

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	23-A2	Intake Date	August 10, 2022
Application Name	Logan Ranch Residential	Control No.	2018-187
Acres	39.24 acres	Concurrent Zoning application?	Yes
		Text Amend?	No
PCNs	00-42-43-27-05-054-0070		
Location	Southeast corner of Boynton Beach Boulevard and Acme Dairy Road		
	Current	Proposed	
Tier	Agricultural Reserve Tier	Agricultural Reserve Tier	
Use	Agriculture, Row Crops, Nursery Stock	Multi-Family Residential	
Zoning	Agricultural Reserve (AGR)	Multiple Use Planned Development (MUPD) or Planned Unit Development (PUD)	
Future Land Use Designation	Agricultural Reserve (AGR)	Essential Housing (EH)	
Underlying Future Land Use Designation	None	Agricultural Reserve (AGR)	
Conditions	None	TBD	
Density Bonus	None	None	
Total Number of Units	8 units	314 units	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	1 unit per 5 acres	8 units per acre
Maximum Dwelling Units¹ (residential designations)	1 du/5 acres x 39.24 ac. = 7.84 = 8 units	8 du/acre x 39.24 ac. = 313.92 = 314 units
Maximum Beds (for CLF proposals)	None	None
Population Estimate	8 max du x 2.39 = 19 people	314 max du x 2.39 = 750 people

Maximum Square Feet ^{2, 4} (non-residential designations)	0.15 FAR x 39.24 ac. = 256,394.16 sf of agriculture uses	0.15 FAR x 39.24 ac. = 256,394.16 sf of agriculture uses per underlying AGR
Proposed or Conditioned Potential ^{3, 4}	----	TBD
Max Trip Generator	Single-Family Detached (ITE LUC 210)	Multifamily Mid-Rise (ITE LUC 221)
Maximum Trip Generation	80 external daily trips, 6 AM peak hour trips, 9 PM peak hour trips	1,714 external daily trips, 113 AM peak hour trips, 139 PM peak hour trips
Net Daily Trips:	1,634 (maximum minus current)	
Net PH Trips:	107 AM, 130 PM (maximum)	

1. Maximum units per acre see Future Land Use Element;
2. Maximum FAR see FLUE. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;
4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (eg. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

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Part 2. Applicant Data

A. Agent Information

Name	Jennifer Morton & Heather Waldstein
Company Name	JMorton Planning & Landscape Architecture
Address	3910 RCA Boulevard # 1015
City, State, Zip	Palm Beach Gardens, FL 33410
Phone / Fax Number	(561) 500-5060 / (561) 721-4461
Email Address	jmorton@jmortonla.com / hwaldstein@jmortonla.com

B. Applicant Information.

Name	Barbara M Logan Trust
Company Name	None
Address	651 Village Drive, Apt 502
City, State, Zip	Pompano Beach, Florida 33060
Phone / Fax Number	
Email Address	
Interest	Property Owner
Name	David Bargas
Company Name	John Bargas Trust
Address	651 Village Drive, Apt 502
City, State, Zip	Pompano Beach, Florida 33060
Phone / Fax Number	
Email Address	
Interest	Property Owner

Name	Barbara R Dereuil Trust
Company Name	None
Address	651 Village Drive, Apt 502
City, State, Zip	Pompano Beach, Florida 33060
Phone / Fax Number	
Email Address	
Interest	Property Owner
Name	Brett Gelsomino
Company Name	Acme Dairy Holdco, LLC
Address	4200 SW 131 st Avenue
City, State, Zip	Davie, Florida 33330
Phone / Fax Number	
Email Address	
Interest	Contract Purchaser

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Part 3. Site Data

A. Site Data

Built Features	There are multiple agriculture structures on the Property including a 4,800 SF warehouse and office, and 1,574 SF of miscellaneous storage. See Attachment F.
PCN	00-42-43-27-05-054-0070
Street Address	11275 Acme Dairy Road
Frontage	Approximately 634.98 feet of frontage along Boynton Beach Boulevard, with a depth of approximately 2,662.48 feet; and approximately 2,662.48 feet of frontage along Acme Dairy Road with a depth of approximately 634.98 feet.
Legal Access	Boynton Beach Boulevard and Acme Dairy Road
Contiguous under same ownership	There are no contiguous properties under same ownership.
Acquisition details	The Property's ownership interest is divided into three separate entities; the Barbara M. Logan revocable Trust dated August 22, 2007 with 50% interest, acquired August 8 th 2019, the Barbara R. DeReuil Revocable Trust dated October 6, 2009 with 25% interest acquired October 6, 2009, and the John Bargas Trust dated March 10 th 2004 with 25% interest, acquired May 12 th 2006. The Warranty Deeds are included as Attachment A along with the Trust Agreements.
Size purchased	39.24 acres

B. Development History

Control Number	2018-187				
Previous FLUA Amendments	Two privately initiated text amendments were previously submitted in 2019 and 2021, and subsequently denied for initiation by the Board of County Commissioners.				
Concurrency	No concurrency approval.				
Plat, Subdivision	None				
Zoning Approvals & Requests	None				
Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)

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Part 4. Consistency

A. Consistency

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

B. Surrounding Land Uses.

Adjacent Lands	Use	Future Land Use	Zoning
North	Row Crops – Agriculture	Agricultural Reserve	Agricultural Reserve
South	Canyon Trails PUD, 579 Units, 1 DU/Acre	Agricultural Reserve	Agricultural Reserve - Planned Unit Development Petition # 2006-00550
East	Row Crops – Agriculture	Agricultural Reserve	Agricultural Reserve
West	Sunset Palms Elementary	Agricultural Reserve	Multiple Use Planned Development
	Canyon District Park	Agricultural Reserve	Multiple Use Planned Development

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Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Single-Family Detached (ITE LUC 210)	Multifamily Mid-Rise (ITE LUC 221)
Maximum Trip Generation	80 daily, 6 AM, 9 PM	1,714 daily, 113 AM, 139 PM
Net Daily Trips:	1,634 (maximum minus current)	
Net PH Trips:	107 AM, 130 PM (maximum)	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Christopher W Heggen, Kimley-Horn and Associates, Inc.	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route 73 – BYB X-Town via Boynton Beach.	
Nearest Palm Tran Stop	Stop #6781 – Boynton Beach Blvd at Acme Dairy Road, Southeast corner of Boynton Beach Boulevard and Acme Dairy Road.	
Nearest Tri Rail Connection	Via Route 73 - Boynton Beach Tri-Rail Station, west side of I-95, approximately 0.2 miles east of High Ridge Road, approximately 9.4 miles to the northeast of the Property.	
C. Potable Water & Wastewater Information		
Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department. Service capacity is available for the proposed development. See Attachment I for letter from Palm Beach County Water Utilities Department. See Attachment I for Potable Water & Wastewater Level of Service (LOS) comment letter.	
Nearest Water & Wastewater Facility, type/size	A 42" potable water main and a 24" sanitary sewer forcemain located within Boynton Beach Blvd. adjacent to the property. A 12" reclaimed water main located within Acme Dairy Road adjacent to the property.	
D. Drainage Information		

The drainage system for the proposed project will consist of dry detention area, exfiltration trenches, and outfalls to the Lake Worth Drainage District L-24 Canal that runs along the north side of the property, and L-25 Canal that runs along the south side of the property. The Property is located within the SFWMD C-16 Basin, and the site will comply with the C-16 Basin requirements of discharge of 62.6 cubic feet per square mile. See Attachment J for Drainage Statement.

