

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	21-B	Intake Date	November 10, 2020
Application Name	All Seasons Delray	Control No.	2012-00424
Acres	9.729 acres (Parent Site) 5.09 acres (Off-site Preserve)	Concurrent Zoning application?	Yes
		Text Amend?	Yes
PCNs	00-42-46-20-01-000-0810; 00-42-46-20-01-000-0820; 00-42-46-20-01-000-0860 (off-site preserve parcel)		
Location	Northeast corner of Lyons Road & Linton Boulevard, 0.76 miles south of Atlantic Avenue		
	Current	Proposed	
Tier	Agricultural Reserve	Agricultural Reserve	
Use	Agricultural / Nursery	-0810; -0820 Congregate Living Facility / Fire Station -0860 Preserve	
Zoning	AGR (Agricultural Reserve)	-0810; -0820 Institutional Multiple Use Planned Development (MUPD) -0860 No Change	
Future Land Use Designation	AGR (Agricultural Reserve)	-0810; -0820 Institutional and Public Facilities (INST) -0860 No Change	
Underlying Future Land Use Designation	None	Congregate Living Residential (CLR)	
Conditions	None	Maximum underlying density of 8 units per acre is limited to a congregate living facility. Uses allowed are limited to congregate living, skilled nursing, and civic uses.	
Density Bonus	None	None	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	0.20 du/acre	8 du/ac
Maximum Dwelling Units¹ (residential designations)	0.20 du/acre x 9.729 ac. = 2 du	8 du/acre x 9.729 ac. = 78 du
Maximum Beds (for CLF proposals)	2 max du x 2.39 = 5 beds	78 max du x 2.39 = 186 beds
Population Estimate	2 max du x 2.39 = 5 persons	78 max du x 2.39 = 186 persons
Proposed or Conditioned Potential^{3, 4}	None	None
Max Trip Generator	Nursery (Garden Center) (ITE 817) Rate: 108.1 Nursery (Wholesale) (ITE 818) Rate: 19.5	Assisted Living Facility (ITE 254) Rate: 2.6 Fire and Rescue Station Rate: 4.8
Maximum Trip Generation	633	546
Net Daily Trips:	<u>-149 (maximum minus current)</u> <u>-97 (proposed minus current)</u>	
Net PH Trips:	35 (22/13) AM, 48 (18/30) PM (maximum) 41 (24/17) AM, 54 (20/34) (proposed)	

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Part 2. Applicant Data

A. Agent Information

Name	Edwin Müller, AICP
Company Name	WGI
Address	2035 Vista Parkway
City, State, Zip	West Palm Beach, FL 33411
Phone / Fax Number	561.713.1705
Email Address	edwin.muller@wginc.com

B. Applicant Information

Name	Cynthia D. Jacob / Greg E Jacob (Co- Trustee of Jacob Trust)	Greg E Jacob (Co- Trustee of Jacob Trust)	Peter L. Odorico	Ross Hering
Company Name	Self	Self	All Seasons of Delray Beach LLC	Palm Beach County
Address	21167 Sweetwater Lane North	21167 Sweetwater Lane North	31731 Northwestern Highway, Suite 250W	2300 N. Jog Road
City, State, Zip	Boca Raton, FL 33428	Boca Raton, FL 33428	Farmington Hills, MI 48334	West Palm Beach, FL 33411
Phone / Fax Number	Contact Agent	Contact Agent	Contact Agent	Contact Agent
Email Address	Contact Agent	Contact Agent	Contact Agent	Contact Agent
Interest	Owner	Owner	Contract Purchaser	Owner

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Part 3. Site Data

A. Site Data

Built Features	Built features on the property include an Agriculture Nursery, known as Sunquest Nursery. Surrounding built features include an Agriculture Nursery; Residential, known as Mizner Country Club; Agricultural, Wholesale Nursery, Landscape Service; and another Agricultural Nursery. See Attachment F – Built Feature Inventory List and Map.
PCN	Parent Parcels 00-42-46-20-01-000-0810; 00-42-46-20-01-000-0820 Off-Site Preserve 00-42-46-20-01-000-0860 See Attachment A – PCN List
Street Address	8892 156 th Court
Frontage	Approximately 636 feet of frontage along Lyons Road, approximately 632 feet of frontage along Linton Boulevard, and approximately 632 feet of frontage along 156 th Court South, and 636 feet of depth.
Legal Access	Current access is off of 156 th Court South. Proposed access is off of Lyons Road (main access) and Linton Boulevard (emergency and loading access only).
Contiguous under same ownership	There are no additional properties under contiguous ownership outside of the PCN's provided in Part 1 of this Application.
Acquisition details	\$100.00 on January 26, 1999
Size purchased	9.729 acres (Parent Tract)

B. Development History

Control Number	2012-00424
Previous FLUA Amendments	Round 19-B2 DEO Transmittal Project Name: Poet's Walk II (LGA 2019-018), to be withdrawn as a result of this request.
Concurrency	None
Plat, Subdivision	ORB 10928 / PG 1137, PALM BEACH FARMS CO PL 1 SUB IN PB 2 PGS 26 TO 28 INC
Zoning Approvals & Requests	PCN 00-42-46-20-01-000-0810 received DRO approval in 2012 under Application Number PCN-2012-1942 for approval of a Composting Facility. The parcel has a Control Number of 2012-00424. PCN 00-42-46-20-01-000-0820 has no zoning summary history. Zoning application (SV/PDD/CA-2019-00715) requesting to rezone the site from the Agricultural Reserve (AGR) zoning to Multiple Use Planned Development (MUPD) and was administratively withdrawn.

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Part 4. Consistency

A. Consistency

Justification Provide as G.1.	See Attachment G
Residential Density Increases Provide as G.2.	See Attachment G
Compatibility Provide as G.3.	See Attachment G
Comprehensive Plan Provide as G.4.	See Attachment G
Florida Statutes Provide as G.5.	See Attachment G

B. Surrounding Land Uses. *Indicate the following for each surrounding property:*

Adjacent Lands	Use	Future Land Use	Zoning
North	<u>Agriculture, Nursery</u> PALM BEACH FARMS CO PL 1	Agricultural Reserve	Agricultural Reserve
South	<u>Residential</u> (aka Mizner Country Club) DELRAY TRAINING CENTER PL 1 Control #: 1987-00007 Approved Density: 471 du (1.32 du/ac)	Agricultural Reserve	Planned Unit Development
East	<u>Agriculture, Wholesale Nursery, Landscape Service</u> PALM BEACH FARMS CO PL 1 Control #: 2014-00098	Agricultural Reserve	Agricultural Reserve
West	<u>Agriculture, Nursery</u> PALM BEACH FARMS CO PL 1	Agricultural Reserve	Agricultural Reserve

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Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Nursery (Garden Center) (ITE 817) Rate: 108.1 Nursery (Wholesale) (ITE 818) Rate: 19.5	Assisted Living Facility (ITE 254) Rate: 2.6 Fire and Rescue Station Rate: 4.8
Maximum Trip Generation	633	546
Net Daily Trips:	<u>-149 (maximum minus current)</u> <u>-97 (proposed minus current)</u>	
Net PH Trips:	35 (22/13) AM, 48 (18/30) PM (maximum) 41 (24/17) AM, 54 (20/34) (proposed)	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Dr. Juan F. Ortega, PE – JFO Group, Inc.	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route Name: DLB X-TWN via ATLANTIC Route Number: 81	
Nearest Palm Tran Stop	Stop Name: ORIOLE PLZ @ RODS REST SVC RD Stop Number: 6409 Distance: Approximately 2.3 miles	
Nearest Tri Rail Connection	Route 81 / Delray Beach Station	
C. Portable Water & Wastewater Information		
Potable Water & Wastewater Providers	PBCWUD	
Nearest Water & Wastewater Facility, type/size	The nearest potable water and wastewater lines are located in Lyons Road, adjacent to the property. The property is located in PBC Mandatory Reclaimed Water Service Area.	

D. Drainage Information

The existing agricultural lots have no formal drainage system. The proposed development will drain by a series of interconnected inlets and culverts to the proposed on-site dry detention pond. Water quality and quantity criteria will be met in the proposed dry detention pond and exfiltration trench prior to discharging via control structure through a piped connection directly into the roadside swale along the north side of Linton Blvd, the point of legal positive outfall. Historical drainage of the adjacent properties will be unaffected. Drainage Statement as **Application Attachment J**.

E. Fire Rescue

Nearest Station	PBC Fire-Rescue Station #42 (14276 Hagen Ranch Road, Delray Beach, FL 33446)
Distance to Site	The subject property is approximately 3.50 miles from the station.
Response Time	The estimated response time to the subject property is 9 minutes and 30 seconds. For fiscal year 2016, the average response time (call received to on scene) for this stations zone is 7:12.
Effect on Resp. Time	Changing the land use will increase the call volume to this area by approximately 173 call a year, and there will be an extended response time to this property of approximately 9 minutes and 30 seconds. There are plans in the Fire Rescue Capital Improvement Plan for a new station in this area that could potentially help lower the response time to this location. Application Attachment K .

F. Environmental

Significant habitats or species	No significant habitat occurs on the assessed parcel. No state or federal listed plant or animal species were located within the assessment area. Application Attachment L .
Flood Zone*	X500
Wellfield Zone*	The subject site is not located within a wellfield protection zone. Application Attachment M .

G. Historic Resources

Staff's review has identified no historic or architecturally significant resources on or within 500 feet of the subject property. In addition, no known archaeological resources located on or within 500 feet of the subject property have been identified. **Application Attachment N**.

H. Parks and Recreation - Residential Only (Including CLF)

Indicate the name and location of each of the applicable parks. Information is available from Parks and Recreation at (561) 966-6600. Indicate the population change from Development Potential Data and Analysis Multiply the population change by the LOS

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	West Delray Regional Park	0.00339	+186	0.63
Beach	Gulfstream Park	0.00035	+186	0.06

District	Caloosa Park	0.00138	+186	0.25
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I. Libraries - Residential Only (Including CLF)

Indicate the name and location of the closest County Library. Information is available from the Library Department at (561) 233-2600. Indicate the population change from Development Potential Data and Analysis. Multiply the population change by the LOS.

Library Name	Hagen Ranch Road Branch		
Address	14350 Hagen Ranch Road		
City, State, Zip	Delray Beach, FL 33446		
Distance	Approximately 3.00 miles		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	+186	372
Periodicals	5 subscriptions per 1,000 persons	+186	0.93
Info Technology	\$1.00 per person	+186	\$186.00
Professional staff	1 FTE per 7,500 persons	+186	0.02
All other staff	3.35 FTE per professional librarian	+186	0.005
Library facilities	0.34 sf per person	+186	63.24 SF

J. Public Schools - Residential Only (Not Including CLF)

Summarize School Comment Letter here and provide as Application Attachment O. Please contact Joyce Cai or Angela Usher at the Palm Beach County School Board at (561) 434-8000 to obtain a comment letter. Identify the name of the public schools that would educate potential school age children based on the current boundaries and the distance from each to the site. This information is available from the Palm Beach County School Board at (561) 434-8000.

