



## PRIVATELY INITIATED TEXT AMENDMENT AMENDMENT ROUND 22-B2

BOARD OF COUNTY COMMISSIONERS, FEBRUARY 2, 2022

### I. General Data

<b>Project Name:</b>	<b>Indian Trails Grove - Agricultural Reserve Exchange</b>
<b>Proposed Text Amendment:</b>	<p>The privately proposed text amendment request would modify the Western Communities Residential Overlay (WCRO), Western Communities Residential (WCR) future land use designation, modify existing policies and establish new Agricultural Reserve (AGR) Tier policies to allow the processing of a future land use amendment on the site as described below:</p> <ul style="list-style-type: none"> <li>• Revise the policies of the WCRO &amp; WCR to allow for a 532-acre expansion of Water Resource/Agricultural uses and establish a bank of development potential for use in the County's AGR Tier;</li> <li>• Revise AGR Tier Sub-Objective 1.5.1 to allow for specific Agricultural Reserve Planned Unit Developments (AGR-PUDs) to utilize WCRO land to partially fulfill the 60/40 preserve requirements;</li> <li>• Establish a new Sub-Objective for an Overlay in AGR Tier in the "Hyder West" area to allow for new residential and institutional development west of SR7, using WCRO land as preserve area for AGR-PUDs; and</li> <li>• Revise the Map Series Special Planning Areas Map LU 3.1 to create a new overlay within the AGR for the Hyder West area.</li> </ul>
<b>Proposed FLUA Amendment:</b>	If the text amendment is initiated, the applicant will proceed with a future land use amendment to modify the Indian Trails Grove Conceptual Plan and conditions of approval from Ordinance 2016-041.
<b>Applicant/Owner:</b>	GL Homes of Palm Beach Associates LTD; Palm Beach West Associates I, LLLP
<b>Project Manager:</b>	Bryan Davis, Principal Planner
<b>Staff Recommendation:</b>	Staff recommends <b>to initiate</b> the proposed text and map series amendments

## II. Item Summary

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**Initiation Phase I:** The item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered “Phase I”. If the amendment is initiated, staff will accept the associated future land use amendment, and return to the Board with amendments through the public hearing process as part of “Phase II”.

**Staff Assessment:** Staff supports the initiation of the proposed text amendment to provide an opportunity for the Board to consider and direct policy. Initiation of this amendment does not indicate staff support for the final developed policy language or the associated future land use amendment. Staff would prepare data and analysis, and present the final recommendation on the text and future land use amendment at subsequent public hearings.

## III. Meeting History

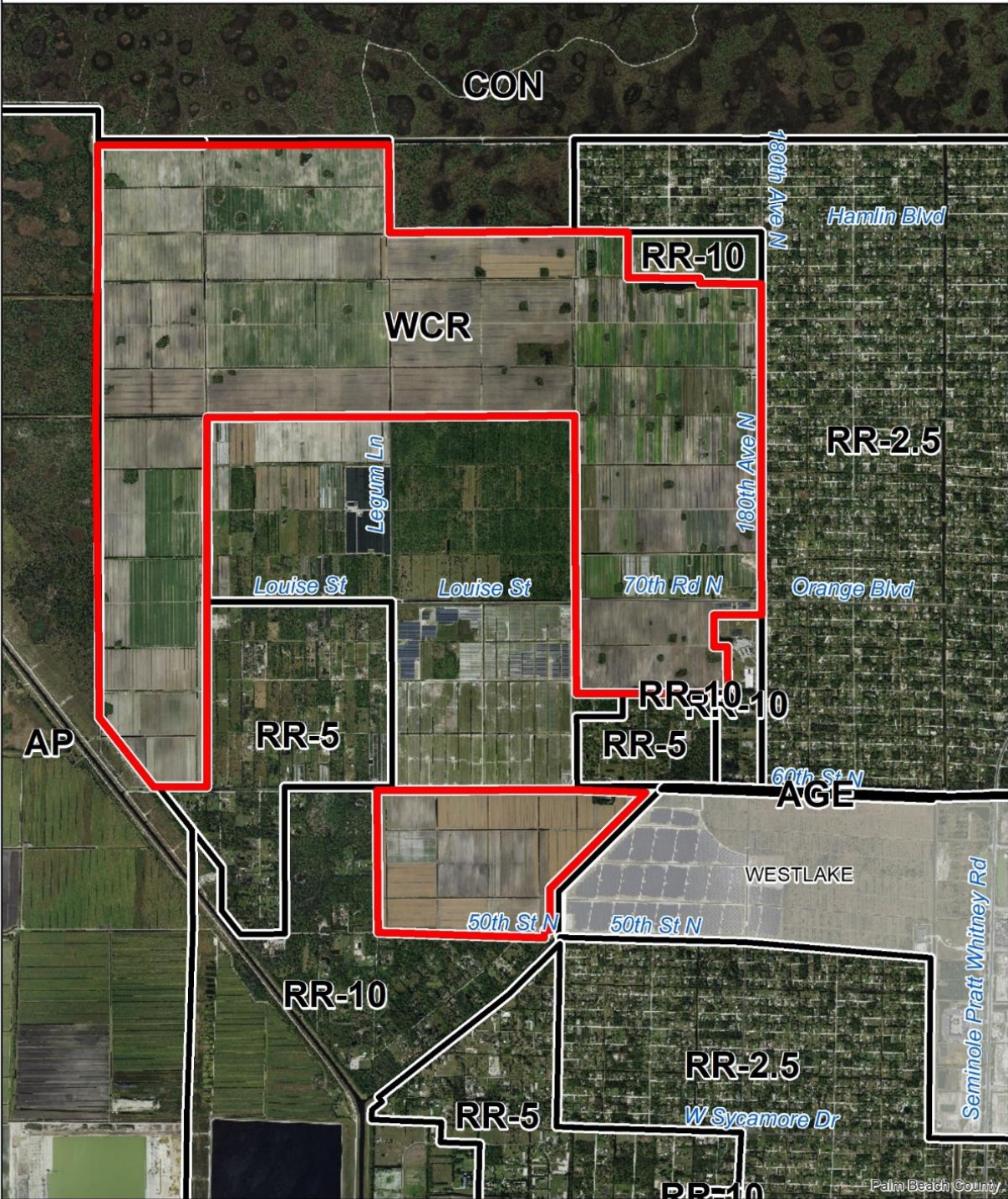
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**Local Planning Agency/Planning Commission (LPA/PLC):** *To be provided in BCC agenda*

**Board of County Commissioners (BCC):**

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# Western Communities - ITG



Date: 12/2/2021  
Contact: Planning  
Filename: N:\Div\Agr\ITG\21  
Note: Map is not official, for presentation purposes only

AGR ITG

Future Land Use

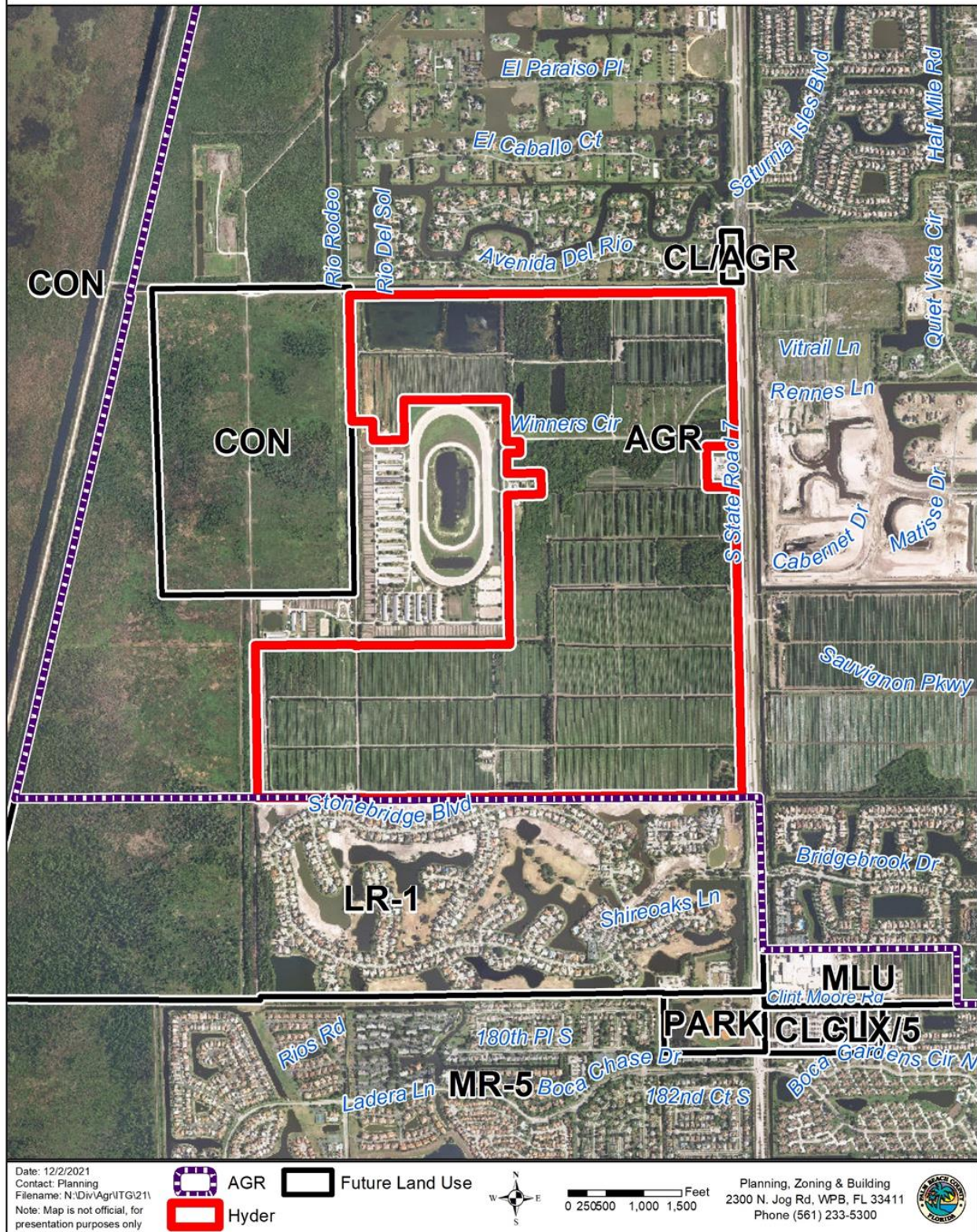
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Planning, Zoning & Building  
2300 N. Jog Rd, WPB, FL 33411  
Phone (561) 233-5300

Palm Beach County



# Agricultural Reserve Tier - Hyder West



## **IV. Private Text Amendment Request**

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The intent of the privately proposed text amendment to the Comprehensive Plan and subsequent future land use amendment and rezoning is described below.

**Proposed Text Amendment.** The intent of the proposed amendment is to revise the Comprehensive Plan to allow land area located in the Western Communities Residential Overlay (WCRO) located in the Rural Tier to become preserve areas for planned developments in the Agricultural Reserve Tier. This change would allow up to approximately 1,600 acres of WCRO land to be used as Agricultural Reserve Planned Development (AGR-PUD) preserve areas. The units associated with this area at a density of .80 unit per acre will be available to be clustered in a development area within the Agricultural Reserve Tier.

The text amendment proposes to modify both the WCRO and Western Communities Residential (WCR) future land use designation policies to allow the processing of a future land use amendment on the associated subject site as described below.

- The changes include “banking” unbuilt units and land designated for Water Resources/Agriculture uses (as open space requirement), and allowing them to be utilized in the Agricultural Reserve as partial fulfillment of 60/40 AGR-PUD Preserve requirements in existing and proposed developments. This would free up 1,600 acres of land for a potential regional benefit for water resources purposes in northern/central Palm Beach County, and result in a 33% reduction in the overall units proposed for the Indian Trails Grove WCR-PUD.