E. Fire Rescue

Nearest Station	Palm Beach County Fire-Rescue Station # 47, located at 7950 Enterprise Center Circle.
Distance to Site	1.50 miles
Response Time	Average response time is 7:36
Effect on Resp. Time	The proposed amendment will have some impact on the response time for Station # 47. See Attachment K.

F. Environmental

Significant habitats or species	There are no significant habitats or species on the Property. The site has previously been utilized for agricultural row crops. An aerial of the Property is provided as Attachment L.
Flood Zone*	The Property is located in Zone X, which is not a flood zone.
Wellfield Zone*	The Property is not located within a Wellfield Protect Zone. See Wellfield Map as Attachment M.

G. Historic Resources

There are no significant historic resources present on the Property. See Attachment N for letter.

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

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	John Prince Park 2700 6 th Avenue South Lake Worth, FL 33461	0.00339	+731	+2.47 acres
Beach	Ocean Ridge Hammock Park 6620 North Ocean Boulevard Ocean Ridge, FL 33435	0.00035	+731	+0.255 acre
District	Canyon District Park 8802 Boynton Beach Blvd. Boynton Beach, FL 33472	0.00138	+731	+1.01 acre

I. Libraries - Residential Only (Including CLF)

Library Name	West Boynton Branch		
Address	9451 Jog Road		
City, State, Zip	Boynton Beach, FL 33437		
Distance	2.0 miles		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	+731	+1,462 holdings
All staff	0.6 FTE per 1,000 persons	+731	+0.44 FTE
Library facilities	0.6 square feet per person	+731	+439 sf

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

	Elementary	Middle	High
Name	Sunset Palms Elementary	Woodlands Middle School	Olympic Heights Community High School
Address	8650 Boynton Beach Blvd.	5200 Lyons Road	20101 Lyons Road
City, State, Zip	Boynton Beach, FL 33472	Lake Worth, FL 33467	Boca Raton, FL 33434
Distance	0.5 miles	6.6 miles	14.1 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**

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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DESCRIPTION:

TRACTS 7, 8, 25, 26, 39, 40, 57 AND 58, BLOCK 54, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH THAT CERTAIN 30 FOOT ROAD, DYKE AND DITCH RESERVATION LYING BETWEEN SAID TRACTS 25-26 AND 39-40, BLOCK 54, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION OF SAID TRACTS 7 AND 8, DESCRIBED AS PARCEL 106 IN THAT CERTAIN ORDER OF TAKING RECORDED IN O. R. BOOK 6366, PAGE 721, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

A PORTION OF TRACTS 7 AND 8, BLOCK 54 OF PALM BEACH FARMS CO. PLAT NO. 3 IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 8, RUN NORTH 89 DEGREES 26 MINUTES 12 SECONDS EAST, ALONG THE NORTH LINE OF SAID TRACTS, A DISTANCE OF 659.80 FEET, TO THE NORTHEAST CORNER OF SAID TRACT 7; THENCE SOUTH 00 DEGREES 02 MINUTES 18 SECONDS EAST, ALONG THE EAST LINE OF SAID TRACT 7, A DISTANCE OF 86.97 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 7774.44 FEET, A CHORD BEARING S 88 DEGREES 08 MINUTES 04 SECONDS WEST, AND A CENTRAL ANGLE OF 02 DEGREES 36 MINUTES 16 SECONDS, THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 353.39 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 281.60 FEET TO A POINT ON A LINE 25.00 FEET EASTERLY OF, AND PARALLEL TO, THE WEST LINE OF SAID TRACT 8 (AS MEASURED AT RIGHT ANGLES THERETO); THENCE SOUTH 00 DEGREES 02 MINUTES 18 SECONDS EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 343.31 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS WEST, A DISTANCE OF 25.00 FEET TO SAID WEST LINE OF TRACT 8; THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 02 MINUTES 18 SECONDS WEST, A DISTANCE OF 438.08 FEET, TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE 15 FOOT RIGHT OF WAY FOR ACME DAIRY ROAD, AS CONVEYED IN DEED BOOK 692, PAGE 78, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE WEST 15 FEET OF TRACTS 8, 25, 40 AND 57, BLOCK 54, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE NORTH 30 FEET OF TRACT 8, BLOCK 54, AS CONTAINED IN DEED RECORDED IN DEED BOOK 113, PAGE 126, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

REVISED: AND LESS AND EXCEPT THAT REQUIRED RIGHT OF WAY AS REFERENCED ON INSTRUMENT RECORDED IN O. R. BOOK 1732, PAGE 612, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND LESS AND EXCEPT THAT CERTAIN STRIP OF LAND EXCEPTED IN DEED FROM LAKE WORTH DRAINAGE DISTRICT RECORDED IN DEED BOOK 697, PAGE 421, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

A STRIP OF LAND 40 FEET IN WIDTH ON EACH SIDE OF THE CENTER LINE OF THE COUNTY ROAD.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT 7, BLOCK 54, PALM BEACH FARMS PLAT NO. 3, PLAT BOOK 2, PAGE 54, OF PALM BEACH COUNTY, FLORIDA. RUN SOUTH 00 DEGREES 25 MINUTES 37 SECONDS EAST, ALONG THE EAST LINE OF SAID TRACT 7, A DISTANCE OF 86.97 FEET TO THE POINT OF BEGINNING A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 7774.44 FEET, A CHORD BEARING S 87 DEGREES 44 MINUTES 46 SECONDS WEST, AND A CENTRAL ANGLE OF 02 DEGREES 36 MINUTES 22 SECONDS, THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 353.62 FEET; THENCE SOUTH 89 DEGREES 02 MINUTES 57 SECONDS WEST, A DISTANCE OF 279.78 FEET TO A POINT ON A LINE 25.00 FEET EASTERLY OF, AND PARALLEL TO, THE WEST LINE OF SAID TRACT 8 (AS MEASURED AT RIGHT ANGLES THERETO); THENCE SOUTH 00 DEGREES 23 MINUTES 24 SECONDS EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 343.45 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 27 SECONDS WEST, A DISTANCE OF 10.00 FEET TO A POINT ON A LINE PARALLEL TO AND 15 FEET EAST OF THE WEST LINE OF TRACT 8, BLOCK 54; THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREES 23 MINUTES 24 SECONDS EAST, A DISTANCE OF 2310.99 FEET, TO A POINT ON THE NORTH LINE OF A 30 FOOT RIGHT-OF-WAY FOR LAKE WORTH DRAINAGE DISTRICT LATERAL 25, RECORDED IN OFFICIAL RECORDS BOOK 1585, PAGE 505 OF PALM BEACH COUNTY OFFICIAL RECORDS. THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 89 DEGREES 36 MINUTES 22 SECONDS EAST, A DISTANCE OF 644.94 FEET TO THE EAST LINE OF TRACT 58, BLOCK 54. THENCE NORTH

00 DEGREES 25 MINUTES 41 SECONDS WEST, ALONG EAST LINES OF TRACTS 58, 39, 26 AND 7 FOR A DISTANCE OF 2668.64 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATED IN SECTION 29, TOWNSHIP 45 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA.