	Elementary	Middle	High
Name	Morikami Park	Omni	Spanish River Community
Address	6201 Morikami Park Rd	5775 Jog Road	5100 Jog Road
City, State, Zip	Delray Beach, FL 33484	Boca Raton, FL 33496	Boca Raton, FL 33496
Distance	Approx. 5 miles	Approx. 5.50 miles	Approx. 6 miles

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Part 6. Attachments

- A. **PCN's, Legal Description and Warranty Deed** (include Legal in PDF & Word)
- B. **Agent Consent Form**
- C. **Applicant's Ownership Affidavit**
- D. **Applicant's Notice Affidavit, Property Appraiser List, and Labels**
- E. **Disclosure of Ownership Interests**
- F. **Built Feature Inventory & Map**
- G. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- H. **Traffic Approval Letter & Traffic Study**
- I. **Water & Wastewater Provider LOS Letters**
- J. **Drainage Statement**
- K. **Fire Rescue Letter**
- L. **Natural Feature Inventory & Map**
- M. **Wellfield Zone**
- N. **Historic Resource Evaluation Letter**
- O. **Palm Beach County School District LOS Letter**
- P. **Survey**
- Q. **Text Amendment Application** (Part 7, if applicable, in PDF & Word)

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

<http://www.pbcgov.org/pzb/planning/Pages/Comprehensive-Plan-Amendment-Applications.aspx>

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ATTACHMENT G
Comprehensive Plan Text Amendment
Large-Scale Future Land Use Atlas Amendment

All Seasons Delray Beach
Amendment Round 21-B

Prepared by:

WGI

2035 Vista Parkway
West Palm Beach, FL 33411
(561) 478-8501 – Fax (561) 478-5012
www.wantmangroup.com

Initial Submittal: November 10, 2020

Revised: February 11, 2021



Palm Beach County - Planning Division

2300 North Jog Road, WPB, FL 33411, (561) 233-5300

INTRODUCTION

On behalf of the Applicant, All Seasons Delray Beach LLC., WGI is requesting a **Comprehensive Plan Text Amendment** to allow for the development of Congregate Living Facilities (CLF) within the AGR Tier, under the Institutional and Public Facilities future land designation with an underlying Congregate Living Residential (INST/CLR) with the use of the Institutional Multiple Use Planned Development (MUPD) zoning district. In addition, the petitioner is requesting a **Large-scale Future Land Use (FLU) Atlas Amendment** to modify the FLU designation of a 9.729-acre tract of land from the Agricultural Reserve (AGR) land use designation to the Institutional and Public Facilities future land designation with an underlying Congregate Living Residential (INST/CLR) with the use of the Institutional Multiple Use Planned Development (MUPD) zoning district.

The subject site, known as “All Seasons Delray”, is located on the east side of Lyons Road, approximately 0.76 miles south of the Atlantic Avenue and Lyons Road intersection. The 9.729-acre property is comprised of two parcels identified by a FLU designation and zoning designation of AGR, and located within Palm Beach County’s Agricultural Reserve Tier. The site’s property address is 8892 156th Court South, and is further identified by the following Property Control Numbers (PCNs) as follows:

PCN	Owner Information	Address
00-42-46-20-01-000-0810	Cindy and Greg Jacob	8892 156TH CT S
00-42-46-20-01-000-0820		



Exhibit 1: Location Map

Project History

The subject site has no previous Comprehensive Plan Text Amendments or FLUA Amendments. Below is a zoning summary history of each parcel consisting of the subject site:

- **00-42-46-20-01-000-0810:** This parcel has a Control Number of 2012-00424 with a DRO approval for a Compositing Facility under Application Number PCN-2012-1942.
- **00-42-46-20-01-000-0820:** This parcel has no zoning summary history.

G.1 Justification

As required by the Future Land Use Element Policy 2.1.-f, the following sections provide justification for the proposed amendments and comply with the following controls:

1. The proposed use is suitable and appropriate for the subject site; and

Currently, the number of beds permitted within a CLF are regulated by FLU designation density allowances, with a conversion of 2.39 beds per one dwelling unit. When developing CLF's, the current conversion factor requires higher residential FLU designations in order to reach a viable bed count for development. As such, many CLF sites retain a FLU designation of either HR-8 or HR-12. Such FLU designations are permitted in other areas of PBC, such as the Urban Suburban Tier, but are not within the AGR Tier, based on current density restrictions (which limit residential development to one dwelling unit per acre). The proposed modifications to the aforementioned policies and density requirements are consistent with the way in which PBC has approved CLF's at similar densities. By modifying the policies and density requirements and restricting these amendments to CLF's, viable bed counts are supported, and the current density pattern is maintained, as non-CLF densities remain restricted to current AGR Tier requirements.

The Agricultural Reserve Tier functions to preserve and balance the rural and agricultural nature of the westernmost areas of the County with compatible residential and non-residential development for the residents of the Tier. In order to ensure the sustainable growth and preservation of the Tier, the Plan sets forth objectives to situate development areas east of State Road 7 "in order to protect the environmentally sensitive lands surrounding the Loxahatchee National Wildlife Refuge" (FLUE Objective 1.5). The Plan also encourages residential development be restricted to low densities and for non-residential development to be limited to uses serving the needs of the residents of the Tier. The proposed development for a Type 3 CLF in the Tier, specifically along the Lyons Road corridor, represents both a necessary use for the Tier and the appropriate location on which to situate this use. Furthermore, it is the intent of the Applicant to incorporate site design elements such as added open space, preserve areas, and enhanced buffers and setbacks to ensure that this development remains compatible and representative of sustainable non-residential development in the Tier.

2. There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:

- a. Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;**
- b. Changes in the access or characteristics of the general area and associated impacts on the subject site;**
- c. New information or change in circumstances which affect the subject site;**
- d. Inappropriateness of the adopted FLU designation; or**
- e. Whether the adopted FLU designation was assigned in error.**

The Agricultural Reserve Tier functions to preserve and balance the rural and agricultural nature of the westernmost areas of the County with compatible residential and non-residential development for the residents of the Tier. In order to ensure the sustainable growth and preservation of the Tier, the Plan sets forth objectives to situate development areas east of State Road 7 "in order to protect the environmentally sensitive lands surrounding the Loxahatchee National Wildlife Refuge" (FLUE Objective 1.5). The Plan also encourages residential development be restricted to low densities and for non-residential development to be limited to uses serving the needs of the residents of the Tier. The proposed development for a Type 3 CLF in the Tier, specifically along the Lyons Road corridor, represents both a necessary use for the Tier and the appropriate location on which to situate this use. Furthermore, it is the intent of the Applicant to incorporate site design elements such as added open space, preserve areas, and enhanced buffers and setbacks to ensure that this development remains compatible and representative of sustainable non-residential development in the Tier.

The Need for a Type 3 CLF in the Tier

According to the U.S. Department of Housing and Urban Development, by the year 2050, the population of individuals who are 65 and older is projected to double nation-wide. In consideration of this projection, it is without a doubt that Palm Beach County will be impacted by a rapidly aging population as many of the County's residents enter retirement age. This reality will not only put a strain on the residential housing stock county-wide, but specifically impose an increased demand for facilities that are able to serve the elderly. It will be vital that these facilities provide a wide range of services in close proximity to the residents that will require elderly care. The proposed development for a Type 3 CLF use in the Agricultural Reserve Tier will provide a variety of elderly care services in an area of the County that is currently underserved and unprepared for the projected exponential growth of retirement-aged residents.

The following analysis provides an in-depth account of the current age distribution within the Tier, showing how the Agricultural Reserve Tier is home to largest concentration of elderly residents in all of Palm Beach County. Furthermore, the analysis will illustrate how this use is underrepresented in the Tier, where the demographic make-up of the Tier clearly supports and necessitates this use.

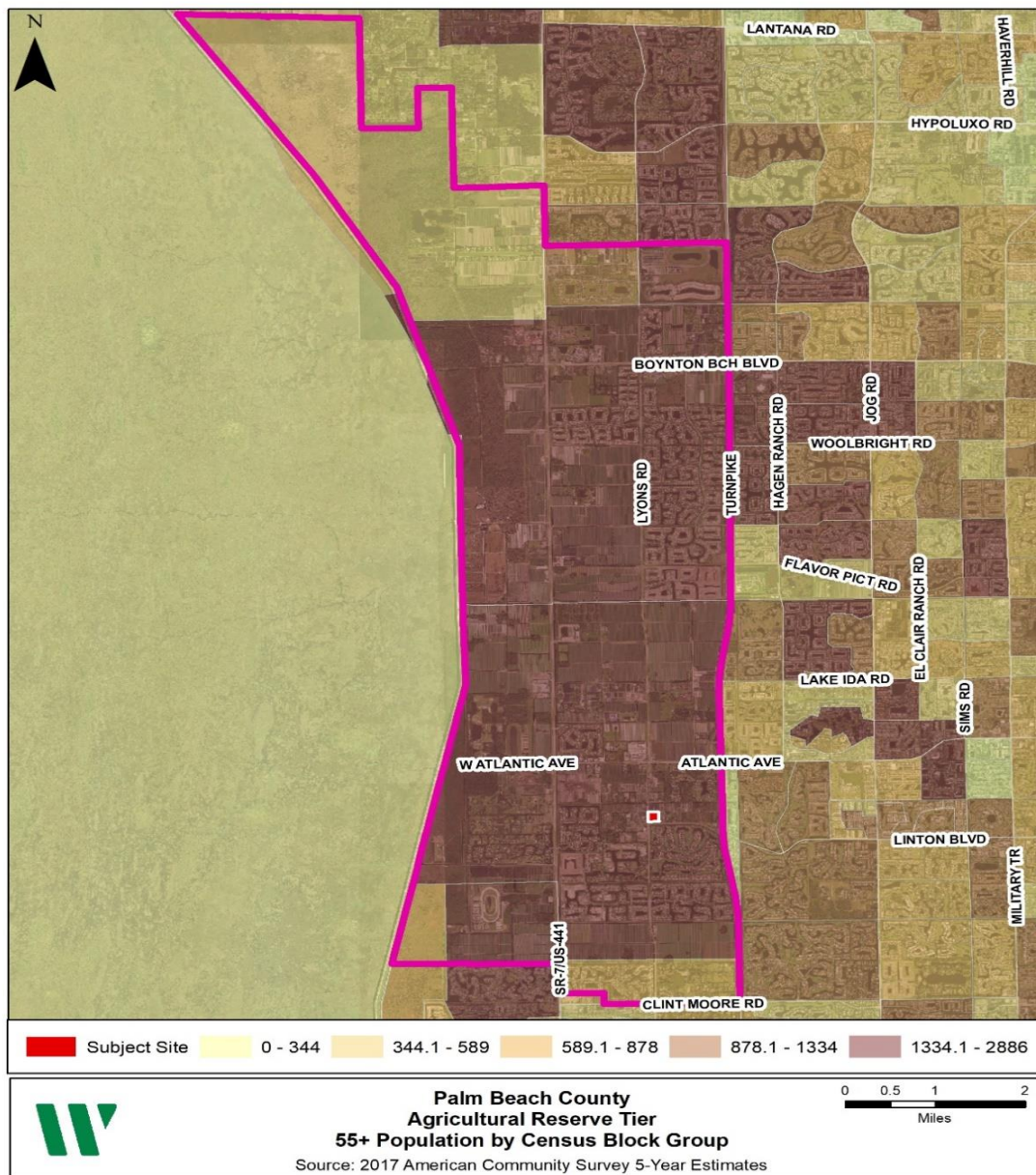


Exhibit 2: Concentration of 55+ Residents in Palm Beach County

As shown in the exhibit above, according to the U.S. Census Bureau, the highest concentration of elderly population (ages 55+) in Palm Beach County actually resides within or adjacent to the Agricultural Reserve Tier. This analysis utilized the 2017 5-Year American Community Survey estimates provided by the Census Bureau. The aforementioned analysis examined the demographic composition of the County using the most granular geographic unit available for population data- the census block group. This dataset provided population counts by age group for each census block group in the County, where the map above shows the concentration of residents aged 55 or older across the County.

This assessment of population distribution across the County reveals that currently, the highest concentration of elderly residents already reside within or adjacent to the Agricultural Reserve Tier. In consideration of this, and in light of the 2050 projections, the Agricultural Reserve Tier as well as the adjacent communities to the Tier, will experience increased pressure and demand to provide housing and services for elderly. Alternatively, the lack of housing and facilities for the elderly in the Tier presents a disproportionate and growing inequity in these sectors for the constituents already living in the Tier. The proposed uses for the subject site will directly serve the residents of the Tier and help alleviate the growing need for Congregate Living Facilities in the Tier. This provision of a necessary use in the Agricultural Reserve Tier directly supports and undeniably reinforces Objective 1.5 of the Plan- that non-residential uses in the Tier be developed and provided to serve the residents of the Tier.

