
 - c. A five mile study is representative of the area. There is contiguity and connectivity between these communities. SR 7 represents a natural divide on the east and 20 mile bend represent a natural boundary on the west.
2. Density Computations - Three General Approaches
 - a. For communities approved via a PUD type approval, the gross densities were used, except in cases where PUDs were built out. In these cases the actual built units were assumed and divided by the overall gross project acreage. In cases of unbuilt projects such as Highland Dunes and PortoSol, the approved densities were used. As part of this analysis the County and Municipal Projects GIS data bases were used to compare and analyze this information and check that PUD's were built according to the master plans obtained from local governments.
 - b. For communities approved via "straight zoning," the built number of units and the plat acreage were used. There are a number of these communities which are mostly located in the older areas of Royal Palm Beach. The Property Appraiser's plat shape file was used to determine plat configurations and acreages.
 - c. For communities such as the Acreage, Loxahatchee Groves and other communities designated Rural Residential, density was computed using the acreage and the number of units allowed.
3. Reconciliation and Sources
 - a. The acreage and unit data was independently verified using the Property Appraiser's CAMA 2013 file acreage and units totals and types.
 - b. This information was also compared to the Unincorporated Residential and Municipal Listing report and GIS data bases for these reports prepared by the County. Where there were

differences, the EXLU 2013 and CAMA 2013 figures were generally considered most accurate.

- c. Aerial imagery (Jan. 2013) of the area was also used to verify information.
- d. PUD resolutions and master plans were obtained / downloaded from Royal Palm Beach, West Palm Beach, Wellington and Palm Beach County.

Enclave Analysis

Consistent with the enclave legislation the following tables were developed.

Note: This data is cumulative and is aggregated in quarter mile increments from the boundary of Minto West. For example, one mile includes increments of .25, .5, .75 and 1 mile.

Density Analysis by .25 Mile

Distance	Units	Average	Median	Mode
0.25	1,103	0.72	0.78	0.87
0.5	2,401	0.72	0.78	0.87
0.75	3,750	0.73	0.78	0.87
1	5,091	0.73	0.78	0.87
1.25	6,373	0.73	0.78	0.87
1.5	7,778	0.76	0.78	0.87
1.75	9,267	0.78	0.78	0.87
2	10,798	0.80	0.78	0.87
2.25	12,678	0.84	0.78	0.87
2.5	14,832	0.92	0.79	0.87
2.75	17,308	1.07	0.80	0.87
3	20,185	1.30	0.83	0.87
3.25	22,896	1.48	0.84	0.87
3.5	25,188	1.64	0.86	0.87
3.75	27,414	1.80	0.87	0.87
4	29,875	2.00	0.87	0.87
4.25	32,077	2.14	0.87	0.87
4.5	34,779	2.27	0.87	0.87
4.75	36,881	2.33	0.88	0.87
5	39,478	2.40	0.95	0.87

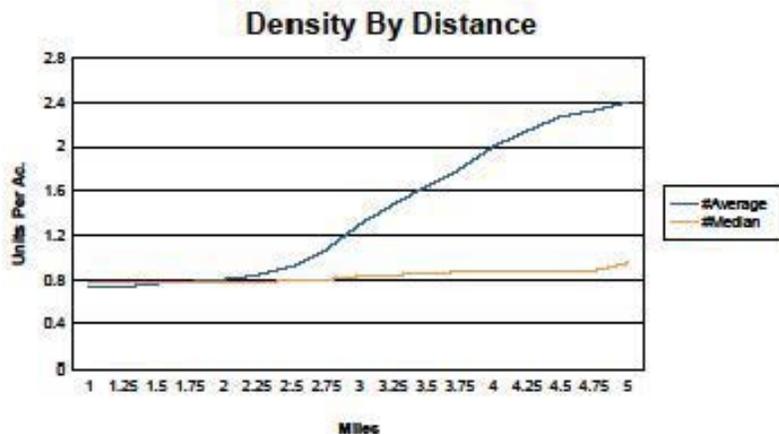
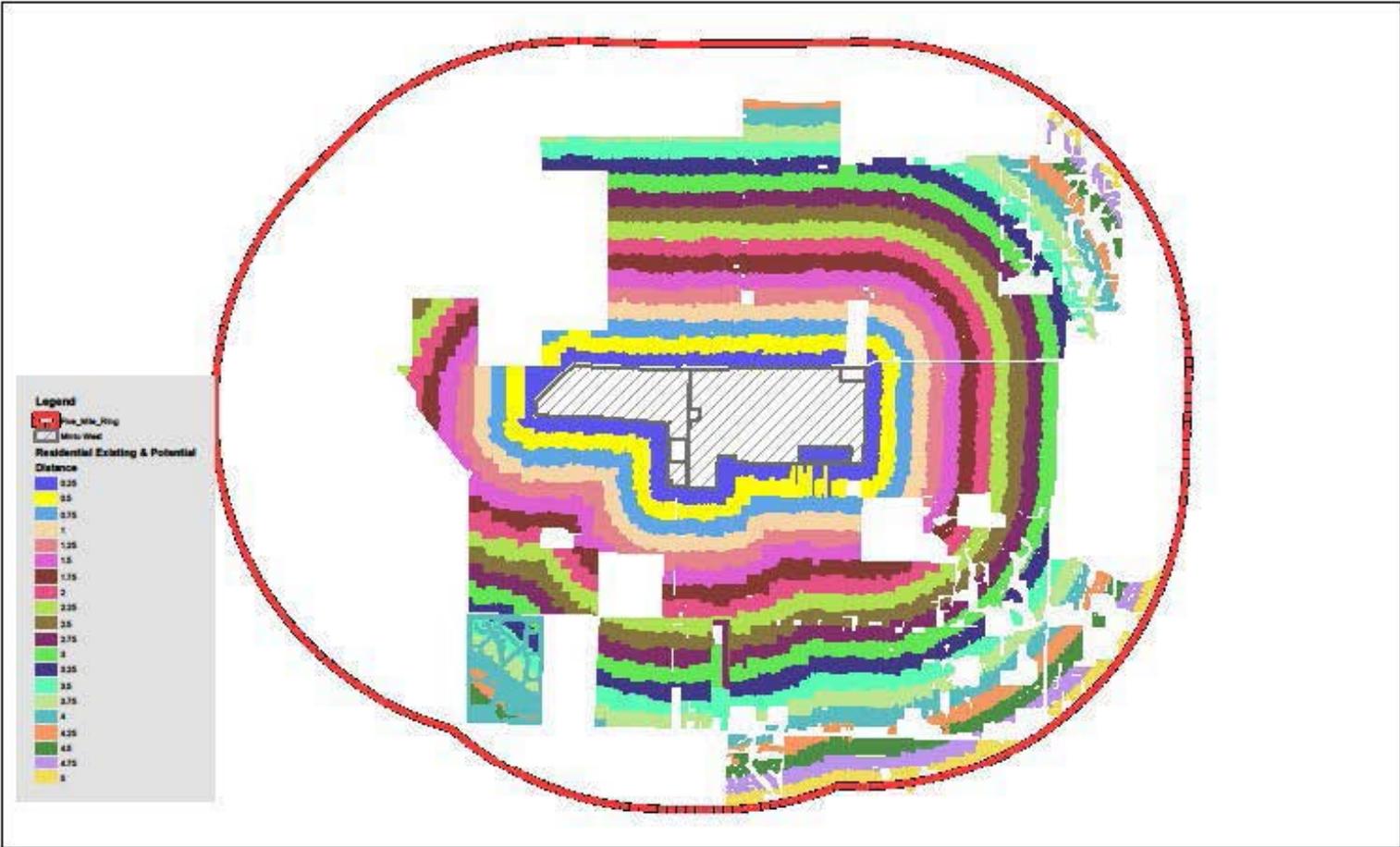


Exhibit A – Parcel Distances in .25 Acre Increments

Exhibit A - Parcel Distances in .25 Mile Increments



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Minto West

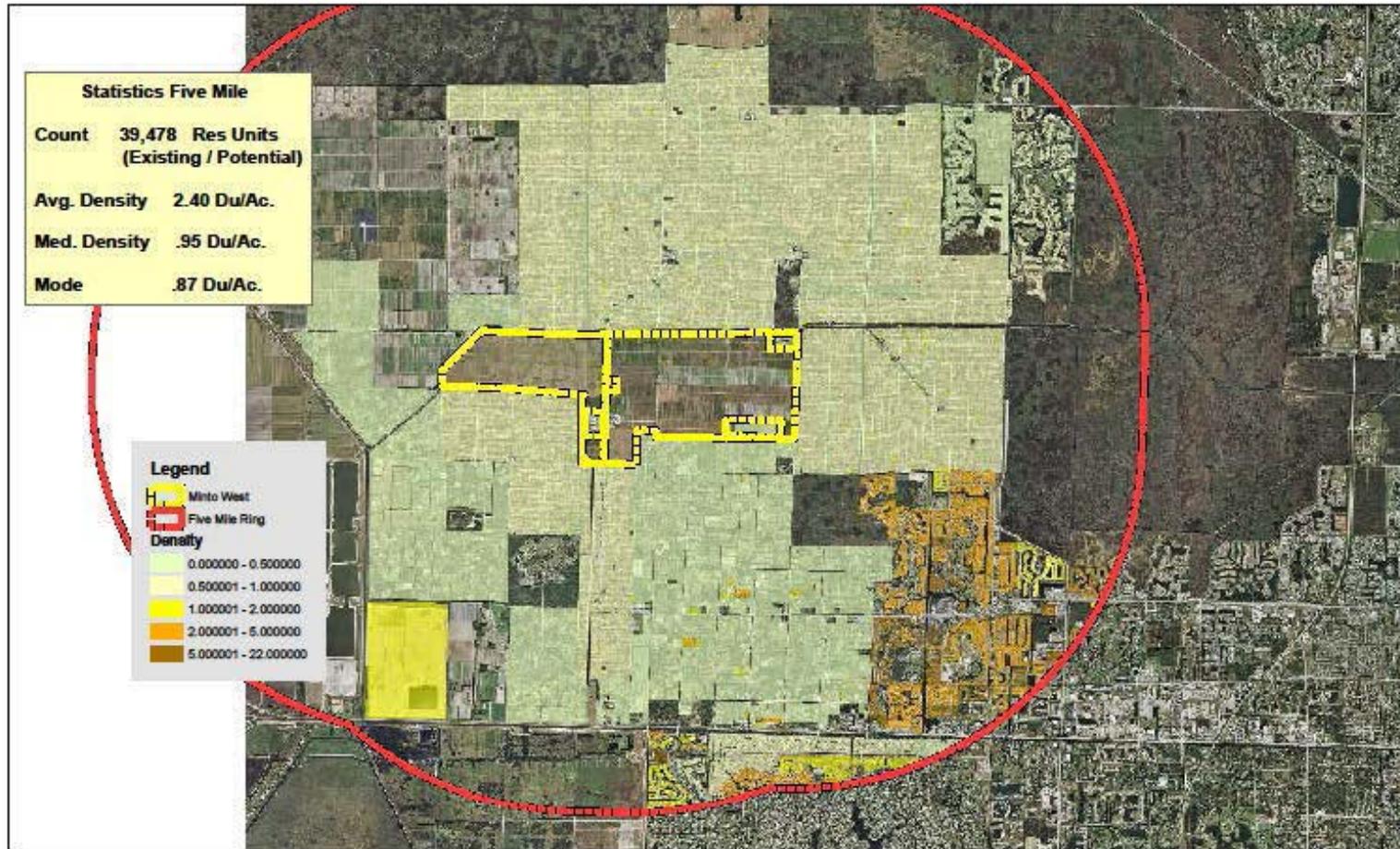
1" = 2 miles

Sources:
 PBOD 2013 Cana File & Aerials
 Camp Plans from Local Gov. & ELXU PBOD
 Original Research
 Prepared Dec. 10, 2013

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Exhibit B – Parcel General Densities

Exhibit B - Parcel General Densities



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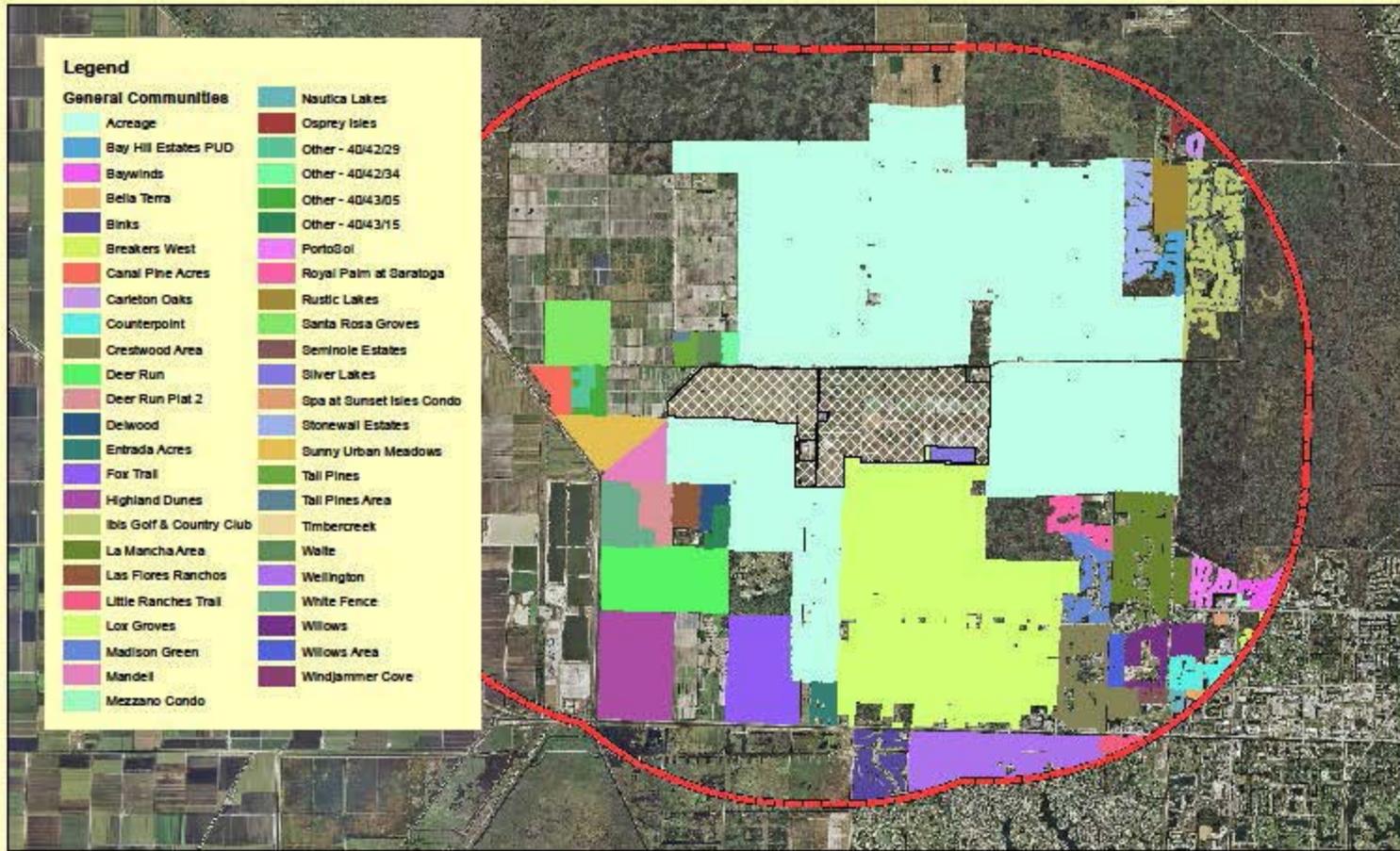
Minto West

1 inch = 2 miles

Sources:
PBCO 2013 Cana File & Aerials
Comp Plans from Local Gov.
Original Research
Prepared Dec 10, 2013

Exhibit C – General Communities

Exhibit C - General Communities



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Minto West

1 inch = 2 miles

Source:
 PBCC 2013 Cana File & Aerials
 Comp. Plans from Local Gov.
 Original Research
 Prepared Dec 10, 2013

Document Path: D:\GIS\MintoDensity_Analysis\Exhibit_C_General_Communities.mxd

Exhibit C. 1 – General Communities Breakdown

Following seven pages

Residential Density Analysis - Minto West

		Total Tot Units	Avg Dnsty	Median	Mode	Min	Max
Acreage	Acreage	15,827	0.78	0.78	0.87	0.05	3.49
	Total	15,827	0.78	0.78	0.87	0.05	3.49
Bay Hill Estates PUD	Bay Hill Estates PUD	194	0.50	0.50	0.50	0.50	0.50
	Total	194	0.50	0.50	0.50	0.50	0.50
Baywinds	Baywinds	643	5.87	5.87	5.87	5.87	5.87
	Total	643	5.87	5.87	5.87	5.87	5.87
Bella Terra	Bella Terra	115	3.78	3.76	3.76	3.43	4.38
	Total	115	3.78	3.76	3.76	3.43	4.38
Binks	Binks Forest	585	1.60	1.67	1.67	0.65	4.29
	Binks Point	90	5.51	5.51	5.51	5.51	5.51
	Meadow Wood	99	1.55	1.55	1.55	1.55	1.55
	Total	774	2.05	1.67	1.67	0.65	5.51
Breakers West	Breakers Pointe	35	1.43	1.43	1.43	1.43	1.43
	Breakers West	56	2.48	2.49	3.62	0.98	3.62
	Total	91	2.08	1.43	1.43	0.98	3.62
Canal Pine Acres	Canal Pine Acres	37	0.22	0.19	0.19	0.10	1.55
	Total	37	0.22	0.19	0.19	0.10	1.55
Carleton Oaks	Carleton Oaks	142	1.00	1.00	1.00	1.00	1.00
	Total	142	1.00	1.00	1.00	1.00	1.00
Counterpoint	Counterpoint	828	4.24	3.55	3.55	2.07	5.70
	Total	828	4.24	3.55	3.55	2.07	5.70
Crestwood Area	Crestwood	570	5.15	5.15	5.15	5.15	5.15

Note: Single border is intentional on page bottom for next seven pages.