Additionally, the applicant proposes to amend the requirements for 60/40 AGR-PUDs to allow for preserves to be located outside of the AGR Tier. An overlay within the Tier is proposed, that would allow for two new AGR-PUDs with development areas and Institutional uses permitted west of State Road 7. The overlay would also require an amendment to the Comprehensive Plan’s Map Series Special Planning Areas Map LU 3.1.

**Associated Future Land Use Atlas Amendment and Zoning Applications.** If the text amendment is initiated, the applicant will submit a site specific amendment to revise the conditions of approval for the Indian Trails Grove development, in Ord. 2016-041 and adopted conceptual plan to reduce the existing 3,897 units and 350,000 square feet of non-residential uses currently approved for the Indian Trails Grove WCR-PUD, to 2,612 units and 235,000 square feet of non-residential uses. A corresponding modification of the adopted conceptual plan is also proposed, and results in a more compact development on the overall 4,871.57 acres. The site has a Western Communities Residential Planned Unit Development (WCR-PUD) zoning district, which was approved in 2019. The applicant indicated they will submit corresponding Zoning applications for development order amendments on the affected developments within the AGR and WCRO. Additionally, new applications for development orders are anticipated for the two new proposed AGR-PUDs at the existing Hyder West preserve locations.

## **V. Policy Background**

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### **A. Western Communities Residential Overlay and Western Communities Residential Future Land Use Designation**

The 4,871.57 acre Indian Trails Grove site is located within an area of the County known as the Central Western Communities (CWC), a 57,000 acre area predominated by low density residential development and large tracts of undeveloped agricultural lands. The property is within



the boundaries of the Cypress Grove Community Development District, and an inactive unit of the Indian Trail Improvement District (ITID), a special district created by the Legislature in 1957. It is located in the Rural Tier, and surrounded by lands in the Exurban, Rural, and Glades Tiers. The site is currently in agricultural row crop production. The uses surrounding the subject site include residential, agricultural, schools, parks, and conservation lands.

The site is located in the CWC area which has been the subject of numerous planning efforts due to the long-standing land use imbalances of the area, the need to address infrastructure deficiencies, as well as the increasing number of land use amendment requests for large, vacant parcels. In 2005, the County adopted a Sector Plan for the CWC, which required developments to provide public benefits such as regional water management, open space, recreational and equestrian uses, and environmental mitigation, enhancement, and restoration. The Sector Plan was subsequently repealed, but the BCC has relied upon the concepts established in the CWC Sector Planning process in considering proposals since 2005, particularly the public benefits concept, compact development form, and introduction of non-residential uses. The Minto West Agricultural Enclave amendments to the Comprehensive Plan (LGA 2014-007, Ordinance 2015-030), subsequently incorporated as the Village of Westlake, includes many of these concepts.

In September 2016, the County approved the Indian Trails Grove (LGA 2016-017) privately proposed future land use and text amendments proposed by GL Homes. The amendment changed the future land use on the site from Rural Residential, 1 unit per 10 acres (RR-10) and Agricultural Production (AP) to Western Communities Residential (WCR). The approval increased the development potential from 359 residential units to 3,897 units and allowed 350,000 sq. ft. of non-residential uses on this site. The companion text amendment established the objectives and policies for the Western Communities Residential Overlay (WCRO) and the Western Communities Residential future land use designation. Also as part of the 2016 amendment, Indian Trails Grove is designated as a Limited Urban Service Area (LUSA), which allows both urban and rural levels of service. Subsequent revisions to the Unified Land Development Code to create the Western Communities Residential Planned Unit Development (WCR-PUD) zoning district were also adopted.

In 2018, a text and map series amendment (Indian Trails Grove WCR AGR, LGA 2018-008), was proposed by GL Homes to allow agricultural land within ITG to serve as preserve areas for Agricultural Reserve Planned Unit Developments (AGR-PUDs), including the relocation of 2,315 residential development rights from the ITG site to the associated AGR-PUDs in the Agricultural Reserve Tier. However, this proposal did not proceed to public hearings as the applicant withdrew the request prior to Planning Commission.

## **B. Agricultural Reserve Tier**

The County's Agricultural Reserve Tier is approximately 22,000 acres in size, located west of the Florida Turnpike, east of the Arthur R. Marshall National Wildlife Refuge, north of Clint Moore Road, and generally south of the Village of Wellington, and Heritage Farms. Per the Comprehensive Plan, it is intended to allow limited low-density residential development and limited non-residential uses in order to "preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier." It is similarly designated as a LUSA.

The Agricultural Reserve Tier has long been recognized as an area of unique farmlands and wetlands, and the concept of an Agricultural Reserve has long been a fundamental tenet of the

County's long range comprehensive planning. The fundamental concept of the Tier has been to allow for limited development while fostering the preservation of agriculture. Beginning with the adoption of the 1980 Plan, the County has implemented policies and programs toward this end, such as limiting densities, designating the area as a sending area for the Transfer of Development Rights program to transfer units to the urban area, the 60/40 Agricultural Reserve Planned Unit Development (AGR-PUD) concept adopted in 1994, and the Bond referendum and Master Plan in the late 1990s. The County has adjusted policies over time, responding to changes in conditions, but has remained within the policy framework of limited development, and environmental and agricultural preservation.

The Comprehensive Plan allows several low density development options within the Agricultural Reserve Tier as summarized below:

- Residential subdivisions area are allowed at one dwelling unit per 5 acres
- Residential Planned Developments are allowed subject to a minimum acreage and a required minimum preserve area and the residential units to be clustered within the development area:
  - 60/40 AGR-PUDs require a 250-acre minimum with a 60% preserve area/ 40% development area, and must be located east of State Road 7
  - 80/20 AGR-PUDs require a 40-acre minimum with an 80% preserve area/ 20% development area, and are allowed west of SR7 but require contiguous preserve areas
- Residential development rights may be transferred to a designated receiving area outside the Ag Reserve, at a rate of 1 unit per acre

Nearly all of the existing and proposed planned residential developments approved since the completion of the Agricultural Reserve Master Plan have utilized the 60/40 PUD option.

The Agricultural Reserve Tier is approaching fulfillment of the development pattern that was anticipated in the Master Plan. This realization of the vision of the Ag Reserve means that few developable parcels remain. Consistent with the Master Plan, much of the land area has been developed as 60/40 AGR-PUDs, with 60% of each project set aside as preserve area, and the units clustered to the development area of each project. GL Homes continues to be the most active developer in the Agricultural Reserve, accounting for a majority of the AGR-PUDs approved and developed.

The existing Hyder West preserves constitute approximately 680 acres of privately-owned land at the southwest corner of the AGR, located between the Stonebridge and Rio POCO developments on the west side of SR7. Most of the Hyder West land serves as preserve areas for existing and proposed AGR-PUDs.

The amendment would not affect the approximately 2,400 acres in the Agricultural Reserve purchased by the County with proceeds from the Bond.

### **C. Proposed Text Amendment**

The privately proposed text amendment request in concept would modify the Western Communities Residential Overlay (WCRO), Western Communities Residential (WCR) future land use designation, modify existing policies and establish new Agricultural Reserve (AGR) Tier policies to allow the processing of a future land use amendment on the site as described below:

- Revise the policies of the WCRO & WCR to allow for a 532-acre expansion of Water Resource/Agricultural uses and establish a bank of development potential for use in the County's AGR Tier;
- Revise AGR Tier Sub-Objective 1.5.1 to allow for specific Agricultural Reserve Planned Unit Developments (AGR-PUDs) to utilize WCRO land to partially fulfill the 60/40 preserve requirements;
- Establish a new Sub-Objective for an Overlay in AGR Tier in the "Hyder West" area to allow for new residential and institutional development west of SR7, using WCRO land as preserve area for AGR-PUDs; and
- Revise the Map Series Special Planning Areas Map LU 3.1 to create a new overlay within the AGR for the Hyder West area.

#### **D. Unified Land Development Code (ULDC) Implications**

If approved, the text amendments would allow modification of the existing Indian Trails Grove approval. If the County amends the existing conditions for the Indian Trails Grove WCR site, then the site would be subject to all of the revised policies and regulations in the Plan, which would necessitate corresponding changes to the ULDC to implement the proposed text and Map Series amendment to the Plan, or the subsequent future land use amendment.

## **VI. Issues and Implications**

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The purpose of this Phase I report is to identify potential issues and implications of the concepts proposed in the text amendment, for the Board to consider when making the policy decision on whether to initiate the privately proposed text amendment. The policy considerations are discussed below.

Fundamentally, the proposed text amendment would link the WCRO within the Rural Tier, and allow density to be clustered from the existing Indian Trails Grove WCR-PUD to the Agricultural Reserve Tier, and allow the units to be included in AGR-PUDs. The increase of residential development and the reduction in preserve acreage would alter some established, fundamental policy concepts to preserve agriculture in exchange for allowing limited development within the Agricultural Reserve Tier. The text amendment would reduce the acreage available for agricultural preservation in the Tier, but replace it with additional preserve in another portion of the County. For the Agricultural Reserve, the fundamental policy concepts include the preservation of agriculture, the prohibition of institutional uses and 60/40 AGR-PUD development areas west of State Road 7. The proposed amendment also proposes to provide 250 workforce housing units within the Agricultural Reserve, which are not currently required within the Tier.

In the WCRO, the amendment would reduce the allowable number of units by 33% (1,285 units), expand the Water Resource/Agriculture area on the Conceptual Plan to 1,600 acres (up from 1,068 acres), and allow this acreage to serve as the preserve areas for multiple AGR-PUDs. This increased Water Resource/Agriculture acreage is the primary benefit identified by the applicant, and is proposed to be dedicated to the County in fee, rather than the recordation of a conservation easement. Furthermore, the dedication of 1,600 acres would be for the County to pursue other regional options for water purposes in north/central County, and may include regional water management, through impoundment, flow ways, or other means to hydrologically connect the CWC area with the proposed Mecca Farms reservoir, C-18 canal and the Loxahatchee Slough



and River. Alternatively, the proposed 1,600 acres at Indian Trails Grove could be used to ameliorate water quality issues within the L-8 and C-51 drainage basins. This regional benefit harkens back to the CWC Sector Plan concepts that would have addressed regional water management, open space, and environmental mitigation, enhancement, and restoration measures in the Rural Tier.

Due to the difference in density allowed in the WCR future land use designation (0.8 unit per acre) and the Ag Reserve designation (1 unit per acre), each acre of Agricultural Reserve preserve would be replaced by 1.25 acres of preserve in the WCRO, in an area less affected by residential encroachment. The multiple AGR-PUDs that would utilize land in the WCRO through this amendment would also result in preserve areas at the rate of 1.25 acres of WCRO land for every unit allocated to the Agricultural Reserve. Although the proposed amendment would provide some benefit in terms of increased preserves in the WCRO and reduced traffic impacts, the proposed amendment would proportionally reduce the public benefits for the Rural Tier that were required with the adoption of the original Indian Trails Grove amendment in 2016. The 640-acre impoundment area for the Indian Trails Improvement District (ITID), would be retained.

The public facilities impact analysis and full policy analysis for consistency with the Comprehensive Plan would proceed with the review of the proposed future land use amendment in Phase II if this text amendment is initiated by the Board. The traffic impacts of this request have not been established (as this is Phase I) and the applicant has not requested an exemption from the future land use amendment requirements in Future Land Use Element Policy 3.5-d.

## **VII. Staff Recommendation**

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The item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered “Phase I”. If the amendment is initiated, staff will accept the associated future land use amendment, and return to the Board with the two amendments through the public hearing process as part of “Phase II”.