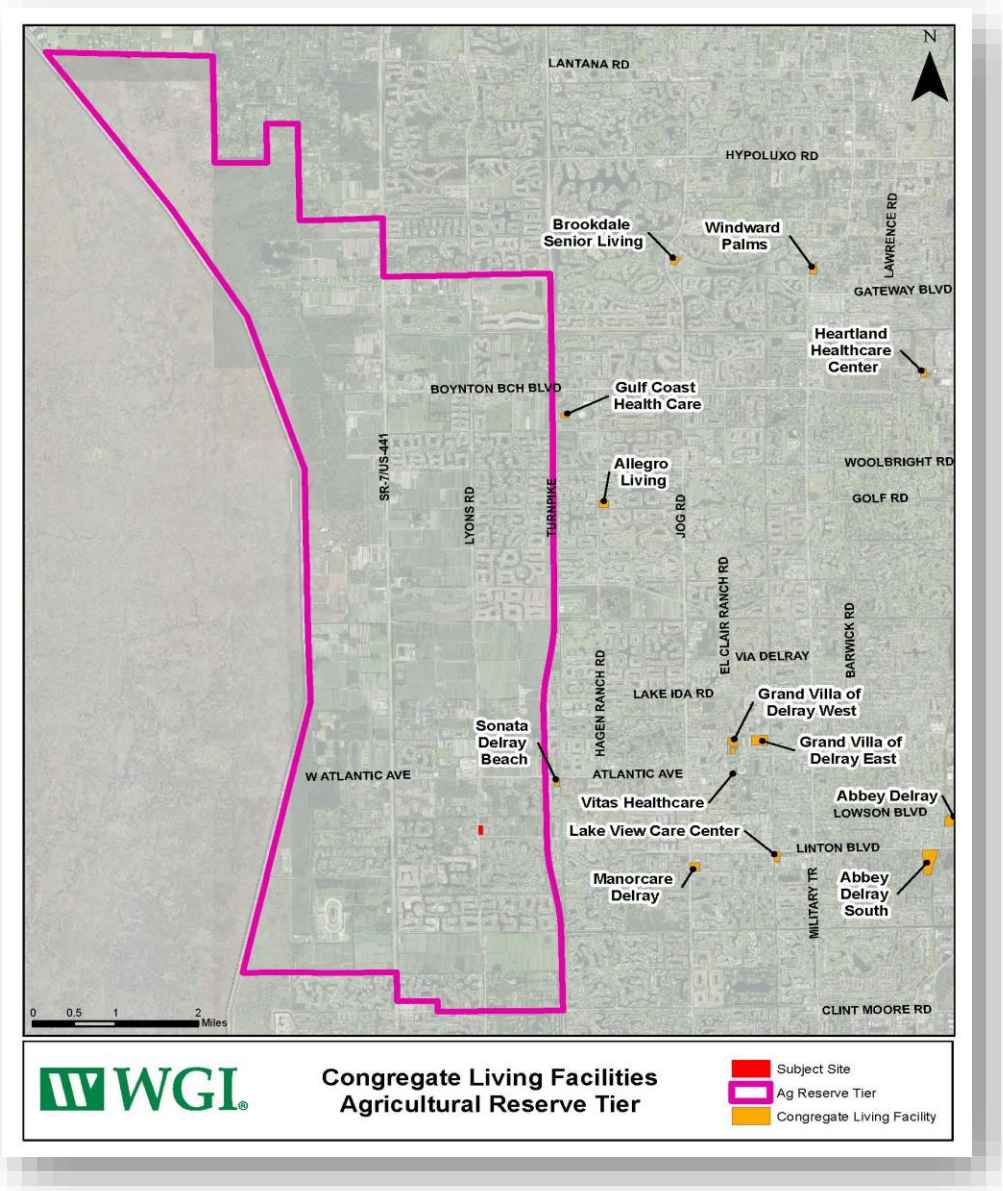


Exhibit 3: CLF Location – Southern PBC

To further justify the need for this use in the Agricultural Reserve Tier, the map above shows the location of congregate living facilities in relation to the Tier. As shown, these facilities are not currently provided within the Tier. While the map depicts facilities adjacent to the Tier, it should be noted that these facilities do not provide the full spectrum of elderly care, with the exception of Independent Living, in comparison to the proposed All Seasons Delray development.

The table below illustrates the levels of care associated with each congregate living facility for the elderly in the southern portion of the County. As shown below, while there are facilities located within 10 miles of the Tier, there are no facilities that provide the full spectrum of care in close proximity to the residents of the Tier. The only two facilities that provide the full spectrum of elderly care, Brookdale Senior Living and Abbey Delray, are located between 8 and 10 miles from the Tier.

Facility	Distance from AGR Tier	Type 3 Congregate Living Facility			Nursing/Convalescent Facility
		Independent Living	Assisted Living	Memory Care	Skilled Nursing
<i>Poet's Walk</i>	-		✓	✓	✓
<i>Sonata Delray Beach</i>	2 miles		✓	✓	
<i>Vitas Healthcare</i>	4 miles				✓
<i>Lake View Care Center</i>	5.6 miles				✓
<i>Manorcare Delray</i>	5 miles				✓
<i>Allegro Living</i>	6 miles	✓	✓	✓	
<i>Brookdale Senior Living</i>	10 miles	✓	✓	✓	✓
<i>Windward Palms</i>	12 miles	✓			
<i>Heartland Healthcare Center</i>	9 miles				✓
<i>Grand Villa of Delray West</i>	4.5 miles	✓	✓	✓	
<i>Grand Villa fo Delray East</i>	5 miles	✓	✓	✓	
<i>Abbey Delray South</i>	8 miles	✓			✓
<i>Abbey Delray</i>	8 miles	✓	✓	✓	✓

Given future population projections, the current demographic composition of the Tier, and the reality that this use is overwhelmingly underrepresented in the Tier, the proposed use of a Type 3 CLF will represent a suitable use type for the Tier. With the addition and inclusion of code compliant site design features and enhanced compatibility measures, this use will help to alleviate the growing need for this use in the Agricultural Reserve Tier and remain compatible with the surrounding character.

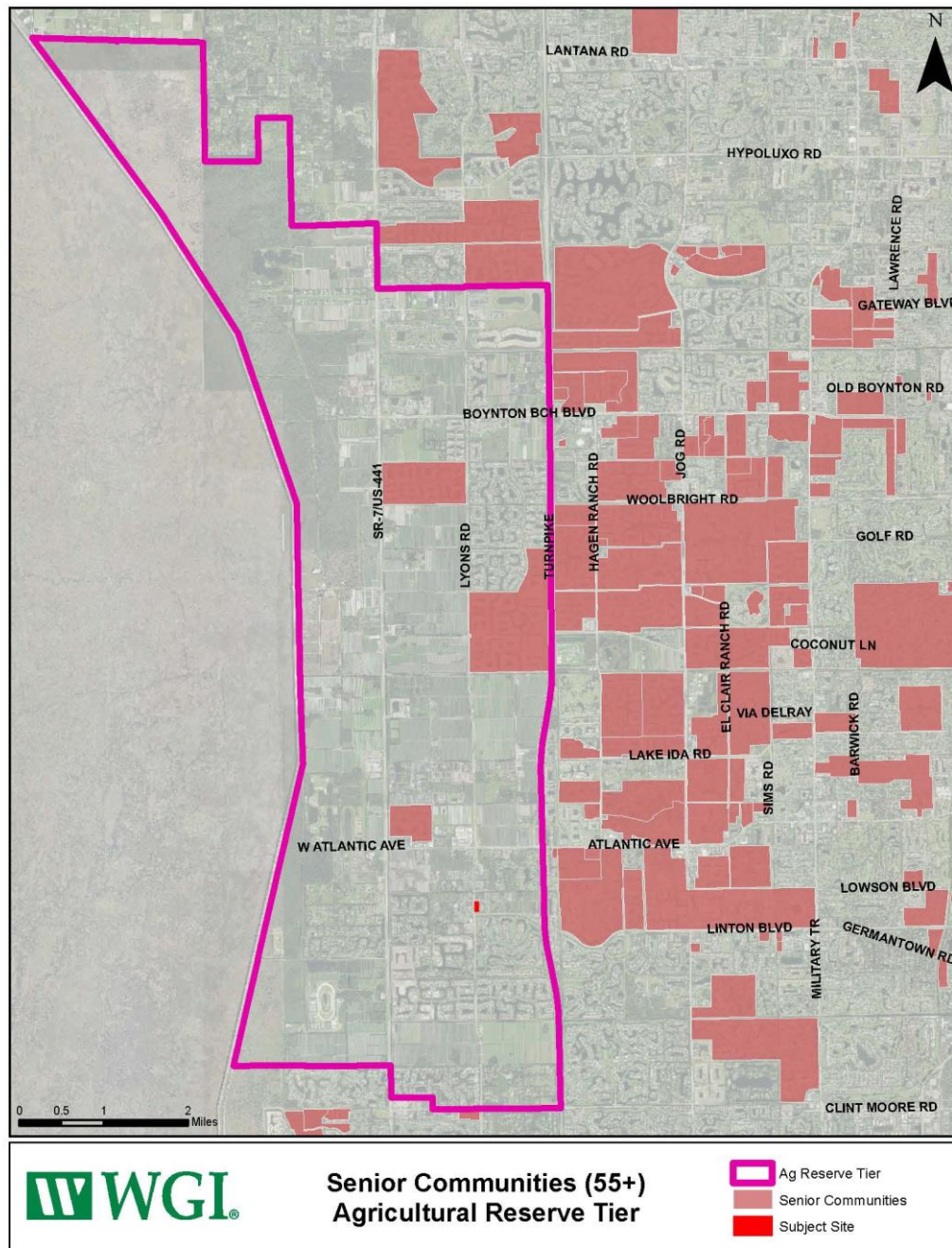


Exhibit 4: Senior Communities Map

The need for this use is further justified when analyzing the distribution of “senior communities” within and adjacent to the Agricultural Reserve Tier. Senior Communities, as defined by the Palm Beach County Planning, Zoning, and Building Department, are the geographic boundaries of communities determined to house a population of seniors where census data shows that 75% or greater are aged 55 or over. This dataset was examined using Geographic Information Systems (GIS), as shown in the map above, to illustrate the spatial distribution of these communities in the southern and western portions of the County.

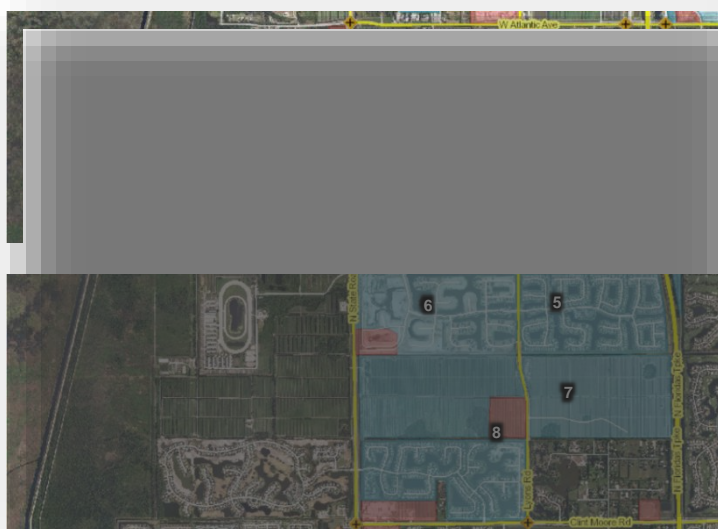
This County dataset reveals that several defined senior communities currently exist within the Tier. Furthermore, the highest concentration of senior communities in the entire county can be seen to be situated directly adjacent to the Tier. The current and projected residents of these defined and distinct age-restricted developments will require elderly-care services as the progress in age and the proposed development will help to alleviate the increased demand that this health care sector will face in the coming years.

Over the past several decades, the AGR Tier has seen tremendous growth in both residential and non-residential development. The original development pattern established for the Tier as part of the 1989 Comprehensive Plan has seen a shift in uses, from primarily farmland and agricultural, to a balanced mix of housing and necessary services for residents in this portion of Palm Beach County. The shift in development pattern is evident by the existing and approved planned residential developments located throughout the Tier, as well as both developed and approved non-residential uses. The influx of both residential and non-residential uses is an acknowledgement of the previously unforeseen growth potential and changing pattern of an area that was once primarily agricultural.

While certain aspects of the original Agricultural Reserve Master Plan have been maintained, there have been modifications over its evolution. The change in uses and development within the Tier is evident along the Lyons Road segment in which the proposed uses are located (between Atlantic Avenue and Clint Moore Road). Along this segment of Lyons Road, there are more than 2,800 existing and approved residential units and more than 125,000 square feet of non-residential uses that include retail, pharmacy, restaurants, church/synagogue and office uses. The following table summarizes existing and proposed projects as shown in the PBC TPS database.