LANDS CONTAINING 1,709,166 SQUARE FEET OR 39.237 ACRES MORE OR LESS.

Location Address 11275 ACME DAIRY RD**Municipality** UNINCORPORATED**Parcel Control Number** 00-42-43-27-05-054-0070**Subdivision** PALM BEACH FARMS CO PL NO 3**Official Records Book** 30815**Page** 1222**Sale Date** AUG-2019**Legal Description**

PALM BEACH FARMS CO PL 3 TR 7 (LESS SLY 64.52 FT OF NLY 84.48 FT L-24 CNL R/W & NLY 19.96 FT BOYNTON BEACH BLVD R/WS, TR 8 (LESS SLY 64.52 FT OF NLY 84.48 FT L-24 CNL R/W, NLY 19.96 FT BOYNTON BEACH BLVD & WLY 25 FT ACME DAIRY RD R/WS), TR 25 (LESS W 15 FT ACME DAIRY RD R/W), TR 26, 30 FT STRIP LYG S OF & ADJ TO, TR 39, TRS 40 & 57 (LESS W 15 FT ACME DAIRY RD R/W) & TR 58 BLK 54

Owners

LOGAN BARBARA M TRUST
BARGAS JOHN &
DEREUIL BARBARA R TR

Mailing address

651 VILLAGE DR APT 502
POMPANO BEACH FL 33060 3701

Sales Date	Price	OR Book/Page	Sale Type	Owner
AUG-2019	\$10	30815 / 01222	WARRANTY DEED	LOGAN BARBARA M TRUST
OCT-2009	\$10	23506 / 01862	WARRANTY DEED	LOGAN BARBARA S &
JUL-2007	\$10	21998 / 00874	WARRANTY DEED	LOGAN BARBARA S &
MAY-2006	\$100	20423 / 01322	QUIT CLAIM	LOGAN BARBARA S &
OCT-2005	\$10	19460 / 00365	REP DEED	LOGAN BARBARA S

1 2

No Exemption Information Available.

Number of Units 0***Total Square Feet** 4800**Acres** 39.4008**Use Code**6900 - AG Classification
ORN/MISC AGRI**Zoning**AGR - Agricultural Reserve (00-
UNINCORPORATED)

Tax Year	2021	2020	2019
Improvement Value	\$219,367	\$205,633	\$184,993
Land Value	\$5,060,146	\$4,852,328	\$4,402,112
Total Market Value	\$5,279,513	\$5,057,961	\$4,587,105

All values are as of January 1st each year

Tax Year	2021	2020	2019
Assessed Value	\$1,213,748	\$1,058,638	\$970,125
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$1,213,748	\$1,058,638	\$970,125

Tax Year	2021	2020	2019
Ad Valorem	\$22,806	\$20,680	\$19,158
Non Ad Valorem	\$3,330	\$3,251	\$3,261
Total tax	\$26,136	\$23,931	\$22,419

Attachment F Built Feature Inventory & Map

Boynton Beach Boulevard

1,574 SF miscellaneous
storage

4,800 SF one-story
warehouse and office

Site

Acme Dairy Road

Florida's Turnpike



Attachment G Consistency with the Comprehensive Plan and Florida Statutes

Introduction

On behalf of the Applicant, JMorton Planning & Landscape Architecture is requesting a Comprehensive Plan Future Land Use Atlas amendment (“amendment”) for the property located at the southeast corner of Boynton Beach Boulevard and Acme Dairy Road in Palm Beach County (“Property”) to amend the future land use designation from Agricultural Reserve (AGR) to Essential Housing (EH) and impose conditions of approval to limit development to 314 residential units. The Property is located within the Agricultural Reserve Tier (“Agricultural Reserve” or “Tier”) and is currently utilized for agriculture row crops.

I. PROPOSED FLUA MAP AMENDMENT

The Applicant is requesting a Future Land Use Atlas Amendment from Agricultural Reserve (“AGR”) to Essential Housing (“EH”) and to impose conditions of approval to allow for the development of 314 residential units. The current future land use designation would allow for the development of eight (8) dwelling units (1 du/5 acres x 39.24 ac.) or 256,394 SF (0.15 FAR x 39.24 ac.) of agricultural uses. The proposed future land use designation will allow for a maximum of 314 residential units (8 du/acre x 313.92 ac.). The Applicant is proposing to pursue a rezoning to Multiple Use Planned Development MUPD), which will allow for the development of a multi-family residential project.

Description of Site Vicinity

The Property is located along the south side of Boynton Beach Boulevard, just east of Acme Dairy Road within the Agricultural Reserve. Surrounding the Property to the north across Boynton Beach Boulevard, south and east are agricultural uses and to the west across Acme Dairy Road is an elementary school and middle school.

Land uses directly abutting the Property include the following:

Adjacent Property	Land Use Designation	Zoning Designation	Existing Use	Control Number	Resolution Number
North	AGR (Proposed EH)	AGR (Proposed EH)	Agriculture Uses (Proposed Multi-Family)	2016-0163	N/A
South	AGR	AGR-PUD	Canyon Trails PUD/579 Units/1 Du per acre	2006-550	R-2011-224
East	AGR	AGR	Agricultural Uses	N/A	N/A
West	AGR	MUPD	Elementary/Middle School Canyon District Park	2004-471	R-2019-1951, R- 2019-1952

History

The Agricultural Reserve Master Plan was originally developed to preserve and enhance agricultural activity and environmental and water resources in the Ag Reserve. Since the adoption of the Ag Reserve related Comprehensive Plan policies, numerous residential developments have been built and the number of residents living within the boundaries of the Ag Reserve has significantly increased. The needs of those residents as well as good planning practices, have spurred additional changes in the Ag Reserve. These changes included increasing the commercial square footage cap to allow for additional smaller commercial projects, allowing 5-acre standalone preserve parcels, and allowing smaller commercial projects to develop without the need to provide preserve acreage. Additional changes have been approved to allow the development of congregate living facilities and self-storage facilities within the Ag Reserve. Finally, the Reserve at Atlantic project, a private text and future land use amendment,

spurred the review by the County Board of Commissioners to consider a Future Land Use Designation of Essential Housing in the Agricultural Reserve. The Reserve at Atlantic project was adopted on July 28, 2022, by the County Board of Commissioners and the Future Land Use Designation of Essential Housing will be considered by the County Board of Commissioners on August 31, 2022. The Future Land Use Designation of Essential Housing will diversify housing opportunities by allowing for workforce housing and expanding the ability to develop multi-family housing options to serve the needs of nearby uses such as the hospital, congregate living facility, schools and agricultural facilities.