		Total Tot Units	Avg Dnsty	Median	Mode	Min	Max
Crestwood Area	Cypress Head	161	2.60	2.60	2.60	2.60	2.60
	Cypress Key Mxd	142	4.17	4.17	4.17	4.17	4.17
	Estates of Royal Palm	319	2.60	2.60	2.60	2.60	2.60
	Grand View Condo	289	11.13	11.13	11.13	11.13	11.13
	Kensington Condos	163	8.30	8.30	8.30	8.30	8.30
	Other - 41/43/17	3	0.11	0.11	0.11	0.11	0.11
	PB Colony	510	5.00	4.52	4.52	4.49	5.50
	Preserve at Crestwood	81	4.05	4.05	4.05	4.05	4.05
	Royal Palm Beach Condo	56	0.37	0.37	0.37	0.37	0.37
	Strathmore Gate	279	6.23	6.21	5.82	5.82	6.91
	Weybridge	96	9.64	9.64	9.60	9.60	9.67
	Total	2,669	5.59	5.15	5.15	0.11	11.13
Deer Run	Deer Run	256	0.21	0.20	0.20	0.14	0.40
	Total	256	0.21	0.20	0.20	0.14	0.40
Deer Run Plat 2	Deer Run Plat 2	55	0.21	0.20	0.20	0.09	0.66
	Total	55	0.21	0.20	0.20	0.09	0.66
Delwood	Delwood	27	0.19	0.19	0.19	0.14	0.37
	Total	27	0.19	0.19	0.19	0.14	0.37
Entrada Acres	Entrada Acres	33	0.26	0.20	0.20	0.20	1.70
	Total	33	0.26	0.20	0.20	0.20	1.70
Fox Trail	Fox Trail	220	0.20	0.20	0.20	0.13	0.60
	Total	220	0.20	0.20	0.20	0.13	0.60
Highland Dunes	Highland Dunes	2,000	1.65	1.65	1.65	1.65	1.65

		Total Tot Units	Avg Dnsty	Median	Mode	Min	Max
Highland Dunes	Total	2,000	1.65	1.65	1.65	1.65	1.65
Ibis Golf & Country Club	Ibis Golf & Country Club	2,097	0.95	0.95	0.95	0.95	0.95
	Total	2,097	0.95	0.95	0.95	0.95	0.95
La Mancha Area	Bella Vita	45	9.54	9.54	9.54	9.54	9.54
	Country Club Views	57	6.03	6.03	6.03	6.03	6.03
	Country Club Village	30	5.70	5.70	5.70	5.70	5.70
	Elysium	50	4.02	4.08	4.08	2.10	4.08
	Fairways	40	7.22	5.78	5.78	5.78	11.54
	Hawthorn	321	5.05	7.07	7.07	1.67	7.07
	Huntington Woods	199	3.84	3.84	3.84	3.84	3.84
	Indian Trails	195	4.56	5.39	5.39	2.52	5.60
	La Mancha	1,493	2.56	2.43	2.93	1.83	4.33
	Lantern Walk	124	7.78	8.14	8.14	7.12	8.14
	Palm Beach Trace	111	14.72	14.72	14.72	14.72	14.72
	Royal Palm Beach	200	7.90	7.90	7.90	7.90	7.90
	Royal Palm Trails	41	13.21	13.21	13.21	13.21	13.21
	Royal Pines Estates	112	4.78	4.78	4.78	4.78	4.78
	Trails at RPB	182	13.58	13.58	13.58	13.58	13.58
Whispering Pines	97	5.79	5.79	5.79	5.79	5.79	
Total	3,297	5.11	3.14	2.93	1.67	14.72	
Las Flores Ranchos	Las Flores Ranchos	37	0.20	0.20	0.20	0.18	0.20
	Total	37	0.20	0.20	0.20	0.18	0.20

		Total Tot Units	Avg Dnsty	Median	Mode	Min	Max
Little Ranches Trail	Little Ranches Trail	3	0.17	0.20	0.20	0.11	0.20
	Other	7	0.10	0.11	0.11	0.06	0.11
	Total	10	0.12	0.11	0.11	0.06	0.20
Lox Groves	Lox Groves	1,846	0.50	0.20	0.20	0.06	5.64
	Lox Groves Duck Puddle	26	0.20	0.20	0.20	0.20	0.20
	Silver Lakes	1	0.10	0.10	0.10	0.10	0.10
	Total	1,873	0.49	0.20	0.20	0.06	5.64
Madison Green	Madison Green	1,145	2.31	2.31	2.31	2.31	2.31
	Total	1,145	2.31	2.31	2.31	2.31	2.31
Mandell	Mandell	63	0.19	0.20	0.20	0.10	0.40
	Total	63	0.19	0.20	0.20	0.10	0.40
Mezzano Condo	Mezzano Condo	238	5.87	5.87	5.87	5.87	5.87
	Total	238	5.87	5.87	5.87	5.87	5.87
Nautica Lakes	Nautica Lakes	218	3.40	3.38	3.38	3.38	3.43
	Total	218	3.40	3.38	3.38	3.38	3.43
Osprey Isles	Osprey Isles	101	1.00	1.00	1.00	1.00	1.00
	Total	101	1.00	1.00	1.00	1.00	1.00
Other - 40/42/29	Other - 40/42/29	11	0.10	0.10	0.10	0.10	0.10
	Total	11	0.10	0.10	0.10	0.10	0.10
Other - 40/42/34	Other - 40/42/34	15	0.20	0.20	0.20	0.17	0.20
	Total	15	0.20	0.20	0.20	0.17	0.20
Other - 40/43/05	Other - 40/43/05	17	0.13	0.12	0.10	0.06	0.20
	Total	17	0.13	0.12	0.10	0.06	0.20
Other - 40/43/15	Other - 40/43/15	12	0.10	0.10	0.10	0.03	0.22
	Total	12	0.10	0.10	0.10	0.03	0.22

		Total Tot Units	Avg Dnsty	Median	Mode	Min	Max
PortoSol	PortoSol	498	1.99	1.99	1.99	1.99	1.99
	Total	498	1.99	1.99	1.99	1.99	1.99
Royal Palm at Saratoga	Royal Palm at Saratoga	666	2.28	2.28	2.28	2.28	2.28
	Total	666	2.28	2.28	2.28	2.28	2.28
Rustic Lakes	Rustic Lakes	71	0.24	0.20	0.20	0.10	0.80
	Total	71	0.24	0.20	0.20	0.10	0.80
Santa Rosa Groves	Santa Rosa Groves	108	0.17	0.18	0.18	0.11	0.47
	Total	108	0.17	0.18	0.18	0.11	0.47
Seminole Estates	Seminole Estates	378	6.10	6.10	6.10	6.10	6.10
	Total	378	6.10	6.10	6.10	6.10	6.10
Silver Lakes	Silver Lakes	12	0.10	0.10	0.10	0.10	0.10
	Total	12	0.10	0.10	0.10	0.10	0.10
Spa at Sunset Isles Condo	Spa at Sunset Isles Condo	232	12.00	12.00	12.00	12.00	12.00
	Total	232	12.00	12.00	12.00	12.00	12.00
Stonewall Estates	Stonewall Estates	297	0.50	0.50	0.50	0.50	0.50
	Total	297	0.50	0.50	0.50	0.50	0.50
Sunny Urban Meadows	Sunny Urban Meadows	74	0.17	0.19	0.19	0.07	0.20
	Total	74	0.17	0.19	0.19	0.07	0.20
Tall Pines	Tall Pines	18	0.18	0.19	0.19	0.11	0.22
	Total	18	0.18	0.19	0.19	0.11	0.22
Tall Pines Area	Tall Pines Area	2	0.10	0.10	0.10	0.10	0.10
	Total	2	0.10	0.10	0.10	0.10	0.10
Timbercreek	Timbercreek	5	8.90	8.90	8.90	8.90	8.90
	Total	5	8.90	8.90	8.90	8.90	8.90
Waite	Waite	17	0.17	0.18	0.18	0.10	0.20

		Total Tot Units	Avg Dnsty	Median	Mode	Min	Max
Waite	Total	17	0.17	0.18	0.18	0.10	0.20
Wellington	Barrington Woods	38	2.97	2.97	2.97	2.97	2.97
	Casa Nella Foresta	38	6.05	2.08	2.08	2.08	10.46
	Georgian Courts	13	17.86	17.86	17.86	17.86	17.86
	Hidden Pines	67	4.18	4.18	4.18	4.18	4.18
	Montery on the Lake	16	5.34	5.34	5.34	5.34	5.34
	Paddock Park	2	0.36	0.36	0.36	0.36	0.36
	Palm Beach Little Acres	1	0.49	0.49	0.49	0.49	0.49
	Pinewood East of Wellington	187	1.06	1.08	0.88	0.88	1.32
	Sheffield Woods	79	4.35	4.35	4.35	4.35	4.35
	Tree Tops of Wellington	2	6.50	6.50	6.50	6.50	6.50
	Wellington Paddock Park	254	0.70	0.70	0.70	0.70	0.71
	Wellington Pines	21	1.08	1.08	1.08	1.08	1.08
	Wellington Pinewood	421	1.41	1.39	1.39	0.71	2.95
	Wellington Sugar Pond	699	3.88	3.88	3.88	3.88	3.88
	Total	1,838	2.73	2.97	3.88	0.36	17.86
White Fence	White Fence	30	0.09	0.07	0.07	0.03	0.21
	Total	30	0.09	0.07	0.07	0.03	0.21
Willows	Charolasi Condo	44	22.00	22.00	22.00	22.00	22.00
	Cloister Pointe	41	8.14	8.14	8.14	8.14	8.14
	Modern Villas	19	8.51	8.51	8.51	8.51	8.51

		Total Tot Units	Avg Dnsty	Median	Mode	Min	Max
Willows	Park View Condo	44	20.04	20.04	20.04	20.04	20.04
	Royal Garden Villas	10	8.21	8.21	8.21	8.21	8.21
	Royal Village TH	39	18.08	18.08	18.08	18.08	18.08
	Timbercreek	16	8.90	8.90	8.90	8.90	8.90
	TimberCreek Townhomes	1	8.90	8.90	8.90	8.90	8.90
	Willows	981	2.88	2.89	2.76	2.76	3.52
	Total	1,195	5.13	2.89	2.76	2.76	22.00
Willows Area	Colony RPB	9	6.82	6.82	6.82	6.82	6.82
	Greenway Village	149	14.81	14.02	14.02	14.02	16.23
	Greenway Village South	354	15.10	15.92	15.92	12.03	17.73
	SPARROW RUN	30	4.28	4.28	4.28	4.28	4.28
	Strathmore Gate	225	6.30	6.97	6.97	5.53	6.97
	Village Green Condo 1	78	5.94	5.94	5.94	5.94	5.94
	Village Walk	88	5.86	5.86	5.86	5.86	5.86
	Total	933	10.87	12.03	6.97	4.28	17.73
Windjammer Cove	Windjammer Cove	59	5.87	5.87	5.87	5.87	5.87
	Total	59	5.87	5.87	5.87	5.87	5.87
Total		39,478	2.40	0.95	0.87	0.03	22.00

Disclaimer

This report, analysis and conclusions represent the opinion of Warner Real Estate Advisors, Inc., based on data provided by published sources including the U.S. Census, the University of Florida's Bureau of Economic and Business Research, the Palm Beach County Property Appraiser, and various local governments in combination with our own in-house expertise. An effort has been made to obtain the latest applicable data from reliable sources. Any change within the study area, such as unknown developments and changes in economic conditions, could influence projections and conclusions. For these reasons, no representation or warranty, express or implied, is herewith being made as to the accuracy or completeness of the data sources upon which this report is based.

Exhibit 15
Applicant's Non-Residential Analysis

Warner Real Estate Advisors, Inc.

Minto West
Non -Residential
Intensity Analysis

12/16/2013

Pages E-75 to E-115



December 16, 2013

Ms. Tara W. Duhy, Esq.
Lewis, Longman & Walker, P.A.
515 North Flagler Drive, Suite 1500
West Palm Beach, Florida 33401

Re: Minto West – Non Residential

Dear Tara,

Enclosed you will find a non-residential analysis which establishes the amount of non-residential intensity for the area around the Minto West Agricultural Enclave. This study updates the January 7, 2008 study prepared for the Callery – Judge Grove Agricultural Enclave.

As in the 2008 study, this analysis was done by computing the amount of existing and proposed non-residential square feet within a five-mile surrounding area and then comparing this to the existing and projected population within that area. Using this information, per capita ratios were then computed. These computed per capita ratios were applied to the expected Minto West enclave population to determine the amount of non-residential demand consistent with the surrounding area.

This analysis demonstrates that the amount and type of non-residential requested by Minto West is consistent with the surrounding area.

Thank you for the opportunity to work with you on this project.

Sincerely,

Rick Warner,
Warner Real Estate Advisors, Inc.

Executive Summary

The purpose of this analysis is to demonstrate that the requested amount of non-residential uses proposed for Minto West is consistent with the non-residential uses (on a per capita basis) surrounding the project. Below is a list of the major findings of this analysis.

1. The requested 6,500 homes will generate a demand for 1.1 million sq. ft. of commercial (retail, office and R & D) and Industrial. The project is proposing 1.1 million sq. ft. of retail, office, R & D and Industrial and thus is providing a balance of supply and demand for these aggregated uses. Additionally, Minto West provides Hotel and Commercial Recreation uses, similar to the surrounding area. (See Table E)
2. Based on the characteristics of the surrounding area, the proposed Minto West non-residential uses are consistent with the per capita rates that currently exist in the surrounding community for these aggregated uses. There is a demand for additional Industrial in the area.
3. The five mile study area currently has approximately 6.7 million sq. ft. of existing and approved commercial and industrial uses, which will serve the existing and projected population of 115,749. (See Table C)
4. Since the last study (2008), several new commercial projects have been granted land use approvals. Thus the per capita non-residential demand for the study area has increased since the last study.

Enclave Analysis

As stated, using surrounding developed areas, population and existing and planned non-residential uses were computed/inventoried.

Table A - Non-Residential Analysis of Enclave Five Mile Study Area ¹									
	Total Ac.	Sq. Ft. Existing	Sq. Ft. Unbuilt	Hotel Rms Existing	Hotel Rms Planned	Ex. Comm Rec (Acres)	Total Sq. Ft	Total Hotel (Rooms)	Total Comm Rec (Acres)
Total	3,540	6,738,277	3,893,115	162	215	1,700	10,631,392	377	1,700
Commercial ²	767	3,106,941	2,233,232				5,340,173		
Industrial	141	478,061	889,440				1,367,501		
Hotel	26	-	-	162	215	0		377	
Commercial Rec	1700	-	-			1700			1700
Other Non Res ³	906	3,153,275	770,443				3,923,718		
1) See Attachment A for inventory of non-residential.									
2) Commercial includes Retail, Office, and R & D; Hotel and Commercial Recreation are also Commercial but have been broken out throughout this analysis due to the distinct units of measuring each.									
3) Other Non Res includes Hospitals, Proposed Community College, Nursing Homes, ALF's, Public Schools, Civic Assembly, Institutional, Utility Gov. Use and Vacant Land of these uses.									
Note: Numbers are rounded for all tables.									

Table B - Housing and Population Five Mile Area ¹		
	Homes	Proj. Pop. @ Build out ²
Total (Existing and Potential)	39,478	115,749
1) See Residential Analysis for inventory of residential areas.		
2) PPH of 2.932 is based on 2010 Census for Study Area.		
Excludes current approval for Minto West		

Table C - Non-Res Ratio Demand Calculation for Enclave Five Mile Area					
	Total Sq. Ft. / Rms/ Ac Existing and Planned	Total Pot. Pop @ Buildout		Per Capita Sq Ft / Rm/	Measure
Total Sq Ft ¹	10,581,392	115,749		91.42	Sq Ft ¹
Commercial	5,340,173	115,749		46.14	Sq Ft
Industrial	1,367,501	115,749		11.81	Sq Ft
Hotel	377	115,749		0.0033	Rms
Commercial Rec	1,700	115,749		0.0147	Ac
Other Non Res	3,873,718	115,749		33.5	Sq Ft
1) Totals are for Commercial, Industrial and Other Non Res.					