Project Name	Approval	% Complete
Feurring Commercial MUPD	12,236 square feet of retail 12,900 square feet of pharmacy 4,500 square feet quality restaurant 4,500 square feet fast food restaurant	30%
St. Mary Coptic Orthodox Church	42,300 SF Church/Synagogue	50%
Mizner Country Club	471 Single Family Detached	98%
Divine Savior Academy	11,572 square feet church/synagogue 392 students (K-8 Private School) 11,120 SF (Day Care)	100%
Bridges North AGR-PUD	591 Single Family Detached	95%
Hyder AGR-PUD	1,340 Single Family Detached	19%
Bridges South AGR-PUD	417 Single Family Detached	0%
Hyder PUD S Civic	28,244 SF of General Office	0%

The following aerial graphically depicts the project locations, with blue indicating residential and red indicating non-residential.



1. **Feurring Commercial MUPD**
2. **St. Mary Coptic Orthodox Church**
3. **Mizner Country Club**
4. **Divine Savior Academy**
5. **Bridges North AGR-PUD**
6. **Hyder AGR-PUD**
7. **Bridges South AGR-PUD**
8. **Hyder PUD S Civic**

As previously mentioned, as a result of shifting development trends and demographics in the Tier, there is a growing need for elderly care facilities. CLF's offer a variety of services to the aging population in the form of independent living, assisted living and/or skilled nursing and memory support. Often times, this type of facility offers a transitional approach to services, so seniors can begin with one level of care and then transition as needed. The existing development pattern of the Tier supports the development of this type of facility (at the proposed density of 8 du/acre), as there are thousands of residential homes existing today, and approved for the future (a significant percentage of which are age-restricted). Furthermore, the proposed location along Lyons Road represents an ideal location in which to situate the proposed use. Lyons Road is the main corridor of the Tier, with the majority of development clustered along both sides of the roadway.

G.2 Residential Density Increases

The last several decades have been subject to tremendous growth throughout Palm Beach County, including within the Agricultural Reserve Tier. The established and approved uses within this Tier have shifted from what was once primarily either agricultural activity or uses that supported agricultural activities, to a more suburban style of development, with low density residential developments and non-residential uses that provide needed services to residents of the Tier. As land became less available, development pressures within the County were pushed westward, resulting in development occurring in areas outside of the Urban Suburban Tier.

In an effort to control the type of development that occurred and to preserve the character of the Tier, Palm Beach County developed requirements that created development controls for projects, which included use restrictions, preserve area requirements, maximum densities and a cap on non-residential square footage. As the development within the Tier continues to grow and evolve, the County will be faced with the increased demand for uses within the area that were not anticipated with the original adoption of the Comprehensive Plan and establishment of zoning districts. One of the uses that were not originally anticipated but are very much needed in the area are senior living facilities.

Palm Beach County is home to a large amount of "Baby Boomers" that wish to "age in place". As shown throughout the aforementioned analyses, the Agricultural Reserve Tier is truly conducive for the proposed use. At such time residents of these developments, or their families, make the decision to pursue senior living facilities for housing and care, there are very limited options available within or in close proximity to the Tier. While the use is currently allowed within the Tier, it must follow the AGR-PUD requirements for size and preserve area. Coupled with the low bed ratio for these uses (2.39 beds per acre), as opposed to those outside of the Agricultural Reserve Tier (typically 19 beds per acre), development of the use is economically and realistically impossible without an amendment to the Comprehensive Plan and reassignment of the current zoning district to MUPD.

The text amendment is proposing language to allow Congregate Living Facilities within the Tier to achieve a density of eight dwelling units per acre. The development of these types of uses at a maximum density of eight dwelling units per acre will sufficiently accommodate the required density for viable uses, while maintaining the existing development patterns already established in the Agricultural Reserve Tier. As the project moves through the site design process, special attention will be paid to site design elements, in order to ensure that no negative impacts result as part of this request, as well as to promote compatibility with surrounding uses within the Tier.

The proposed density for CLF uses of eight dwelling units per acre is consistent with similar approvals within Palm Beach County, as outlined in the table below.

Project Name	Control #	Location	Ac.	FLU	Zoning	Beds	Density
Allegro at Boynton Beach	97-0075	Woolbright Rd. & Hagen Ranch Rd.	7.50	INST/8	MUPD	140	7.8 du/ac
Lake Worth Road CLF	81-0013	Lake Worth Rd. & Hedjes Dr.	6.05	CH/8	MUPD	165	11.4 du/ac
Lake Worth Senior Living	05-0122	SR 7 & Woodwind Rd.	6.86	HR-8	PUD	134	8.17 du/ac
Cobblestone Place CLF	75-0068	Palmetto Park Rd. & Ponderosa Dr.	6.00	HR-12	PUD	168	11.71 du/ac
Gardens CLF	96-112	Palamino Drive & SR 7	8.27	INST/8	MUPD	144	7.28 du/ac
Vista Center Parcel 6	84-130	Vista Parkway & Okeechobee Blvd	22.10	IND/5	PIPD	378	7.16 du/ac

Tuscan Gardens	05-506	Sims Road & Frost Lane	7.57	CLR/8	PUD	217	11.99 du/ac
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As outlined in the table above, recently approved CLF's within Palm Beach County have FLU designations with densities that are consistent with that being proposed for the subject site.

G.3 Compatibility

The surrounding uses vary and are found to be compatible with the proposed amendment. The site is near existing residential uses, and is bordered on the western property boundary by Lyons Road, which provides access to Atlantic Avenue and Clint Moore Road.

The following is a summary of the uses surrounding the subject site:

	FLU Designation	Zoning District	Existing Use
North	AGR	AGR	Agricultural, Nursery
South	AGR	PUD	Linton Boulevard ROW, Residential
East	AGR	AGR	Agricultural, Nursery, Residential
West	AGR	AGR	Lyons Road ROW, Agricultural, Nursery

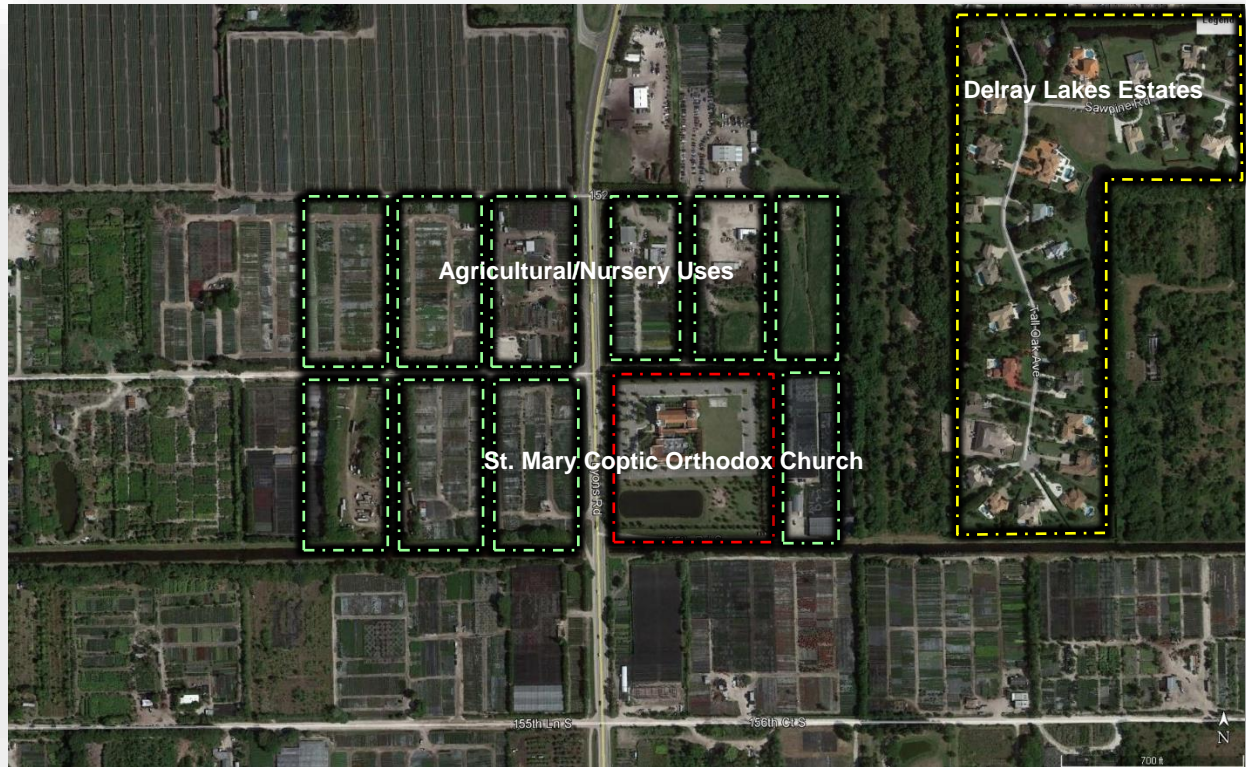
North: Immediately north of the subject site is an agricultural nursery with a FLU designation and Zoning designation of AGR. Further north, there is an existing place of worship located adjacent to Lyons Road with FLU and Zoning designations of AGR.

South: Immediately south of the subject site is the Linton Boulevard ROW. Further south is the residential PUD community known as Mizner Country Club. This community retains a FLU designation of AGR and a Zoning designation of PUD.

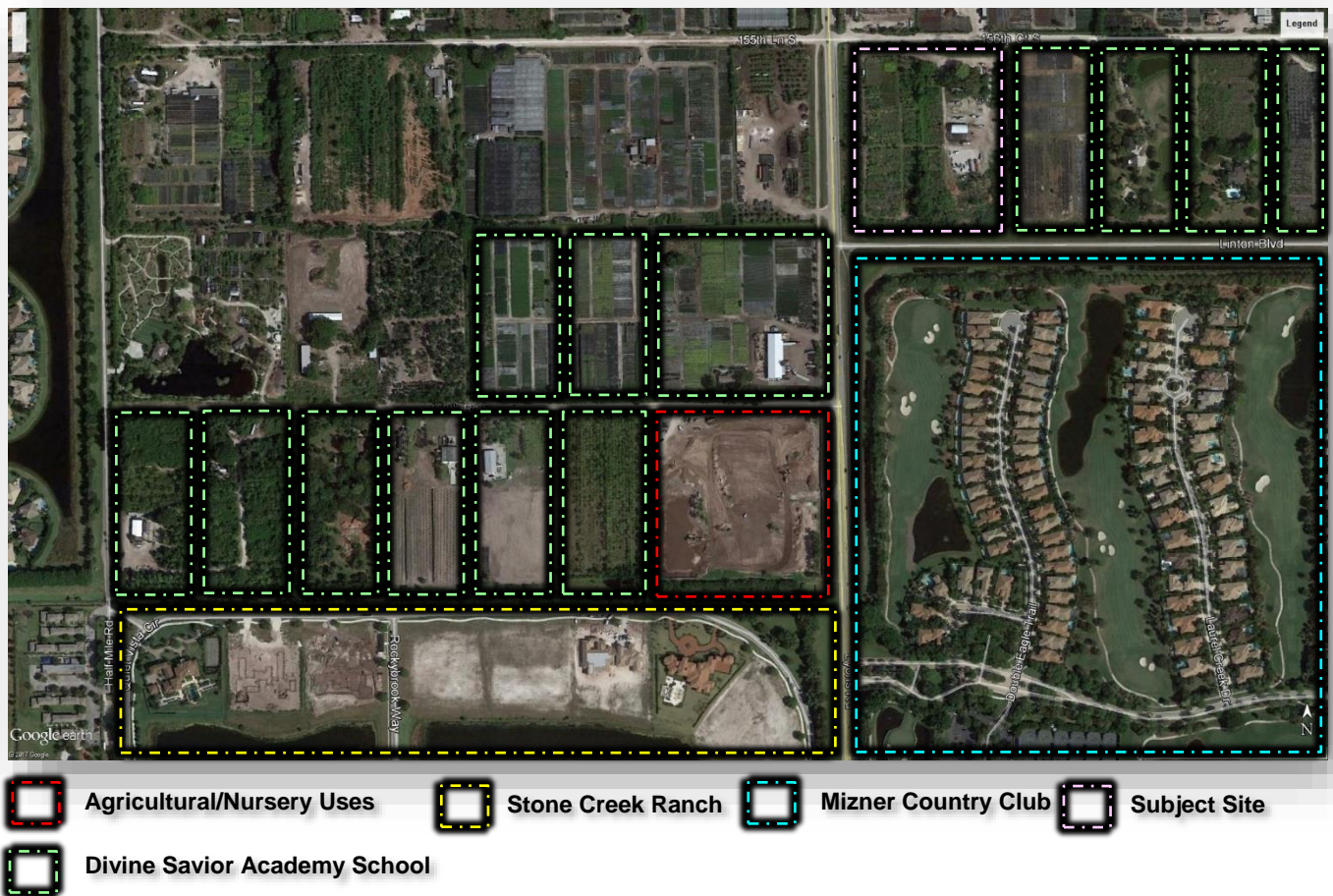
East: East of the subject site are agricultural nursery uses and low density residential. Both uses retain a FLU design and Zoning designation of AGR.