G.1 Justification

Each proposed FLUA amendment must be found to be consistent with the Goals, Objectives, and Policies (GOPs) of the Comprehensive Plan. Future Land Use Element Policy 2.1.f requires that adequate justification for the proposed future land use be provided. Further, the justification statement must demonstrate that a change is warranted and demonstrate the following two factors:

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

Response: *The proposed future land use designation of EH to allow for workforce housing in a Planned Unit Development with density exceeding 1 dwelling unit per acre is suitable and appropriate for the Property. The Property is located along Boynton Beach Boulevard, which is a major east/west right-of-way that provides easy access to the Florida's Turnpike as well as State Road 7 and I-95. Further, recent and future approved development near the Project includes a hospital, schools, congregate living facility and commercial uses. Locating higher-density, compact development on major corridors in proximity to the marketplaces limits trips and facilitates transit access. Workforce housing in the Tier also furthers the County objectives of dispersing workforce housing and addressing the housing needs of lower income households.*

Allowing additional housing opportunities within the Agricultural Reserve will encourage balanced growth. The Agricultural Reserve is comprised of single family homes, most of which are planned gated communities. This is a homogeneous development pattern with little to no economic diversity. The recent changes to the Agricultural Reserve Master Plan have allowed increased services to be developed to support the increasing amount of residential development. However, no accommodation of workforce housing for those working in the service, education, and healthcare industries has been provided. The Property is well suited for increased density and workforce housing due to its location between the industrial/institutional uses to the west and the commercial uses to the east. The proposed multi-family project will provide a transition between those intense uses on Boynton Beach Boulevard and the existing and future single-family uses to the north, south, east and west.

The Master Plan envisioned the development of 2,520 multi-family units and 4,200 townhouse units. To date no townhouses or multi-family units have been developed and the Agricultural Reserve continues to be developed with large single-family homes generally priced above \$880,000. The consultants that prepared the Agricultural Reserve Master Plan recommended that the County allow density increases as a means of encouraging multi-family development and varied residential product types as well as encouraging integration between residential and non-residential uses. The development pattern of the Agricultural Reserve is segregated and lacks connectivity, as commercial uses are concentrated at the intersection of Boynton Beach Boulevard and Lyons Road, industrial fronts along Boynton Beach Boulevard between State Road 7 and the Turnpike; and the gated single family residential developments have primarily been developed with frontage/access on Lyons and Acme Dairy Roads. This type of development pattern requires residents to drive to and from the various services that they need. The Project will locate residential in close proximity to services and uses and encourage alternative modes of transportation. Additionally, the workforce of those various commercial businesses will have additional options for housing within these residential developments. Approval of the proposed future land use will allow for the development of a housing product that will add a diverse and affordable housing option for the workers within the Agricultural Reserve.

The density increase to 8 units per acre is necessary to accommodate the development of multi-family units. Higher density already exists in the Tier with the “In The Pines” development that serves some of the farmworkers of the Tier. Additionally, the proposed Congregate Living Facility text amendment will allow for density at 8 dwelling units per acre. Preserve area is still required and that additional density increase is needed to offset the cost of acquiring preserve land and providing workforce housing.

The creation of additional housing options within the Agricultural Reserve will allow the workforce in the area the opportunity to live close to their place of employment. By adding more housing options to the Agricultural Reserve, travel distance and time is reduced. This reduction would lessen the impacts on the major rights-of-way in the Tier, thus decreasing the burden for service provision on County taxpayers. Water and sewer lines have been installed along Boynton Beach Boulevard to serve the various residential projects being developed within the Agricultural Reserve. Allowing development of the Property with a workforce housing project would be an efficient use of these existing public facilities.

2. There is a basis for the proposed FLU change 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.

***Response:** As previously mentioned, significant changes to the original master plan have been approved within the Agricultural Reserve. Most recently on July 28, 2022, the Board of County Commissioners approved Reserve at Atlantic, for development of 476 multi-family residential units and a daycare for 120 children. The Reserve at Atlantic Project was also the catalyst for the Board of County Commissioners to direct staff to initiate the Future Land Use Amendment for Essential Housing. The Essential Housing Future Land Use Designation will allow for development of multi-family housing and workforce housing within the Tier. With the approval of the Reserve at Atlantic and adoption of the County initiated EH Future Land use Designation, additional residential projects will continue to be proposed and developed within the Tier.*

Continued residential growth has created a need for additional services within the Agricultural Reserve. The additional services that have been approved and developed along Boynton Beach Boulevard and in the immediate area, requires a workforce, and can benefit from housing options. The employees of these retail, restaurant, and other essential services that cater to the growing single family residential development are sometimes priced out of the single-family housing options that are currently available and being developed in the Agricultural Reserve. The employees and workforce of the existing nearby commercial, industrial and institutional uses would benefit from a more diverse housing option including multi-family or townhome developments. The increased density allows for a more affordable option of housing for these employees..

b. Changes in the access or characteristics of the general area and associated impacts upon the subject site.

***Response:** The characteristics of the area have changed significantly since the 1989 Comprehensive Plan was adopted. The Agricultural Reserve Master Plan originally intended that more intense uses and development would occur along the major roadways and at nodes within the Tier. The Master Plan further intended for lower density residential to develop outside of the higher intensity core eventually transitioning to the Agricultural Preserve parcels. This development pattern has not occurred, rather development is disconnected. Contributing factors to this development pattern that were not anticipated include, several large farming families ceasing operations and no longer farming, including Whitworth, Winsberg, Mazzonni, Amestoy, and Dubois. Over the past 20 years, these large tracts of farmland have been converted into single family residential planned developments, thus significantly impacting the development pattern of the Tier. A majority of the residential developments in the Agricultural Reserve are comprised of single-family homes; and as housing prices increase eliminates the affordability of housing to the workforce of the nearby commercial, industrial and institutional uses. This Tier has been exempted from the County’s*

mandatory workforce housing program and has limited density of 1 dwelling unit per acre thus, the area has become very homogeneous and cost prohibitive to workforce employees.

In the twenty years that have passed since the creation of the Agricultural Reserve Master Plan, the population has significantly increased. The 2020 population for Palm Beach County is 1,466,494 which represents a 30% population increase from 2000. The projected 2030 population will be 1,649,079, an increase of 15% over the period of 10 years. The Board of County Commissioners and the County Administrator have stated that Palm Beach County has a housing crisis due to a lack of workforce housing. The County's Workforce Housing Program was recently revised, in an attempt to provide more on-site construction of workforce housing and to ensure that units are being constructed and will meet the needs of the workforce population. The average home price in the Agricultural Reserve is approximately \$880,000 which is nearly double Palm Beach County's \$526,000 median single-family sales price (January 2020) and affordable only to households earning above the County's Moderate Household Income. The need for workforce housing is only being met by those developments within the Urban/Suburban Tier and being further exacerbated by the current development pattern and density limitations within the Agricultural Reserve. The median price of a home in Palm Beach County exceeds \$500,000 as stated in staff's report for the County Initiated Text Amendment to Essential Housing (EH) Future Land Use.