Staff supports the initiation of the proposed text amendment to provide opportunity for the Board to consider and direct policy. Initiation of this amendment does not indicate staff support for the final developed policy language or the associated future land use amendment. Staff would prepare data and analysis, and present the final recommendation on the text and future land use amendment at subsequent public hearings.

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## **Exhibit 1**

### **Applicant's Proposed Text Amendment**

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- The creation of new West Hyder Overlay (WHO) within the AGR Tier that would allow specific existing AGR PUD preserve areas (inclusive of acreage and units) approved within the WHO Overlay to be re-allocated and satisfied within the Western Communities Reserve Overlay (WCRO), allow 60/40 AGR PUD development areas, inclusive of public and private civic uses, and preserve areas within the WHO Overlay; and, allow the required preserve area (inclusive of acreage and units) for any new 60/40 AGR PUD development areas approved within the WHO Overlay to be allocated and satisfied within the Western Communities Residential Overlay (WCRO).
- Amend objectives and policies related to the Western Communities Residential Overlay (WCRO) and Western Communities Residential (WCR) to allow 1,600 acres of the Indian Trails Grove Planned Unit Development to be utilized as a water resource/agriculture regional benefits bank to meet the required preserve acreage and density for PUDs approved within the WHO Overlay.
- Amend Sub Objective 1.5.1, Objective 1.11 and/or Sub-Objective 4.5 of the Future Land Use Element to identify the specific acreage/units/project name and control number of the Planned Unit Developments that are authorized to utilize the 1,600 acre water resources/agriculture regional benefits bank within the WCRO Overlay as required 60/40 PUD preservation area.
- Establish the transfer rate of units for the 1,600 acre water resource/agriculture regional benefits bank at .8 du/ac.
- Amend Objectives and Policies of the WCRO Overlay (Objective 1.11) and Western Communities Residential (Objective 4.5) consistent with these concepts, the revised Conceptual Plan for Indian Trails Grove and other requested amendments.
- Reduce the total number of approved units within Objective 1.11 WCRO Overlay, Policy 1.11-c from 3,897 to 2,612 (a reduction of 1,285 units).
- Amend WCR Policies to expand opportunities for providing workforce housing through on-site, off-site or exchange programs (and also specifically precluding cash out option).
- Restrict the maximum number of total residential units that can be built within the proposed WHO Overlay 60/40 PUD development areas at 1,250, of which 250 will be on-site workforce housing units.

## Exhibit 2

### Applicant's Justification

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West Hyder Overlay/Indian Trails Grove  
Text Amendment Initiation Application  
*Initial Submittal: December 28, 2021*

#### **ELEMENTS & POLICIES TO BE REVISED**

- Revise Future Land Use Element Objectives and Policies related to Agricultural Reserve Tier, Western Communities Residential Overlay (WCRO), and Western Communities Residential (WCR)
- Revise Map Series to identify new Overlay within Agricultural Reserve Tier

#### **PURPOSE**

Amend Sub-Objective 1.5.1 (Planned Developments) and create new Sub-Objective 1.5.2 (West Hyder Overlay (WHO)) of the Future Land Use Element to establish a new overlay specific to the Hyder West property located west of State Road 7 and south of Rio Pico Planned Unit Development within the Agricultural Reserve (AGR) Tier. The WHO overlay would:

- (1) Allow specific existing approved AGR PUDs preserve areas (inclusive of acreage and units) to be re-allocated and satisfied within the Western Communities Residential Overlay (WCRO);
- (2) Allow new 60/40 AGR PUD development areas within the WHO Overlay, inclusive of public and private civic uses; and,
- (3) Allow the required preserve area (inclusive of acreage and units) for any new 60/40 AGR PUDs approved within the WHO Overlay to be allocated and satisfied within the Western Communities Residential Overlay (WCRO).

Amend Objective 1.11 (Western Communities Residential Overlay (WCRO)) and Objective 4.5 (Western Communities Residential) of the Future Land Use Element to:

- (1) Allow 1,600 acres identified on the Indian Trails Grove Conceptual Plan for water resource/agricultural purposes, and proposed to be conveyed to Palm Beach County, to be utilized as a water resources/agriculture regional benefits bank that can be utilized to meet the required preservation area (inclusive of acreage and units) for specific AGR PUDs currently approved within the new WHO Overlay.
- (2) Allow 1,600 acres identified on the Indian Trails Grove Conceptual Plan for water resource/agricultural purposes, and proposed to be conveyed to Palm Beach County, to be utilized as a water resources/agriculture regional benefits bank that can be utilized to meet the required preservation area (inclusive of acreage and units) for new 60/40 AGR PUD development areas approved within the proposed WHO Overlay.
- (3) Establish the transfer rate of units from the 1,600 acre water resource/agriculture regional benefits bank at .8 du/ac.
- (4) Amend specific Objectives and Policies of the WCRO Overlay (Objective 1.11) and Western Communities Residential (Objective 4.5) consistent with these concepts, the revised Conceptual Plan for Indian Trails Grove and other requested amendments.

Amend other Objective and Policies of the Comprehensive Plan, as needed, to implement the above.

#### **JUSTIFICATION**



The re-allocation of existing AGR PUD required preserve areas (both acreage and units) from the West Hyder Overlay (WHO) to the Western Communities Residential Overlay (WCRO), and the approval of the new 60/40 PUDs within the WHO Overlay and allowing the required preserve (both acreage and units) for new AGR PUDs within the WHO Overlay to be satisfied within the Western Communities Residential Overlay (WCRO) will result in the dedication of 1,600 acres of the Indian Trails Grove PUD land to Palm Beach County. The potential regional environmental benefits of the 1,600 acres being in public ownership include (either alone or in combinations with connections to nearby properties and canals): water storage; flow way connections between the L-8 Canal and M0 Canal; fresh water flows to the Loxahatchee River and Grassy Waters Preserve; decreased harmful discharge to the Lake Worth Lagoon; and, flood control to benefit the Acreage community. Overall, the proposed text amendments would increase the amount of preservation land in Palm Beach County as well as add 1,600 acres of preserve land under the ownership and direct control of Palm Beach County. Additionally, overall, the proposed text amendments would result in a decrease in the number of units approved by 35 units (a reduction of 1,285 units at Indian Trails Grove and the addition of 1,250 units within the WHO Overlay).

### **CONSISTENCY**

This proposed Comprehensive Plan Text Amendment is consistent with the intent, objectives and policies of the Comprehensive Plan as follows:

#### **County Goals**

**Goal 1. Strategic Planning.** It is the goal of Palm Beach County to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.

**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.

**Goal 3. Service Areas and Provision of Services.** 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.

**Goal 5. Natural and Historic Resource Protection.** It is the goal of Palm Beach County to provide for the continual protection, preservation, and enhancement of the County's various high quality environmental communities and historic resources for the benefit of its current and future residents and visitors.

#### **County Objectives**

**Sub-Objective 1.1.1. Climate Change.** Palm Beach County shall adopt, implement, and encourage strategies which increase community resiliency and protect property, infrastructure, and

cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.

**Objective 1.4. Rural Tier.** Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area, recognizing the existence of both large undeveloped tracts as well as areas containing densities equal to or less than 1 dwelling unit per 5 acres established prior to the adoption of the 1989 Comprehensive Plan located in proximity to environmentally sensitive natural areas while protecting the Rural Tier lifestyle. The Rural Tier shall be afforded rural levels of service, except in special planning areas such as, but not limited to, the Western Communities Residential Overlay (WCRO).

**Objective 1.11. Western Communities Residential Overlay.** The Western Communities Residential Overlay (WCRO) enables the appropriate transition between rural/suburban development, preservation and conservation areas while allowing for residential development at a density that is compatible with the surrounding area. The WCRO achieves compatibility with the existing residential development pattern in the surrounding area and remediates the historic land use imbalance in the central western communities and provides other benefits.

**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.

**Objective 3.1 Service Areas – General.** Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.

### **County Policies**

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

*Response: The proposed changes to the Comprehensive Plan will create a new Overlay within the Agricultural Reserve Tier, and amend Objectives and Policies of the Agricultural Reserve, WCRO Overlay, and WCR land use. Approval of these changes will result in the conveyance of 1,600 acres from the Indian Trails Grove Planned Unit Development to Palm Beach County that could provide water resource/agriculture regional benefits to the residents of Palm Beach County. The regional benefits as a water resource include (either alone or in combination with connections to nearby properties and canals), water storage, water filtration, and/or flow ways that will be beneficial in assisting with saltwater intrusion to the Loxahatchee River, decreased harmful discharges to the Lake Worth Lagoon and Grassy Waters Preserve, and water storage for flood mitigation in the Acreage area.*

### **TEXT CHANGES**

The proposed text changes generally include:

- The creation of new West Hyder Overlay (WHO) within the AGR Tier that would allow specific existing AGR PUD preserve areas (inclusive of acreage and units) approved within the WHO Overlay to be re-allocated and satisfied within the Western Communities Reserve Overlay (WCRO), allow 60/40 AGR PUD development areas, inclusive of public and private civic uses, and preserve areas within the WHO Overlay; and, allow the required preserve area (inclusive of acreage and units) for any new 60/40 AGR PUD development areas approved within the WHO Overlay to be allocated and satisfied within the Western Communities Residential Overlay (WCRO).
- Amend objectives and policies related to the Western Communities Residential Overlay (WCRO) and Western Communities Residential (WCR) to allow 1,600 acres of the Indian Trails Grove Planned Unit Development to be utilized as a water resource/agriculture regional benefits bank to meet the required preserve acreage and density for PUDs approved within the WHO Overlay.
- Amend Sub Objective 1.5.1, Objective 1.11 and/or Sub-Objective 4.5 of the Future Land Use Element to identify the specific acreage/units/project name and control number of the Planned Unit Developments that are authorized to utilize the 1,600 acre water resources/agriculture regional benefits bank within the WCRO Overlay as required 60/40 PUD preservation area .
- Establish the transfer rate of units for the 1,600 acre water resource/agriculture regional benefits bank at .8 du/ac.
- Amend Objectives and Policies of the WCRO Overlay (Objective 1.11) and Western Communities Residential (Objective 4.5) consistent with these concepts, the revised Conceptual Plan for Indian Trails Grove and other requested amendments.
- Reduce the total number of approved units within Objective 1.11 WCRO Overlay, Policy 1.11-c from 3,897 to 2,612 (a reduction of 1,285 units).
- Amend WCR Policies to expand opportunities for providing workforce housing through on-site, off-site or exchange programs (and also specifically precluding cash out option).
- Restrict the maximum number of total residential units that can be built within the proposed WHO Overlay 60/40 PUD development areas at 1,250, of which 250 will be on-site workforce housing units.

### **ULDC CHANGES**

Proposed ULDC amendments will be modified to match proposed Comprehensive Plan text as needed.



# **Exhibit 3** **Applicant's Disclosure of Ownership Interests** ---

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

## **DISCLOSURE OF OWNERSHIP INTERESTS - APPLICANT**

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

STATE OF FLORIDA  
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, this day personally appeared N. Maria Menendez, hereinafter referred to as "Affiant," as the Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership, who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership (the "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for the real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
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 Applicant. 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 Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant 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.

N. Maria Menendez  
N. Maria Menendez, as the Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22<sup>nd</sup> day of December 2021, by N. Maria Menendez, as the Vice President of G.L. Acquisitions Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification and who did take an oath.