West: Immediately west of the subject site is the Lyons Road ROW. Just west of this road is an agricultural nursery, known as Landworks Depot, which retains a FLU designation and a Zoning designation of AGR.

The proposed CLF is compatible with the surrounding uses and is complimentary to the existing development pattern along the Lyons Road corridor. As demonstrated in the data and figures provided earlier in this report, the Lyons Road corridor is concentrated with development on both the east and west sides, from Boynton Beach Boulevard south to Clint Moore Road, with a large population of residents aged 55 years and older. The CLF use addresses an existing need for this sector of PBC, by providing necessary services and housing options to the aging population. Both the INST/CLR designation and proposed Type 3 CLF use are compatible with the surrounding area, both immediately adjacent to the site and along the Lyons Road corridor. The development of a CLF at this location, under the INST/CLR is not out of character with approved and constructed establishments along the same corridor (Lyons Road, from Atlantic Avenue to Clint Moore Road), of which many are surrounded by agricultural and nursery activity.



- St. Mary Coptic Orthodox Church (Control # 2005-00509): Approved for a Place of Worship.
- Delray Lakes Estates (Control # 1979-00031): Approved for residential.
- Both developments surrounded by agricultural and nursery type uses.
- Divine Savior Academy School (Control # 2013-00168): Approved for a Place of Worship, Private School and Daycare.
- Stone Creek Ranch (Control #1999-00031): Approved for residential.
- Mizner Country Club (Control #1987-00007): Approved for residential.
- Surrounded by agricultural and nursery type uses, as shown below.



As demonstrated in the graphics above, both institutional and residential uses exist along the corridor, adjacent to agricultural and nursery type uses. The current development proposal is consistent and compatible with the development pattern already established in the vicinity and will not create any adverse impacts. The extent to which the uses transition from one to another are often mitigated by the use of property development regulations including setbacks, height limitations and landscape buffer requirements.

G.4 Comprehensive Plan Consistency

This proposed Comprehensive Plan Text Amendment request is consistent with the intent, objectives and policies of the Comprehensive Plan, as proposed to be amended, based on the following:

Objectives

The proposed Text Amendment furthers the County's objectives as further described below.

Objective 1.5 The Agricultural Reserve Tier

General

The Agricultural Reserve Tier encompasses unique farmland and wetlands that are to be preserved primarily for agriculture based on policy direction adopted by the Board of County Commissioners in 1995. The Agricultural Tier Objective and Policies were revised in 2001 to incorporate the findings contained within the Ag Reserve Master Plan dated October 2000. This document was a summary of consultant and staff recommendations, and Board direction, for the Ag Reserve Master Planning effort which took place over a period of years with several phases. The purpose of the Master Planning effort was: "To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals.

Response: The Agricultural Reserve Tier remains a unique area in PBC, as important agricultural land and activities are concentrated within the Tier boundaries. However, as the development landscape of PBC evolved over the last few decades, so has the development pattern of the Agricultural Reserve Tier. What was once farmland and predominantly agricultural uses, has evolved into a well-planned residential area, with carefully

planned and monitored non-residential uses to support the expanding population. All of these uses continue to exist in harmony with remaining agricultural uses within the Tier. The proposed Comprehensive Plan Text Amendment does not cause any conflicts within the Tier, as locating a CLF within the Agricultural Reserve Tier accommodates an underserved use, by providing necessary services to the aging population. The current proposal to utilize density remains consistent with the historical approvals for CLF uses in PBC. Allowing the CLF density under the proposed future land designation further preserves the character of the Tier, by limiting density above the currently established one dwelling unit per acre, to CLF uses. The location of the proposed CLF along Lyons Road is consistent with the established development pattern, as this thoroughfare is the main street for development within the Tier. Continuing the trend of development along Lyons Road will relieve development pressures along State Road 7.

Objective

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.

Response: The proposed amendment to the PBC Comprehensive Plan to allow for a CLF along Lyons Road is not in conflict with this objective. The development of a CLF in this location lends itself as a unique opportunity to provide needed services to the population of the Agricultural Reserve Tier, as a significant percentage of residents within the Agricultural Reserve Tier (and directly outside the boundaries of the Tier) are senior citizens. With currently limited options available within the Tier for diverse housing choices and skilled care for the elderly, Agricultural Reserve Tier residents who require such housing and care are forced to look for options outside of their familiar community. The CLF use along Lyons Road is not out of character with the established pattern of development, nor does it represent a negative impact on agriculture, as the subject site is small in size, utilized as nursery sales, has direct frontage on a major roadway and clustered along a developed corridor.

Policies

The proposed Comprehensive Plan Text Amendment furthers the County's policies as further described below.

Policy 1.5-s

Institutional and Public Facilities uses shall be allowed in the Agricultural Reserve Tier. Such uses shall not be permitted west of State Road 7. Institutional related uses, including but not limited to, churches and social service facilities shall be allowed within the AGR Zoning District as a part of the continuation of the Tier.

Response: The proposed amendment to the PBC Comprehensive Plan to allow for a CLF along Lyons Road is consistent with Policy 1.5-s. The placement of this use along the frontage also limits the amount of development on the agricultural uses behind it. As has been discussed throughout this Justification Statement, Lyons Road has been established as the hub for development, as the majority of development is concentrated along the east and west sides of the roadway. The current development proposal to locate the CLF on the east side of Lyons Road, furthers this policy, as it continues this development pattern along Lyons Road and preserves the land west of State Road 7 within the Agricultural Reserve Tier.

The information presented in this Justification Statement demonstrates that there is a need, given the existing, aging population within the Agricultural Reserve Tier and immediately surrounding area, that the proposed use is consistent with the existing development patterns of the Tier and that the Lyons Road corridor represents the best location in which to develop such a use, as it is an established development hub within the Tier.

Compliance with Comprehensive Plan FLUE Policy 2.1-F

The proposed FLUA Amendment must be found to be consistent with the Goals, Objectives and Policies of the Comprehensive Plan. Future Land Use Element **Policy 2.1-f** requires that adequate justification for the proposed FLU be provided. The proposed FLUA Amendment to modify the FLU from AGR to INST/CLR is in compliance with the requirements of the County's Comprehensive Plan, as outlined below.

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

The proposed request has minimal effect on the natural environment, such as but not limited to water, air, storm water management, wildlife, vegetation, wetlands and the natural functioning of the environment.

There are no environmental issues associated with this application beyond compliance with PBC regulations. Any existing vegetation on site will be preserved to the greatest extent possible.

2. The availability of facilities and services;

Concurrent with this request, the Applicant is applying for a Concurrency Reservation to accommodate the proposed development. Adequate facilities and services are available.

3. The adjacent and surrounding development;

The surrounding uses vary and are found to be compatible with the proposed amendment. The site is near existing residential uses and is bordered on the western property boundary by a roadway providing direct access to Atlantic Avenue. The following is a summary of the uses surrounding the subject site:

	FLU Designation	Zoning District	Existing Use
North	AGR	AGR	Agricultural, Nursery
South	AGR	PUD	Linton Boulevard ROW, Residential
East	AGR	AGR	Agricultural, Nursery, Residential
West	AGR	AGR	Lyons Road ROW, Agricultural, Nursery

North: Immediately north of the subject site is an agricultural nursery with a FLU designation and Zoning designation of AGR. Further north, there is an existing place of worship located adjacent to Lyons Road with FLU and Zoning designations of AGR.

South: Immediately south of the subject site is the Linton Boulevard ROW. Further south is the residential PUD community known as Mizner Country Club. This community retains a FLU designation of AGR and a Zoning designation of PUD.

East: East of the subject site are agricultural nursery uses and low density residential. Both uses retain a FLU design and Zoning designation of AGR.

West: Immediately west of the subject site is the Lyons Road ROW. Just west of this road is an agricultural nursery, known as Landworks Depot, which retains a FLU designation and a Zoning designation of AGR.

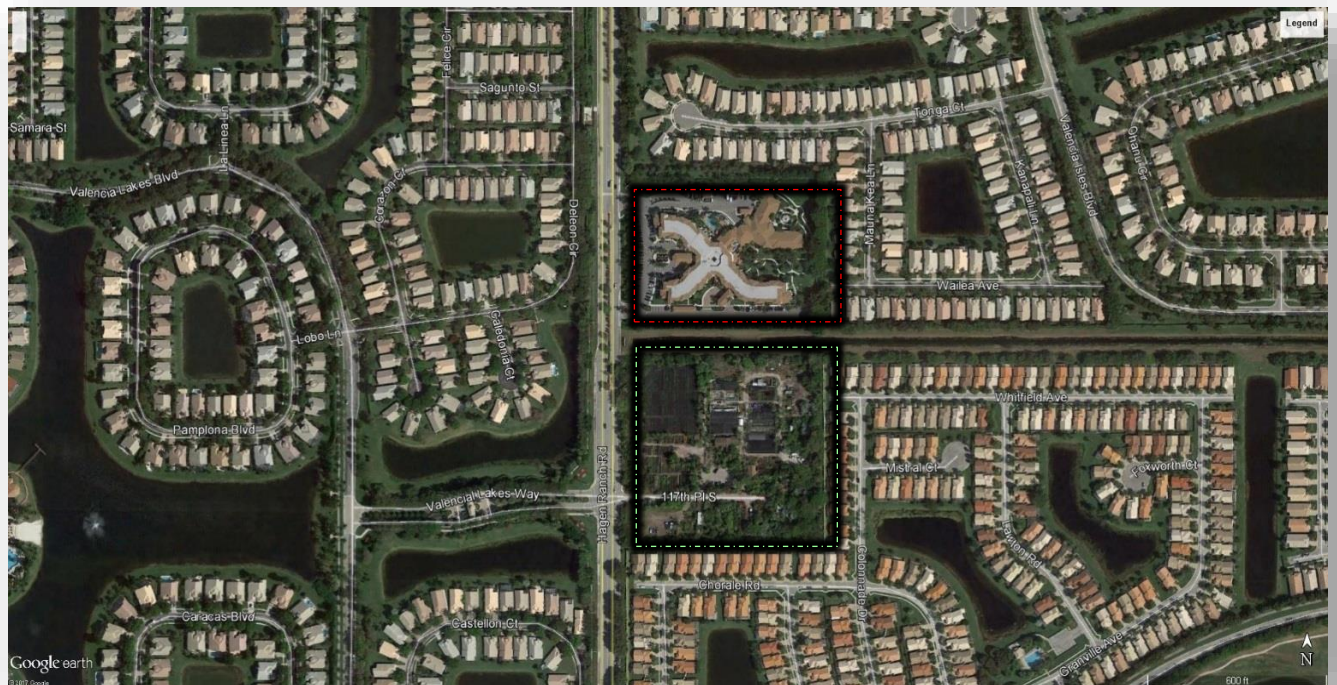
The proposed CLF use is compatible with the surrounding uses and is complimentary to the existing development pattern along the Lyons Road corridor. The Lyons Road corridor is concentrated with development on both the east and west sides, from Boynton Beach Boulevard south to Clint Moore Road, with a large population of residents aged 55 years and older. The CLF use addresses an existing need for this sector of PBC, by providing necessary services and housing options to the aging population. Both the INST/CLR FLU designation and proposed Type 3 CLF use are compatible with the surrounding area, both immediately adjacent to the site and along the Lyons Road corridor. The development of a CLF at this location, under the INST/CLR FLU designation is not out of character with approved and constructed establishments along the same corridor (Lyons Road, from Atlantic Avenue to Clint Moore Road), of which many are surrounded by agricultural and nursery activity, as demonstrated on Pages 2 and 3 of this report. Also outlined earlier in this report (Page 22), there have been several recent Type 3 CLF's approved and adjacent to similar uses. The proposed CLF at this location is consistent with the established uses and current development pattern along the Lyons Road corridor. Furthermore, the following aeriels identify the aforementioned approved CLF's within MUPD Zoning Districts, and demonstrate their relationship with existing uses are similar to that of the subject site.