Table D - Minto West Homes/Pop and Non Res. (Demand)				
	Homes (Application)	Population	Total Demand / Per Capita Sq. Ft.	Measure
Total Sq Ft	6,500	19,058	1,742,283	Sq Ft
Commercial	6,500	19,058	879,337	Sq Ft
Industrial	6,500	19,058	225,075	Sq Ft
Hotel	6,500	19,058	62	Rms
Commercial Rec	6,500	19,058	280	Ac
Other Non Res	6,500	19,058	637,871	Sq Ft *

Note: PPH of 2.932 is based on 2010 Census.

* Other Non Res includes proposed community / state college campus.

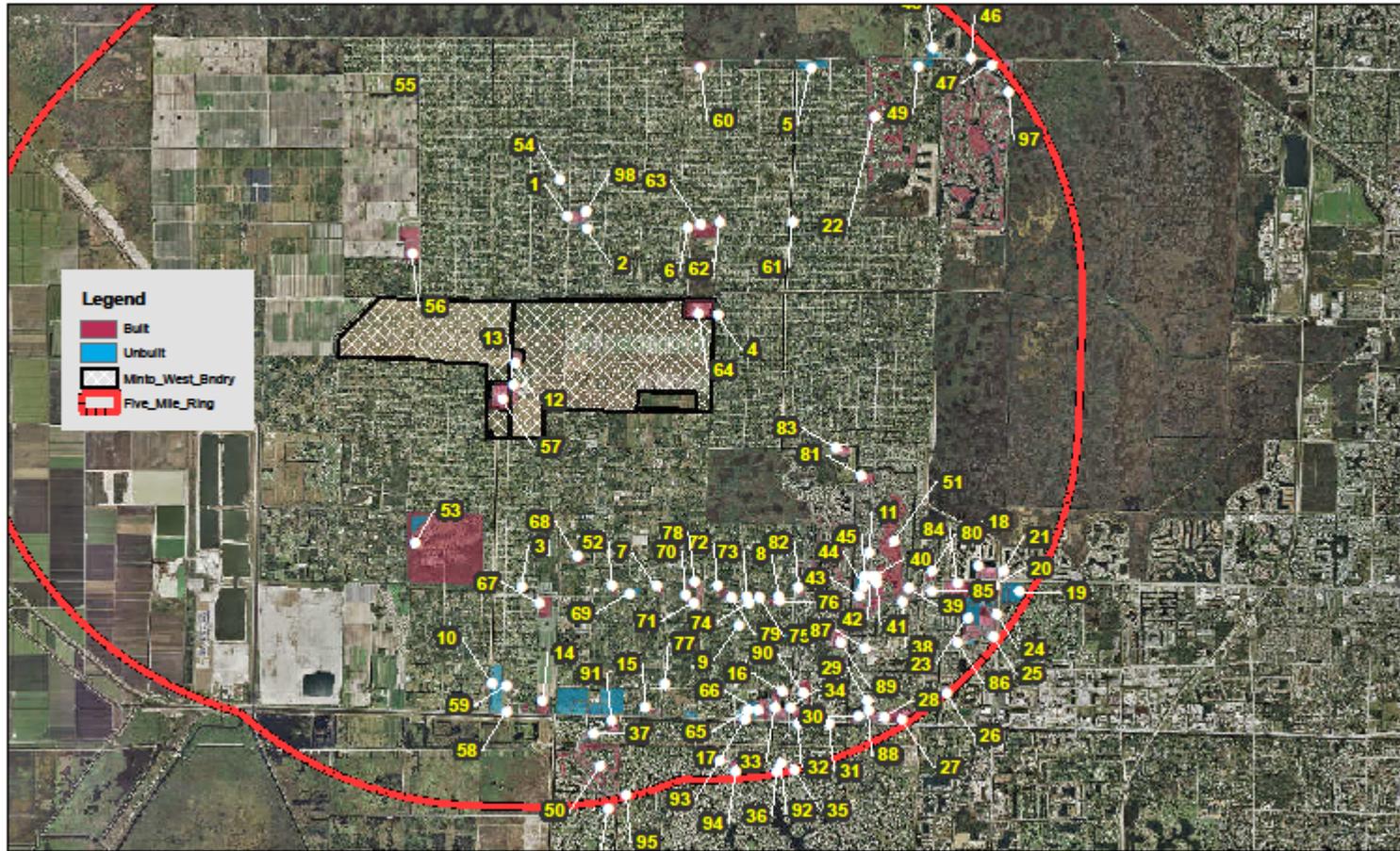
Table E Supply and Demand Comparison for 6,500 Res Units				
Land Use	Demand	Supply	Surplus / Deficit ()	Measure
Total Sq Ft				Sq Ft
Commercial	879,337	900,000	20,663	Sq Ft
Industrial	225,075	200,000	(25,075)	Sq Ft
Hotel	62	150	88	Rms
Commercial Rec	280	127	(153)	Ac
Other Non Res	637,871	0*	(637,871)	Sq Ft
<i>Note: Per PBCO Comp Plan R & D is allowed in retail and office.</i>				
<i>* Minto West proposes a 3,000 student community college, which will fall below the square footage demand indicated.</i>				

Conclusion of Enclave Non-Residential Analysis

The amount and type of non-residential development requested in the Minto West Enclave Future Land Use application is consistent with the intensity of use and non-residential character of the surrounding area.

Exhibit A – Five Mile Radius with Existing and Proposed Non-Residential

Exhibit A - Non-Residential Analysis Existing and Approved



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Minto West

North Arrow
Sources:
PBCO 2013 Cana File & Aerials
Comp Plans from Local Gov. & ELXU/PBCO
Original Research
Prepared Dec. 10, 2013

1 inch = 2 miles

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Table F – Summary of Non-Residential Uses and Quantities

**Non Residential Analysis Five Mile Radius From Minto West Enclave
Summary**

	Total Ac.	Sq. Ft. Blt.	Sq. Ft. Unblt	Total GLA	Htl Blt Rms	Htl Unblt Rms	Tot Hotel Rms	Com Rc Ac
Commercial	767.29	3,106,941	2,233,232	5,340,173	0	0	0	0
Industrial	141.35	478,061	889,440	1,367,501	0	0	0	0
Hotel	26.20	0	0	0	162	215	377	0
Comm Rec	1,699.55	0	0	0	0	0	0	1,700
Other Non Res	905.86	3,103,275	770,443	3,873,718	0	0	0	0
Total Group	3,540.24	6,688,277	3,893,115	10,581,392	162	215	377	1,700

Attachment A

Detail Use and Sq. Ft. of Non Residential
(Refer to Exhibit A for Property Location)

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
1	Orange Blvd Commercial Publix		Commercial					
Retail	12.85	84,899	0	0	0	0.00	Built	0.15
Office	1.28	5,223	0	0	0	0.00	Built	0.09
Retail	1.26	3,018	0	0	0	0.00	Built	0.05
Map Id Totals	15.38	93,140	0	0	0	0	Avg.	0.10
2	Orange Blvd Commercial		Commercial					
Retail	0.29	0	0	0	0	0.00	Built	0.00
Retail	0.15	0	0	0	0	0.00	Built	0.00
Retail	1.27	0	0	0	0	0.00	Built	0.00
Retail	2.44	14,714	0	0	0	0.00	Built	0.14
Retail	2.18	0	17,643	0	0	0.00	Unbuilt	0.19
Retail	0.63	5,190	0	0	0	0.00	Built	0.19
Retail	2.91	0	17,643	0	0	0.00	Unbuilt	0.14
Map Id Totals	9.87	19,904	35,286	0	0	0	Avg.	0.09
3	Acreage		Commercial					
Retail	1.51	4,158	0	0	0	0.00	Built	0.06
Map Id Totals	1.51	4,158	0	0	0	0	Avg.	0.06
4	Acreage		Commercial					

Notes: Lack of double line on bottom is intentional. FAR computations are for illustration purposes and are not used in any conclusions.

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Retail	1.48	6,000	0	0	0	0.00	Built	0.09
Map Id Totals	1.48	6,000	0	0	0	0	Avg.	0.09

5 Acreage Commercial

Retail	29.53	0	128,636	0	0	0.00	Unbuilt	0.10
Retail	1.23	5,561	0	0	0	0.00	Built	0.10
Map Id Totals	30.76	5,561	128,636	0	0	0	Avg.	0.10

6 Acreage Commercial

Retail	1.98	6,804	0	0	0	0.00	Built	0.08
Map Id Totals	1.98	6,804	0	0	0	0	Avg.	0.08

7 Lox Groves Commercial

Retail	3.97	6,169	0	0	0	0.00	Built	0.04
Map Id Totals	3.97	6,169	0	0	0	0	Avg.	0.04

8 Lox Groves Commercial

Retail	4.93	35,263	0	0	0	0.00	Built	0.16
Map Id Totals	4.93	35,263	0	0	0	0	Avg.	0.16

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
9	Lox Groves		Commercial					
Office	5.00	12,008	0	0	0	0.00	Built	0.06
Map Id Totals	<u>5.00</u>	<u>12,008</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.06</u>
10	Sluggett Commercial		Commercial					
Retail	64.48	0	280,882	0	0	0.00	Unbuilt	0.10
Map Id Totals	<u>64.48</u>	<u>0</u>	<u>280,882</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.10</u>
11	Hawthorn		Commercial					
Retail	1.00	6,420	0	0	0	0.00	Built	0.15
Map Id Totals	<u>1.00</u>	<u>6,420</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.15</u>
12	Seminole Plaza		Commercial					
Retail	8.76	76,875	0	0	0	0.00	Built	0.20
Retail	0.51	0	2,243	0	0	0.00	Unbuilt	0.10
Retail	0.71	0	3,074	0	0	0.00	Unbuilt	0.10
Map Id Totals	<u>9.98</u>	<u>76,875</u>	<u>5,317</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.13</u>
13	Minto West		Industrial					

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Retail	0.06	0	265	0	0	0.00	Unbuilt	0.10
Retail	1.00	0	4,368	0	0	0.00	Unbuilt	0.10
Retail	0.85	0	3,717	0	0	0.00	Unbuilt	0.10
Retail	1.06	4,575	0	0	0	0.00	Built	0.10
Retail	0.10	0	449	0	0	0.00	Unbuilt	0.10
Office	1.51	3,625	0	0	0	0.00	Built	0.06
Retail	5.90	22,380	0	0	0	0.00	Built	0.09
Retail	0.62	4,680	0	0	0	0.00	Built	0.17
Retail	9.23	0	80,431	0	0	0.00	Unbuilt	0.20
Retail	2.45	0	10,683	0	0	0.00	Unbuilt	0.10
Map Id Totals	28.09	37,240	119,398	0	0	0	Avg.	0.10
Other Non Res	0.91	3,312	0	0	0	0.00	Built	0.08
Map Id Totals	0.91	3,312	0	0	0	0	Avg.	0.08

16 Palms West Commercial

Office	4.27	1,669	0	0	0	0.00	Built	0.01
Map Id Totals	4.27	1,669	0	0	0	0	Avg.	0.01

17 Palms West Commercial

Retail	3.43	0	29,884	0	0	0.00	Unbuilt	0.20
Retail	3.01	9,370	0	0	0	0.00	Built	0.07
Map Id Totals	6.44	9,370	29,884	0	0	0	Avg.	0.14

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
18	Fox Target		Commercial					
Retail	1.10	12,079	0	0	0	0.00	Built	0.25
Retail	4.95	40,481	0	0	0	0.00	Built	0.19
Retail	0.49	0	0	0	0	0.00	Built	0.00
Retail	18.21	180,200	0	0	0	0.00	Built	0.23
Office	1.11	4,035	0	0	0	0.00	Built	0.08
Retail	0.38	0	0	0	0	0.00	Built	0.00
Retail	0.50	0	0	0	0	0.00	Built	0.00
Retail	1.10	3,924	0	0	0	0.00	Built	0.08
Retail	0.97	0	0	0	0	0.00	Built	0.00
Map Id Totals	28.79	240,719	0	0	0	0	Avg.	0.09
19	Okeechboee 441 Commercial		Commercial					
Retail	1.70	0	25,910	0	0	0.00	Unbuilt	0.35
Retail	37.66	0	574,150	0	0	0.00	Unbuilt	0.35
Retail	12.30	0	187,567	0	0	0.00	Unbuilt	0.35
Map Id Totals	51.66	0	787,627	0	0	0	Avg.	0.35
20	Fox SR 7 & Southern SW		Commercial					
Retail	1.16	4,156	0	0	0	0.00	Built	0.08
Retail	1.16	3,120	0	0	0	0.00	Built	0.06
Retail	1.28	5,882	0	0	0	0.00	Built	0.11
Retail	1.29	2,994	0	0	0	0.00	Built	0.05

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Retail	4.45	36,016	0	0	0	0.00	Built	0.19
Retail	3.08	10,297	0	0	0	0.00	Built	0.08
Retail	1.15	0	17,599	0	0	0.00	Unbuilt	0.35
Office	1.25	4,300	0	0	0	0.00	Built	0.08
Retail	6.19	77,863	0	0	0	0.00	Built	0.29
Map Id Totals	21.02	144,628	17,599	0	0	0	Avg.	0.14

21 Baywinds Commercial Commercial

Office	1.01	3,727	0	0	0	0.00	Built	0.08
Retail	0.50	3,974	0	0	0	0.00	Built	0.18
Retail	1.01	3,474	0	0	0	0.00	Built	0.08
Office	1.00	3,800	0	0	0	0.00	Built	0.09
Retail	1.55	14,588	0	0	0	0.00	Built	0.22
Map Id Totals	5.06	29,563	0	0	0	0	Avg.	0.13

22 Stonewall Estates Comm Rec

Comm Rec	220.46	0	0	0	0	220.46	Built	0.00
Map Id Totals	220.46	0	0	0	0	220	Avg.	0.00

23 Aldi Park Industrial Commercial

Office	1.71	0	35,833	0	0	0.00	Unbuilt	0.48
Retail	1.45	0	9,002	0	0	0.00	Unbuilt	0.14
Retail	3.39	107,177	0	0	0	0.00	Built	0.73

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Map Id Totals	6.55	107,177	44,835	0	0	0	Avg.	0.45
Industrial	0.37	0	0	0	0	0.00	Built	0.00
Industrial	1.99	0	21,770	0	0	0.00	Unbuilt	0.25
Industrial	1.99	0	12,423	0	0	0.00	Unbuilt	0.14
Industrial	1.80	0	0	0	0	0.00	Unbuilt	0.00
Industrial	1.08	0	5,040	0	0	0.00	Unbuilt	0.11
Industrial	3.45	0	151,172	0	0	0.00	Unbuilt	1.01
Industrial	1.97	0	12,245	0	0	0.00	Unbuilt	0.14
Industrial	10.95	0	0	0	0	0.00	Unbuilt	0.00
Industrial	1.95	0	22,500	0	0	0.00	Unbuilt	0.27
Industrial	37.63	0	635,801	0	0	0.00	Unbuilt	0.39
Industrial	1.19	0	5,040	0	0	0.00	Unbuilt	0.10
Industrial	1.45	0	9,033	0	0	0.00	Unbuilt	0.14
Map Id Totals	65.82	0	875,024	0	0	0	Avg.	0.21

24 Regal Center

Commercial

Office	1.28	0	0	0	0	0.00	Built	0.00
Office	2.04	0	0	0	0	0.00	Built	0.00
Office	0.13	4,800	0	0	0	0.00	Built	0.87
Retail	1.73	5,760	0	0	0	0.00	Built	0.08
Retail	23.54	86,273	0	0	0	0.00	Built	0.08
Office	3.68	0	0	0	0	0.00	Built	0.00
Retail	0.54	0	0	0	0	0.00	Built	0.00
Office	0.10	3,780	0	0	0	0.00	Built	0.84
Office	0.24	8,840	0	0	0	0.00	Built	0.86
Retail	1.19	3,331	0	0	0	0.00	Built	0.06

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Office	0.24	8,840	0	0	0	0.00	Built	0.86
Office	0.24	8,840	0	0	0	0.00	Built	0.86
Retail	1.38	3,022	0	0	0	0.00	Built	0.05
Retail	1.19	3,870	0	0	0	0.00	Built	0.07
Office	0.13	4,800	0	0	0	0.00	Built	0.87
Map Id Totals	37.65	142,156	0	0	0	0	Avg.	0.37

25 RPB Business Park Commercial

Retail	4.92	126,641	0	0	0	0.00	Built	0.59
Retail	1.50	10,303	0	0	0	0.00	Built	0.16
Retail	2.46	19,463	0	0	0	0.00	Built	0.18
Map Id Totals	8.88	156,407	0	0	0	0	Avg.	0.31