Lucia Hernandez  
Notary Public  
(Print Notary Name)



NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: 12/09/22

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

EXHIBIT "A"

PROPERTY

*see attached 4 pages*



HYDER WEST PUD  
LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING WITHIN SECTION 36, TOWNSHIP 46 SOUTH, RANGE 41 EAST, BEING ALL OF TRACTS 2 THROUGH 8, INCLUSIVE, TRACTS 13 THROUGH 23, INCLUSIVE, TRACTS 26 THROUGH 47, INCLUSIVE AND A PORTION OF TRACTS 1, 9, 24 25 AND 48, TOGETHER WITH THE ABUTTING ROAD, DYKE AND DITCH RESERVATIONS, ALL LYING WITHIN BLOCK 69, ACCORDING TO THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; ALL OF SECTION 35, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

A PORTION OF THE SOUTH 1/2 OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE SOUTH 00°52'07" EAST, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 672.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST LINE, SOUTH 00°52'07" EAST, A DISTANCE OF 13.01 FEET; THENCE NORTH 89°36'38" EAST, ALONG THE NORTH LINE OF SAID TRACTS 13 THROUGH 16, A DISTANCE OF 2043.43 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 1974.84 FEET; THENCE NORTH 89°05'42" EAST, A DISTANCE OF 450.00 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 293.56 FEET; THENCE SOUTH 89°03'44" WEST, A DISTANCE OF 450.00 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 260.61 FEET; THENCE NORTH 89°05'42" EAST, A DISTANCE OF 175.00 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 160.64 FEET; THENCE NORTH 89°34'02" EAST, A DISTANCE OF 1984.88 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 162.07 FEET, A CENTRAL ANGLE OF 18°08'09"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 51.30 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE NORTH 89°25'01" EAST, A DISTANCE OF 800.29 FEET; THENCE SOUTH 01°06'44" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP, A DISTANCE OF 103.70 FEET; THENCE ALONG THE NORTH LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 3922, PAGE 1127 AND THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 11873, PAGE 1779, SAID PUBLIC RECORDS, SOUTH 88°55'00" WEST, A DISTANCE OF 366.34 FEET; THENCE ALONG THE BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 11873, PAGE 1779 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES, SOUTH 01°06'44" EAST, A DISTANCE OF 537.00 FEET; THENCE NORTH 88°55'00" EAST, A DISTANCE OF 366.34 FEET; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP FOR THE FOLLOWING FIVE (5) DESCRIBED COURSES SOUTH 01°06'44" EAST, A DISTANCE OF 1360.22 FEET; THENCE SOUTH 01°06'45" EAST, A DISTANCE OF 1362.50 FEET; THENCE SOUTH 01°48'05" EAST, A DISTANCE OF 30.01 FEET; THENCE SOUTH 01°28'29" EAST, A DISTANCE OF 1320.36 FEET; THENCE SOUTH 89°34'36" WEST, A DISTANCE OF 5.79 FEET; THENCE SOUTH 01°16'34" EAST, A DISTANCE OF 30.00 FEET; THENCE ALONG THE NORTH LINE OF STONEBRIDGE PLAT NO. 1, AS RECORDED IN PLAT BOOK 49, PAGES 112 THROUGH 119, AND ALONG THE NORTH LINE OF STONEBRIDGE PLAT NO. 2, AS RECORDED IN PLAT BOOK 53, PAGES 38 THROUGH 44, ALL OF SAID PUBLIC RECORDS FOR THE FOLLOWING THREE (3) DESCRIBED COURSES, SOUTH 89°34'36" WEST, A DISTANCE OF 5075.61 FEET; THENCE NORTH 00°52'07" WEST, A DISTANCE OF 37.26 FEET; THENCE SOUTH 89°50'37" WEST, ALONG THE SOUTH LINE OF THE

NORTHEAST ONE-QUARTER OF SAID SECTION 35, A DISTANCE OF 1318.72 FEET; THENCE NORTH 00°51'32" WEST, ALONG THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 35, A DISTANCE OF 2013.43 FEET; THENCE NORTH 89°36'12" EAST, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 35, A DISTANCE OF 1318.33 FEET TO THE POINT OF BEGINNING

CONTAINING 477.045 ACRES, MORE OR LESS.



HYDER WEST CIVIC PUD  
LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE NORTH 00°54'18" WEST, ALONG THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 2283.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE, NORTH 00°54'18" WEST, A DISTANCE OF 780.45 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 2050.84 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 55.00 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 2998.57 FEET; THENCE SOUTH 01°06'47" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP, A DISTANCE OF 214.31 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 01°06'44" EAST, A DISTANCE OF 853.25 FEET; THENCE SOUTH 89°25'01" WEST, A DISTANCE OF 800.29 FEET TO THE POINT OF NON-TANGENT INTERSECTION WITH A CURVE, CONCAVE NORTHERLY, HAVING A RADIAL BEARING OF NORTH 18°34'07" WEST, A RADIUS OF 162.07 FEET AND A CENTRAL ANGLE OF 18°08'09"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 51.30 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°34'02" WEST, A DISTANCE OF 1984.88 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 2.71 FEET; THENCE SOUTH 89°21'36" WEST, A DISTANCE OF 175.00 FEET; THENCE NORTH 00°54'17" WEST, A DISTANCE OF 557.34 FEET; THENCE SOUTH 89°39'27" WEST, A DISTANCE OF 1356.34 FEET; THENCE SOUTH 00°56'16" EAST, A DISTANCE OF 529.84 FEET; THENCE SOUTH 89°03'44" WEST, A DISTANCE OF 406.94 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 254.70 FEET; THENCE SOUTH 89°03'44" WEST, A DISTANCE OF 280.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 104.878 ACRES, MORE OR LESS.





Hyder West Preserve

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE NORTH 00°54'18" WEST, ALONG THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 3064.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE, NORTH 00°54'18" WEST, A DISTANCE OF 876.45 FEET; THENCE NORTH 89°28'25" EAST ALONG A LINE 125.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTH ONE- HALF OF SAID SECTION 25, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-36 1/2 CANAL, AS RECORDED IN DEED BOOK 1111, PAGE 155, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 5040.45 FEET; THENCE SOUTH 01°43'56" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP, A DISTANCE OF 570.04 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 01°06'47" EAST, A DISTANCE OF 297.92 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 2998.57 FEET; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 55.00 FEET; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 2050.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 100.433 ACRES, MORE OR LESS.



**EXHIBIT "B"****DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT**

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the 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.

1. Itzhak Ezratti, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
2. Maya Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Misha Ezratti, individually and/or through trusts for his interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
4. Maxie Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.

**DISCLOSURE OF OWNERSHIP INTERESTS - APPLICANT**

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

STATE OF FLORIDA  
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, this day personally appeared N. Maria Menendez, hereinafter referred to as "Affiant," as the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership, who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership (the "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for the real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
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 Applicant. 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 Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant 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.

N. Maria Menendez  
N. Maria Menendez, as the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 27th day of December 2021, by N. Maria Menendez, as the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership, [X] who is personally known to me or [ ] who has produced \_\_\_\_\_ as identification and who did take an oath.

Lucia Hernandez  
Notary Public

(Print Notary Name)



NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: 12/09/22

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

EXHIBIT "A"

PROPERTY

*see attached 3 pages*



Indian Trails Grove (Overall)

LEGAL DESCRIPTION:

PARCEL 1:

A PARCEL OF LAND LYING IN SECTIONS 19, 20, 21, 22, 27, 30, 31, THE SOUTH HALF OF SECTIONS 17 AND 18, AND THE NORTH HALF OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, AND SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF SECTIONS 19, 20, 21, 22, 27 AND 30; TOGETHER WITH THE SOUTH ONE-HALF (S 1/2) OF SECTIONS 17 AND 18; ALL THAT PART OF SECTION 31 LYING NORTH AND EAST OF THE 660 FOOT FLORIDA POWER & LIGHT COMPANY RIGHT OF WAY AS RECORDED IN OFFICIAL RECORDS BOOK 2431, AT PAGE 1704 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND THE NORTH ONE-HALF (N 1/2) OF SECTION 34, ALL IN TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 4004, AT PAGE 136 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

THE NORTH 135 FEET OF THE SOUTH 1/2 OF SECTIONS 17 AND 18, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 9363, AT PAGE 813 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

PARK

THE PARCELS OF LAND LYING IN THE NORTH HALF (N 1/2) OF THE NORTH HALF (N 1/2) OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22, LESS THE EAST 425 FEET THEREOF; ALSO LESS THE NORTH 50 FEET THEREOF;

TOGETHER WITH

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 22, LESS THE WEST 195 FEET THEREOF; ALSO LESS THE NORTH 50 FEET THEREOF.

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

SCHOOL SITE (OFFICIAL RECORDS BOOK 11559, PAGE 1999)

THE EAST 978.88 FEET OF THE SOUTH 1335.00 FEET OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

MIDDLE SCHOOL SITE (OFFICIAL RECORDS BOOK 13335, PAGE 1490)

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER (1/4); THENCE NORTH 00° 05' 37" WEST, ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 1335.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST SECTION LINE, NORTH 89° 58' 53" WEST, A DISTANCE OF 1372.00 FEET; THENCE NORTH 00° 05' 37" WEST, A DISTANCE OF 901.00 FEET; THENCE NORTH 89° 26' 02" EAST, A DISTANCE OF 1372.04 FEET TO THE EAST LINE OF SAID SECTION 34; THENCE SOUTH 00° 05' 37" EAST, A DISTANCE OF 915.00 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING NORTH 89° 58' 53" WEST.

AND LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

HIGH SCHOOL SITE (OFFICIAL RECORDS BOOK 14689, PAGE 1639)

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 00° 02' 47" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE 1/4), A DISTANCE OF 1481.20 FEET; THENCE NORTH 89° 53' 55" WEST, A DISTANCE OF 1763.98 FEET; THENCE NORTH 00° 00' 18" EAST, A DISTANCE OF 1481.20 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER (NE 1/4); THENCE SOUTH 89° 53' 55" EAST, A DISTANCE OF 1765.05 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

PALM BEACH COUNTY PARCEL

THE PARCELS OF LAND LYING IN THE NORTH HALF (N 1/2) OF THE NORTH HALF (N 1/2) OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 50.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, LESS THE EAST 425.00 FEET THEREOF.

TOGETHER WITH

THE NORTH 50.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22, LESS THE WEST 195.00 FEET THEREOF.

PARCEL 2:

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; AND ALL THAT PART OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON

THE WEST LINE OF SAID SECTION 3, SAID POINT BEING 2,632.90 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE RUNNING IN A NORTHEASTERLY DIRECTION A DISTANCE OF 3,610.56 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION, 2,530.47 FEET EAST OF THE NORTHWEST CORNER THEREOF.

EXCEPTING THEREFROM, THAT PORTION OF SAID SECTION 4 CONVEYED TO THE CITY OF WEST PALM BEACH AS DESCRIBED IN THE DEED FROM INDIAN TRAIL RANCH, INC., DATED JULY 26, 1956 AND RECORDED SEPTEMBER 25, 1956 IN DEED BOOK 1156, PAGE 58, WHICH DEED WAS CORRECTED IN PART BY THE CORRECTIVE QUIT CLAIM DEED DATED OCTOBER 7, 1963 AND FILED OCTOBER 8, 1963 IN OFFICIAL RECORDS BOOK 924, PAGE 965, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO EXCEPTING THEREFROM, PARCEL 8, A PARCEL OF LAND VESTED IN FLORIDA POWER & LIGHT COMPANY BY THE STIPULATED FINAL JUDGMENT AS TO PARCEL 8, RECORDED IN OFFICIAL RECORDS BOOK 30909, PAGE 650, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL 8 LYING WITHIN THE SOUTH 50.00 FEET OF SAID SECTION 4.