Gardens CLF



-  Gardens CLF MUPD
-  Agricultural/Nursery Uses

Allegro at Boynton Beach



-  Allegro at Boynton Beach MUPD
-  Agricultural/Nursery Uses

4. The future land use balance;

The AGR Tier has seen tremendous growth in both residential and non-residential development since its inception. The original development pattern established for the Tier has undergone a transition of uses, from primarily farmland and agricultural, to a balanced mix of housing and necessary services for residents in this sector of PBC. The shift in development pattern is evident by the existing and approved planned residential developments located throughout the Tier and both developed and approved non-residential uses (the BCC approved a cap of 980,000 square feet in April 2016). The influx of both residential and non-residential uses is an acknowledgement of the previously unforeseen growth potential and changing pattern of an area that was once primarily agricultural. While certain aspects of the original Agricultural Reserve Master Plan have been maintained, there have been modifications over its evolution. The change in uses and development within the Tier is evident along the Lyons Road segment in which the proposed CLF use is located (between Atlantic Avenue and Linton Boulevard). Along this segment of Lyons Road, there are more than 2,800 existing and approved residential units and more than 125,000 square feet of non-residential uses that include retail, pharmacy, restaurants, church/synagogue and office uses. Recently, there have been several developments approved within the Tier and in close proximity to the subject site. The re-designation of the site with a FLU designation of INST/CLR provides for a complimentary continuance of the existing development pattern and allows the site to be developed with a CLF, while maintaining the existing density patterns associated with traditional residential development within the Tier.

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

Florida Statute, Chapter 163.3177 is the principle state statute governing the comprehensive plans and plan amendments for all of the Counties within the State of Florida. In 2011, Chapter 163, F.S. was substantially revised and Rule 9J-5 was repealed and removed from the Florida Administrative Code (House Bill 7207). Today, Chapter 163.3177(1) (f) states, “all mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government, that may include but not be limited to, surveys, studies, community goals and vision, and other data available on that particular subject at the time of adoption of the plan or plan amendment at issue.”

The data and analysis presented in this application and justification statement support the request for amendment of the FLUA and demonstrate consistency with the Florida Statutes.

163.3177 – 6.a. Requires that a local government’s future land use plan element be based on a number of factors, including population projections, the character of undeveloped land, availability of public services and other planning objectives.

The proposed amendment is consistent with the character of the surrounding and future uses of the AGR Tier and is demonstrated in this Justification Statement. Over time, the change in development within the Tier has necessitated amendments to the original FLU designations, in order to support the growing populations and needs of the Tier. The inappropriateness of the existing AGR FLU is the result in the unanticipated development of the Tier throughout the last several decades. While agricultural uses and farmland still represents appropriate uses for the Tier, the small size of the site and location along the east side of Lyons Road, does not represent a suitable location for agricultural activities.

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

The subject site is located within PBC’s Agricultural Reserve Tier. The AGR Tier remains a unique area in PBC, as important agricultural land and activities are concentrated within the Tier boundaries. However, as the development landscape of PBC evolved over the last few decades, so has the development pattern of the AGR Tier. What was once farmland and predominantly agricultural uses, has evolved into a well-planned residential area, with carefully planned and monitored non-residential uses to support the expanding population. All of these uses continue to exist in harmony with remaining agricultural uses within the Tier. The proposed Comprehensive Plan Text Amendment does not cause any conflicts within the Tier, as locating a CLF within the AGR Tier accommodates an underserved use, by providing necessary services to the aging population. The current proposal to utilize density remains consistent with the historical approvals for CLF uses in PBC. Allowing the CLF density under the CLR FLU designation further preserves the character of the Tier, by limiting density above the currently established one dwelling unit per acre, to

CLF uses. The location of the proposed CLF along Lyons Road is consistent with the established development pattern, as this thoroughfare is the main street for development within the Tier. Continuing the trend of development along Lyons Road will relieve development pressures along State Road 7.

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

Not applicable.

The following analysis demonstrates the proposal's consistency with the relevant Goals, Objectives and Policies of the Future Land Use Element of the Plan, as demonstrated throughout this report.

Consistency with the PBC Future Land Use Element

Goals – The proposed FLUA Amendment furthers the County's goals as further described below.

- **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.*

Response: The assignment of the land with a FLU of INST/CLR and subsequent development of a CLF addresses a need for a diversity of housing and level of care options for the aging population of the AGR Tier and immediate area.

Objectives – The proposed FLUA Amendment furthers the County's objectives as further described below.

- **Objective 1.5 The Agricultural Reserve Tier**

General: *The Agricultural Reserve Tier encompasses unique farmland and wetlands that are to be preserved primarily for agriculture based on policy direction adopted by the Board of County Commissioners in 1995. The Agricultural Tier Objective and Policies were revised in 2001 to incorporate the findings contained within the Ag Reserve Master Plan dated October 2000. This document was a summary of consultant and staff recommendations, and Board direction, for the Ag Reserve Master Planning effort which took place over a period of years with several phases. The purpose of the Master Planning effort was: "To preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve, and produce a master development plan compatible with these goals.*

Response: The AGR Tier remains a unique area in PBC, as important agricultural land and activities are concentrated within the Tier boundaries. However, as the development landscape of PBC evolved over the last few decades, so has the development pattern of the AGR Tier. What was once farmland and predominantly agricultural uses, has evolved into a well-planned residential area, with carefully planned and monitored non-residential uses to support the expanding population. All of these uses continue to exist in harmony with remaining agricultural uses within the Tier. The proposed Comprehensive Plan Text Amendment does not cause any conflicts within the Tier, as locating a CLF within the AGR Tier accommodates an underserved use, by providing necessary services to the aging population. The current proposal to utilize density remains consistent with the historical approvals for CLF uses in PBC. Allowing the CLF density under the CLR FLU designation further preserves the character of the Tier, by limiting density above the currently established one dwelling unit per acre, to CLF uses. The location of the proposed CLF along Lyons Road is consistent with the established development pattern, as this thoroughfare is the main street for development within the Tier. Continuing the trend of development along Lyons Road will relieve development pressures along State Road 7.

Objective: *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 in it.*

Response: The proposed amendment to the FLUA to assign the subject site a FLU designation of INST/CLR does not create a conflict with this objective. To the contrary, the designation of this site with the INST/CLR FLU allows for the development of a CLF at an appropriate location, along a major roadway that is already established as a corridor for development within the Tier. By concentrating development along an already established roadway, larger tracts of land in more appropriate areas can be preserved for farmlands and agricultural activities.

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

Response: The proposed FLUA Amendment furthers this objective, by promoting balanced growth and providing a diversity of housing choices and level of care options for residents of the AGR Tier and locating development along established corridors. The population data provided in this Justification Statement supports the conclusion that the development of a CLF addresses an underserved use within the Tier.

- **Objective 2.2 Future Land Use Provisions – General** – *Palm Beach County shall ensure development is consistent with the County's diverse character and future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provision of facilities and services shall be consistent with the property's future land use designation, and the applicable Goals, Objectives and Policies of this Element.*

Response: The proposed FLUA Amendment is consistent with the County's diverse character and future land use designations as the proposed use will offer needed services to the area that are currently under represented. Furthermore, as demonstrated within this section, the proposed amendment is consistent with the applicable Goals, Objectives and Policies of the Future Land Use Element of the Comprehensive Plan.

- **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.*

Response: The subject site is located near all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, mass transit, opportunities, etc. The proposed development will sufficiently utilize the existing urban services within the area. Furthermore, the proposed use will provide additional services to the community to help protect the health, safety and welfare of its residents.

Policies – The proposed FLUA Amendment furthers the County's policies as further described below.

- **Policy 1.5-s: Institutional and Public Facilities uses shall be allowed in the Agricultural Reserve Tier.** *Such uses shall not be permitted west of State Road 7. Institutional related uses, including but not*

limited to, churches and social service facilities shall be allowed within the AGR Zoning District as a part of the continuation of the Tier.

Response: The proposed FLUA Amendment is consistent with this policy, as the proposed use is permitted in an AGR MUPD and is proposed to be located east of State Road 7. The Policy is clear that other institutional uses, not just limited to churches and social services, are permitted.

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

Response: The subject site is located near all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, mass transit, opportunities, etc. The proposed development will sufficiently utilize the existing urban services within the area, allowing land within the Tier more appropriate for agricultural activities to be preserved.

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

Response: The proposed FLUA Amendment would allow for an INST/CLR FLU designation along the Lyons Road corridor, and will provide needed services to existing and future residents in the vicinity. This helps to balance the needs created by the development of AGR PUD's in this area of the County and the associated increase in population – more specifically the senior citizen population.

- **Policy 2.1-h:** *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.*

Response: The subject site is surrounded by existing residential developments, as well as being located at the northeast corner of Lyons Road and Linton Boulevard. As such, the proposed amendment does not encourage piecemeal development, nor does it create residual parcels. To the contrary, the is proposed at a suitable location and of a compatible density.

- **Policy 2.2.8-d:** *The County shall maintain the Unified Land Development Code to provide for zoning districts to accommodate health and human service needs such as hospitals, public clinics, emergency health shelters, child care facilities, adult day care facilities, group homes, foster homes, congregate living facilities and other residential care.*

Response: The proposed FLUA Amendment request is consistent with this policy as the use proposed will be compatible with the purpose of the Agricultural Reserve Tier as the proposed AGR MUPD is consistent with the proposed INST/CLR Future Land Use.

- **Policy 1.5.1-q:** *AGR-Multiple Use Planned Development. New Agricultural Reserve Multiple Use Planned Developments (AgR-MUPD) in the Ag Reserve Tier shall meet the following requirements:*

1. *Preserve Areas shall not be required for a property that is 16 acres or less in size as of January 1, 2016. For purposes of this policy, the term 'property' is defined as a property control number as configured on January 1, 2016. The acreage shall be exclusive of right-of-way as shown on the Thoroughfare Right of Way Identification Map;*

2. *Preserve Areas shall be required for a property that is greater than 16 acres in size as of January 1, 2016. For purposes of this policy, the term 'property' is defined as a property control number as configured on January 1, 2016. For such properties, the Development Area shall not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map;*
3. *The Development Area for commercial and mixed use projects shall meet the Ag Reserve Design Elements; and*
4. *Required Preserve Areas shall be subject to the standards and requirements of an AgR-TMD preserves.*

Response: The development proposal includes a 1.4786 acre preserve parcel at the southeast corner of the site, where a fire station will be located. In addition, a 5.0946 acre preserve parcel, identified by PCN 00-42-46-20-01-000-0860, has been used to satisfy preserve area comments.

Conclusion

The data presented in this Justification Statement, supports the request to amend the PBC FLUE to allow for a CLF within the AGR Tier of PBC, and for such use to develop at an eight dwelling unit per acre density. The continued expansion of residential and non-residential uses within the Tier create a need for a diversity of housing and level of care choices for senior citizens. The requested FLUA Amendment from AGR to INST/CLR on the subject site is justified, consistent with the Plan and State of Florida laws and is compatible with surrounding uses.

On behalf of the Applicant, WGI, respectfully requests approval of these requests for Comprehensive Text Amendment and to amend the FLUA designation on the subject site.



**Water Utilities Department
Engineering**

8100 Forest Hill Blvd.
West Palm Beach, FL 33413
(561) 493-6000
Fax: (561) 493-6085
www.pbcwater.com



**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Maria G. Marino

Gregg K. Weiss

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

December 22, 2020

WGI
2035 Vista Parkway
West Palm Beach, FL 33411

RE: Congregate Living Facility (186 beds)
00424620010000810 & 00424620010000820
Service Availability Letter

Dear Mr. Muller,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service for the existing land use AGR (Agricultural Reserve) and for the proposed change to CLR (Congregate Living Residential).

