



## Palm Beach County Board of County Commissioners

### Public Hearing Results

August 31, 2022

#### 1. CALL TO ORDER

- A. Roll Call
- B. Invocation and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file

**BCC Action:** *Motion to receive and file*, motion by Vice Mayor Weiss, seconded by Commissioner Kerner passed in a 7 to 0 vote.

#### 2. Agenda Approval

- A. Additions, Deletions, Substitutions
- B. Postponements
- C. Adoption of the Agenda

**BCC Action:** *Motion to adopt the agenda*, motion by Commissioner McKinlay, seconded by Vice Mayor Weiss passed in a 7 to 0 vote.

#### 3. PUBLIC HEARING – Amendment Round 22-B2 Transmittal

##### 3.A. Privately Proposed FLUA, Text and Map Series Amendment

##### 3.A.1. [Indian Trails Grove Agricultural Reserve Exchange \(LGA 2022-021\)](#)

**Summary:** The intent of the proposed amendment is to revise the Comprehensive Plan to allow land area located in the previously approved Indian Trails Grove project, in the Western Communities Residential Overlay (WCRO) in the County's Rural Tier to become preserve areas for planned developments in the Agricultural Reserve (Ag Reserve) Tier. This change would allow up to approximately 1,600 acres of WCRO land to be used as Ag Reserve Planned Development (AGR-PUD) preserve areas with a density of .80 units per acre. The units that had been approved in the WCRO will be available to be clustered into development areas of AGR-PUDs the Ag Reserve Tier.

**Staff Assessment:** The proposed amendment represents a departure from the vision anticipated for the Ag Reserve as stated in the Comprehensive Plan objectives and policies. However, the proposal offers a potential to achieve a long term outcome that could improve regional water management and the movement of water to the Lake Worth Lagoon and potentially even the Loxahatchee Slough and River system, as well as the potential to store water during periods of inundation, and address water quality within the L-8 Basin. Since the initiation of the amendment in February 2022, the applicant proposed constructing an

approximately 750-acre above ground reservoir for approximately 3,000 acre-feet of storage and water quality treatment. Although this is a significant regional benefit that could ultimately be achieved, it will require a lengthy revision process in amending existing, approved state and federal water management plans and permits, and could take two-or-more years to complete permitting and construction. Furthermore, allowing dwelling units to be shifted from one geographic area of the County to another is a significant policy departure for the County, with significant repercussions for the County's Managed Growth Tier System. These include the potential for subsequent amendment requests, not only from the WCRO, but from any other location in the County.

**Staff Recommendation: *Denial***

**Planning Commission/LPA Recommendation: *Denial***, motion for approval by Glenn Gromann, seconded by Spencer Siegel, failed in a 4 to 8 (with Barbara Roth, Lori Vinikoor, Dagmar Brahs, Sara Pardue, Marcia Hayden, Rick Stopek, David Serle, and Cara Capp dissenting) at the August 12, 2022 public hearing. Under discussion, Commission members asked questions regarding the proposed water resources project, including how the proposal improves regional water quality, the feasibility of the project, estimated construction and maintenance costs, and alternative sites that could achieve a regional water benefit. The Commission also discussed the broader policy implications to the Comprehensive Plan and the proposed workforce housing percentages and income ranges. Four members of the public spoke in support citing the water resource benefit provided by the project to assist in solving regional water issues. Eleven members of the public spoke in opposition including the representatives from the Coalition of Boynton West Residential Associations (COBWRA), Sierra Club Loxahatchee Group, Everglades Law Center, and 1,000 Friends of Florida, citing fundamental changes to the Agricultural Reserve, loss of farmland, and equestrian concerns around Sunshine Meadows.

**MOTION:** To *deny* the Indian Trails Grove FLUA, text and map series amendment.

**BCC Action: *Postpone***, motion by Commissioner McKinlay, seconded by Commissioner Marino, passed in a 4 to 3 vote (with Commissioner Bernard, Kerner and Commissioner Sachs dissenting) at the August 31, 2022 public hearing. Board discussion included comments regarding the history of regional water issues in the County and the length of time the project has been contemplated. The Board also discussed the broader policy implications to the Comprehensive Plan. Twenty-seven members of the public, including representatives of Sierra Club Loxahatchee Group, Sustainable Palm Beach County, and the Everglades Law Center, spoke in opposition to the postponement citing the desire for the Board to consider the project now and the concern for the additional staff time that would be required. Seven members of the public, including representatives of the Alliance of Delray and Stonebridge HOA, spoke in support stating that the postponement would provide additional time for consideration of the water resource benefit. One member of the public did not state whether they supported or opposed the postponement.

#### **4. COMMENTS**

- A. County Attorney
- B. Planning Director
- C. Zoning Director
- D. Executive Director
- E. Assistant County Administrator
- F. Commissioners

#### **5. ADJOURNMENT**

T:\Planning\AMEND\22-B2\Reports-Agendas\2-BCCTran-Aug31\Results-BCC-8-31-22.docx