ALSO EXCEPTING THEREFROM THE NORTH 100 FEET OF SECTION 4 AND THE NORTH 100 FEET OF THAT PORTION OF SECTION 3 LYING WEST OF THE RIGHT OF WAY LINE OF THE M CANAL, ALL IN TOWNSHIP 43 SOUTH, RANGE 40 EAST, SAID PALM BEACH COUNTY.

CONTAINING A TOTAL OF 4,866.102 ACRES MORE OR LESS.



EXHIBIT "B"**DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT**

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the 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.

1. Itzhak Ezratti, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
2. Maya Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Misha Ezratti, individually and/or through trusts for his interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
4. Maxie Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.



## Exhibit 4

### Correspondence

#### *Alliance of Delray Residential Associations, Inc.*

10290 West Atlantic Avenue #480504  
Delray Beach, FL 33448  
Phone: 561.495.4694  
www.allianceofdelray.com



- *Serving more than 100 Communities between the Everglades and the Ocean in south Palm Beach County.*
- *Working Toward Sustainable Development*
- *Applying Resilience Thinking to Our Natural Resources*

December 30, 2021

Palm Beach County Board of County Commissioners  
301 North Olive Avenue  
West Palm Beach, Florida 33401

Re: FOLLOW UP TO Indian Trails Grove Agricultural Reserve December 15, 2021 Agenda Item

Dear Commissioners:

This correspondence is written pursuant to the December 15, 2021 Board of County Commissioners (BCC) agenda item related to the Indian Trails Grove (ITG) and the Agricultural Reserve (AGR).

It is of utmost importance that you are aware that the proposed land to be "swapped" is located immediately adjacent to preserve land and that did not appear to be related to the public or to the Commissioners during the discussion. The Alliance is concerned that the result of the "swap" would be an island of four contiguous preserve parcels to wit PCN 00-41-46-25-02-000-0010, PCN 00-42-43-27-05-069-0091, PCN 00-41-46-35-00-000-1040, & PCN 00-41-46-25-02-000-0020, totaling 169.1684 acres sandwiched between the proposed development and South Florida Water Management District lands.

- What would be the dispensation for these preserve parcels (which are a component of the Oaks PUD)? It would appear that the BCC should decide the future for this 169.1684 island of land now. If these swaths of land come back to the BCC following the initial "swap" proposal with a request for "swapping" preserve within the AGR (which under current Code would be allowed) and adding to any approved PUD from the ITG/AGR decision, the area will be looking at an undetermined amount of density increase above the 1250 units proposed depending on how many Workforce Housing Units and Market rate units would be approved. This appears to be another potential burden on the environmentally sensitive lands and water control structures in south Palm Beach County. The public should be apprised of the unintended consequences that the ITG/AGR proposal would bring.
- Further, the Alliance's testimony and evidence provided at the BCC's Zoning meeting clearly demonstrate that the residents of the AGR and south Palm Beach County already pay taxes for flood protection and water supply. By relinquishing preserve lands within the AGR, the south County taxpayers would essentially be paying the bill for services that benefit others and this is clearly a non-equitable arrangement.

Please see attached with the delineation of the preserve that exists adjacent to the proposed development. Also attached is the Alliance's December 12, 2021 letter raising concerns for the ITG/AGR proposal. Thank you for your attention to this most serious matter.

Sincerely,

*Lori Vinikoor*

Dr. Lori Vinikoor, President

#### OFFICERS AND DIRECTORS OF THE ALLIANCE:

Lori Vinikoor, President

Amie Katz, Executive Vice President, Norma Arnold, Vice President Allen Hamlin, Vice President  
Ken Markowitz, Vice President Carol Klausner, Secretary Deborah Borenstein, Treasurer

Directors: Rob Cuskaden Paul Finkelstein Susan Zuckerman

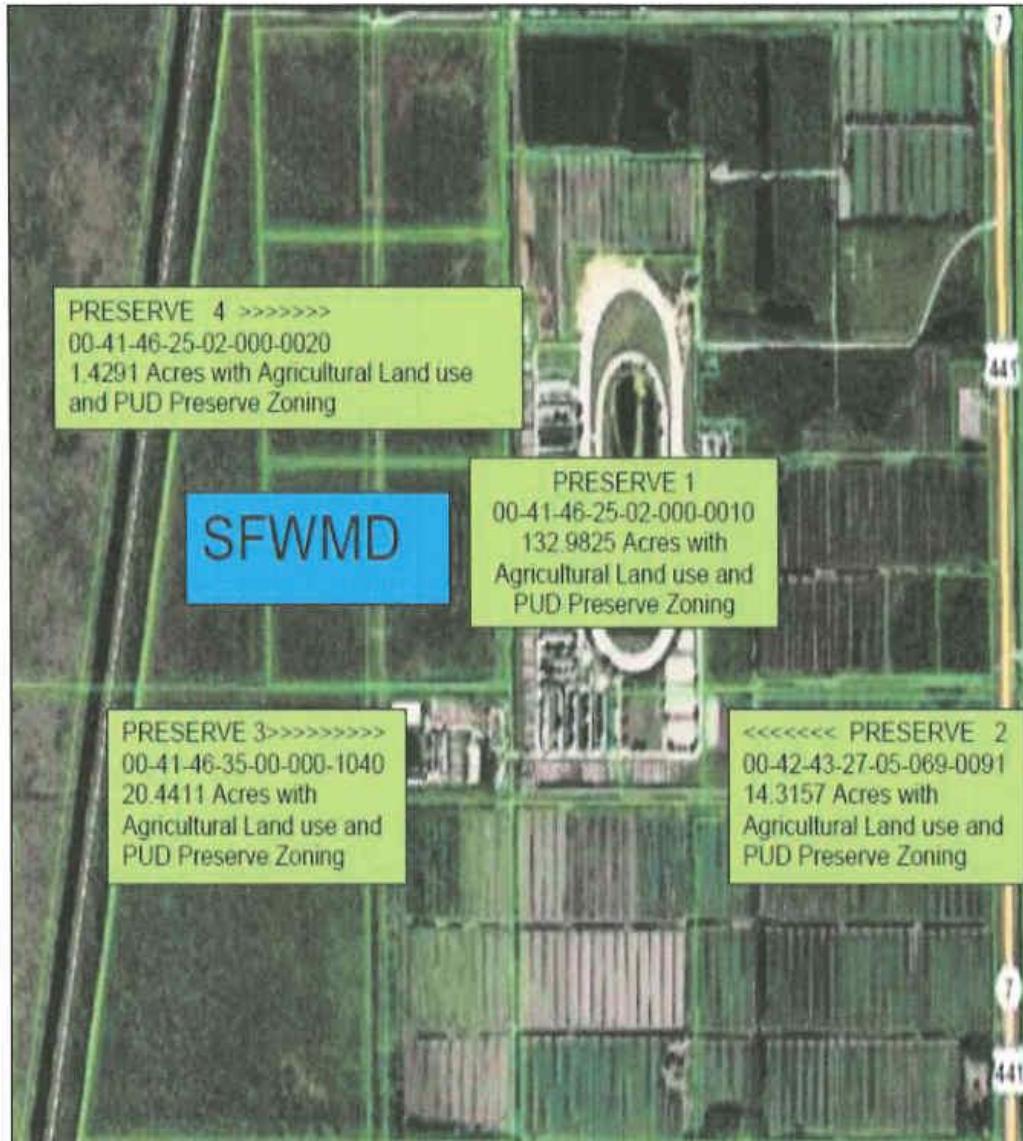
Assistants to the President: Rose DeSanto John Gentilhes Rhoda Greifer Joel Vinikoor

Robert Schulbaum, Chairman of the Board

Legal Counsel: Joshua Gerstin



ITG/AGR Proposal:  
Four Preserve Parcels immediately west of proposed development:



*Alliance of Delray Residential Associations, Inc.*

10290 West Atlantic Avenue #480504  
Delray Beach, FL 33448  
Phone: 561.495.4694  
www.allianceofdelray.com



- *Serving more than 100 Communities between the Everglades and the Ocean in south Palm Beach County.*
- *Working Toward Sustainable Development*
- *Applying Resilience Thinking to Our Natural Resources*

December 12, 2021

Palm Beach County Board of County Commissioners  
301 North Olive Avenue  
West Palm Beach, Florida 33401

Re: Indian Trails Grove Agricultural Reserve December 15, 2021 Agenda Item

Dear Commissioners:

In a letter dated September 13, 2021 the Alliance of Delray clearly stated its support for examining changes to the Comprehensive Plan of the Agricultural Reserve. Suggestions included the possibility of smaller Planned Unit Developments and an increased density if a workforce housing component was included. These suggestions were intended to be exercised east of State Road 7/441 and would provide some relief to farmers who considered themselves disenfranchised.

The Indian Trails Grove (ITG)/Agricultural Reserve (AGR) proposal was not considered in these comments and suggestions since there was no application submitted at the time the Agricultural Reserve Workshop was held. Therefore, the Alliance is now providing its concerns regarding the ITG/AGR proposal.

1. Using the Agricultural Reserve as a solution for County water management issues: this is not a good argument. Some monies from the original bond issue were used for water projects in northern Palm Beach County but the precious lands of the Agricultural Reserve should not be traded for projects in northern Palm Beach County since the microclimate and soils are not congruent.
2. Public Civic Sites: there are two alternative viable and better sites for any County office. The West Boca Branch Library is located on a 20.63 acre parcel about a mile south of the subject site. Any necessary County office could be located there. Further, an 8.37 acre site at the northeast corner of Atlantic Avenue and the Florida Turnpike is also available for County offices. The proposed civic site is unnecessary.
3. 100 acre passive park proposal: the Alliance has been working closely with Parks and Recreation on procuring a longer-term lease on the West Delray Regional Park and improving the infrastructure within the park. Although it would be fine for yet another park in the west Delray area, there is a need to concentrate on what already exists which is the 313 acres of recreational land located about a mile north of the subject property.
4. 250 Workforce Housing Units: with the current transmitted application (Reserve at Atlantic), evaluation, investigation, and analysis by Staff, the Agricultural Reserve should attain its sufficient share of Workforce Housing Units along the main corridors and east of State Road 7/441 so that the parcels west of 441, so close to environmentally sensitive lands, should not be violated.
5. Market Rate Project: with the many moving parts over the years (re-distribution of preserve parcels), at one point, there will surely be some market rate units that can be developed in this area. The Alliance suggests that no changes in the 80/20 PUD (which is currently allowed west of State Road 7/441) be enacted at this time.

Thank you all for your continued commitment to serving the residents of Palm Beach County.

Sincerely,

*Lori Vinikoor*

Dr. Lori Vinikoor, President

**OFFICERS AND DIRECTORS OF THE ALLIANCE:**

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Amie Katz, Executive Vice President, Norma Arnold, Vice President Allen Hamlin, Vice President

Ken Markowitz, Vice President Carol Klausner, Secretary Deborah Borenstein, Treasurer

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Assistants to the President: Rose DeSanto John Gentiles Rhoda Greifer Joel Vinikoor

Robert Schulbaum, Chairman of the Board

Legal Counsel: Joshua Gerstin

## Correspondence provided at the Planning Commission Meeting

### **Stephanie Gregory**

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**From:** Patricia Behn  
**Sent:** Friday, January 14, 2022 7:45 AM  
**To:** PZB-Planning-Admin  
**Subject:** Fwd: January 14, 2022 Agenda Items IV. A. 1. and IV. A. 2.  
**Attachments:** COBWRA Letter AgRes Workshop 10 26 21.pdf

Sent from my phone.