Other changes to the Agricultural Reserve include increases to the commercial square footage cap in order to meet the demand for retail, restaurants and other services by the residents of the Agricultural Reserve. This has allowed for more commercial parcels to be developed in addition to the originally designated Traditional Marketplace Developments (TMDs) located at Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road. Other non-residential uses have been developed in the area to support the residents of the Tier. A large regional hospital campus including an approximately 170,000 square feet of medical office buildings, several private and charter schools have been approved and developed along the Boynton Beach Boulevard corridor. These institutional uses have numerous employees that would benefit from workforce housing in proximity to their places of employment thereby reducing travel times.

c. New information or change in circumstances which affect the subject site.

Response: *The Agricultural Reserve Master Plan recognized the need for workforce housing within the Tier by allowing and encouraging vertical and horizontal integration of residential units within the TMDs. However, this type of forced design was not affordable, feasible or marketable, especially at a density of 1 dwelling unit per acre. The Consultant recommended that the County permit density bonuses as a means of encouraging vertical integration and ensuring a greater diversity of housing types.*

The Master Plan originally intended for development to be concentrated and radiate outward from two nodes (Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road). Preservation parcels were anticipated to be located west of State Road 7 and within the core of the Agricultural Reserve. The proposed text amendment will allow for development to occur along Boynton Beach Boulevard in an area originally designated by the Master Plan as a location for multi-family development.

Recently, the Board of County Commissioners approved a multi-family development, Reserve at Atlantic, with a density of 8 dwelling units to the acre providing for a total of 476 residential dwelling units; and a daycare for 120 children. This project is seen as a catalyst for the County Board of Commissioner's direction to staff to initiate a Future Land Use Amendment that would provide an Essential Housing designation within the Agricultural Reserve. The Essential Housing Future Land Use Designation creates a higher-density category with a significant workforce housing requirement and a preserve requirement, helping to create livable communities while recognizing the unique characteristics of the area. The higher density development will be located on major corridors with proximity to the marketplaces limiting trips and facilitating transit access.

The development of multi-family residential units will not occur in the Tier unless density rates are increased. Initially, multi-family was intended to locate within the two approved TMDs. The residential units have yet to be constructed within these two projects. The proposed project will provide additional housing options within the Tier that were originally contemplated but were never developed. These units will be located within close proximity of the TMDs to ensure the intent of the Agricultural Reserve Master Plan is realized.

d. Inappropriateness of the adopted FLU designation.

***Response:** AGR is not the most appropriate FLUA designation for the Property to create an appropriate balance of land uses within the Agricultural Reserve. Allowing an increase in density will allow for the original intent of the Master Plan which included a variety of housing types including multi-family to be realized. The existing density of 1 du/acre will not allow for the development of multi-family housing in the Agriculture Reserve. Many municipalities across the Country have recently begun to eliminate single family zoning and future land use designations as these categories have been determined by planners and government officials to be discriminatory to those residents with lower incomes. The EH Future Land Use category that allows multi-family development in addition to single family development would be more appropriate to ensure a diverse and economically strong locality.*

e. Whether the adopted FLU designation was assigned in error.

***Response:** N/A*

G.2 Residential Density Increases

Per Future Land Use Element Policy 2.4-b, the proposed request for a density increase is consistent with the following criteria:

- Demonstrate a need for the amendment.
- Demonstrate that the current FLUA designation is inappropriate.
- Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.

a. Demonstrate a Need for the Amendment

***Response:** As discussed above, Palm Beach County is in the middle of a Workforce Housing crisis. There is a significant deficit of workforce housing options available to working professionals such as teachers, police, nurses, etc. in Palm Beach County. The Density Bonus and Transfer of Development Rights as a means to increase density is not appropriate for this site as it is not permitted in the AGR. However, the Project will be increasing density through the requested amendment to the Future Land Use Designation of EH. As mentioned earlier, a requirement of the EH designation is to provide workforce housing. In addition, the amendment provides for market rate multi-family housing which is a needed option for so many of Palm Beach County's workforce. The Agricultural Reserve has been exempted from the mandatory Workforce Housing Program that has been in place since the early 2000's. This exemption has allowed the development of very expensive residential development within a 22,000-acre portion of Palm Beach County without any contributions to the housing crisis occurring throughout the County. This continued exclusive development has only exacerbated the divide between the "haves" and the "have nots" in Palm Beach County. The average home price of \$880,000 is not affordable for many workers within the Agricultural Reserve including the nurses, hospital staff, retail workers, restaurant workers, teachers, and future County Parks and Library Staff.*

b. Demonstrate that the Current FLUA Designation is Inappropriate

***Response:** As discussed above, the development of multi-family residential units will not occur in the Agricultural Reserve unless density rates are increased. With the adoption of the Essential Housing Future Land Use designation, increased density will be permitted in the AGR allowing development of multi-family housing and requiring workforce housing. Initially, multi-family was intended to locate within the two approved TMDs. The residential units have yet to be constructed within these two projects. The proposed project will*

provide additional housing options within the Tier that were originally contemplated but were never able to be developed. These units will be located within close proximity of the TMDs to ensure the intent of the Agricultural Reserve Master Plan is realized.

c. Explanation of Why TDR, WHP and AHP Cannot be Utilized to Increase Density on the Property

Response: *The Agricultural Reserve is a sending area for the Transfer of Development Rights (TDR) Program. The recently adopted Future Land Use Designation EH, will provide the desired density 8 dwelling units per acre; and will set aside 25% of the proposed dwelling units for workforce housing units. Therefore, the proposed amendment is the appropriate means for providing these units.*

G.3 Compatibility

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety, or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions. The definition of “compatibility” under the repealed Rule 9J-5, FAC, is “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted, directly or indirectly by another use or condition”. With this definition in mind, the requested change would make the subject property more compatible with the surrounding properties which have undergone land use amendments.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can complement and support each other. For example, a commercial use can provide essential services to residents of surrounding neighborhoods, as well as the community at-large. In addition, buffering, screening, setback, height, and landscaping requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

Several factors lead to the conclusion that the proposed FLUA Map Amendment designation will be compatible with neighboring uses.

- Access is available from Boynton Beach Boulevard, a right-of-way designated as an arterial road, thus directing traffic away from local roads in the vicinity.
- Boynton Beach Boulevard is currently developed with a mix of industrial, commercial, residential, and agricultural uses. The proposed MLU will provide for additional housing opportunities along this important east-west corridor of the Agricultural Reserve and Palm Beach County. On this basis, the proposed development concept at this location is determined to be compatible.
- The proposed use is compatible with the existing development pattern and adjacent uses that have occurred along the Boynton Beach Boulevard corridor.

The above factors, coupled with setbacks, buffers and landscaping requirements will dictate that on-site structure(s) will be compatible with the neighboring properties and not create or foster undesirable health, safety, or aesthetic effects.

G.4 Comprehensive Plan

The proposed Future Land Use Atlas Amendment is consistent with various goals, objectives, and policies in the Palm Beach County Comprehensive Plan as detailed below.

Goals – The proposed FLUA amendment furthers the County’s goals as described below.

- **Balanced Growth** – “...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.”