Industrial	0.85	8,280	0	0	0	0.00	Built	0.22
Industrial	0.67	8,320	0	0	0	0.00	Built	0.28
Industrial	0.71	9,200	0	0	0	0.00	Built	0.30
Industrial	0.71	0	0	0	0	0.00	Built	0.00
Industrial	0.71	9,753	0	0	0	0.00	Built	0.32
Industrial	0.28	341	0	0	0	0.00	Built	0.03
Industrial	6.97	21,163	0	0	0	0.00	Built	0.07
Industrial	0.71	8,912	0	0	0	0.00	Built	0.29
Industrial	0.68	9,546	0	0	0	0.00	Built	0.32
Industrial	0.71	9,753	0	0	0	0.00	Built	0.32
Industrial	0.69	9,366	0	0	0	0.00	Built	0.31
Industrial	1.41	17,718	0	0	0	0.00	Built	0.29
Industrial	3.70	0	0	0	0	0.00	Built	0.00
Industrial	4.03	0	0	0	0	0.00	Built	0.00

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Industrial	0.73	8,680	0	0	0	0.00	Built	0.27
Industrial	1.14	13,768	0	0	0	0.00	Built	0.28
Industrial	0.71	10,884	0	0	0	0.00	Built	0.35
Industrial	0.67	10,030	0	0	0	0.00	Built	0.34
Industrial	0.71	15,600	0	0	0	0.00	Built	0.51
Industrial	3.31	0	14,416	0	0	0.00	Unbuilt	0.10
Industrial	0.72	10,578	0	0	0	0.00	Built	0.34
Industrial	0.71	10,884	0	0	0	0.00	Built	0.35
Industrial	0.92	9,515	0	0	0	0.00	Built	0.24
Industrial	0.71	9,792	0	0	0	0.00	Built	0.32
Industrial	0.72	10,578	0	0	0	0.00	Built	0.34
Industrial	0.72	8,013	0	0	0	0.00	Built	0.26
Industrial	1.42	13,620	0	0	0	0.00	Built	0.22
Industrial	0.85	9,800	0	0	0	0.00	Built	0.26
Industrial	5.72	6,956	0	0	0	0.00	Built	0.03
Map Id Totals	42.59	261,050	14,416	0	0	0	Avg.	0.24

26 Southern Bills Business Park Industrial

Industrial	9.38	152,387	0	0	0	0.00	Built	0.37
Map Id Totals	9.38	152,387	0	0	0	0	Avg.	0.37

27 Southern Palms Crossing Commercial

Retail	0.41	0	4,288	0	0	0.00	Unbuilt	0.24
Retail	49.54	343,009	0	0	0	0.00	Built	0.16
Map Id Totals	49.95	343,009	4,288	0	0	0	Avg.	0.20

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
28	Royal Plaza		Commercial					
Office	0.85	5,113	0	0	0	0.00	Built	0.14
Office	1.11	5,875	0	0	0	0.00	Built	0.12
Retail	1.15	2,833	0	0	0	0.00	Built	0.06
Retail	11.00	99,679	0	0	0	0.00	Built	0.21
Retail	0.52	2,840	0	0	0	0.00	Built	0.13
Office	0.97	8,538	0	0	0	0.00	Built	0.20
Map Id Totals	15.60	124,878	0	0	0	0	Avg.	0.14
Industrial	1.59	16,104	0	0	0	0.00	Built	0.23
Industrial	0.77	5,600	0	0	0	0.00	Built	0.17
Industrial	1.90	25,132	0	0	0	0.00	Built	0.30
Map Id Totals	4.25	46,836	0	0	0	0	Avg.	0.23
29	PB Colony		Commercial					
Retail	0.44	4,597	0	0	0	0.00	Built	0.24
Retail	0.85	9,412	0	0	0	0.00	Built	0.26
Retail	0.89	8,039	0	0	0	0.00	Built	0.21
Map Id Totals	2.17	22,048	0	0	0	0	Avg.	0.23
30	RPB Hotel Office		Commercial					
Office	1.11	3,953	0	0	0	0.00	Built	0.08

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Office	1.57	17,632	0	0	0	0.00	Built	0.26
Retail	0.66	0	5,707	0	0	0.00	Unbuilt	0.20
Retail	1.00	2,667	0	0	0	0.00	Built	0.06
Retail	1.36	0	11,814	0	0	0.00	Unbuilt	0.20
Office	1.49	20,000	0	0	0	0.00	Built	0.31
Office	2.27	32,000	0	0	0	0.00	Built	0.32
Map Id Totals	9.45	76,252	17,521	0	0	0	Avg.	0.20
Retail	6.28	0	0	162	0	0.00	Built	0.00
Map Id Totals	6.28	0	0	162	0	0	Avg.	0.00

31 Cypress Key MXD Commercial

Retail	5.91	0	62,500	0	0	0.00	Unbuilt	0.24
Office	4.50	0	62,500	0	0	0.00	Unbuilt	0.32
Map Id Totals	10.42	0	125,000	0	0	0	Avg.	0.28

32 Crestwood Square Commercial

Retail	0.99	2,164	0	0	0	0.00	Built	0.05
Retail	4.31	0	0	0	0	0.00	Built	0.00
Retail	1.11	3,185	0	0	0	0.00	Built	0.07
Office	1.29	4,853	0	0	0	0.00	Built	0.09
Retail	1.40	8,040	0	0	0	0.00	Built	0.13
Retail	10.99	79,746	0	0	0	0.00	Built	0.17
Map Id Totals	20.08	97,988	0	0	0	0	Avg.	0.08

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
33	Palms West		Commercial					
Office	0.21	18,400	0	0	0	0.00	Built	1.98
Office	10.34	74,000	0	0	0	0.00	Built	0.16
Office	2.32	25,024	0	0	0	0.00	Built	0.25
Office	1.55	18,560	0	0	0	0.00	Built	0.27
Office	1.21	0	12,000	0	0	0.00	Unbuilt	0.23
Office	1.48	18,560	0	0	0	0.00	Built	0.29
Office	21.70	81,309	0	0	0	0.00	Built	0.09
Map Id Totals	<u>38.81</u>	<u>235,853</u>	<u>12,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.47</u>
34	Palms West		Commercial					
Retail	1.09	2,940	0	0	0	0.00	Built	0.06
Retail	1.32	7,500	0	0	0	0.00	Built	0.13
Retail	1.08	3,281	0	0	0	0.00	Built	0.07
Retail	2.04	15,072	0	0	0	0.00	Built	0.17
Retail	0.69	0	10,451	0	0	0.00	Unbuilt	0.35
Retail	7.54	61,566	0	0	0	0.00	Built	0.19
Map Id Totals	<u>13.76</u>	<u>90,359</u>	<u>10,451</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.16</u>
35	Wellington Pines		Commercial					
Retail	8.57	124,436	0	0	0	0.00	Built	0.33
Retail	0.77	724	0	0	0	0.00	Built	0.02
Retail	0.58	2,590	0	0	0	0.00	Built	0.10

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Office	1.74	3,444	0	0	0	0.00	Built	0.05
Map Id Totals	11.66	131,194	0	0	0	0	Avg.	0.13

36 Wellington Country Plaza Commercial

Retail	13.79	153,250	0	0	0	0.00	Built	0.26
Retail	1.30	4,996	0	0	0	0.00	Built	0.09
Office	0.71	6,441	0	0	0	0.00	Built	0.21
Map Id Totals	15.79	164,687	0	0	0	0	Avg.	0.18

37 Binks Commercial Center Commercial

Retail	0.73	0	4,461	0	0	0.00	Unbuilt	0.14
Retail	0.85	0	5,195	0	0	0.00	Unbuilt	0.14
Office	0.66	3,528	0	0	0	0.00	Built	0.12
Office	0.66	3,650	0	0	0	0.00	Built	0.13
Retail	0.50	0	3,035	0	0	0.00	Unbuilt	0.14
Retail	0.68	0	4,015	0	0	0.00	Unbuilt	0.14
Retail	0.48	0	2,920	0	0	0.00	Unbuilt	0.14
Retail	0.51	0	3,130	0	0	0.00	Unbuilt	0.14
Retail	0.51	0	3,114	0	0	0.00	Unbuilt	0.14
Retail	0.68	0	4,142	0	0	0.00	Unbuilt	0.14
Retail	0.64	0	3,898	0	0	0.00	Unbuilt	0.14
Retail	0.63	0	3,842	0	0	0.00	Unbuilt	0.14
Retail	1.53	9,070	0	0	0	0.00	Built	0.14
Map Id Totals	9.08	16,248	37,752	0	0	0	Avg.	0.14

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>	
38	Willows								
							Commercial		
	Office	0.58	3,940	0	0	0	0.00	Built	0.16
	Retail	0.58	3,996	0	0	0	0.00	Built	0.16
	Retail	0.58	4,816	0	0	0	0.00	Built	0.19
	Retail	0.61	4,416	0	0	0	0.00	Built	0.17
	Retail	0.54	2,590	0	0	0	0.00	Built	0.11
	Office	1.67	19,274	0	0	0	0.00	Built	0.26
	Retail	1.26	2,640	0	0	0	0.00	Built	0.05
	Retail	1.74	16,356	0	0	0	0.00	Built	0.22
	Retail	0.87	4,940	0	0	0	0.00	Built	0.13
	Retail	1.06	5,354	0	0	0	0.00	Built	0.12
	Retail	2.26	23,310	0	0	0	0.00	Built	0.24
	Office	0.58	3,996	0	0	0	0.00	Built	0.16
	Retail	1.61	5,740	0	0	0	0.00	Built	0.08
	Retail	1.10	5,016	0	0	0	0.00	Built	0.11
	Retail	1.16	8,747	0	0	0	0.00	Built	0.17
	Office	0.54	4,446	0	0	0	0.00	Built	0.19
	Office	0.58	3,996	0	0	0	0.00	Built	0.16
	Retail	0.58	3,947	0	0	0	0.00	Built	0.16
	Office	0.58	3,996	0	0	0	0.00	Built	0.16
	Office	0.75	6,047	0	0	0	0.00	Built	0.18
	Map Id Totals	19.22	137,563	0	0	0		Avg.	0.16
39	Ponce De Leon Office Park								
								Commercial	
	Office	0.42	4,892	0	0	0	0.00	Built	0.27
	Office	0.33	4,016	0	0	0	0.00	Built	0.28

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Office	0.36	4,988	0	0	0	0.00	Built	0.31
Office	0.19	0	0	0	0	0.00	Built	0.00
Office	0.11	2,016	0	0	0	0.00	Built	0.41
Office	0.83	0	0	0	0	0.00	Built	0.00
Office	0.09	2,016	0	0	0	0.00	Built	0.52
Office	1.05	3,264	0	0	0	0.00	Built	0.07
Office	0.65	2,615	0	0	0	0.00	Built	0.09
Office	0.36	4,053	0	0	0	0.00	Built	0.26
Office	2.26	22,000	0	0	0	0.00	Built	0.22
Retail	0.66	4,247	0	0	0	0.00	Built	0.15
Map Id Totals	<u>7.32</u>	<u>54,107</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.22</u>

40 Crossroads Shp Cntr Commercial

Retail	14.99	109,138	0	0	0	0.00	Built	0.17
Office	0.92	3,286	0	0	0	0.00	Built	0.08
Retail	0.84	3,155	0	0	0	0.00	Built	0.09
Retail	0.83	6,060	0	0	0	0.00	Built	0.17
Retail	0.90	786	0	0	0	0.00	Built	0.02
Retail	0.92	1,512	0	0	0	0.00	Built	0.04
Office	0.92	4,138	0	0	0	0.00	Built	0.10
Retail	0.27	6,320	0	0	0	0.00	Built	0.54
Map Id Totals	<u>20.58</u>	<u>134,395</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.15</u>

41 Lakeview Center Commercial

Office	0.10	3,864	0	0	0	0.00	Built	0.92
Office	0.10	3,864	0	0	0	0.00	Built	0.92

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Office	0.10	3,864	0	0	0	0.00	Built	0.92
Office	0.10	3,864	0	0	0	0.00	Built	0.92
Retail	3.28	0	0	0	0	0.00	Built	0.00
Office	0.10	3,864	0	0	0	0.00	Built	0.92
Office	0.10	3,864	0	0	0	0.00	Built	0.90
Office	0.10	3,864	0	0	0	0.00	Built	0.92
Map Id Totals	3.95	27,048	0	0	0	0	Avg.	0.81

42 Village Prof Park Commercial

Office	0.11	0	3,600	0	0	0.00	Unbuilt	0.74
Office	0.11	0	3,600	0	0	0.00	Unbuilt	0.74
Office	0.11	3,600	0	0	0	0.00	Built	0.73
Office	0.11	3,600	0	0	0	0.00	Built	0.75
Office	0.11	3,600	0	0	0	0.00	Built	0.73
Office	0.11	0	3,200	0	0	0.00	Unbuilt	0.65
Office	0.11	0	3,600	0	0	0.00	Unbuilt	0.73
Office	3.53	0	0	0	0	0.00	Built	0.00
Office	0.11	0	3,600	0	0	0.00	Unbuilt	0.73
Office	0.11	3,600	0	0	0	0.00	Built	0.74
Map Id Totals	4.54	14,400	17,600	0	0	0	Avg.	0.66

43 Village Center Commercial

Retail	1.25	6,370	0	0	0	0.00	Built	0.12
Office	1.22	0	3,750	0	0	0.00	Unbuilt	0.07
Retail	0.31	0	0	0	0	0.00	Unbuilt	0.00
Retail	0.97	4,698	0	0	0	0.00	Built	0.11

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Office	1.22	22,720	0	0	0	0.00	Built	0.43
Office	1.21	0	0	0	0	0.00	Unbuilt	0.00
Map Id Totals	6.17	33,788	3,750	0	0	0	Avg.	0.12

44 Village Royal Shp Cntr Commercial

Retail	14.24	122,338	0	0	0	0.00	Built	0.20
Office	0.61	3,076	0	0	0	0.00	Built	0.12
Retail	0.99	12,495	0	0	0	0.00	Built	0.29
Retail	0.66	3,568	0	0	0	0.00	Built	0.12
Map Id Totals	16.49	141,477	0	0	0	0	Avg.	0.18

45 Waterway Plaza Commercial

Retail	8.07	0	40,950	0	0	0.00	Unbuilt	0.12
Retail	1.10	2,860	0	0	0	0.00	Built	0.06
Retail	0.92	5,202	0	0	0	0.00	Built	0.13
Retail	1.28	0	5,240	0	0	0.00	Unbuilt	0.09
Retail	1.90	0	26,000	0	0	0.00	Unbuilt	0.31
Retail	0.79	4,225	0	0	0	0.00	Built	0.12
Retail	1.37	2,600	0	0	0	0.00	Built	0.04
Retail	2.00	0	14,300	0	0	0.00	Unbuilt	0.16
Office	0.47	0	3,497	0	0	0.00	Unbuilt	0.17
Office	0.32	0	3,497	0	0	0.00	Unbuilt	0.25
Retail	0.79	3,565	0	0	0	0.00	Built	0.10
Map Id Totals	18.99	18,452	93,484	0	0	0	Avg.	0.14

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Hotel	0.47	0	0	0	34	0.00	Unbuilt	0.00
Hotel	0.32	0	0	0	34	0.00	Unbuilt	0.00
Map Id Totals	0.78	0	0	0	68	0	Avg.	0.00

46 Ibis Golf & Country Club Commercial

Retail	1.79	5,694	0	0	0	0.00	Built	0.07
Map Id Totals	1.79	5,694	0	0	0	0	Avg.	0.07

Comm Rec	438.04	0	0	0	0	438.04	Built	0.00
Map Id Totals	438.04	0	0	0	0	438	Avg.	0.00

47 Ibis Golf & Country Club Commercial

Retail	12.16	80,328	0	0	0	0.00	Built	0.15
Office	1.06	3,041	0	0	0	0.00	Built	0.07
Office	1.24	4,001	0	0	0	0.00	Built	0.07
Retail	1.01	3,000	0	0	0	0.00	Built	0.07
Retail	2.86	4,460	0	0	0	0.00	Built	0.04
Map Id Totals	18.33	94,830	0	0	0	0	Avg.	0.08

48 Northlake Mem Gardens Comm Commercial

Retail	9.87	0	85,982	0	0	0.00	Unbuilt	0.20
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**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Retail	9.81	0	85,463	0	0	0.00	Unbuilt	0.20
Map Id Totals	19.68	0	171,445	0	0	0	Avg.	0.20
Comm Rec	99.65	0	0	0	0	99.65	Built	0.00
Map Id Totals	99.65	0	0	0	0	100	Avg.	0.00

49 Rustic Lakes Commercial

Retail	4.92	0	21,411	0	0	0.00	Unbuilt	0.10
Retail	4.92	0	21,411	0	0	0.00	Unbuilt	0.10
Map Id Totals	9.83	0	42,822	0	0	0	Avg.	0.10

50 Binks Forest Golf Comm Rec

Comm Rec	129.23	0	0	0	0	129.23	Built	0.00
Map Id Totals	129.23	0	0	0	0	129	Avg.	0.00

51 RPB Private Golf Comm Rec

Comm Rec	174.81	0	0	0	0	174.81	Built	0.00
Map Id Totals	174.81	0	0	0	0	175	Avg.	0.00

52 Lox Groves Commercial

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Map Id Totals	<u>60.00</u>	<u>0</u>	<u>300,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.11</u>