Begin forwarded message:

**From:** Beth Rappaport <president@cobwra.org>  
**Date:** January 13, 2022 at 11:43:51 PM EST  
**To:** eric@royalsinc.com, penny@pompei.com, caracapp@gmail.com, sarahcpardue@gmail.com, nbrahs@gmail.com, rothcosys@comcast.net, glenn.e.gromann@gmail.com, sbsiegel@teamsiegel.com, vinikoor@bellsouth.net, restopekdc@gmail.com, marciavhayden@aol.com, safefarm@aol.com, eferguson@thefergusonfirm.net, ajones-vann@wpb.org  
**Cc:** Kevin Fischer <KFischer@pbcgov.org>, Ramsay Bulkeley <RBulkeley@pbcgov.org>, Patricia Behn <PBehn@pbcgov.org>, Stephanie Gregory <SGregor1@pbcgov.org>, Kathleen Chang <Kchang@pbcgov.org>, "Lisa Amara A." <LAmara@pbcgov.org>  
**Subject:** January 14, 2022 Agenda Items IV. A. 1. and IV. A. 2.  
**Reply-To:** president@cobwra.org

\*\*\*\*\* Note: This email was sent from a source external to Palm Beach County. Links or attachments should not be accessed unless expected from a trusted source. \*\*\*\*\*

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Dear Planning Commissioners and County Staff:

Please reference the attached letter sent in advance of the 10/26/21 "Ag Reserve Workshop", outlining the positions of our organization regarding development in the Ag Reserve. These positions are the guiding principles to which we have steadfastly maintained when evaluating proposals for lands in the Tier for countless years, making the Ag Reserve a success. Without advocacy supporting these concepts, there would be nothing remaining to discuss in 2022.

The greater Ag Reserve area of Palm Beach County has not received its "fair share" of revenue and serves as a "donor area" for the rest of Palm Beach County. Concurrency went by the wayside long ago and infrastructure has not kept pace with development. We know all too well that approving density now and promising to add services later is a recipe for failure. History regularly repeats itself in our area - an entire generation of our children has grown and flown waiting for a middle school and small 50-acre park - just like the generation before waited for Park Vista High School and an adjacent recreational area. Our area is struggling with its own issues such as delayed/missing connector roads and roads that cannot be widened without difficulty, and our area is not in a position to help other areas solve their problems.

The current swap proposal may very well have merits, but our organization has not seen any information to substantiate such merits or environmental benefits as the proposal stands in its



present state. We recommend you deny this plan due to inadequate explanation of how the infrastructure required to properly support such additional density will be provided, assurances of quality of life and public safety, and failure of the proposal to provide for other services needed to support area residents. Potential redundancies such as a civic site more suitable for the area of the West Boca Library and a 100-acre park a stone's throw from a 313-acre park should also be reconsidered.

If you could be so kind as to share this information with anyone inadvertently omitted and enter these comments and attachment into the public record for the January 14, 2022 meeting as pertains to agenda items IV. A. 1. and IV. A.2. it would be truly appreciated. I cannot attend the meeting in person at this time due to having just returned from Palm Beach County Day in Tallahassee.

Most Sincerely,

Beth Rappaport

--

**Beth Rappaport, President**

**Coalition of Boynton West Residential Associations, Inc.**

P.O. Box 740814, Boynton Beach, FL 33474

E-mail: [president@cobwra.org](mailto:president@cobwra.org) | Web: [www.cobwra.org](http://www.cobwra.org) [[cobwra.org](http://www.cobwra.org)] | Tel: (561) 572-9151

Mailing List: <https://www.cobwra.org/newsletter-signup/> [[cobwra.org](http://www.cobwra.org)]

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Carrington

October 23, 2021

Board of County Commissioners  
301 North Olive Ave. Suite 1201  
West Palm Beach, FL 33401

Via Email: [BCC-AllCommissioners@pbccgov.org](mailto:BCC-AllCommissioners@pbccgov.org)

Re: Ag Reserve Workshop – COBWRA Call to Action

Dear Mayor Kerner, Vice Mayor Weinroth, and Commissioners Marino, Weiss, Sachs, McKinlay, and Bernard:

At this week's Ag Reserve Workshop, several topics will be discussed that impact the Comprehensive Plan and, within it, the Ag Reserve Tier. Created over 20 years ago, many goals of the Ag Reserve have been successfully accomplished. With few developable parcels remaining, it is critical to ensure future development in the Tier best serves the needs of those who live, work, and play there.

The Coalition of Boynton West Residential Associations (COBWRA) remains committed to ensuring development within the Ag Reserve follows key principles identified when the Ag Reserve was established. In preparation for this workshop, COBWRA representatives have met with numerous Ag Reserve stakeholders including community associations and business owners and have taken their feedback into consideration. COBWRA asks you to please support these positions on key topics:

- Prohibit Lifting of Conservation Easements – the Bond Issue represents a promise made to taxpayers by a previous Commission, a promise that must be upheld by today's Commission.
- Maintain Preserve Requirements – Complete waivers of preserve requirements should not be considered.
- Keep the 60/40 ratio - The infrastructure of the Ag Reserve, including roadways, schools and emergency services was originally based upon 1 unit/acre and was not designed to withstand high density. Any adjustment to the preserve ratio rules, or contemplation of increased density, must be accompanied by proportional improvements of associated infrastructure. Designation of open space in the form of preserves, passive or active uses is a critical planning component that will balance continued growth within the Ag Reserve while providing its residents with naturalistic borders and buffers.
- Preserve Environmentally Sensitive Lands – The aquifer must be protected and there should be no additional development west of 441.

PO Box 740814, Boynton Beach, FL 33474-0814 • 561-572-9151  
E-mail: [info@cobwra.org](mailto:info@cobwra.org) • [www.cobwra.org](http://www.cobwra.org) • [www.facebook.com/COBWRA](https://www.facebook.com/COBWRA)



**COBWRA**  
COALITION OF BOYNTON WEST  
RESIDENTIAL ASSOCIATIONS

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Dr. Richard  
Carrington

*Re: Ag Reserve Workshop – COBWRA Call to Action (continued)*

- Limit Industrial Uses – Industrial uses not compatible with residential housing and ag businesses should not be contemplated in the Ag Reserve. These precluded uses include large-scale warehouses and distribution centers.
- Consider Service Delivery Impacts – County services at the present time are not meeting the needs of area residents and businesses. Plans to widen the roadways to accommodate the current density have proven challenging, and in certain locations, not even possible. Connector roads have been planned but are not yet built and rural parkways were promised but not completed. Safe roads and pathways for cyclists, pedestrians and ag and equestrian businesses are completely absent.
- Support Agriculture and Equestrian Stakeholders – Businesses wishing to continue with ag and equestrian uses in the Ag Reserve need to be heard and supported in ways that will facilitate the future success of their livelihood and the strength of business diversity in Palm Beach County.

Commissioners, thank you for your support of these positions during the Ag Reserve workshop and in the months of analysis that are sure to follow. Changes to the Comprehensive Plan will have a permanent impact on Palm Beach County. Your careful consideration is appreciated. COBWRA looks forward to collaborative discussions in the coming months to work towards mutually agreeable solutions for smartly managed growth.

So as not to flood your inboxes with emails, at the workshop Tuesday we will provide a list and count of residents who will be signing this letter digitally via the COBWRA website.

Most Sincerely,



BETH RAPPAPORT, President

On behalf of the Coalition of Boynton West Residential Associations

cc:

Ms. Patricia Behn, Planning Director [PBehn@pbcgov.org](mailto:PBehn@pbcgov.org)

Ms. Lisa Amara, Zoning Director [LAmara@pbcgov.org](mailto:LAmara@pbcgov.org)

COBWRA Board Members

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PO Box 740814, Boynton Beach, FL 33474-0814 • 561-572-9151

E-mail: [info@cobwra.org](mailto:info@cobwra.org) • [www.cobwra.org](http://www.cobwra.org) • [www.facebook.com/COBWRA](https://www.facebook.com/COBWRA)



ROBERT N. HARTSELL, P.A.  
61 N.E. 1st Street, Suite C  
Pompano Beach, Florida 33060  
(954) 778-1052  
[www.Hartsell-Law.com](http://www.Hartsell-Law.com)

January 13, 2022

Patricia Behn, Planning Director  
Palm Beach County Planning Division  
2300 N Jog Road  
West Palm Beach, FL 33411-2741  
Phone: 561-233-5300  
Fax: 561-233-5365

Submitted via email: [pbehn@pbcgov.org](mailto:pbehn@pbcgov.org); [kfischer@pbcgov.org](mailto:kfischer@pbcgov.org); [rbulkeley@pbcgov.org](mailto:rbulkeley@pbcgov.org);  
[eric@royalsinc.com](mailto:eric@royalsinc.com); [eric@royalsinc.com](mailto:eric@royalsinc.com); [penny@pompei.com](mailto:penny@pompei.com); [caracapp@gmail.com](mailto:caracapp@gmail.com);  
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[glenn.e.gromann@gmail.com](mailto:glenn.e.gromann@gmail.com); [sbsiegel@teamsiegel.com](mailto:sbsiegel@teamsiegel.com); [vinikoor@bellsouth.net](mailto:vinikoor@bellsouth.net);  
[restopekdc@gmail.com](mailto:restopekdc@gmail.com); [marciavhayden@aol.com](mailto:marciavhayden@aol.com); [safefarm@aol.com](mailto:safefarm@aol.com);  
[eferguson@thefergusonfirm.net](mailto:eferguson@thefergusonfirm.net); [ajones-vann@wpb.org](mailto:ajones-vann@wpb.org)

*Re: January 14, 2022, Planning Commission Meeting; Public Comments*

Dear Director Behn and Planning Commissioners:

On behalf of our clients, 1000 Friends of Florida ("1000 Friends") and Sierra Club Loxahatchee Group ("Sierra Club"), please kindly accept these comments to the Planning Commission and include them in the public record for the upcoming January 14, 2022, meeting regarding the following Agenda Items: IV. A. 1. *Indian Trails Grove – Agricultural Reserve Exchange Privately Proposed Text and Map Series Initiation*; IV. A. 2. *County Proposed Text Amendments (Industrial Future Land Use in the Agricultural Reserve and AGR Multifamily)*.

1000 Friends is a statewide 501(c)(3) smart growth advocacy nonprofit organization with a substantial number of members that live and work in Palm Beach County. Similarly, Sierra Club is a national 501(c)(3) grassroots environmental organization with the Loxahatchee Group comprised of a substantial number of members that live and work in Palm Beach County.

The members of both non-profit environmental organizations advocate for preservation of agricultural resources that are a much-needed buffer for the environmental vitality of the communities without encroachment of increased high-density residential, commercial, mixed-uses, and industrial uses. All members of these organizations residing within Palm Beach County are afforded the protections of the Palm Beach County Comprehensive Plan and will be directly affected by any amendments passed altering the Agricultural Reserve Tier.

### *Importance of Protecting the Ag Reserve Tier*

The purpose of the Agricultural Reserve is to preserve unique farmland and wetlands in order to enhance agricultural activity, environmental and water resources, and open space, by limiting uses to agriculture, conservation, low density residential development, and non-residential uses which serve the needs of farmworkers and residents of the Agricultural Reserve Tier.

The Ag Reserve Tier provides great benefits to Palm Beach County above and beyond the fruits of its agricultural labors, to wit: preserving agricultural lands, environmental and water resources, and open space, (1) buffers detrimental impacts from development on water quality, (2) improves flood control, (3) engages in highly beneficial carbon sequestration that reduces air pollution and mitigates climate change, (4) provides wildlife habitat for native flora and fauna, as well as threatened and endanger species, and a safe haven for transient and migratory wildlife.