The nearest potable water and wastewater lines are located in Lyons Road adjacent to the subject property. This property is located in a PBC Mandatory Reclaimed Service Area.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

Jackie Michels, P.E.,
Plan Review Manager





**REVISED DRAINAGE STATEMENT
for POET'S WALK
8892 156th Ct S, Delray Beach, Florida
PCN: 00-42-46-20-01-000-0810, 00-42-46-20-01-000-0820**

July 13, 2020

Poet's Walk is a proposed Congregate Living Facility with approximately 200,000 square foot building with parking, driveways and a wet detention pond on a 9.729-acre parcel of land within Section 20, Township 46 South, and Range 42 East in unincorporated Palm Beach County (PBC). The site is bound to the south by Linton Blvd, to the west by Lyons Road, to the east by an agricultural wholesale nursery and landscape service, and to the north by 156th Ct S. The site is located in the South Florida Water Management District (SFWMD) C-15 drainage basin and within the Lake Worth Drainage District (LWDD).

The existing parcels are currently used as agricultural land in the form of a nursery. There is an existing one story building, trailer and associated gravel drives and parking areas on the parcel. The existing agricultural lots have no formal drainage system. The proposed development will drain by a series of interconnected inlets and culverts to the proposed wet detention pond. Water quality and quantity criteria will be met in the proposed wet detention pond and exfiltration trench prior to discharging via control structure through a piped connection into a drainage structure in Lyons Road, the point of legal positive outfall. Use of exfiltration trench for water quality and quantity treatment is limited to 3.2" of rainfall from a storm event. Any required compensating storage for the culvert crossing of the existing Linton Road ditches will be reviewed and approved by the County Engineer during permit.

The surface water management system will be designed to meet the requirements of PBC Land Development Division, LWDD and SFWMD, including:

- Water quality—greater of 1" runoff or 2 ½ times the percentage of imperviousness;
- Pre-treatment—1/2" runoff;
- Driveways and Parking—3-year, 1-day event in above ground storage or 5-year, 1-day for exfiltration systems;
- Perimeter and Discharge Controls—25-year, 3-day event with allowable discharge of 70.0 CSM; and
- Finished Floors—100-year, 3-day event with zero-discharge or the 100-year flood plain elevation, whichever is more restrictive.

Respectfully submitted,

WANTMAN GROUP, INC.

Cert. No. 6091

Adam Schildmeier, PE 69218

ADAM W. SCHILDMEIER, STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO. 69218

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY ADAM W. SCHILDMEIER, P.E. ON JULY 13TH, 2020. USING A SHA-1 AUTHENTICATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SHA-1 AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES



Fire Rescue

Chief Reginald K. Duren
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com



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Official Electronic Letterhead

December 18, 2020

WGI

Attention: Edwin Muller
2035 Vista Parkway
West Palm Beach, FL 33411

Re: All Seasons Delray Beach

Dear Edwin Muller:

Per your request for response time information to the subject property located in Palm Beach County, and identified by parcel numbers 00-42-46-20-01-000-0810 & 00-42-46-20-01-000-08200. This property is served currently by Palm Beach County Fire-Rescue station #42, which is located at 14276 Hagen Ranch Road. The subject property is approximately 3.25 miles from the station. The estimated response time to the subject property is 9 minutes. For fiscal year 2018, the average response time (call received to on scene) for this stations zone is 7:12.

There is a new station in the Fire Rescue Capital Improvement Plan to serve this area which will lower the response time to this location in the future.

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

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

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Allan".

Cheryl Allan, Planner
Palm Beach County Fire-Rescue



**POET'S WALK
CPA ENVIRONMENTAL REPORT
Section 20, Township 46S, and Range 42E
February 4, 2019**

INTRODUCTION

The subject parcel is located on the southeast corner of the intersection of Lyons Rd. and 156th Court South in unincorporated Palm Beach County, Florida (Section 20, Township 46S, Range 42E). The assessment area is approximately 9.73 acres in size. See Exhibit A, Location Map.

METHODOLOGY

WGI environmental staff visited the subject site on February 1, 2019. An aerial photograph was used to pinpoint specific points of interest. An on-site review of the subject site's conditions was performed by walking and driving transects through the site while noting plant species, ecosystems (wetlands and uplands), and other potential environmental factors.

SITE CONDITIONS

The subject property consists of an active tree nursery. The western half of the property holds rows of ornamental trees in varying sizes. The eastern half holds an office building, storage barns, and stockpiles of mulch and soil for use on the nursery as well as some ornamental tree rows. Please see Exhibit B, FLUCCS Map.

The site is bound to the north by 156th Ct. S and a plant nursery beyond, to the east by a plant nursery, to the south by Linton Blvd. and a residential development beyond, and to the west by Lyons Rd. and a plant nursery beyond.

COASTAL RESOURCES

The subject property is not located within an area that contains coastal resources.

HURRICANE VULNERABILITY ZONE OR COASTAL HIGH HAZARD AREA

The subject property is not located in a Hurricane Vulnerability Zone or a Coastal High Hazard Zone.

VEGETATION INVENTORY

The parcel is dominated by a tree nursery. There are a few shade trees and pines located around the perimeter of the property and the office building however the majority of vegetation is part of the nursery operation.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Designation</u>
Live Oak	<i>Quercus virginiana</i>	Native
Strangler Fig	<i>Ficus aurea</i>	Native
Elderberry	<i>Sambucas nigra</i>	Native
Weeping Fig	<i>Ficus benjamina</i>	Non-native
Mother's Tongue	<i>Albizia lebbek</i>	Non-native
Black Olive	<i>Bucida buceras</i>	Non-native
Royal Poinciana	<i>Delonix regia</i>	Non-native
Rubber Tree	<i>Ficus elastica</i>	Non-native
Hong Kong Orchid Tree	<i>Bauhinia blakeana</i>	Non-native
Castor Bean	<i>Ricinus communis</i>	Non-native
Senegal Date Palm	<i>Phoenix reclinata</i>	Non-native
Sylvester Palm	<i>Phoenix sylvestris</i>	Non-native
Coconut Palm	<i>Cocos nucifera</i>	Non-native
Brazilian Pepper	<i>Schinus terebinthifolius</i>	Non-native
Elephant Grass	<i>Pennisetum purpureum</i>	Non-native

SOILS

The following are the soils and their descriptions found throughout the project site according to the Soil Survey of Palm Beach County published by the US Department of Agriculture Soil Conservation Service (1979). See Exhibit C, Soil Survey Map.

21 – Myakka sand:

This is a nearly level, poorly drained, deep sandy soil that has a dark colored layer, weakly cemented with organic matter, above a depth of 30 inches. It is in broad, flatwoods areas in the eastern part of the survey area. Under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months in most years. It is within a depth of 10 to 40 inches for 6 months or more in most years and recedes to below 40 inches during extended dry periods. Natural vegetation is slash pine, saw palmetto, inkberry, fetterbush, pineland three awn, and many other grasses.

SIGNIFICANT HABITATS/SPECIES

No significant habitat occurs on the assessed parcel. No state or federal listed plant or animal species were located within the assessment area.

WELLFIELD PROTECTION ZONE

The subject property is not located within a zone of influence in Palm Beach County. Please see Exhibit D, Wellfield Protection Zone of Influence Map by Palm Beach County Department of Environmental Resources Management.

POLLUTION SOURCES

No obvious pollution sources (storage tanks, vents, 55 gallon drums, etc.) were observed on the property.

JOHN D. MACARTHUR/JOHNATHAN DICKINSON OVERLAY

The subject property is located a distance in excess of 660 feet from the property lines of both the John D. MacArthur and Jonathan Dickinson State Parks.

HISTORIC AND ARCHAEOLOGICAL RESOURCES

It is not anticipated that any resources will be present on this site due to the previous intense agricultural uses. See Exhibit E, Resource Data Review Verification Letter.

SURFACE WATERS AND WETLANDS

There does not appear to be any wetlands or surface waters located on the property. The site has been historically filled to support the agricultural processing activities. There are several detention/retention swales around the property but all were dry and no wetland indicators were observed. This determination would need to be confirmed by the South Florida Water Management District (State) and the US Army Corps of Engineers (Federal) as the wetland regulatory agencies.

TRASH AND DEBRIS

There are piles of mulch and soil in the southeastern corner of the property. These piles appear to be used for the nursery operations and do not include other trash or debris. Small pieces of irrigation lines were observed throughout the property.

CONCLUSION

There are few environmental issues of great significance on the subject property. The lack of habitat makes it improbable for any listed animal species to occur on the site. No upland preservation area would be required according to PBC ULDC Article 14 because there are no native habitats identified. There are very few native trees that would require mitigation through the County tree removal approval process. There appear to be no jurisdictional wetlands located on the property however this will need to be verified by SFWMD and USACE.



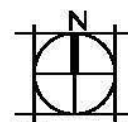
Source: Google Earth

POET'S WALK

EXHIBIT A

PREPARED FOR SILVER COMPANIES

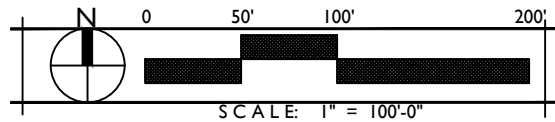
LOCATION MAP



SCALE: NTS



DRAWN BY:	RMH
DRAWING #:	Location, Soil Survey, FLUCCS Maps.dwg
FILE #:	2445.00
DATE:	02/04/2019



FLUCCS CODE
241 - Tree Nursery - 9.73 ac.
Total Acreage = 9.73

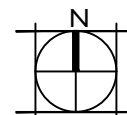
Source: PBC GIS Aerials

POET'S WALK

EXHIBIT B

PREPARED FOR SILVER COMPANIES

FLUCCS MAP



SCALE: 1" = 100'0"

WGI

DRAWN BY:	RMH
DRAWING #:	Location, Soil Survey, FLUCCS Maps.dwg
FILE #:	2445.00
DATE:	02/04/2019



Soil Series
21 - Myakka sand

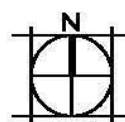
Source: USDA Soil Survey of Palm Beach County, 1978