56 School Board Other Non Res

Other Non Res	30.00	109,962	0	0	0	0.00	Built	0.08
Other Non Res	28.82	166,954	0	0	0	0.00	Built	0.13
Map Id Totals	<u>58.82</u>	<u>276,916</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.11</u>

57 School Board Other Non Res

Other Non Res	54.31	299,330	0	0	0	0.00	Built	0.13
Map Id Totals	<u>54.31</u>	<u>299,330</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.13</u>

58 Entrada Acres Other Non Res

Other Non Res	4.93	16,214	0	0	0	0.00	Built	0.08
Map Id Totals	<u>4.93</u>	<u>16,214</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.08</u>

59 Entrada Acres Other Non Res

Other Non Res	5.01	4,575	0	0	0	0.00	Built	0.02
Other Non Res	4.86	13,900	0	0	0	0.00	Built	0.07
Map Id Totals	<u>9.87</u>	<u>18,475</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.04</u>

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
60	School Board		Other Non Res					
Other Non Res	14.92	112,103	0	0	0	0.00	Built	0.17
Map Id Totals	<u>14.92</u>	<u>112,103</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.17</u>
61	Acreage		Other Non Res					
Other Non Res	2.80	3,082	0	0	0	0.00	Built	0.03
Map Id Totals	<u>2.80</u>	<u>3,082</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.03</u>
62	Acreage		Other Non Res					
Other Non Res	6.06	4,800	0	0	0	0.00	Built	0.02
Map Id Totals	<u>6.06</u>	<u>4,800</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.02</u>
63	School Board		Other Non Res					
Other Non Res	48.45	69,333	0	0	0	0.00	Built	0.03
Map Id Totals	<u>48.45</u>	<u>69,333</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.03</u>
64	School Board		Other Non Res					
Other Non Res	56.43	255,249	0	0	0	0.00	Built	0.10

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Map Id Totals	<u>56.43</u>	<u>255,249</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.10</u>

65 Palms West Hop Future **Other Non Res**

Other Non Res	18.91	0	164,714	0	0	0.00	Unbuilt	0.20
Map Id Totals	<u>18.91</u>	<u>0</u>	<u>164,714</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.20</u>

66 Palms West Medical Center **Other Non Res**

Other Non Res	0.22	0	40,903	0	0	0.00	Unbuilt	4.21
Other Non Res	15.12	220,872	0	0	0	0.00	Built	0.34
Map Id Totals	<u>15.34</u>	<u>220,872</u>	<u>40,903</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>2.27</u>

67 School Board **Other Non Res**

Other Non Res	29.91	69,124	0	0	0	0.00	Built	0.05
Map Id Totals	<u>29.91</u>	<u>69,124</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.05</u>

68 Lox Groves **Other Non Res**

Other Non Res	5.00	3,403	0	0	0	0.00	Built	0.02
Map Id Totals	<u>5.00</u>	<u>3,403</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.02</u>

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
69	Lox Groves						Other Non Res	
Other Non Res	8.85	0	38,540	0	0	0.00	Unbuilt	0.10
Map Id Totals	8.85	0	38,540	0	0	0	Avg.	0.10
70	Lox Groves						Other Non Res	
Other Non Res	3.32	6,435	0	0	0	0.00	Built	0.04
Map Id Totals	3.32	6,435	0	0	0	0	Avg.	0.04
71	Lox Groves						Other Non Res	
Other Non Res	4.47	5,713	0	0	0	0.00	Built	0.03
Map Id Totals	4.47	5,713	0	0	0	0	Avg.	0.03
72	Lox Groves						Other Non Res	
Other Non Res	4.78	1,058	0	0	0	0.00	Built	0.01
Map Id Totals	4.78	1,058	0	0	0	0	Avg.	0.01
73	Lox Groves						Other Non Res	
Other Non Res	4.90	6,840	0	0	0	0.00	Built	0.03

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Map Id Totals	<u>4.90</u>	<u>6,840</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.03</u>

74 Lox Groves Other Non Res

Other Non Res	5.00	0	21,773	0	0	0.00	Unbuilt	0.10
Map Id Totals	<u>5.00</u>	<u>0</u>	<u>21,773</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.10</u>

75 Lox Groves Other Non Res

Other Non Res	4.79	4,332	0	0	0	0.00	Built	0.02
Map Id Totals	<u>4.79</u>	<u>4,332</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.02</u>

76 Lox Groves Other Non Res

Other Non Res	4.92	884	0	0	0	0.00	Built	0.00
Other Non Res	4.92	10,436	0	0	0	0.00	Built	0.05
Map Id Totals	<u>9.84</u>	<u>11,320</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.03</u>

77 Lox Groves Other Non Res

Other Non Res	2.01	2,000	0	0	0	0.00	Built	0.02
Other Non Res	9.48	0	41,297	0	0	0.00	Unbuilt	0.10
Map Id Totals	<u>11.49</u>	<u>2,000</u>	<u>41,297</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.06</u>

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>	
78	Lox Groves								
			Other Non Res						
Other Non Res	15.19	8,330	0	0	0	0.00	Built	0.01	
Map Id Totals	<u>15.19</u>	<u>8,330</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.01</u>	
79	Lox Groves								
Other Non Res	6.10	6,736	0	0	0	0.00	Built	0.03	
Other Non Res	1.74	6,736	0	0	0	0.00	Built	0.09	
Map Id Totals	<u>7.84</u>	<u>13,472</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.06</u>	
80	La Mancha								
Other Non Res	8.69	33,794	0	0	0	0.00	Built	0.09	
Map Id Totals	<u>8.69</u>	<u>33,794</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.09</u>	
81	School Board								
Other Non Res	20.26	117,882	0	0	0	0.00	Built	0.13	
Map Id Totals	<u>20.26</u>	<u>117,882</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.13</u>	
82	School Board								

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Other Non Res	7.14	103,509	0	0	0	0.00	Built	0.33
Other Non Res	0.18	103,509	0	0	0	0.00	Built	13.17
Map Id Totals	7.32	207,018	0	0	0	0	Avg.	6.75

83 RPB Utility Other Non Res

Other Non Res	15.23	5,897	0	0	0	0.00	Built	0.01
Map Id Totals	15.23	5,897	0	0	0	0	Avg.	0.01

84 School Board Other Non Res

Other Non Res	54.97	302,692	0	0	0	0.00	Built	0.13
Map Id Totals	54.97	302,692	0	0	0	0	Avg.	0.13

85 Willows Other Non Res

Other Non Res	0.40	4,393	0	0	0	0.00	Built	0.25
Other Non Res	5.42	4,393	0	0	0	0.00	Built	0.02
Map Id Totals	5.82	8,786	0	0	0	0	Avg.	0.14

86 RPB Gov Area Other Non Res

Other Non Res	16.30	45,125	0	0	0	0.00	Built	0.06
Other Non Res	10.25	45,077	0	0	0	0.00	Built	0.10

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Other Non Res	6.13	12,370	0	0	0	0.00	Built	0.05
Other Non Res	3.50	21,770	0	0	0	0.00	Built	0.14
Other Non Res	2.44	10,860	0	0	0	0.00	Built	0.10
Other Non Res	3.53	19,920	0	0	0	0.00	Built	0.13
Map Id Totals	42.16	155,122	0	0	0	0	Avg.	0.10

87 RPB Gov Area Other Non Res

Other Non Res	1.90	9,835	0	0	0	0.00	Built	0.12
Map Id Totals	1.90	9,835	0	0	0	0	Avg.	0.12

88 PB Colony Other Non Res

Other Non Res	0.84	6,526	0	0	0	0.00	Built	0.18
Other Non Res	0.38	1,598	0	0	0	0.00	Built	0.10
Map Id Totals	1.22	8,124	0	0	0	0	Avg.	0.14

89 School Board Other Non Res

Other Non Res	30.00	180,760	0	0	0	0.00	Built	0.14
Other Non Res	20.00	73,200	0	0	0	0.00	Built	0.08
Map Id Totals	50.00	253,960	0	0	0	0	Avg.	0.11

90 Crestwood Square Area Other Non Res

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
Other Non Res	7.68	16,493	0	0	0	0.00	Built	0.05
Other Non Res	16.98	51,195	0	0	0	0.00	Built	0.07
Map Id Totals	24.66	67,688	0	0	0	0	Avg.	0.06

91 School Board Other Non Res

Other Non Res	15.03	122,559	0	0	0	0.00	Built	0.19
Map Id Totals	15.03	122,559	0	0	0	0	Avg.	0.19

92 Wellington Other Non Res

Other Non Res	5.00	9,959	0	0	0	0.00	Built	0.05
Map Id Totals	5.00	9,959	0	0	0	0	Avg.	0.05

93 Wellington Other Non Res

Other Non Res	5.00	29,192	0	0	0	0.00	Built	0.13
Map Id Totals	5.00	29,192	0	0	0	0	Avg.	0.13

94 School Board Other Non Res

Other Non Res	19.98	167,690	0	0	0	0.00	Built	0.19
Map Id Totals	19.98	167,690	0	0	0	0	Avg.	0.19

**Detail Project List of Non Residential Analysis Five Mile Radius From
Minto West**

	<u>PA Acres</u>	<u>Built Sq. Ft.</u>	<u>Unbuilt Sq. Ft.</u>	<u>Hotel Rms Blt</u>	<u>Hotel Rms Unblt</u>	<u>Com Rec Ac. Blt</u>	<u>Built Status</u>	<u>FAR</u>
95	Wellington Paddock Park		Other Non Res					
Other Non Res	2.72	5,388	0	0	0	0.00	Built	0.05
Map Id Totals	<u>2.72</u>	<u>5,388</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.05</u>
96	School Board		Other Non Res					
Other Non Res	30.00	152,535	0	0	0	0.00	Built	0.12
Map Id Totals	<u>30.00</u>	<u>152,535</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.12</u>
97	Ibis Golf & Country Club		Other Non Res					
Other Non Res	2.05	2,903	0	0	0	0.00	Built	0.03
Map Id Totals	<u>2.05</u>	<u>2,903</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.03</u>
98	Orange Blvd Commercial		Other Non Res					
Other Non Res	6.66	30,510	0	0	0	0.00	Built	0.11
Map Id Totals	<u>6.66</u>	<u>30,510</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Avg.	<u>0.11</u>
Grand Total:	<u>3,540</u>	<u>6,688,277</u>	<u>3,893,115</u>	<u>162</u>	<u>215</u>	<u>1,700</u>	Avg.	<u>0.24</u>

FAR computations are for illustration purposes and are not used in any conclusions.

Disclaimer

This report, analysis and conclusions represent the opinion of Warner Real Estate Advisors, Inc., based on data provided by published sources including the U.S. Census, the University of Florida's Bureau of Economic and Business Research, the Palm Beach County Property Appraiser, and various local governments in combination with our own in-house expertise. An effort has been made to obtain the latest applicable data from reliable sources. Any change within the study area, such as unknown developments and changes in economic conditions, could influence projections and conclusions. For these reasons, no representation or warranty, express or implied, is herewith being made as to the accuracy or completeness of the data sources upon which this report is based.

Exhibit 16
Applicant's Public Facilities Table

VIII. Public Facilities Information

A. Traffic Information

In order to be accepted on the day of intake, the application must include the Traffic Study (as Attachment H) and a Traffic Review letter from the PBC Traffic Division (ph. 561-684-4030). The letter must state if the application is consistent with FLUE 3.5-d at the maximum proposed future land use designation trip generation. If a project is not consistent with FLUE 3.5-d at the maximum intensity/density, the letter must also state that reduced intensity/density that is consistent with the policy. Call 684-4030 or visit <http://www.pbcgov.com/pzb/planning/FLU.htm> for more information.

	Proposed	Maximum
Current FLU	Provided as Attachment H.	
Proposed FLU		
Difference		
Significantly impacted roadway segments that fail (Long Range)		
Significantly impacted roadway segments for Test 2		
Traffic Consultant		

B. Mass Transit Information

Nearest Palm Tran Route(s)	Route 40
Nearest Palm Tran Stop	Bus Stop No. 3246, Southern Blvd at Seminole Pratt Whitney Road
Nearest Tri Rail Connection	Route 40, Stop No. 1, Downtown West Palm Beach Tri-Rail Station

C. Potable Water & Wastewater Information

The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as Attachment I. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.

Potable Water & Wastewater Providers	Seminole Improvement District
Nearest Water & Wastewater Facility, type/size	Seminole Improvement District; 0 miles; 750,000 gal/day facility

D. Drainage Information

Provide Drainage Statement as Attachment J.

E. Fire Rescue

Nearest Station	Station No. 22
Distance to Site	0 miles
Response Time	Ranges from 3:30 – 10:30 (average call time is 9:45)
Effect on Resp. Time	Provided as Attachment K.

F. Environmental

Significant habitats or species	Provided as Attachment L.
Flood Zone*	Zone: X500, Panel: 0050B
Wellfield Zone*	Provided as Attachment M.

G. Historic Resources

Provide Comment Letter as Attachment N.

H. Parks and Recreation – Residential Only

Park Type	Name and Location	Level of Service*	Population Change	Change in Demand
Regional	Okeeheelee North Park	0.00339	10,864.94	36.83 AC
Beach	Phil Foster Park	0.00035	10,864.94	3.80 AC
District	Seminole Palms Park	0.00138	10,864.94	15.00 AC

I. Libraries – Residential Only

Library Name	Royal Palm Beach Branch			
Address	15801 Orange Blvd			
City, State, Zip	Loxahatchee, FL 33470			
Distance	1.8 miles			
Component	Level of Service	Population Change	Change in Demand	

Collection	2 holdings per person	10,864.94	21,729.88
Periodicals	5 subscriptions per 1,000 persons	10,864.94	54.32
Info Technology	\$1.00 per person	10,864.94	\$10,864.94
Professional staff	1 FTE per 7,500 persons	10,864.94	1.45 FTE
All other staff	3.35 FTE per professional librarian	10,864.94	4.85
Library facilities	0.34 sf per person	10,864.94	3,694.08 SF

J. Public Schools – Residential Only

Provide Comment Letter as Attachment O.

	Elementary	Middle	High
Name	Golden Grove	Western Pines	Seminole Ridge
Address	5959 140 th Ave. N	5959 140 th Ave. N	4601 Seminole Pratt Whitney Rd.
City, State, Zip	West Palm Beach, FL 33411	West Palm Beach, FL 33411	Loxahatchee, FL,
Distance	0.138 miles	0.138 miles	1.11 miles

Exhibit 17

Applicant's Traffic Study

To view Applicant's Traffic Study please see the Planning Division's Minto West web page labeled (Attachment H - Traffic Study):

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

Exhibit 18

Applicant's Disclosure of Interest

PALM BEACH COUNTY - ZONING DIVISION

FORM # 09

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared John F. Carter, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] Vice President _____ [position - e.g., president, partner, trustee] of Minto PBLH, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 4400 West Sample Road, Suite 200
Coconut Creek, FL 33073
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

[Handwritten signature of John F. Carter]

John F. Carter, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 22nd day of July, 2014, by John F. Carter, [] who is personally known to me or [] who has produced FLORIDA DRIVERS LICENSE as identification and who did take an oath.

[Handwritten signature of Pam Kennedy]

Notary Public



[Handwritten signature of Pam Kennedy]

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: July 1, 2017

EXHIBIT "A"**PROPERTY****LEGAL DESCRIPTION**

Sections 1, 2, and 3, Township 43 South, Range 40 East; EXCEPTING from said Section 3, that part thereof lying North of the following described line; BEGINNING at a point on the West line of said Section 3, and 1343.16 feet Northerly of the Southwest corner of Section 3; thence run Northeasterly along the South line of Canal "M" right-of-way a distance of 4096.52 feet, more or less, to a point on the North line of said Section 3; said point being 2447.94' Westerly of the Northeast corner of said Section 3.

ALSO:

Section 12, less the East 1/2 of the Southeast 1/4 thereof. All in Township 43 South, Range 40 East, Palm Beach County, Florida.

ALSO:

Sections 5, 6 and the North 1/2 of Sections 7 and 8, in Township 43 South, Range 41 East, less the North 250 feet of said Section 5 and 6, conveyed to the City of West Palm Beach by Deed dated July 26, 1956, and recorded September 25, 1956, in Deed Book 1156, Page 58, for Canal "M" right-of-way, which deed was corrected in part by a corrective quit-claim deed dated October 7, 1963, and filed October 8, 1963, in O.R. Book 924, Page 965, Palm Beach, County, Florida.

LESS AND EXCEPT:

Seminole Improvement District parcel, recorded in Official Records Book 14034, Page 1147, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 14566, Page 1779, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Seminole Water Control District parcel, recorded in Official Records Book 6062, Page 1116, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Seminole Water Control District parcel, recorded in Official Records Book 9949, Page 611, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 9169, Page 136, of the Public Records of Palm Beach County, Florida.

EXHIBIT "A"

PROPERTY (Continued)

AND LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 9232, Page 1206, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14034, Page 1119, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14676, Page 953, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Silver Lake Palm Beach, LLC parcel, recorded in O.R. 15391, Page 754, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Seminole Pratt-Whitney Road parcels, recorded in O.R. Book 1544, Page 378, O.R. Book 10202, Page 430 and O.R. Book 10289, Page 488, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Grove Market Place parcel, recorded in O.R. Book 10113, Page 1668, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Grove Market Place retention parcel, recorded in O.R. Book 10101, Page 452, of the Public Records of Palm Beach County, Florida.