The Agricultural Reserve Tier of Palm Beach County comprises 22,000 acres west of the suburban unincorporated communities of West Boca, West Delray, West Boynton, and east of the Arthur R. Marshall Loxahatchee National Wildlife Refuge ("Refuge"). The Refuge supports more than 100 jobs and nearly \$2 million in sales tax revenue for the County, but more importantly, spans 145,189 acres of the only remnant of northern Everglades and cypress swamp, thereby protecting the integrity of the entirety of the remaining Everglades ecosystem. The Refuge is currently adjacent to agricultural lands actively farmed, however if modifications are made to the Comprehensive Plan that encourages expansion of development, increased densities and intensities, there is grave concerns that it will lead to a catastrophic impact to this federally protected natural reserve.

It is undisputed that Palm Beach County will experience an increase in population and demand for development. However, smart and sustainable land development practices, such as those already enshrined in the Comprehensive Plan, will ensure that growth does not mean the upheaval of the Ag Reserve Tier.

In 2016, 1000 Friends, the University of Florida and the Florida Department of Agriculture produced a landmark pair of reports, *Florida 2070* and *Water 2070*, to examine the impact of increased population on land use and water demand in Florida over the next half century. Specifically, the data found that if Palm Beach County continued development at its current trend, more than 150,000 acres will be developed, and agricultural lands will be severely reduced to only 23% of the County by 2070. Whereas, if Palm Beach County increase its development density moderately by 20%, more than 100,000 acres of land can be preserved while accommodating the projected increase in population, thereby decreasing development-related water demands and protecting water resources.

Palm Beach County Planning Commissioners has the unique opportunity and responsibility of preserving the vast majority of remaining natural resources and open space in the tri-counties. This Commission has always had the foresight to protect the County's resources that not only provide ecological economic benefits today, but also protect the environmentally sensitive areas for generations to come.

It must be understood that while the small land use changes may seem minor to resolve immediate issues, these changes can result in a cumulative impact that will shape the future landscape of Florida. Remaining steadfast in growth management guided by these principles is of the utmost importance in protecting the original intent of Ag Reserve. The Commission must "Stick with the Plan" as currently delineated in the Comprehensive Plan for the Ag Reserve Tier and refrain from yielding to requests for increased densities and intensities.

#### *Endangering the Ag Reserve Tier*

1000 Friends and Sierra Club have long raised concerns to Palm Beach County regarding development in the Ag Reserve that summarily reduce, segregate, or altogether eliminate agriculture, conservation and preserve acreage, and very low-density residential development in favor of higher density developments that are in direct contradiction to the spirit of the Ag Reserve.

Specifically, both organizations were instrumental in challenging the wholly incompatible Scripps Biological Research Institute, a massive commercial development on the rural western Palm Beach County Mecca Farms, 15 years ago. The Institute is now situated east at an infill site near existing infrastructure and services, whereas the nearly 2,000-acre Mecca Farms is now owned by the South Florida Water Management District, as was proposed by 1000 Friends and Sierra Club, and protected in perpetuity to provide freshwater flows to the Loxahatchee River and Everglades.

1000 Friends' position has remained steadfast since its participation in 2015 with the Ag Reserve workshop, in that contiguity and minimum size are fundamental requirements absolutely necessary to protect agriculture with the understanding that elimination of these requisites *would encourage development of the reserve* and discourage, and quite possibly endanger, the continued existence of farming by *chipping away at the critical mass necessary for continued viable farming operations, open spaces, and environmental and water resources in the Ag Reserve Tier.*

#### *IV. A. 1. Indian Trails Grove*

##### *Agricultural Reserve Exchange Privately Proposed Text and Map Series Initiation*

On October 26, 2021, during the Agricultural Reserve Workshop, Commissioner McKinlay requested Palm Beach County Planning Staff to meet with GL Homes to discuss their *withdrawn* 2018 proposal for a "land swap" of preserve parcels to be located in Indian Trails Grove (ITG) for increased development densities within the Ag Reserve Tier (AGR). The proposal was withdrawn before it was brought before the Commissioners, but did garner opposition from the environmental community, including 1000 Friends and Sierra Club.

On December 15, 2021, the Palm Beach County Commissioners heard staff presentations, hopeful-applicant presentation, and limited public comments on the land swap proposal. During the discussion, many concerns were again brought to light that must be considered by this Commission and should lead to the decision to deny initiation:

- ITG is far north from the Ag Reserve, resulting in preserve parcels being far removed from the Tier that has been specifically set aside by the County for preservation of agricultural lands, environmental and water resources, and open spaces.
- The land swap would also eliminate 582 committed preserves in the AGR, allow 60/40 PUDs west of SR 7, allow industrial uses west of SR 7, and overall result in more residential in the AGR than envisioned in the Master Plan.
- There was much talk about the “benefits” of uses of the ITG land for water resources on December 15, however it is important to emphasize that were the ITG property to be developed *without the land swap* there will be a conservation easement transferred to the County for agriculture or water resource uses, such as water flow or storage. This land can still be utilized for water resources without needing to compromise the AGR.
- ITG lacks infrastructure, yet was allowed to be given entitlement to development rights with the promise of road projects being constructed. It is highly unlikely that it will be developed in the near future as it is currently leased for active agriculture uses that are beneficial for the County and community as a whole.
- Commissioner Kerner pointed out that there was an underlying tone that the property was selected, and development rights were fought for through legislative action to be utilized for particular purpose of a deal to increase density in the AGR, which is drastically rising in high density projects to meet the cap allowed by the Master Plan. He stated in no unequivocal terms, “At some point the Commission needs to step in and say we are not going to be strong armed into these maneuvers.” He argued that the Commission should not be victimized by legislative action dictating local land use, and if this land swap were to move forward, it is encouraging this type of behavior for developers to go to the legislature rather than the County.

The open space within the Ag Reserve has nearly been extinguished with commercial structures, light industrial uses, and residential communities. Parcels that are still undeveloped, in agricultural production or have the potential for agricultural production, have caught the eye of developers, such as GL Homes<sup>1</sup>, and this Commission has been on the receiving end of countless development proposals.

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<sup>1</sup> GL Homes has purchased three farms within the last year that represent nearly 1,000 acres of farmland that will be lost forever and developed into high residential communities: Whitworth Farm west of Boynton Beach, Mecca Farm west of Delray Beach, and most recently the Johns Family farm west of Boca Raton. This encroachment west must have a logical end, and that end is not within the Everglades or Loxahatchee National Wildlife, but rather within an appropriate distance to maintain a healthy environmental buffer.



The proposal by GL Homes before this Commission is for the transfer of 2,315 residential development units from the Indian Trails Grove to the Agricultural Reserve to construct a development on the Hyder West parcel – currently comprised of Hyder Preserves – in exchange for the preservation of 1,600 acres in the ITG for agricultural production or water resources / management. Of these 1,600 acres, nearly 700 acres would replace 534.464 acres of preservation on the Hyder West property for existing and approved AGR-PUD, opening up more of the property for development and reducing the environmental buffer of the property which abuts conservation lands; and nearly 900 acres in the ITG would be preservation for two new PUDs on the Hyder West parcel.

While the preservation of agricultural land is compelling, there are a number of reasons why this proposal is concerning and in contravention of the intent of the Agricultural Reserve Tier as laid out in the Comprehensive Plan. It is for the below reasons that 1000 Friends and Sierra Club oppose the proposal.

Firstly, the Hyder West parcel is situated west of State Road 7 / US Route 441, and sits on the edge of the Ag Reserve Tier just east of Sunshine Meadows Equestrian, abutting publicly owned conservation wetlands managed by the South Florida Water Management District to the west that border the Arthur R. Marshall Loxahatchee National Wildlife Refuge, residential to the north and east, and a county club to the south.

The Loxahatchee National Wildlife Refuge is currently adjacent to agricultural lands and the Hyder West parcel is a prime piece of open space in an extremely sensitive area that, if developed beyond the density envisioned in the Comprehensive Plan, can result in detrimental impacts to the only remnant of northern Everglades and cypress swamp, which protects the integrity of the entirety of the remaining Everglades ecosystem.

Secondly, there is a stark lack of infrastructure to support a community that GL Homes is proposing, i.e. 60/40 PUDs west of SR 7. Building the infrastructure, at the expense of the residents of the Ag Reserve, would not only be an unanticipated burden, but create detrimental impacts on the surrounding agricultural and environmentally sensitive areas, and the wildlife that rely upon these areas, through increased density, traffic, noise, and light pollution.

County staff has identified an issue is that there is not that much land left to meet the 250 minimum acres required for a planned unit development. However, the Comprehensive Plan has the solution already that does not result in over clustering of density to the point of sacrificing preserving areas. Currently, an AGR-PUD has a minimum 250 acres requirement for a 60/40 PUD and 40 acres for a 80/20 PUD. Parcels that are less than 40 acres could be a part of an assemblage of properties meeting the minimum acreage. Anything less does not fit within the confines of the Ag Reserve as it will result in incompatible densities and reductions of preserve requirements.

Thirdly, the transfer into the Ag Reserve of development rights and the transfer out of preserve parcels directly conflicts with the bond requirements for the Ag Reserve Tier. Palm Beach County, through its constituents, secured a \$100 million bond to save open spaces and prevent misuse of valuable land within the unique Agricultural Reserve Tier.

The explicit purpose of the Ag Reserve is to *preserve unique* farmland and wetlands *within in the Tier itself* in order to *enhance* agricultural activity, environmental and water resources, and open space, *by limiting uses* to agriculture, conservation, low density residential development, and non-residential uses which *serve the needs* of farmworkers and residents of the Ag Reserve Tier.

The voters of Palm Beach County placed their trust in the hands of this Commission to stay true to its promises to protect the integrity of the Ag Reserve, and the continued compromises *hurts* the community and environment on so many levels. The Ag Reserve provides so many critical benefits to the community, including agricultural production that drives the local economy, flood prevention, aquifer recharge that residents depend on for their drinking water, and water filtration of nutrient-rich pollutants that are filtered naturally before being released into our waterways.

Finally, the continued segmentation and conversion of agricultural lands into high density residential communities, industrial and commercial complexes, defies the purpose of the Ag Reserve by converting it into a suburban ambiance to the detriment of the rural character that the Comprehensive Plan is meant to protect. Simply stated, *the death of the Ag Reserve by a thousand cuts must cease*. To allow for the continued increase of density and intensity beyond the original intention of the Comprehensive Plan will nullify the very spirit of the Ag Reserve and will mutate the environmentally sensitive and rural lands into an urbanized area indistinguishable from the rest of Palm Beach County.

County staff has recognized that allowing this land swap would "alter some established, fundamental policy concepts to preserve agriculture in exchange for allowing limited development with the Agriculture Reserve Tier...reduce the acreage available for agricultural preservation .... [alter] the fundamental policy concepts include[ing] the preservation of agriculture, the prohibition of institutional uses and 60/40 AGR-PUD development areas west of State Road 7." Staff Report: VI. Issues and Implications.

The Ag Reserve Tier has achieved the preservation of acreage that would otherwise have been overdeveloped and the environmental benefits forever lost. There is still a need to maintain the integrity of the Tier to ensure that all that has been preserved is not degraded by increased densities and intensities of uses inappropriate for this unique agricultural area endowed with environmental and water resources and open spaces to act as a rural "safe haven" and environmental buffer from the urban and suburban tiers.

Developers should not look to the Ag Reserve for exemptions from the fundamental preserve and density requirements unique to this Tier. "Balanced growth" does not mandate that the guiding policies and objectives of the Comprehensive Plan be displaced; rather, smarter, and more sustainable, development must be achieved in conformity with the regulations already set forth to protect the Ag Reserve Tier.