POET'S WALK

EXHIBIT C

PREPARED FOR SILVER COMPANIES

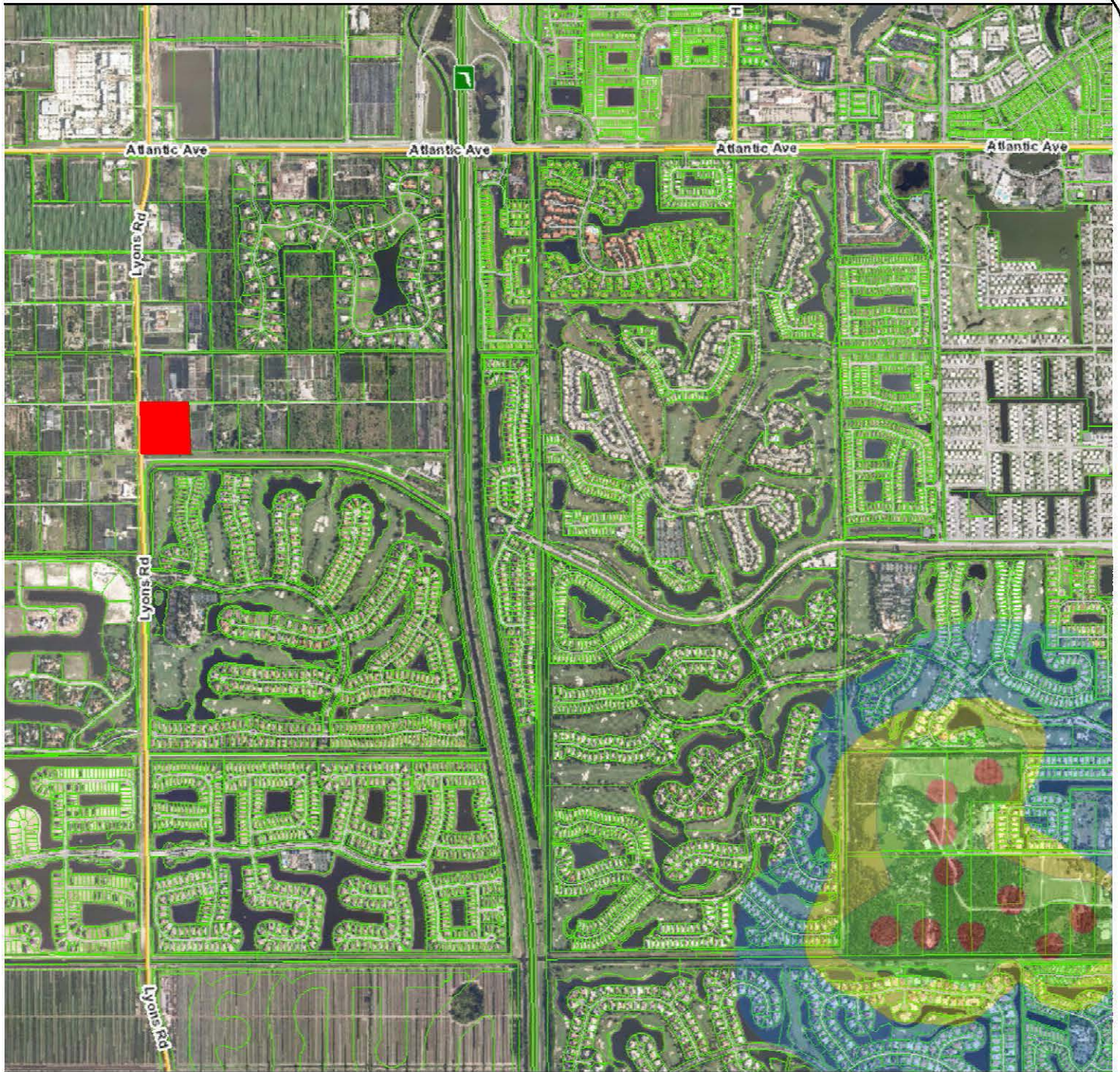
SOIL SURVEY



SCALE: NTS

WGI

DRAWN BY:	RMH
DRAWING #:	Location, Soil Survey, FLUCCS Maps.dwg
FILE #:	2445.00
DATE:	02/04/2019



Map Legend
2006 Zones

- 1
- 2
- 3
- 4

**Property not located within
a wellfield protection zone.**

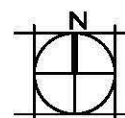
Source: PBC GIS

POET'S WALK

EXHIBIT D

PREPARED FOR SILVER COMPANIES

WELLFIELD PROTECTION MAP



SCALE: NTS

WGI

DRAWN BY: RMH
DRAWING #: Location, Soil Survey, FLUCCS Maps.dwg
FILE #: 2445.00
DATE: 02/04/2019



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb



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and recycled paper

February 1, 2019

WGI
Mr. Edwin Muller
2035 Vista Parkway
West Palm Beach, FL 33411

**RE: Historical and Archaeological Resource Review for project named:
Poet's Walk, PCN's: 00-42-46-20-01-000-0810 and 00-42-46-20-01-
000-0820.**

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

Staff's review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no historic or architecturally significant resources on or within 500 feet of the above referenced properties.

Staff review of the County's map of known archaeological sites has identified no known archaeological resources located on or within 500 feet of the above referenced properties.

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

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

Sincerely,

Christian Davenport MA, RPA
Palm Beach County Archeologist

cc: Patricia Behn, Interim Director, PBC Planning Division
Bryan Davis, Principal Planner, PBC Planning Division

T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development Review\WGI\Poets Walk_PCN-00-42-46-20-01-000-0810, 0820 Ltr 02-01-2019 .doc

Site Photographs



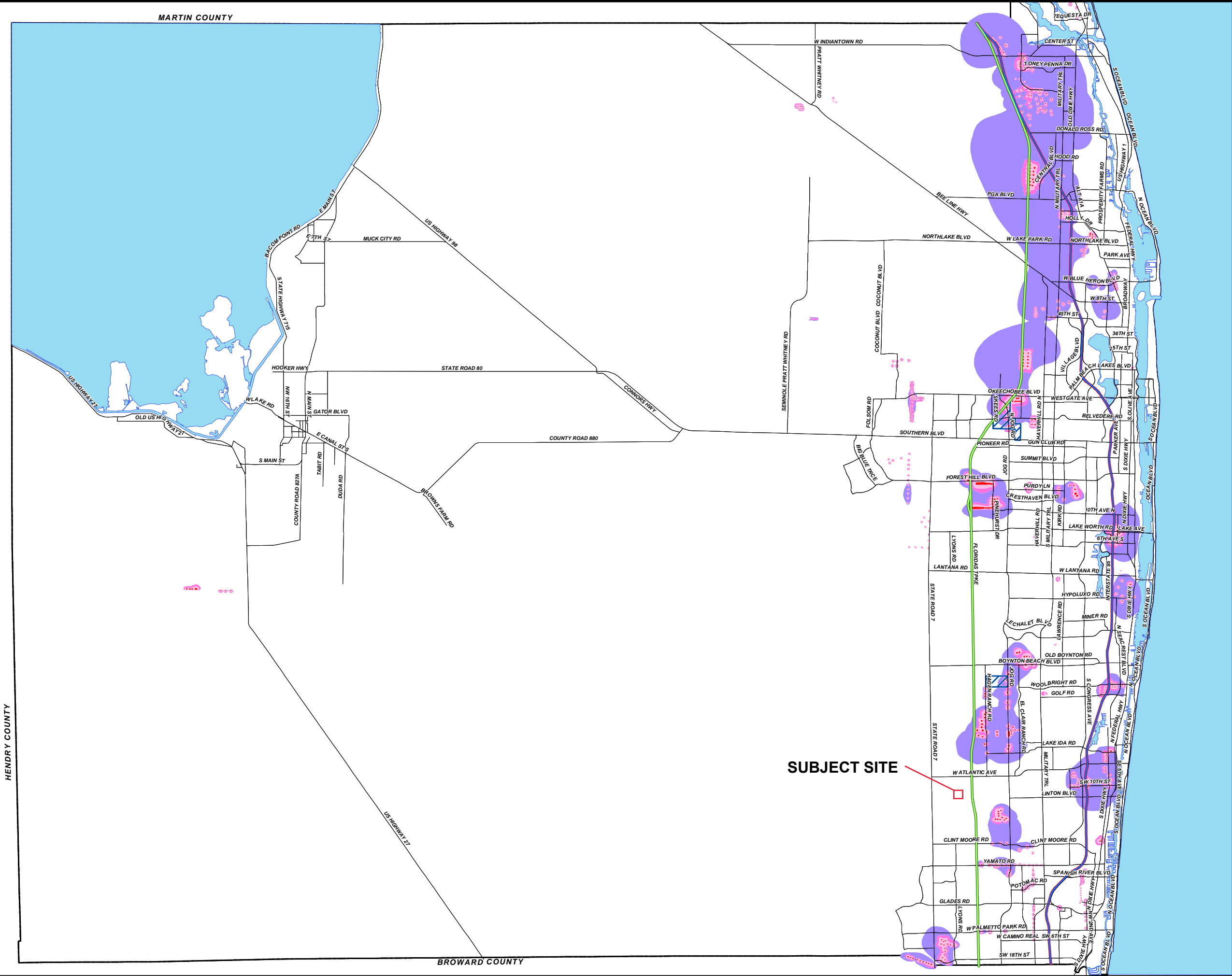
View of property from the south property line.



View of nursery field.



View of offices at nursery.



MAP LU 4.1
WELLFIELD PROTECTION
ZONES IN PALM BEACH
COUNTY, FLORIDA

- Zone 1
- Zone 2
- Zone 3
- Zone 4
- Turnpike Aquifer Protection Overlay

9J-5.006(4)(B)1
SOURCES:
PBC Dept. of Environmental Resources Management
Note: Official Wellfield Protection Maps are kept at, and can be obtained from, the Palm Beach County Department of Environmental Resources Management.
The information presented represents the most readily available data. No guarantee is made as to the completeness or accuracy of the information displayed. Consult appropriate County staff for final determination.



PALM BEACH COUNTY
COMPREHENSIVE PLAN
MAP SERIES



Effective Date: 10/29/04
Filename: N:\Map Series\MXD\Adopted
Contact: PBC Planning Dept.



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

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December 21, 2020

WGI

Mr. Edwin Muller
2035 Vista Parkway
West Palm Beach, FL 33411

**RE: Historical and Archaeological Resource Review for project named:
All Seasons Delray Beach (FKA Poet's Walk), PCN's: 00-42-46-20-01-
000-0810 and 00-42-46-20-01-000-0820.**

This correspondence is in response to your request for a review of the currently referenced properties of, All Seasons Delray Beach, formerly known as Poet's Walk in regards to the identification of any cultural resources (historical and archaeological resources) located on or within 500 feet of the properties.

Staff's review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no new historic or architecturally significant resources on or within 500 feet of the above referenced properties in less than two years.

Staff review of the County's map of known archaeological sites has identified no new archaeological resources located on or within 500 feet of the above referenced properties in less than two years.

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

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

Sincerely,

Christian Davenport MA, RPA
Palm Beach County Archeologist

cc: Patricia Behn, Planning Director, PBC Planning Division
Bryan Davis, Principal Planner, CNU-A, PBC Planning Division

T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development\Review\WGI\All Seasons Delray Beach (FKA Poets Walk)_PCN-00-42-46-20-01-000-0810, 0820 Ltr 12-22-2020.doc

Exhibit 1-B

Proposed Text Amendment

A. Future Land Use Element, All Seasons

REVISIONS: The revisions are numbered below, and shown with the added text underlined.

A.1 NEW Policy 1.5-u: The Congregate Living Residential (CLR) future land use designation is allowed within in the Agricultural Reserve Tier subject to the following:

1. **Density.** The maximum density is up to 8 units per acre for the purposes of calculating congregate living facility beds.
2. **Separation.** Residential uses shall be setback 50' from any agricultural use.
3. **Location.** Sites are limited to locations fronting Lyons Road between Atlantic Avenue and Linton Boulevard.
4. **Minimum Acres.** The minimum acreage for the CLR future land use designation is 5 acres.
5. **Preserve Area.** Preserve areas are required as provided below.
 - a. **Single Use Project.** Projects utilizing the AGR-PUD option shall be subject to the preserve percentage and use requirements of 1.5.1-i.
 - b. **Multiple Use Project.** Projects utilizing CLR as an underlying designation to Institutional and Public Facilities (INST) future land use designation for a multiple use project shall be subject to the following:
 - 1) **Preserve Area Uses.** Uses allowed shall be subject to those permitted within AgR-TMD preserves by Policy 1.5.1-n.
 - 2) **Preserve Area Acreage.**
 - a) A minimum of 10% of the land area with the CLR designation shall be Onsite Preserve Area; and
 - b) A minimum acreage equivalent to 50% of the acreage of CLR designation shall be provided as Offsite Preserve Area.
 - c) Offsite preserve area may retain AGR future land use provided that no density or intensity is transferred to the Development Area and that the preserve is subject to a conservation easement.
 - d) Offsite preserve area may retain AGR zoning.

A.2. REVISE

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

Future Land Use Designation		Dwelling Units per Gross Acre
		Maximum
<i>Unaltered text omitted for brevity</i>		
Congregate Living Residential	CLR	<u>8</u> /12 ³
<i>Unaltered text omitted for brevity</i>		

1. and 2. *unaltered text omitted for brevity*

3. The CLR future land use designation allows a maximum density for a CLF Type 3 of up to 12 units per acre in the Urban/Suburban Tier, and up to 8 units per acre in the Agricultural Reserve Tier.

A.3. REVISE Policy 2.2.8-e: Institutional Future Land Use. Uses allowed in the Institutional and Public Facilities future land use designation include a full range of institutional uses including, but not limited to, the following:

1. to 6. Unaltered omitted for brevity

7. Residential uses including congregate living facilities, group homes, and accessory affordable housing. Mixed or multiple use planned developments may utilize up to 100% of the underlying residential density and the institutional intensity the subject to the requirements of this Element.

8. to 10. Unaltered omitted for brevity

A.4. REVISE

TABLE III.C, FUTURE LAND USE DESIGNATION BY TIER

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA ¹
Unaltered text omitted for brevity.						
Congregate Living Residential	CLR	X	---	---	--- X	---
Unaltered text omitted for brevity.						

1. *Notes are unaltered text omitted for brevity*