AND LESS AND EXCEPT:

Seminole Water Control District parcel, recorded in Official Records Book 2802, Page 1351, of the Public Records of Palm Beach County, Florida.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name

Address

100% Ownership of Minto PBLH, LLC is by lineal descendants of Irving Greenberg and Gilbert Greenberg.

4400 West Sample Road, Suite 200, Coconut Creek, FL 33073

Exhibit 19 Applicant's Originally Proposed Text Amendments

1.1 Managed Growth Tier System

Policy 1.1-a has been omitted for brevity

Policy 1.1-b: Tier Re-designation Criteria: In addition to the criteria for amending a future land use designation, the County shall apply the following standards to allow for the redesignation of a Tier to respond to changing conditions.

Items No. 1 and 2 have been omitted for brevity

If any property not within a Sector Plan area is removed from an assigned tier through the future land use amendment process, as allowed for under this policy, the Planning Division shall conduct a Study to determine the property's impact on the tier system, the appropriate tier designation for the property and if and how tier boundaries need to be further adjusted in the area of the property. In making these determinations, the Study shall employ the criteria listed above for evaluating adjustments to the tier system.

This Policy shall not apply to Agricultural Enclaves established pursuant to Section 163.3162(5), Florida Statutes.

2.2.5 Agricultural

Policy 2.2.5-a through Policy 2.2.5-c have been omitted for brevity

Policy 2.2.5-d: The County shall recognize Agricultural Enclaves pursuant to Florida Statutes section 163.3162(5) by assigning the Agricultural Enclave (AGE) Future Land Use Designation through a Future Land Use Amendment process in accordance with the procedures set forth in Florida Statutes Chapter 163 for Agricultural Enclaves. Utility outparcels lying within and surrounded by a qualifying agricultural enclave may also be assigned the AGE Future Land Use Designation. The assignment or amendment of an Agricultural Enclave pursuant to section 163.3162 shall not be limited by the provisions of the Managed Growth Tier System. Therefore, an Agricultural Enclave is permissible in all areas of the County and may include a mix of any of the land use categories identified in this Plan. The site specific plan amendment ordinance adopting an Agricultural Enclave future land use shall include a Conceptual Plan and Implementing Principles that establish the mix of land uses, and the range of densities and intensities of each land use, and that demonstrate compliance with s. 163.3162(5), Florida Statutes. The Conceptual Plan shall include a Site Data table establishing an overall density and intensity for each land use within the project consistent with the requirements of s. 163.3162, Florida Statutes, as well as minimum and maximum percentages for the acreages of the Transects shown on the Plan and other binding standards. The Conceptual Plan and Implementing Principles can only be revised through the Future Land Use Atlas amendment process. All development orders must be consistent with the adopted Conceptual Plan and Implementing Principles. Bona fide agricultural uses shall be permitted until such time as a specific area of the Enclave physically converts to the uses permitted by such development orders.

Policy 2.2.5 e: The Agricultural Enclave conceptual plan shall include a series of transect zones which act as the essential 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 Enclave and adjacent existing communities. Each Agricultural Enclave shall include at least one Neighborhood Zone and one Village Center. Each neighborhood may be developed according to the appropriate transect zones based on the density assigned on the conceptual plan. The following transect zones and other components are permitted:

- **Natural Transect** shall consist of active recreation, pastures, greenspace within rural parkways and open space including agriculture, preservation, conservation, wetlands, passive recreation, greenways, landscaping, landscape buffers, water management tracts, and wellfields. A minimum of 40% of the Enclave total acreage shall be within this transect. All entitlement density associated with the Natural Transect may only be transferred to another transect within the Agricultural Enclave. The Natural Transect shall define the boundaries of an Agricultural Enclave except where the Enclave abuts schools or commercial areas. The Natural Transect may also be located throughout the Enclave to provide open space and connectivity within and between neighborhoods.
- **Rural Parkways** The conceptual plan shall recognize Thoroughfare Right of Way Identify Map roadways within the Enclave as corridors that act as regional connectors of neighborhoods and zones within the project and connecting to the surrounding communities by designating these roadways as Rural Parkways. These corridors shall be designed with opportunities for alternate modes of transportation such as pedestrian pathways, bike lanes and equestrian trails. Only the greenspace portions of rural parkways shall contribute to the minimum Natural Transect requirements.
- **Natural Transect Open Space** Open lands and landscape buffers shall include linked public or private pedestrian, bicycle and equestrian trails when possible and shall be used to define and connect different neighborhoods and zones. The linked open space network shall be available for passive recreation. The Conceptual Plan shall include appropriate separations and buffering from the surrounding existing communities. A minimum of a 100 foot separation edge will be provided.
- **Rural Transect** The Rural Transect shall consist of sparsely settled lands including managed woodlands, agricultural lands, and equestrian estates. A range of very low densities from one unit per 20 acres to a maximum of one unit per two acres is permitted. Equestrian Centers, accessory commercial recreation facilities associated with the equestrian centers, and Neighborhood and Village Centers are permitted within this Transect zone. A minimum of 20% and a maximum of 25% of the Enclave total acreage shall be within this Transect.
- **Sub-urban Transect** consists of low density residential areas with some potential for the mixing of uses. The Sub-urban Transect shall develop at an overall gross density ranging between one unit per two acres to six dwelling units per acre. An interconnected network of streets shall link each sub-zone together to form cohesive neighborhoods and an organized transportation network that allows for bicycle and pedestrian circulation. Each neighborhood shall have a gathering space, such as a green or park, connected by a network of streets that will allow most residents to live within a 5-10 minute walk of a green space. A maximum of up to 40% of the Enclave total acreage shall be within this Transect. The Sub-urban Transect shall consist of the following sub-zones:

- ~~**Neighborhood Edge Zone**~~ — The Neighborhood Edge Zone shall be developed at a minimum gross density of one unit per two acres and a maximum gross density of one unit per acre. Neighborhood Edge Zones shall comprise a maximum of 20% of the Agricultural Enclave total acreage. The Neighborhood Edge Zone may abut the Natural Transect, Rural Transect, the Neighborhood General Zone or the Neighborhood Center Zone.
- ~~**Neighborhood General Zone**~~ — The Neighborhood General Zone shall be developed at a minimum gross density of 1 unit per acre and a maximum gross density of 3 units per acre, and may include small-scale, neighborhood-serving uses where appropriate. Neighborhood General Zones shall comprise a maximum of 30% of the Agricultural Enclave total acreage. The Neighborhood General Zone may abut the Natural Transect, Rural Transect, or the Neighborhood Edge and Neighborhood Center Zones of the Sub-urban Transect.
- ~~**Neighborhood Center Zone**~~ — The Neighborhood Center Zone shall contain a minimum gross density of 4 units per acre, and shall contain a minimum of 20% of the Enclave's units. Neighborhood Centers shall be pedestrian-friendly, incorporate residential uses integrated in mixed-use buildings, which enfront publicly accessible open spaces, and shall be linked to the adjacent residential neighborhoods through pedestrian and vehicular interconnections. The mixed-use component shall be designed as a Traditional Marketplace Development, or utilize the Neighborhood Center provisions of a Traditional Neighborhood Development in the ULDC. Those portions of the Neighborhood Center Zone not developed as a TMD or TND Neighborhood Center, shall be located within a ¼ mile (5 minute walk) radius to commercial, mixed-uses, public spaces, or schools to encourage alternative modes of transportation. Neighborhood Center Zones shall comprise no more than 10% of the land area of the entire Agricultural Enclave. The Neighborhood Center Zone may abut the Neighborhood General Zone, or the Natural Transect where it consists of a Rural Parkway, and arterial roadways.
- ~~**Village Center**~~ — A portion of the Neighborhood Center Zone may be designated as a Village Center. The Village Center shall be designed as a Traditional Marketplace Development, a pedestrian-friendly retail and office development. The Village Center shall incorporate some residential uses integrated in mixed-use buildings and shall be linked to the adjacent residential areas through pedestrian and vehicular interconnects.

Policy 2.2.5-f has been omitted for brevity

Policy 2.2.5-g: The Agricultural Enclave Zoning shall be rezoned through one of the following options:

- The Agricultural Enclave shall be rezoned to Agricultural Enclave Overlay. a ~~Traditional Town Development including a Traditional Market Development and a~~ Master Plan shall be submitted at the time of the rezoning application. The Master Plan shall be submitted in compliance with the ~~Unified Land Development Code (ULDC) and the Technical Requirement Manual;~~
- The Agriculture Enclave Overlay can be rezoned as a A single development order or series of individual development orders consistent with:

- a. ~~The Conceptual Plan and implementing Principles of the Ordinance adopting the Future Land Use Atlas Amendment establishing the Agricultural Enclave. required in Policy 2.2.5-d and 2.2.5-e;~~
- b. ~~New Urbanism Design Guiding Principles of the Ordinance adopting the Future Land Use Atlas Amendment establishing the Agricultural Enclave. [This is redundant]~~

Policy 2.2.5-h has been omitted for brevity

Policy 2.2.5-i: ~~At the time of rezoning~~The Site Plan submitted for any portion of an Agricultural Enclave shall incorporate appropriate new urbanism concepts, which may include: ~~will include design requirements, including the following new urbanism concepts:~~

- **Neighborhood Design** ~~As appropriate, Neighborhoods within the Sub-urban Transect shall be based on a street design that fosters alternate modes of transportation such as pedestrian pathways, bike lanes and/or equestrian trails. Neighborhoods shall consist of low-density residential areas, which may include the mixing of uses. As appropriate, Neighborhoods shall contain centrally located gathering places, and major buildings.~~
- **Internal Street Network** ~~Land use categories within the Conceptual Plan Sub-urban Transects shall be developed, to the extent practicable, with enhanced connectivity, such as providing connectivity between neighborhoods, schools, civic uses, and retail uses where appropriate. Streets shall be configured to provide efficient circulation systems for pedestrians, non-motorized vehicles and motorists, and serve to functionally integrate the various activities in each zone. Streets and squares that are internal to the neighborhoods should be designed to be a safe, comfortable, and interesting environment to the pedestrian.~~
- **Civic & Recreation** – Appropriately scaled concentrations of civic and institutional activity shall be distributed in proximity to the individual neighborhoods and within all land use categories to the extent practicable ~~Natural, Rural and Sub-urban Transect zones~~. Civic sites and gathering places shall be located at important sites to reinforce community identity. A range of parks, from tot-lots and village greens to ball fields and passive parks should be distributed within or near residential neighborhoods.
- **Water Stormwater Management Systems** – The water retention systems shall be designed to provide connectivity with the open spaces and buffers where appropriate.

2.4 Transfer of Development Rights

Policy 2.4-a has been omitted for brevity

Policy 2.4-b: The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:

1. an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or

2. an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or
3. an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:
 - a. West Lake Worth Road Neighborhood Plan, or
4. This Policy shall not apply to Agricultural Enclaves established pursuant to Section 163.3162, Florida Statutes.

III. FUTURE LAND USE ATLAS REGULATION

C. FUTURE LAND USE DESIGNATIONS

This section identifies the categories, uses, design criteria and any special requirements associated with the future land use designations contained in Goals 1 and 2 of the Element.

Table III.C

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA
Rural Residential	RR-20, RR-10	---	X	X	---	---
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
Urban Residential	LR, MR, HR	X	---	---	---	---
Agriculture	AP	---	---	---	---	X
	SA	X	X	X	X	---
	AgR	---	---	---	X	---
	Ag Enclave	<u>X</u>	<u>X</u>	X	<u>X</u>	<u>X</u>
Commercial Low	CL-O	X	X	X	X	---
	CL	X	X	X	X	---
Commercial High	CH-O	X	---	---	---	---
	CH	X	---	---	---	---
Industrial	IND	X	---	---	X	---
	EDC	X	---	---	---	---
Commercial Recreation		X	---	X	X	X
Parks & Recreation		X	X	X	X	X
Conservation		X	X	X	X	X
Institutional & Public Facilities		X	X	X	X	---
Spoil		X	---	---	---	X
Transportation & Utilities		X	X	X	X	X
Traditional Town Development & Multiple Land Use		X	---	---	---	---

**Table III.C.2
Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories' and Non-Residential Uses.**

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades
Rural Residential	All Residential Categories	.35 (Low Density) .45 (Medium & High Density)	.20	.20	.15	.20
Agriculture	AP	Not allowed	Not allowed	Not allowed	Not allowed	.10
	SA	.15	.15	.15	.15	.15
	AgR	Not allowed	Not allowed	Not allowed	.15	Not allowed
	Ag Enclave	⁽⁹⁾	⁽⁹⁾	⁽⁹⁾	⁽⁹⁾	⁽⁹⁾
Commercial Low	CL-O	.35	.20	.20	.20	.20
	CL	.20 w/o PDD ^{1,3} .25 w/ PDD ^{1,3}	.10 1.0 w/ TMD	.10 1.0 w/ TMD	.10 .40 w/ TMD	.10
Commercial High	CH-O	.35 w/o PDD .50-.85 w/ PDD ²	Not allowed	Not allowed	Not allowed	Not allowed
	CH	.35 w/o PDD ¹ .50-.85 w/ PDD ² .85-1.0 ³	Not allowed	Not allowed	Not allowed	Not allowed
Industrial	IND	.45	Not allowed	Not allowed	.45	.45
	EDC	.45	Not allowed	Not allowed	Not allowed	Not allowed
Commercial Recreation		.10-.50	Not allowed	.05	.05	.05
Parks & Recreation		.10-.45	.10	.10	.10	.10
Conservation		.05	.05	.05	.05	.05
Institutional & Public Facilities		.1-.45	.20	.10	.15 .35 ⁶	.10
Transportation & Utilities		.10-.45	.10	.05	.05 .15 ⁷	.05
Traditional Town Development & Multiple Land Use		1.0	Not allowed	Not allowed	Not allowed	Not allowed

Notes:

1. For Commercial Low (CL) and Commercial High (CH), the maximum allowable FAR for non-retail projects is .50.
2. For Commercial High (CH) and Commercial High Office (CH-O), the maximum allowable FAR is .50 for MUPD, and .85 for MXPDP, as defined in the ULDC.
3. A maximum FAR up to 1.0 may be permitted to allow for: infill development; mixed-use development (MXPDP); Traditional Neighborhood Development (TND); Traditional Market Place Development (TMD); or Lifestyle Commercial Centers (LCC).
4. For Ag Reserve TMDs the FAR is calculated on the total area of the development, including both the developed and preserve area.
5. Only future land use designations of Commercial Low located in the Agricultural Reserve Tier and approved prior to January, 2002, shall be allowed to develop at this FAR.
6. An FAR greater than .15 is only permitted for hospitals and related hospital campus uses.
7. An FAR greater than .05 is only permitted east of S.R. 7
8. Institutional and Public Facilities uses within any FLU designation are allowed to utilize the maximum allowable FAR of the Institutional and Public Facilities FLU designation per the applicable Tier. In the case of multiple or mixed use projects, only proposed institutional and public facility uses shall be permitted to exceed the FAR of the project's FLU designation.
9. Maximum FARs for non-residential uses within an Agricultural Enclave shall be indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.