Response: *Approval of this proposed FLU amendment will allow for the development of multi-family residential units. Single-family residential development in the Agricultural Reserve has been growing substantially without any alternative housing options provided. Workers within the Agricultural Reserve continue to travel from outside of the Tier to work at various businesses, schools, and medical facilities. The proposed FLU amendment will bring additional housing opportunities to the Agricultural Reserve*

catering to the current workers and future residents of the Tier thus enhancing the quality of life for those that have chosen to live within the western Delray Beach area.

- **Land Planning** – “...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, and environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities.”

***Response:** Allowing additional housing options within the Agricultural Reserve will encourage balanced growth. The Agricultural Reserve is comprised of single family homes, most of which are planned gated communities out of the reach of workforce incomes. This is a homogeneous development pattern with little to no economic diversity. The recent changes to the Agricultural Reserve Master Plan have allowed increased services to be developed to support the increasing amount of residential development. However, no accommodation of housing for those working in the service, education, and healthcare industries has been provided.*

Objectives – The proposed FLUA amendment furthers the County’s objectives as further described below.

- **FLUE Objective 1.5 Agricultural Reserve Tier** – “Development areas should be concentrated east of SR7 (in the vicinity of Boynton Beach Boulevard and in the vicinity and south of Atlantic Avenue) in order to protect the environmentally sensitive lands within and surrounding the Loxahatchee National Wildlife Refuge, foster the preservation of agriculture in the center of the Tier, and to reduce infrastructure costs and impacts on taxpayers.”

***Response:** As mentioned above, if additional housing options were available within the Agricultural Reserve, much of the workforce would have the opportunity to live close to their place of employment. By adding more housing options to the Agricultural Reserve, travel distance and time is reduced. This reduction would lessen the impacts on the major rights-of-way in the Tier, thus decreasing the burden for service provision on County taxpayers. Water and sewer lines have been installed along Boynton Beach Boulevard to serve the various residential projects being developed within the Agricultural Reserve. All property owners with frontage along Boynton Beach Boulevard were required to pay assessments for the extension of these water and sewer lines. Allowing development of the Property with a workforce housing project would be an efficient use of these existing public facilities. Another contribution to a sustainable development pattern would be the reduction of carbon dioxide gas emissions as travel times are reduced.*

- **FLUE 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 Property is located within the Agricultural Reserve which is a Limited Urban Service Area (LUSA) where services and public facilities are already available. The Property’s location at a major transportation route with access/frontage on Boynton Beach Boulevard and Acme Dairy Road, within a mile of State Road 7 and Florida Turnpike contribute to timely, cost-effective service provision. The proposed project will better serve the immediate and future needs of the community as it will provide additional housing opportunities for those working for the existing retail, restaurant, and industrial businesses. Traffic on the east-west roadways in the Agricultural Reserve is caused by the number of residents leaving the Tier in the mornings for work and service providers traveling into the area. This proposed amendment will allow for the creation of additional housing opportunities thus keeping workers west of the Florida Turnpike and off the major east-west roadways and ultimately having a positive impact on the safety and welfare of the existing residents.*

Policies – The proposed FLUA amendment furthers the County’s policies as further described below.

- **FLUE Policy 1.5.1-b:** “A residential AgR-PDD shall require the following:
 1. That the development area be compact, contiguous, and arranged as a unified whole and appropriately buffered so as not to interfere with the continued or future function of the preserve area.
 2. That the development area be situated adjacent to other existing, planned, or projected development areas.
 5. That preserve areas be used only for agriculture or open space uses.”

Response: *The proposed development will provide the appropriate percentage of preserve area similar to other planned developments within the Tier. The proposed project is located on Boynton Beach Boulevard.*

G.5 Florida Statutes

Data and analysis demonstrating that the proposed development can be supplied by necessary services without violating adopted LOS standards are presented in Attachment H (Traffic Letter and Study), J (Drainage Statement), K (Fire Rescue Letter), and I (Water and Wastewater Provider Letter). Data and analysis discussing environmental and historical resources impacts are presented in Attachments J (Drainage Statement), N (Wellfield Zone), L (Natural Features Inventory and Map) and O (Historic Resource Evaluation Letter). No negative environmental impacts are identified.

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

- Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single use development or uses.
 - **Response:** *The applicant is requesting to change the FLU of the Property from AGR to EH which will provide additional housing opportunities within the Agricultural Reserve. The Agricultural Reserve is an existing area of low intensity/density and single-use development. The proposed amendment will provide housing options not currently in existence within the Boynton Beach Boulevard corridor of the Agricultural Reserve. The proposed text change will allow for the development of multi-family residential units that will counteract the urban sprawl that has been occurring since the creation of the Agricultural Reserve Master Plan.*
- Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
 - **Response:** *The Property is located in the Agricultural Reserve which is a Limited Urban Service Area (LUSA) and along the Boynton Beach Boulevard corridor which is not rural in nature. Urban services such as police, fire rescue and water/wastewater/drainage utilities exist in the immediate area.*
- Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - **Response:** *The development is not isolated in nature as development surrounds the Property along the Boynton Beach corridor. Specifically, commercial uses have been approved and developed at the intersection of Boynton Beach Boulevard and Lyons Road just to the west of the Property. The proposed development would be considered infill development at a major intersection and transportation node between the intense commercial/industrial projects along a rapidly changing roadway corridor.*
- Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
 - **Response:** *This amendment does not fail to protect and conserve natural resources as the proposed development will have no negative impact on any other significant natural system. The Property does not*

support any environmentally sensitive areas. No listed species were located on the property, and it is located outside of any wellfield protection zone. As required by the ULDC, any native plant material will be addressed during the zoning approval process.

- Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
 - **Response:** *The Property is located within the Agricultural Reserve. Although it is currently utilized as agriculture row crops, the Property is not designated as a preserve parcel. The Property's location along a major right-of-way, bordered by development to the east and west is not an optimal location for agricultural uses. The overall development pattern for this corridor has been determined by the recent County approvals and existing uses (commercial, industrial, and residential).*
- Fails to maximize use of existing public facilities and services.
 - **Response:** *Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. It is anticipated that the proposed residential development will not negatively impact public facilities and services.*
- Fails to maximize use of future public facilities and services.
 - **Response:** *Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. In comparison to other uses that are allowed in the 1 du/ac planned unit developments, it is anticipated that the proposed residential development will not negatively impact public facilities and services.*
- Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
 - **Response:** *Public services and facilities are already available in the immediate vicinity. The proposed amendment will provide for infill development and fit in with the existing land use pattern.*
- Fails to provide a clear separation between rural and urban uses.
 - **Response:** *The Property is located within the Agricultural Reserve which is a Limited Urban Service Area (LUSA). The Property is not adjacent to the Rural Tier therefore, the proposal discourages the proliferation of Urban Sprawl by locating goods, services employment, and alternative housing options in close proximity to where people live.*
- Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
 - **Response:** *This amendment will allow for infill development as development exists on all sides of the Property. The proposed project will serve the current and future needs for the surrounding communities and will also provide a much needed alternative housing option.*
- Fails to encourage a functional mix of uses.
 - **Response:** *Approval of the proposed amendments will allow for a mix of uses. The proposed amendment will allow for the development of an alternative housing type within an area of the County that has historically only been developed with low intensity/density residential development. The proposed project will contribute to a functional mix of uses along the Boynton Beach Boulevard corridor which has been relatively homogeneous in the past.*
- Results in poor accessibility among linked or related land uses.
 - **Response:** *The proposed development will be designed with pedestrian connections as required through the zoning process.*
- Results in the loss of significant amounts of functional open space.
 - **Response:** *This amendment does not result in a loss of any functional open space as the subject property is currently not utilized as functional open space. Additionally, the proposed text amendment will still provide for the required preservation land.*