*1000 Friends and Sierra Club respectfully that the Planning Commission deny initiation of Phase I to further the proposal by GL Homes to allow for transfer of development rights into the Ag Reserve Tier in exchange for the transfer out of preserve acreage into the Indian Trails Grove.*

*IV. A. 2. County Proposed Text Amendments  
(Industrial Future Land Use in the Agricultural Reserve and AGR Multifamily)*

The October 26, 2021, Ag Reserve Workshop was requested by Commissioners to address the increased proposals for recent private text and future land use amendments for increased density and intensities, reduced or relinquished preserve requirements, as well as expansion of commercial and low industrial uses, many applications of which County Staff has recommended denial due to the departure from the fundamental principles of the Ag Reserve Tier.

The stated issues to be addressed in the Ag Reserve included: increased density for workforce housing and industrial land uses in the Ag Reserve.

As is delineated below, 1000 Friends and Sierra Club encourage the Commissioners to deny initiation of County Text Amendments and rather “Stick with the Plan,” as the resolutions to these issues are available within the current language of the Comprehensive Plan itself.

*Stick with the Plan*

A. Fully Implement Objective 1.5

In order to ensure that the Ag Reserve does not evolve into the Suburban or Urban Tiers, there must be a line drawn in the sand. Objective 1.5 of the Future Land Use Element of the Palm Beach County Comprehensive Plan created the Agricultural Reserve Tier to govern land use development in the “unique farmland and wetlands” under the guiding objectives of the Master Plan and states in pertinent part:

Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier. This shall be accomplished by limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development limited to uses serving the needs of farmworkers and residents of the Tier. The Agricultural Reserve Tier shall be preserved primarily for agricultural use, reflecting the unique farmlands and wetlands within it.

It must be noted that the Ag Reserve mandates the perseveration (i.e. “*the perpetual maintenance of areas in their original state*”) not only of agricultural lands, but also environmental and water resources, and open space. In fact, the Ag Reserve was created with an overall framework that recognized preservation of open space “was more efficient and could better accommodate a variety of public, agricultural, equestrian, and environmental uses when it consisted of large areas.” *Piecemeal exemptions reducing acreage requirements work in opposition to this concept.*

Furthermore, environmental and water resources would be best preserved were development “concentrated east of SR7 ... in order to protect the environmentally sensitive lands within and surrounding the Loxahatchee National Wildlife Refuge,” as well as ensure that growth is clustered appropriate where infrastructure and services already exists in order to “reduce [] costs and impacts on tax payers,” and finally, new development should occur as “planned developments with a preserve area.”

*Accordingly, the County is within the guiding principles of the Comprehensive Plan to prevent development west of State Road 7 near the Refuge, restrict higher densities of residential and commercial to certain areas more appropriate to infrastructure, and maintaining strict compliance with preserve requirements.*

Applicants for text amendments have consistently cited to a reduction in farming operation as justification for opening up these lands for development. However, this is simply a red herring as smaller farming operations can still be viable through evolving farming techniques such as greenhouses, or growing more sustainable and compact crops, such as hemp. The decline of farms, or the desire to farm, does not necessitate the decrease of requirements to preserve such lands as open space or environmental and water resources.

Objective 1.5 should be implemented in full, and simply because a land may not be actively farmed does not mean that it is less deserving of preservation; as discussed herein, there are so many environmental benefits to serve the residents of the Ag Reserve and that have a net gain for the County.

#### B. Workforce Housing

There is a very specific reason why the development restrictions in the Ag Reserve Tier is distinct from that of the Urban/Suburban Tier, which allows for 12 units per acre and density bonuses such as Transfer of Development Rights and Workforce Housing programs. The purpose of the Ag Reserve is to *preserve unique* farmland and wetlands in order to *enhance* agricultural activity, environmental and water resources, and open space, *by limiting uses* to agriculture, conservation, low density residential development, and non-residential uses which *serve the needs* of farmworkers and residents of the Ag Reserve Tier.

During the October Workshop there was very limited discussion regarding the already approved 166 multi-family units approved but not yet built in the Ag Reserve that were intended to provide the opportunity for diversity in housing types and prices. A resolution to the housing crisis must not result in inconsistent density bonuses in the Ag Reserve that would make it more like the Urban / Suburban Tier. So long as the multi-family units can be built within the preserve area requirements, the County should focus on incentivizing those units being constructed, rather than holding the Ag Reserve hostage in a housing crisis in exchange for density bonuses by implementing a workforce housing requirement.

Palm Beach County does need more affordable housing, but a workforce housing program is simply inappropriate for the Ag Reserve as it does not fall in line with the bond referendum for purchasing preserve space as it created an inconsistent and unreliable pattern of density bonuses, and workforce housing is best suited where there is a much more comprehensive public transport system. The County would be better served focusing on public transportation for workers to come into the Ag Reserve rather than altering the Ag Reserve to accommodate incompatible residential densities.

#### C. Industrial Land Uses

There is no guidance in the Comprehensive Plan for additional industrial uses in the Ag Reserve for the very reason that it was never contemplated to be increased. The appropriate resolution is not to introduce an industrial light designation into the Ag Reserve, despite conditional overlay



zones, but rather to take the time and consideration of resolving a more overarching issue of the appropriate location for a landscape service operation.

During the October Workshop, staff reiterated many times that allowing for industrial uses would take the review process out of the hands of the Commissioners and directly into the permitting department to ensure that a checklist of requirements had been completed. This carte blanche permitting process will remove the consideration of environmental impacts and sensitive lands that may surround proposed industrial uses in the Ag Reserve where the Comprehensive Plan did not anticipate any additional industrial uses be incorporated.

1000 Friends and Sierra Club concur with the Treasure Coast Regional Planning Council that expressed valid concerns in relation to the Sunflower Industrial application that the allowance of light industrial into the Ag Reserve could reduce the potential for agricultural related uses and “degrades the integrity of the process used to guide development activity in the Agricultural Reserve by creating yet another ‘special case’ revision to the general rules.”

### *Conclusion*

To protect the Ag Reserve from becoming extinct, 1000 Friends and Sierra Club recommend the following guidance to help the County “Stick with the Plan:”

- 1) Prevent any development, commercial, and / or industrial uses west of State Road 7 / US 441 to maintain and protect the environmental buffer currently in place for the Loxahatchee National Wildlife Refuge. Additional density will result in increased traffic, light, and noise that will negatively impact this important environmental and water resource.
- 2) Focus on preserving more green space, including parks with equestrian trails, wetland restoration, additional tree canopy of natural plants such as cypress, etc. to assist with water quality and buffering, and return the Ag Reserve Tier to its unique farmland and wetlands composition rather than sprawling developments situated throughout. There should be restrictions on preserving agricultural activities that are environmentally damaging or degrades the land.
- 3) Preserve Areas should truly be environmental; public services such as schools, fire stations, hospitals, roadways, etc. should never be designed as “preserve areas.”
- 4) Encourage more Agrihood communities, such as Arden, that has a mixed agriculture and development community. This could be a beneficial zoning designation to allow continued farming and residential needs to co-exist.
- 5) Encourage infill and redevelopment in a manner that is sensitive to existing communities that already have the infrastructure.
- 6) When new areas are development, give priority to areas near existing communities and infrastructures.
- 7) Encourage County acquisition of lands to remain preserved, converted to open space, natural trails, tree buffers, etc., rather than rezoning for residential or commercial uses.

- 8) Incentivize the construction of multi-family units already approved in the Ag Reserve to allow for diverse affordable housing, as workforce housing programs would create an incompatible density bonus system.
- 9) Preclude additional industrial from the Ag Reserve, and focus on creating an appropriate location for landscape services.

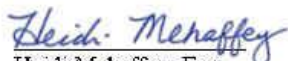
The Ag Reserve is falling victim to consequences not unlike the childhood story of "If You Give a Mouse a Cookie," to wit: if you give developers an exception, they will always want more. The Ag Reserve is at risk of phasing out agricultural lands in favor of high density residential, increased commercial, minuscule or elimination of preserve parcels, and low industrial sectors, all of which have been used by developers as examples of the "good planning practices" that "have spurred additional changes in the Ag Reserve."

This concerning statement attempts to justify a piecemeal departure from the founding objectives of the Ag Reserve to protect the agricultural community when "good planning" mandates a holistic approach to such drastic changes in the Tier that would, ultimately, alter the foundation of the Ag Reserve Tier wholly inconsistent with the Comprehensive Plan.

To allow for the continued increase of density and intensity beyond the original intention of the Comprehensive Plan will nullify the very spirit of the Ag Reserve and will mutate the environmentally sensitive and rural lands into an urbanized area indistinguishable from the rest of Palm Beach County.

Thank you for your time and consideration of these comments.

Respectfully,



Heidi Mehaffey, Esq.  
Robert N. Hartsell, P.A.  
Fla. Bar No. 118806

CC: 1000 Friends of Florida  
Sierra Club Loxahatchee Group

**Stephanie Gregory**

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**From:** Patricia Behn  
**Sent:** Friday, January 14, 2022 7:45 AM  
**To:** PZB-Planning-Admin  
**Subject:** Fwd: Jan 14 PBC Planning Commission Mtg. - Public Comment on Agenda Item IV.A.1

Sent from my phone.

Begin forwarded message:

**From:** Mary Mertz <marymertz@me.com>  
**Date:** January 14, 2022 at 7:39:24 AM EST  
**To:** Patricia Behn <PBehn@pbcgov.org>, Kevin Fischer <KFischer@pbcgov.org>, Ramsay Bulkeley <RBulkeley@pbcgov.org>, eric@royalsinc.com, penny@pompei.com, caracapp@gmail.com, sarahcpardue@gmail.com, nbrahs@gmail.com, rothcosys@comcast.net, glenn.e.gromann@gmail.com, sbsiegel@teamseigel.com, vinikoor@bellsouth.net, restopekdc@gmail.com, safefarm@aol.com, eferguson@thefergusonfirm.net, ajones-vann@wpb.org, john@jrcg.com  
**Subject:** Jan 14 PBC Planning Commission Mtg. - Public Comment on Agenda Item IV.A.1

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Dear Members of the PBC Planning Commission:

As you consider potential revisions to Palm Beach County's Comprehensive Plan and Agriculture Reserve Tier approved in 2015, consider the purpose of the original plan and evaluate it relative to current economic and/or environmental factors.

To cite language in the current plan, "Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier."

Consider the irrefutable evidence that we are experiencing the negative impacts of climate change and our urgent need to reduce fossil fuel emissions. Is it consistent with that need to reduce open space and the tree canopy that facilitates carbon sequestration?

Consider our considerable efforts to develop sustainability plans and practices that help to mitigate climate change impacts. We know that property tax revenues do not generate sufficient resources to maintain sewers, roads, public transportation, law enforcement, and other services necessary to support sprawled growth in previously open/conserved land over time. Residents in these new developments will expect to have nearby schools, drugstores, grocery stores, gas stations, and other retail options which will all require additional land and infrastructure. How can we reasonably expect to maintain/sustain the future infrastructure required to service new residential developments in undeveloped areas?

Consider the frequent threats to the quality and safety of the water supply in parts of Palm Beach County from algal blooms and other pathogens. The conservation of open land and our wetlands protects environmentally sensitive land, filters pollutants, helps to prevent flooding, protects our water supply, and serves as a critical buffer for the jewel of our State and County – our Everglades. Do we really want to jeopardize those protections?

Consider our precious and unique Florida wildlife. Constant erosion of their respective habitats jeopardizes their existence and the enjoyment they bring to the residents and tourists who visit to enjoy recreational activities in those areas.

There are many benefits to protecting and conserving the Ag Reserve – as it stands. A piecemeal approach to granting waivers for the use of our Ag Reserve is akin to death by 1000 cuts. We know that any exemption or waiver that is granted is used, sometimes very aggressively, to justify the next request which gets harder and harder to deny. Please stop the creep and just stick to the plan.

Respectfully submitted for the record,

Mary Mertz  
West Palm Beach