Exhibit 20
Applicant's Public Benefits and Outreach

MINTO WEST PUBLIC BENEFIT OVERVIEW	
DRAINAGE	<p>Potential to address ITID flooding by accepting approximately 160 cfs of ITID discharge (1"/day) through the SID system through construction of an inverted siphon under the M-Canal that ties into the Minto West M-2 canal. Additionally, this discharge will be on-peak and not waiting for the C-51 to recede.</p> <p>Provide a flowage easement for regional water storage for 250 acres of lake: Land cost for 250 acres: \$3,400,000</p> <p>Accept drainage from existing school sites for water quality treatment in the Minto West system to increase developable acreage at the school sites by shifting on-site water detention to Minto West stormwater management system.</p>
TRANSPORTATION	<p>Prop share fees that can be targeted by the County to address long standing regional deficiencies, the majority of which are required without the project, that do not currently have any identified funding source</p> <p>SID bond financing could be utilized to phase road impact fee payments as compared to paying road impact fees at time of building permit</p> <p>Construction of 17 centerline miles of public roads within Minto West that will enhance regional connectivity and public safety travel times.</p> <p>Accommodate Public Transit in the central-western region of the County by construction of Park-and-Ride facilities and Palm Tran Terminals along Seminole Pratt-Whitney Road.</p>
ECONOMIC	<p>Create 800 new annually recurring jobs during construction for the next 20-30 years.</p> <p>Create 3,100 new long term jobs post-construction.</p> <p>\$1.0 billion economic impact during the construction phase of Minto West</p> <p>\$350 million annual recurring economic impact at build out of Minto West.</p>

**MINTO WEST
PUBLIC BENEFIT OVERVIEW**

LAND USE/ SUSTAINABILITY	<p>Project will provide needed mixed use community design to address historic land use imbalance and reduce vehicle miles travelled which place burden on eastern county facilities.</p> <p>Project will reduce reliance on well and septic, will connect to County water and sewer to utilize the existing \$100 million County utility infrastructure investment in western community</p>
RECREATION & CIVIC	<p>125 acre Regional Park including Community Center open to the public</p> <p>67 acre Community Park open to the public</p> <p>50 acre Neighborhood Park open to the public</p> <p>15 miles of perimeter buffer to include a mix of walking, biking and bridle trails</p> <p>10 miles of pedestrian and bike pathways open to the public</p> <p>Over 450 acres of integrated water bodies for public scenic views</p> <p>M-2 Canal Linear Park (4 miles long) open to the public</p> <p>Recreation facilities proposed to be constructed and maintained by SID</p> <p>Civic site dedications include:</p> <ul style="list-style-type: none"> New school site Fire Station Sheriff Office Sub-station Governmental Uses
ENVIRONMENTAL	<p>Reduce by 1 billion gallons annually withdrawals from the M-Canal that could be used to recharge Grassy Waters Preserve and enhance flows to the Loxahatchee River</p> <p>Create 1,700 acres of open space which is over 55% of the total land area and would include substantial polishing marshes and flow ways to improve water quality and provide wetland habitats</p> <p>Minimal environmental impact as there are no natural wetland habitats on site</p>

Minto West Public Outreach

- Mailed a postcard to 18,000 homes in the Western Communities announcing our acquisition of the property and proposed development plans;
- Created a web site named www.MintoInfo.com that served as a community wide information portal for Minto West development plans;
- Converted an existing 2,000 square foot building at Minto West to a Community Center to conduct information meetings and design workshop meetings with residents;
- Conducted informational meetings and design charrettes at the Community Center that included hundreds of residents from The Acreage and the Town of Loxahatchee Groves.
- Developed a Frequently Asked Questions (FAQ) brochure based on input and questions received during meetings at the Minto West Community Center that was mailed to 18,000 homes;
- Mailed a newsletter to 18,000 homes in the Western Community each month throughout the project review process;
- Mailed a personal invitation letter to the 900 residents who live immediately adjacent to the Minto West property boundary encouraging their participation in the informational meetings being held at the Minto West Community Center;
- Attended numerous meetings and workshops with community stakeholders such as the Acreage Athletic League, Indian Trail Improvement District, Acreage Landowners Association, the Town of Loxahatchee Groves, Loxahatchee Groves Water Control District, Village of Royal Palm Beach, City of West Palm Beach, City of Wellington, City of Palm Beach Gardens, Chamber of the Palm Beaches, Northern Palm Beach County Chamber of Commerce, Central Palm Beach County Chamber of Commerce and the Economic Council of Palm Beach County; and
- Participated in the Acreage Jam Fest with an informational booth.

Exhibit 21
Applicant's Agricultural Classification Letter

GOVERNMENTAL CENTER - FIFTH FLOOR
301 NORTH OLIVE AVENUE
WEST PALM BEACH, FLORIDA 33401
TEL: (561) 355-3230 FAX: (561) 355-3963

GARY R. NIKOLITS, CFA
PALM BEACH COUNTY
PROPERTY APPRAISER

JUL 30 2014



July 28, 2014

MINTO PBLH LLC
4400 W SAMPLE RD STE 200
POMPANO BEACH FL 33073

RE: Granting of the Agricultural Classification
Property Control Number 00-41-43-06-00-000-1020

Dear MINTO PBLH LLC:

We have granted your application for agricultural classification, which also included a visual inspection of your property referred to by the above property control number. It is a classification of your property and not an exemption; therefore, it is reflected only in the assessed valuation of your property. The assessment notice and the tax bill will not show that the agricultural classification is granted.

If you have any questions regarding the classification of your property, please contact the Agriculture Department of the Property Appraiser's Office at (561)355-2646 or (561)355-2517.

Very truly yours,

Gary R. Nikolits, CFA
Palm Beach County Property Appraiser

A handwritten signature in blue ink that reads "Diane Pendleton".

Diane Pendleton, Manager
Agriculture Department

DP

WEST COUNTY
SERVICE CENTER
2976 STATE ROAD 15
BELLE GLADE, FL 33430
TEL: (561) 996-4890
FAX: (561) 996-1661

NORTH COUNTY
SERVICE CENTER
3188 PGA BLVD., SUITE 2301
PALM BEACH GARDENS, FL 33410
TEL: (561) 624-6521
FAX: (561) 624-6565

MID-WESTERN COMMUNITIES
SERVICE CENTER
200 CIVIC CENTER WAY, SUITE 200
ROYAL PALM BEACH, FL 33411
TEL: (561) 784-1220
FAX: (561) 784-1241

SOUTH COUNTY
SERVICE CENTER
14925 CUMBERLAND DR.
DELRAY BEACH, FL 33446
TEL: (561) 276-1250
FAX: (561) 276-1278

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Exhibit 22
Potable Water and Wastewater Letter (dated 10/25/13)

Seminole Improvement District

Board of Supervisors
Janet Kroll, President
Jared Stern, Secretary/Treasurer
Maurice Berry, Supervisor

Ken Cassel, District Manager
Terry E. Lewis, District Counsel

October 25, 2013

Re: Willingness to Serve Water and Wastewater

To whom it may concern:

This letter is to advise you the Seminole Improvement District is willing to provide the necessary water and wastewater services within its jurisdictional boundaries .

Water and wastewater services may be provided through any combination of the following including but not limited to existing facilities, expansion of facilities and infrastructure, or interlocal agreements.

Please feel free to contact me if you need additional information or have any questions.

Sincerely



Kenneth G. Cassel
District Manager

CC: Board of Supervisors
Terry E. Lewis, District Counsel

District Office:
Seminole Management Services
210 N University Drive, Suite 702
Coral Springs, Florida 33071

Meeting Location:
Seminole Improvement District
4001 Seminole-Pratt Whitney Road
Loxahatchee, Florida

Exhibit 23

South Florida Water Management District (SFWMD) Letter (dated 4/16/14)



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

April 16, 2014

RECEIVED

APR 29 2014

PLANNING DIVISION

Bryan M. Davis, CNU-A
Principal Planner/Urban Designer
Planning Division, Planning, Zoning and Building Department
Palm Beach County
2300 North Jog Road
West Palm Beach, FL 33411-2741

Dear Mr. Davis:

It was a pleasure meeting with you and other Palm Beach County planning staff on March 28 to discuss South Florida Water Management District plans with respect to overall watershed management issues within the northern Palm Beach County Area. As noted, we are just beginning to re-initiate the federal planning process for the area, with a primary objective of delivering enough water to provide restoration flows to the Loxahatchee River Northwest Fork. The planning effort will concentrate on solutions within the watershed that will better able us to manage water to support this focus.

With respect to the general needs within the watershed, our focus will be on providing storage and water quality treatment to support supplemental deliveries through the Grassy Waters Preserve without compromising the integrity of this important ecological system; and utilizing the G-161 and G-160 structures that have already been constructed in support of this project. Although it is too early in the planning process to provide certainty with respect to the volume of storage needed, it would be important that this storage be near the M-Canal to allow ease of delivery and to the greatest extent possible be separate from the overall surface water management features for any proposed development within the area. A feature that supports the local flood improvement goals while allowing stored water to be available to assist in meeting the restoration flows to the Loxahatchee River would likely have broad support.

It will be important for us to stay in touch as we re-initiate the CERP planning process.

Sincerely

A handwritten signature in cursive script, appearing to read "Thomas M. Teets".

Thomas M. Teets, AICP
Federal Policy Chief
Office of Everglades Policy and Coordination

TMT/pav

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

Exhibit 24
Applicant's Letter to School District (dated 07/01/14) and School District's
Response Letters (dated 07/17/14 and 07/21/14)



Landscape Architects | Land Planners | Environmental Consultants

1934 Commerce Lane · Suite 1 · Jupiter, Florida · 33458 · Ph 561.747.6336 · Fax 561.747.1377 · www.cotleurhearing.com · Lic # LC-C000239

July 1, 2014

Ms. Kristin Garrison
 Palm Beach County School District
 Director of Planning and Real Estate Services
 330 Forest Hill Boulevard
 West Palm Beach, Florida 33406

Re: Minto West
CH Project #130518

Dear Ms. Garrison:

On behalf of Minto PBLH, LLC, I would like to thank you for taking the time to meet with our team yesterday. As we discussed, the Master Plan resubmitted to the County on June 23rd contained a reduced residential dwelling unit count of 4,549 units. The revised residential unit count represents an increase of only 1,053 student-generating units above the currently adopted 2,996 residential units.

Total Dwelling Unit Breakdown	Student Generation Multipliers			
	Elementary	Middle	High	Total
500 Age Restricted DU	-	-	-	-
600 Multi-family DU	0.08	0.04	0.06	0.18
3,449 Single-family DU	0.15	0.06	0.08	0.29

Dwelling Units	Elementary Students	Middle Students	High Students	Total Students
4,549 Total Units	565	231	312	1,108
1,053 FLU Request	116	51	72	123

FLUA Dwelling Unit Breakdown
600 Multi-family DU
453 Single-family DU
1,053 DU Total

Minto West
 Letter to School District
 July 1, 2014
 13-0518

Schools	Capacity	Additional Students (Total)	Additional Students (FLU Only)	October FTE 2013 Enrollment	October 2013 Utilization	October 2017 Utilization (Total)	October 2017 Utilization (FLU Only)
Loxahatchee Groves E.S.	860	282.5 (50%)	58 (50%)	454	53%	86%	59%
Golden Groves E.S.	749	282.5 (50%)	58 (50%)	522	70%	107%	77%
Osceola 1054Creek M.S.	1,075	115.5 (50%)	26.5 (52%)	617	57%	68%	60%
Western Pines M.S.	1,054	115.5 (50%)	24.5 (48%)	1,120	106%	117%	109%
Seminole Pratt Whitney H.S.	2,463	312 (100%)	72 (100%)	2450	99%	112%	102%

Despite this reduction in impact, the Applicant remains committed to dedicating a 12-acre school site on the property to the School District. At this time, the Applicant is unable to construct a school on the 12-acre land dedication site as we discussed in our meeting on June 30th. The required impact fees will be paid to the School District to assist in the District's construction of a school in the future.

Per staff's request, we will present the Seminole Improvement District (SID) board the opportunity to relieve the School District of their current drainage payments. Please note that the Applicant is only able to present this request to the SID board.

We look forward to continue working with staff on any questions or comments you may have. Should you have any questions please contact Kate DeWitt or myself.

Sincerely yours,
Cotleur & Hearing, Inc.



Donaldson E. Hearing ASLA, LEED® AP

DEH/mlb

CC: John Carter – Minto Communities
 Tara Duhy – Lewis Longman & Walker
 Kate DeWitt – Cotleur & Hearing



**THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL**

PLANNING AND REAL ESTATE SERVICES
3300 FOREST HILL BLVD., SUITE C-110
WEST PALM BEACH, FL 33406

KRISTIN K. GARRISON
DIRECTOR

MICHAEL J. BURKE
CHIEF OPERATING OFFICER

STEVEN G. BONINO
CHIEF OF SUPPORT OPERATIONS

PHONE: 561-434-8020 / FAX: 561-434-8815
WWW.PALMBEACHSCHOOLS.ORG/PLANNING

July 17, 2014

Mr. Donaldson E. Hearing, Principal
Cotleur & Hearing, Inc.
1934 Commerce Lane, Suite 1
Jupiter, FL 33458

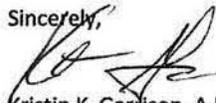
Re: Minto West – 4,549 total units

Dear Mr. Hearing:

I am in receipt of your letter dated July 1, 2014 regarding the Minto West project. District Planning staff has re-reviewed your proposal and concurs with your analysis regarding the number of potential students to be generated from the proposed development based on the District's adopted multipliers. Your table shows 2013 and 2017 school utilizations. In 2017, Golden Grove Elementary, Western Pines Middle and Seminole Ridge High will exceed 100% FISH utilization. These are the schools primarily serving your development. It is clear that, at a minimum, the boundaries for your development will probably be changed to other schools so that the students to be generated can be accommodated.

The District asked for a financial contribution to be able to expand existing campuses or build new to accommodate students to be generated from the proposed development, which you have not consented to doing. You have agreed to provide the District with one elementary school site at 12 net acres. District staff will impose conditions regarding the timing and the delivery of the site.

Consistent with the practice of most other local governments, the District requests that Seminole Improvement District (SID) exempt the School District from drainage fee charges. You stated that this issue will be presented to the SID Board. Please inform us of the outcome if it has already been presented, or let us know the date of the upcoming meeting so that we may attend.

Sincerely,

Kristin K. Garrison, A.I.C.P.
Director

KKG:ml

cc: John Carter, A.I.C.P., Vice President, Minto Communities
Tara W. Duhay, Shareholder, Lewis, Longman & Walker, P.A.
Steven G. Bonino, Chief of Support Operations, School District of Palm Beach County
Angela D. Usher, Manager, School District of Palm Beach County

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**THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL**

PLANNING AND REAL ESTATE SERVICES
3300 FOREST HILL BLVD., SUITE C-110
WEST PALM BEACH, FL 33406

PHONE: 561-434-8020 / FAX: 561-434-8815
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**KRISTIN GARRISON
DIRECTOR**

**MICHAEL J. BURKE
CHIEF OPERATING OFFICER**

**STEVEN G. BONINO
CHIEF OF SUPPORT OPERATIONS**

July 21, 2014

Bryan Davis, Project Manager
Palm Beach County Planning Division
2300 Jog Road, 2nd Floor
West Palm Beach, FL 33411

RE: Minto West Future Land Use (FLU) Amendment (Revised Letter)

Dear Mr. Davis

The School District Planning and Real Estate staff reviewed the subject future land use (FLU) amendment request for an approximate 3,791 acre site located south of the intersection of Orange Boulevard and Seminole Pratt Whitney Road, north of 50th Street N, east of 190th Terrace N and W of 140th Avenue. From the data provided, the existing FLU categories are: Agricultural Enclave on 3,737.92 acres, and Rural Residential 10 (RR-10) on the remaining 53 acres. The existing FLU categories, at their maximum development, would allow for a total of 2996 residential units.

The requested FLU is for Agricultural Enclave to allow for a total of 4,549 units per letter received by the School District from the applicant on July 1, 2014.

Following is an analysis of the potential impacts the proposed development could have on the public school system based on the School Board adopted multipliers. The analysis was conducted for the total development and for the development based on the FLU change only.

Units	Elementary Students	Middle Students	High Students	Total Students
4549 TOTAL UNITS	565	231	312	1108
2996 CURRENTLY ALLOWED				
1553 FLU REQUEST				
1053 FAMILY RES. UNITS	116	51	72	123
500 AGE RESTRICTED	0	0	0	0

The School District has not received a detailed phasing schedule. The proposed development is located in SAC 420 E and 421 E. Since the project is located in 2 SACs, there are two elementary and 2 middle schools currently serving the proposed development.

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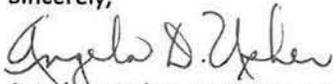
The schools currently serving the proposed development and their existing and proposed utilization from the impacts from the development are contained in the following table.

SCHOOLS	CAPACITY	ADDITIONAL STUDENTS (TOTAL)	ADDITIONAL STUDENTS (FLU AMENDMENT ONLY)	OCTOBER FTE 2013 ENROLLMENT	OCTOBER 2013 UTILIZATION	OCTOBER 2017 UTILIZATION TOTAL STUDENTS	OCTOBER 2017 UTILIZATION FLU AMENDMENT ONLY
LOXAHATCHEE GROVES ELEMENTARY	860	283	58	454	53%	86%	60%
GOLDEN GROVES ELEMENTARY	749	283	58	522	70%	108%	77%
OSCEOLA CREEK MIDDLE	1075	116	26	617	57%	68%	68%
WESTERN PINES MIDDLE	1054	116	26	1120	106%	117%	109%
SEMINOLE PRATT WHITNEY HIGH	2463	312	72	2450	99%	112%	103%

BASED ON FY 14/18 PROJECTIONS DATED APRIL 2013

The majority of this development is currently in Golden Groves Elementary and Western Pines Middle Schools' boundaries. These schools are projected to be highly utilized therefore boundary changes may be necessary. The applicant has agreed to contribute a 12 acre net elementary school site for a public elementary school to the School District in relation to this project. Should there be any questions, please do not hesitate to contact me.