Florida Statutes, Section 163.3177.(6).(a).9.b: Of those criteria listed in this section the subject property will meet the following criteria which shows that it will discourage the proliferation of urban sprawl:

- Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
 - **Response:** *This amendment does not fail to protect and conserve natural resources as the property is vacant of natural resources. The site is undeveloped and it is located outside of any wellfield protection zone. As required by the ULDC, any native plant material will be addressed during the zoning approval process.*
- Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
 - **Response:** *The request for a FLUA amendment will maximize the use of future public facilities and services existing and within a relatively urban corridor. No facilities would be required to be installed in rural or sparsely populated areas, thereby maximizing the use of the existing facilities. Therefore, the proposal discourages the proliferation of Urban Sprawl by locating residential development near goods, services and employment adjacent to existing public infrastructure.*
- Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
 - **Response:** *The development will be designed meeting the requirements for a planned development (PDD) project which includes pedestrian connections, bike racks, multi-use paths, and other elements that support a compact development.*
- Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
 - **Response:** *Approval of this proposed amendment will allow the development of multi-family residential within an area of the County that has historically only been developed with low intensity/density residential development. The proposed project will contribute to a functional mix of uses within the Agricultural Reserve which has been relatively homogeneous in the past. The proposed uses will better serve the surrounding residential community as well as provide a much needed housing option for the workers within the Agricultural Reserve.*

Conclusion

As described above, the proposed future land use amendment from Agricultural Reserve (AGR) to Essential Housing (EH) to allow increased density is consistent with the Goals, Objectives, and Policies of Palm Beach County's Comprehensive Plan and the Florida State Statutes. The proposed amendment is also compatible with the surrounding area. The proposed amendment does not contribute to urban sprawl. The amendment is consistent with the Agricultural Reserve Master Plan as well as provide a much needed service and alternative housing option to the area residents and workers that will not negatively impact service provision.



**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**

Robert S. Weinroth, Mayor

Gregg K. Weiss, Vice Mayor

Maria G. Marino

Dave Kerner

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

April 5, 2022

Morton
3910 RCA Boulevard
Palm Beach Gardens, Fl. 33410

RE: Boynton Gardens
PCN 00-42-43-27-05-054-0070
Service Availability Letter

Ms. Velasco,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to provide the level of service required for the proposed land use amendment from Agricultural Reserve (AGR) to Mixed Use on approximately 39 acres subject to a Capacity Reservation Agreement with PBCWUD. The proposed change will allow for multifamily residential and commercial uses.

The nearest point of connection is a 42" potable water main and a 24" sanitary sewer forcemain located within Boynton Beach Blvd. adjacent to the subject property. There is a 12" reclaimed water main located within Acme Dairy Road adjacent to the subject property. This property is located within a Mandatory Reclaimed Area.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. In addition, the addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Michels", is written over a horizontal line.

Jackie Michels, P.E.,
Project Manager

April 1, 2022

**11275 Acme Dairy Road
Drainage Statement**

The proposed 11275 Acme Dairy Road project site is in Unincorporated Palm Beach County ("PBC" or "County") at the southeast corner of Boynton Beach Boulevard (SR-804) and Acme Dairy Road, west of the Florida's Turnpike on/off-ramp and is identified as parcel control number 00-42-43-27-05-054-0070, totaling approximately 39.4 acres based on the survey provided by Lannes & Garcia, Inc.

The proposed project is a development that will consist of ± 18.76 acres of developable area and ± 20.64 acres of preserve area. Excluding the Lake Worth Drainage District (LWDD) L-24 and L-25 Canals, which are located outside of the proposed stormwater management system, no offsite areas contribute to the project site. The project is anticipated to utilize dry detention area, exfiltration trenches, and outfalls to the LWDD L-24 and L-25 Canals as means of stormwater management. Other methods of stormwater management may be implemented as the project is fully designed. For exfiltration trench, only the volume equivalent to 3.2" over the site area can be credited towards attenuation of the site. Preliminary drainage calculations have been prepared, which show that the stormwater management system can be designed to meet water management district requirements utilizing the stormwater management methods described above.

The proposed project will be designed such that it has no adverse impacts to adjacent properties and roadways. The proposed project will be designed to meet the established design criteria for water quality treatment as well as water quantity attenuation (minimum road/parking/building elevations, perimeter berm, and discharge rate) for the South Florida Water Management District (SFWMD), the LWDD, Palm Beach County, and the Florida Department of Transportation. There are no current or previous approvals from the above-mentioned agencies at the project site.

The project site lies south of the LWDD L-24 Canal and north of the L-25 Canal. The project is anticipated to be permitted to outfall to LWDD L-24 and L-25 Canals, pending approval from LWDD and SFWMD. The project lies within the SFWMD C-16 Basin with an allowable discharge of 62.6 CSM. The project is located within FEMA Flood Hazard Zone X, which indicates an area of minimal flood hazard. No Base Flood Elevation has been established at the project site, and therefore no floodplain impacts or compensation are anticipated. Preliminary FEMA flood hazard maps published do not propose changes to the flood zone at the project site. The project site is located within a basin of Waters Not Achieving Standards

(WNAS). The E-2 Canal is impaired for Dissolved Oxygen levels. Therefore, an additional 50% water quality treatment requirement is expected to apply to the project site.

Kimley-Horn and Associates, Inc.



Christopher Falce, P.E.
Vice President
FL License No. 73908
Registry 35106



April 1, 2022

Fire Rescue

Chief Patrick J. Kennedy
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

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Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

JMorton
Attn: Lauren McClellan
3910 RCA Boulevard
Palm Beach Gardens, FL 33410

Re: Boynton Gardens

Dear Ms. McClellan:

Per your request for response time information to the subject property located at 11275 Acme Dairy Road. This property is served currently by Palm Beach County Fire-Rescue station #47, which is located at 7950 Enterprise Center Circle. The maximum distance traveled to subject property is approximately 1.50 miles from the station. The estimated response time to the subject property is 5 minutes and 30 seconds. For fiscal year 2021, the average response time (call received to on scene) for this station's zone is 7 minutes 36 seconds.

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 561-616-6971.

Sincerely,

A handwritten signature in cursive script that reads "Alyssa Tagdharie".