Sincerely,



Angela D. Usher, AICP, Manager
 Planning and Real Estate

C: Donaldson Hearing, Coteleur & Hearing, INC.
 Steven Bonino, School District of Palm Beach County
 Kristin Garrison, School District of Palm Beach County

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www.palmbeachschools.org

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Exhibit 25
Memo from K. Todd to V. Baker (dated 6/11/14)



INTEROFFICE COMMUNICATION
PALM BEACH COUNTY

County Administration
P.O. Box 1989
West Palm Beach, FL 33402-1989
(561) 355-2030
FAX: (561) 355-3982
www.pbcgov.com

TO: Verdenia C. Baker, Deputy County Administrator
FROM: Ken Todd, P.E., Water Resource Manager *KST*
DATE: June 11, 2014
RE: **COSTING OF MINTO WEST DRAINAGE IMPROVEMENTS FOR ITID**

■
Palm Beach County
Board of County
Commissioners

Priscilla A. Taylor, Mayor
Paulette Burdick, Vice Mayor
Hal R. Valeche
Shelley Vana
Steven L. Abrams
Mary Lou Berger
Jess R. Santamaria

County Administrator

Robert Weisman

Per your request, I have reviewed both the additional drainage features that have been offered to ITID over and above what Minto needs to develop its project, as well as other possible drainage improvements that could be offered by Minto to ITID as an offset for any impacts to ITID by the Minto West development. The concepts of these drainage features or improvements were discussed with the staff/consultants of the various stakeholder entities: SFWMD, ITID, City of West Palm Beach (WPB), Palm Beach Aggregates, and Seminole Water Control District (SWCD) and are described briefly below. Following a brief description, I have put together a cost estimate for each of these concepts where it was possible to determine some specific details of the needed facilities. The detailed planning of some of the concepts is several years in the future. Therefore, an exact cost at this time would be pure speculation. These concepts and costs can then be used as a tool in attempting to determine what benefit to the public these improvements may have during further negotiations with Minto on any development order recommendation. Any combination of these concepts could be utilized to provide additional drainage relief for the Acreage. Ultimately, a determination will need to be made by the County Commission as to whether the value added of these improvements outweighs the impacts caused by the development of Minto West.

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Affirmative Action Employer"*



I. Minto provides 1" of their permitted discharge to ITID

The SWCD currently is permitted by the SFWMD a discharge capacity of 2" per day removal rate through the M-2 Canal into the C-51 Canal. Minto does not need the entire 2" per day of discharge to meet their water management needs. They can design their surface water management system using 1" per day discharge to meet their needs. Therefore, Minto has offered to ITID the other permitted 1" per day to help with ITID's need for additional drainage capacity. Water from ITID would be a pass through in the Minto West lake system. Minto would have to increase their lake system by approximately 250 acres (as estimated by Minto's consultant) to be able to include runoff from ITID's discharge, thus utilizing the entire permitted 2" per day. All discharge would then proceed through the permitted structure from the Minto West subdivision into the existing SWCD M-2 Canal which discharges into the C-51 Canal.

ITID currently is permitted by SFWMD a discharge rate of 0.25" per day removal rate or 274 cfs in peak flow (unconditional) for all of ITID's M-1 Basin watershed. ITID has said they need 1100 cfs peak flow (4 x 274 cfs) in order to provide their adopted level of service for all of ITID. The adopted LOS is to lower their canal levels to a defined elevation within 3 days after the 10-year 24-hour storm event. Because of the difference in size between the Minto parcel and the ITID M-1 Basin watershed, the Minto 1" of discharge capacity is equivalent to 0.15" per day for ITID. The 1" per day removal rate (0.15" for ITID) equates to 168 cfs in peak flow (1100 cfs x 0.15= 168 cfs) for ITID. So, the extra benefit of the 1" per day removal rate offered by Minto to ITID is an additional 168 cfs peak flow added to the 274 cfs peak flow ITID already has from SFWMD. In terms of removal rate that equates to taking ITID from 0.25" per day to 0.40" per day. Although there is a definite benefit in additional drainage capacity with this offer by Minto, it still leaves ITID only 40% of the way toward their adopted goal of 1" per day removal rate.



The ITID M-1 basin in this area has a control elevation of 16.0' NGVD and Minto proposes to have a control elevation of 16.5' NGVD for the Minto West development. Although it may be possible that a gravity structure could be used to move water from ITID into the Minto West lake system due to the possible higher water elevations in the ITID system after a major storm, it is likely that a pump would be needed to accomplish this. Therefore, for the purposes of this cost evaluation a pump is proposed. It is assumed the pump station would be owned and operated by ITID.

Let's put a cost to this offer. Minto has indicated the offer of 168 cfs equates to an additional 250 acres of lakes within their system. The County Engineering Department recently purchased some parcels in the Acreage for \$28,300 per acre. Should ITID purchase 250 acres to construct storage lakes they would pay approximately pay the same amount for this land. So, the land cost calculations will utilize this value. This also assumes that the land is vacant. Obviously, if property with homes had to be condemned, then the price would be much greater. So, the land cost would be 250 acres x \$28,300 = \$7,075,000. The construction value (per Minto) of the additional lakes is approximately \$8,500,000. This value is a reasonable construction cost estimate for 250 acres of lake construction and earthwork. Therefore, the cost to Minto for this added benefit to ITID for the additional discharge capacity of 0.15" per day is estimated at \$7.0 Million (land) + \$8.5 Million (earthwork) = \$15.5 Million.

SFWMD has priced out pump stations at about \$10,000 per cfs. That would mean the pump station for this option would cost somewhere in the vicinity of \$ 3 Million. Option II is similar to this option with the outfall using a pump into the City of WPB M Canal instead of a gravity connection into the SWCD M-2 Canal that flows to the C-51 Canal.

Total Estimated Cost - \$18.5 Million



II. Discharge from ITID into Minto System-Then into City of WPB M Canal

The City of WPB has determined they could accept discharge from the western communities, if Minto is willing. This option is similar to the Option I with the difference being that the outfall from Minto would be into the M Canal instead of the M-2 Canal. Minto would provide the storage within their development that would be necessary to move water from the M-2 Canal into their lake system (as offered in by Minto in Option I) and then pumped into the M Canal. Although it may be possible that a gravity structure could be used to move water from ITID into the Minto West lake system due to the probable higher water elevations in the ITID system, as previously mentioned it is likely that a pump station will be needed. Therefore, for the purposes of this cost evaluation a pump is proposed. The ITID M-1 basin in this area has a control elevation of 16.0' NGVD and Minto proposes to have a control elevation of 16.5' NGVD for the Minto West development.

Also, due to the difference in elevation between the M Canal elevation of approximately 18.0' NGVD and the flood elevation within the Minto development, it is unlikely that a gravity structure would work at this time. This option will require 250 acres of land for 168 cfs or 0.15" removal rate. It will also likely require an additional pump station. So, an additional pump station is factored into this cost evaluation. It is assumed the pump stations would be owned and operated by ITID.

Costs:	Pump Station- 2 @ \$3 Million each	= \$6 Million
	Land- Previous calculation	= \$7.0 Million
	Earthwork-	= \$8.5 Million

Total Estimated Cost: \$ 21.5 Million

III. Additional On-site Storage in Minto West

Although additional storage has not been offered by Minto, ITID has said that additional storage would prove a benefit to their ability to provide better flood protection for the residents in the M-1 Basin in the Acreage. ITID has said that 5,000 Acre-feet (AF) of storage is needed to provide the level of service of flood protection they have adopted.



Therefore, costs could be determined for incremental amounts of storage (**over and above the 1" removal rate offered by Minto in Concept I**) that would be a benefit to ITID. Costs are shown below for an additional storage capacity of **(1) 500 AF** – 10% of adopted storage volume, **(2) 1000 AF** – 20% of storage volume and **(3) 1250 AF** – 25% of storage volume, all within Minto West that could be used exclusively by ITID. The discharge for this additional storage could possibly go in two routes. This option focuses on the first route which discharges via gravity into the C-51 Canal via the M-2 Canal. The flow would have to take place after the Minto West project has bled down and the C-51 Canal stages have also come down so there isn't an adverse impact to the regional system. These costs would be added to the costs shown in option I as the facilities in this option are in addition to those listed in Option I. This option may or may not require a pipe connection if the additional storage is isolated from the main Minto West system. The second route is discussed in Option IV.

(1) 500 AF bled down in 4 days is the equivalent to 63 cfs.
 $500 \text{ AF} / 4 \text{ days} \times 1 \text{ cfs} / 2 \text{ AF} = 63 \text{ cfs} = 250 \text{ acres} / 168 \text{ cfs} \times 63 \text{ cfs}$
=
94 acres of land required
Cost: Land - 94 acres x \$28,300/acre = \$2.66 Million
Earthwork – 94 acres (average 8' deep) @ \$2.75/ CY = \$3.3 Million
Total Estimated Cost - \$5.7 Million

(2) 1000 AF bled down in 4 days is the equivalent to 126 cfs.
 $1000 \text{ AF} / 4 \text{ days} \times 1 \text{ cfs} / 2 \text{ AF} = 126 \text{ cfs} = 250 \text{ acres} / 168 \text{ cfs} \times 126 \text{ cfs} = 188 \text{ acres}$ of land required
Cost: Land - 188 acres x \$28,300/acre = \$5.32 Million
Earthwork –188 acres (average 8' deep) @ \$2.75/CY = \$6.7 Million
Total Estimated Cost - \$12.0 Million

(3) 1250 AF bled down in 4 days is the equivalent to 158 cfs.
 $1250 \text{ AF} / 4 \text{ days} \times 1 \text{ cfs} / 2 \text{ AF} = 158 \text{ cfs} = 250 \text{ acres} / 168 \text{ cfs} \times 158 \text{ cfs} = 235 \text{ acres}$ of land required
Cost: Land - 235 acres x \$28,300/acre = \$6.65 Million
Earthwork-235 acres (average 8' deep) @ \$2.75/ CY = \$8.34 Million
Total Estimated Cost - \$15.0 Million



IV. Additional On-site Storage in Minto West

This option, similar to Option III, focuses on the second route which discharges via a pump station into Minto West from ITID and a pump station from Minto West into the City of West Palm Beach M Canal. These costs would be added to the costs shown in option I as the facilities in this option are in addition to those listed in Option I. This option may or may not require a pipe connection if the additional storage is isolated from the main Minto West system.

(1) 500 AF bled down in 4 days is the equivalent to 63 cfs.
 $500 \text{ AF}/4 \text{ days} \times 1 \text{ cfs}/2 \text{ AF} = 63 \text{ cfs} = 250 \text{ acres}/168 \text{ cfs} \times 63 \text{ cfs}$
=
94 acres of land required
Cost: Land - 94 acres x \$28,300/acre = \$2.66 Million
Earthwork - 94 acres (average 8' deep) @ \$2.75/ CY = \$3.3 Million
Total Estimated Cost - \$6.0 Million

(2) 1000 AF bled down in 4 days is the equivalent to 126 cfs.
 $1000 \text{ AF}/4 \text{ days} \times 1 \text{ cfs}/2 \text{ AF} = 126 \text{ cfs} = 250 \text{ acres}/168 \text{ cfs} \times 126 \text{ cfs}$
 $= 188 \text{ acres of land required}$
Cost: Land - 188 acres x \$28,300/acre = \$5.32 Million
Earthwork - 188 acres (average 8' deep) @ \$2.75/CY = \$6.7 Million
Total Estimated Cost - \$12.0 Million

(3) 1250 AF bled down in 4 days is the equivalent to 158 cfs.
 $1250 \text{ AF}/4 \text{ days} \times 1 \text{ cfs}/2 \text{ AF} = 158 \text{ cfs} = 250 \text{ acres}/168 \text{ cfs} \times 158 \text{ cfs}$
 $= 235 \text{ acres of land required}$
Cost: Land - 235 acres x \$28,300/acre = \$6.65 Million
Earthwork - 235 acres (average 8' deep) @ \$2.75/ CY = \$8.34 Million
Total Estimated Cost - \$15.0 Million

Note: The following concept (V) is listed as a possible option for providing storage for ITID. However, given the uncertainty of the availability and timing of this option it is really listed more for information purposes than for actual consideration at this time.



V. C-51 Reservoir

Phase I of the C-51 Reservoir is currently under construction just west of the L-8 Canal and on the west side of the existing SFWMD L-8 Reservoir. Phase I of the project represents a storage capacity of 17,000 AF and will be completed once project conditions included in a May 22, 2013 MOU with SFWMD are met (utility allocation agreements for storage, water use permits, etc). The owners of the C-51 Reservoir have proposed selling completed phases of the reservoir to a non-profit 501(c)(3) corporation that would be controlled by the participating utilities, allocating the storage capacity within the Reservoir for water supply purposes, which would also have a positive impact in reducing harmful discharges to the Lake Worth Lagoon. The plan for this project ultimately calls for the water to be discharged into the SFWMD Regional System to recharge surgical aquifer well fields, including conveyance through the C-51 Canal, LWDD canal system and other canal systems depending upon the participating utilities. Based upon preliminary modeling efforts, it is anticipated that Phase 1 of the C-51 Reservoir would provide 35 MGD for public water supply purposes and based upon a January 18, 2013 Report to the Palm Beach County and Broward County Water Resources Task Forces could be completed and delivered for \$150,500,000. For water supply purposes, this \$150,500,000 is reflected as a capital cost per gallon of \$4.30. Palm Beach County Utilities and other interested utilities expect an independent estimate by MWH Global within the next few weeks to compare to these numbers and then allocation discussions will move forward.

Discussions at the Palm Beach County Water Resources Task Force have included the possibility that Phase 2 of the C-51 Reservoir would include drainage and flood control in addition to public water supply, along with a corresponding improvement in the reduction of discharges to the Lake Worth Lagoon. With further discussion, it is possible that the storage capacity in Phase 1 of the C-51 Reservoir could be allocated between public water supply and flood control or drainage purposes. Under this scenario, a portion of the storage capacity could be used to accept storm water discharges from surrounding areas including ITID. In fact, the L-8 Reservoir was used for this purpose in the aftermath of Hurricane Isaac to reduce flooding in the ITID and surrounding areas.



Because the focus of Phase 1 to date has been public water supply, use of this option would take coordination with the owners of the C-51 Reservoir, the interested utilities and SFWMD, including an appropriate methodology for allocating costs. One way to allocate cost would be to base it on storage capacity in acre-feet, but there may be other options. **For example, if the \$150,500,000 from the January 18, 2013 Report were allocated by the 17,000 acre-feet of storage capacity, then that cost per acre-foot of storage would be \$8,853.** Using the aforementioned storage volumes of 500 AF, 1000 AF, and 1250 AF these equivalent values from the C-51 Reservoir would be: \$4.4 Million, \$8.9 Million, and \$11.1 Million respectively.

It is anticipated that this storage would be available by the end of 2016.

Note: The following two concepts are listed because several members of the western communities have expressed an opinion that these properties be considered as an additional option for storage for ITID. These concepts were also discussed with the ITID consultant. However, given the uncertainty of the planning and the implementation schedule associated with these concepts, they are listed only for information purposes rather than actual consideration as options at this time.

VI. Moss Property

The Moss property, which is approximately 2200 acres in size, is located just adjacent to the ITID Impoundment in the northeast corner of the Acreage near the L-8 Canal. The Moss property is an old pasture that was sold to the state several years ago and is now owned by the Florida Fish and Wildlife Conservation Commission (FFWCC). The Moss property is adjacent to the "Corbett Area", although it is not physically connected at this time. It has been determined by the biologists from all the Agencies that this property is over-drained and needs to have water sent to it to re-establish its hydroperiod. ~~Because the property is still in reasonable condition from an environmental standpoint, it is doubtful the Agencies would treat this area as a reservoir. In other words, the storage of water on this site would be limited. For purposes of this option it is assumed that no more than a foot of water depth would be allowed on the site.~~



The existing ITID Reservoir could provide the water to the adjacent Moss property with some improvements to its system by constructing an additional, outfall structure that is capable of discharging 1100 cfs which would match the inflow capacity of the existing ITID pump station at the reservoir intake. It is noted that the SFWMD staff has said that implementation of this concept would require approval from the FFWCC and the SFWMD. SFWMD has also pointed out that the discharge rate would need to match the hydrologic restoration plan that SFWMD would develop in the future.

It is anticipated that the 1100 cfs rate would only be allowed for one day as part of the SFWMD future hydrologic restoration plan for this property. That rate is the equivalent of 274 cfs for four days which provides ITID with an additional 0.25" removal for those four days (the duration of a major rain event). After the one day of 1100 cfs discharge the structure would be closed and the ITID system would function as it does now. However, ITID would pick up an additional 0.25" removal rate. It is assumed that ITID would maintain these improvements.

Anticipated Cost Components: ITID outfall Weir Box
Outfall Pipe through ITID
Levee Spreader Swale
Moss Property Levee
improvement

Estimated Cost: Unkown

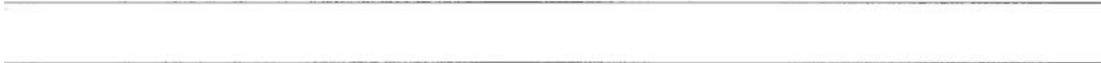
VII. GL Property

This concept is very similar to the previous concept of storing water on the Moss property. The difference here is two-fold. First, this concept would require that the entire property or an adequate amount of the property be available for use as an environmental restoration area or as a storage area for discharges from the ITID watershed. Given this, developing a meaningful cost estimate would be extremely difficult without using many assumptions concerning land availability, quantity of land used as a retention area or environmental restoration area, and how the Iota Carol (previously EBT) property would interact.



However, it is a feasible technical alternative to provide additional storage/drainage relief for the Acreage.

Estimated Cost: Unknown



Additional Exhibits

See Separate Document for Remaining Exhibits