Alyssa Tagdharie, Planner
Palm Beach County Fire-Rescue



Attachment L Natural Feature Inventory & Map

Boynton Beach Boulevard

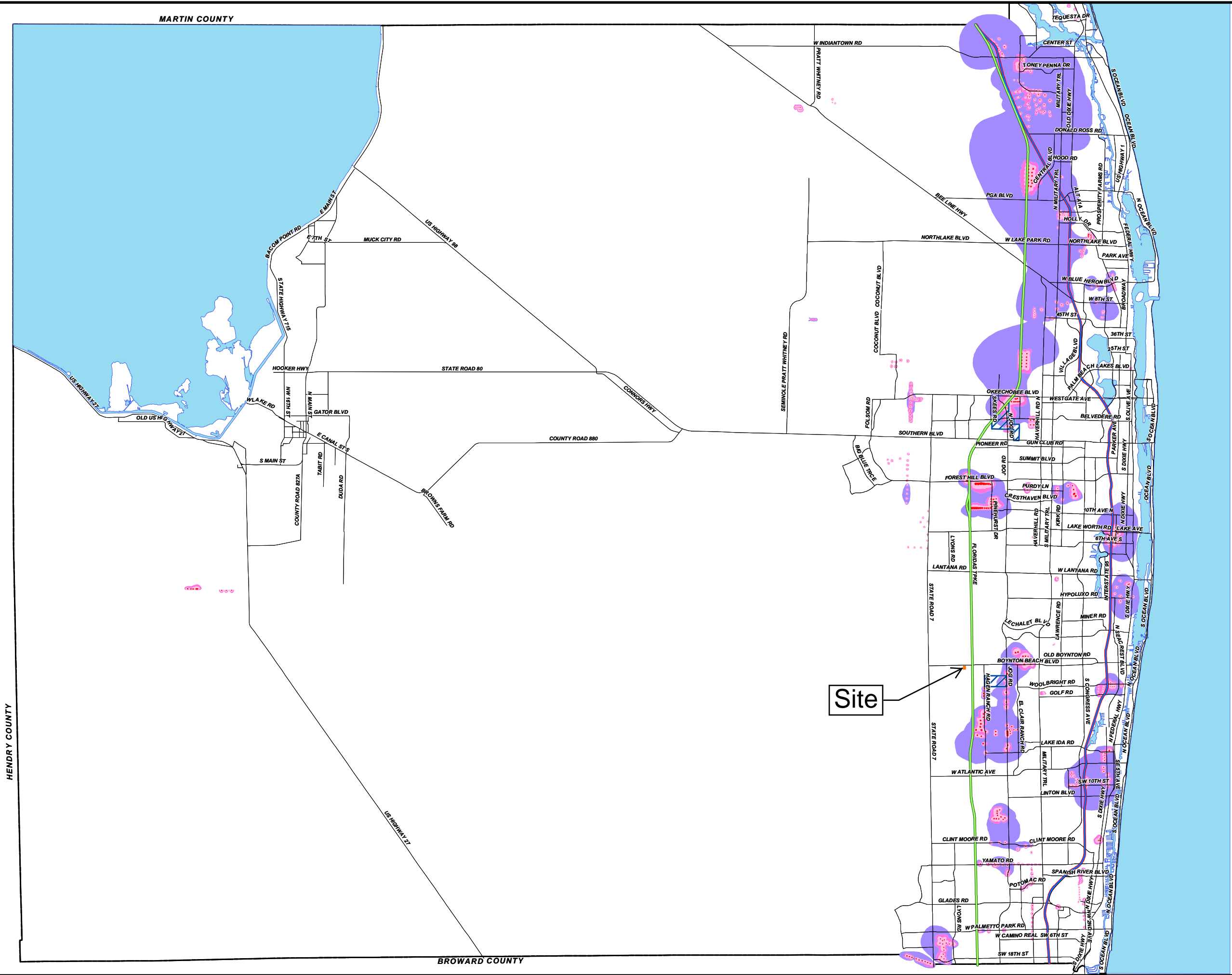
Site

Acme Dairy Road

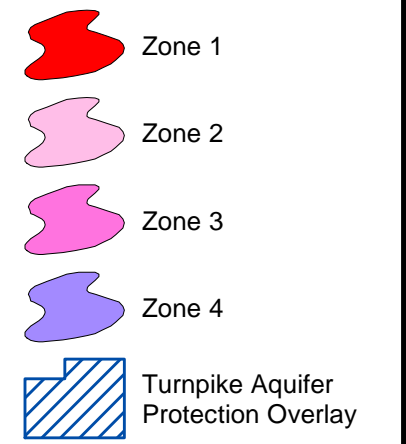
Florida's Turnpike

No significant
natural features
on site





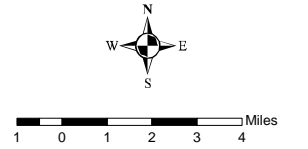
MAP LU 4.1
WELLFIELD PROTECTION
ZONES IN PALM BEACH
COUNTY, FLORIDA



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

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



**Palm Beach County
Board of County
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Mack Bernard

County Administrator

Verdenia C. Baker

March 1, 2022

Maryori Velasco

J. Morton, Planning & Landscape Architecture
3910 RCA Boulevard, Suite 1015
Palm Beach Gardens, Florida 33410

RE: Historical and Archaeological Resource Review for project name: Boynton Gardens, under PCN: 00-42-43-27-05-054-0070.

Dear Ms. Velasco:

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

Staff 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 property.

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 property.

However, should any artifacts or 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
County Historic Preservation Officer/ Archeologist

cc: Kevin Fischer, Interim Planning Director, PBC Planning Division
Bryan Davis, Principal Planner, CNU-A, PBC Planning Division

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THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

PLANNING AND INTERGOVERNMENTAL RELATIONS
3661 INTERSTATE PARK RD. N., STE 200
RIVIERA BEACH, FL. 33404

PHONE: 561-434-8020 / FAX: 561-357-1193
WWW.PALMBEACHSCHOOLS.ORG/PLANNING

KRISTIN K. GARRISON
DIRECTOR

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	08/01/2022		
	SCAD No.	22080102F - FLU		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	PCN No. / Address	00-42-43-27-05-054-0070 / 11275 Acme Dairy Road		
	Development Name	Logan Ranch Residential		
	Owner / Agent Name	Barbara M. Logan Trust / Lauran McClellan		
	SAC No.	259B		
	Proposed Amendment	Maximum 315 Residential Units		
Impact Review		Sunset Palms Elementary School	Woodlands Middle School	Olympic Heights High School
	New Students Generated	50	27	39
	Capacity Available	-117	-495	-562
	Utilization Percentage	111%	135%	125%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Therefore, if the proposed development is approved by the Palm Beach County government, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District elementary, middle and high school level, the property owner shall contribute a total of \$1,260,111.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied). The contribution amount may be adjusted to reflect the actual unit number and type during the Development Order process.</p> <hr/> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on April 16, 2019.</p>			
Validation Period	<p>1) This determination is valid from 08/03/2022 to 08/02/2023 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 08/02/2023 or this determination will expire automatically on 08/02/2023.</p>			
Notice	<p>School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

Joyce Cai

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

August 3, 2022

Date

joyce.cai@palmbeachschools.org

Email Address

CC: Kevin Fischer, Planning Director, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County