

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	23-B	Intake Date	November 9, 2022
Application Name	Erickson Boynton Beach CCRC	Control No.	2018-186 2018-187
Acres	93.51 acres	Concurrent Zoning application?	Yes
		Text Amend?	No
PCNs	42-43-27-05-054-0022 and 42-43-27-05-054-0050		
Location	South side of Boynton Beach Boulevard, immediately to the west of the FL Turnpike and approx. 0.63 miles east of Lyons Road.		
	Current	Proposed	
Tier	Agricultural Reserve Tier	Agricultural Reserve Tier (no change)	
Use	Agriculture	Congregate Living Facility (Continuing Care Facility)	
Zoning	Agricultural Reserve (AGR)	Multiple Use Planned Development (MUPD)	
Future Land Use Designation	Agricultural Reserve (AGR)	62.33 acres – Congregate Living Residential (CLR) / Institutional (INST); and 31.17 acres – Agricultural Reserve (AGR)	
Underlying Future Land Use Designation	None	Institutional (INST)	
Conditions	None	None	
Density Bonus	None	None	
Total Number of Units	None	498.6 Dwelling Units/1,192 beds (CLR) Not Applicable (INST)	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	1 unit per 5 acres for residential use	8 units per acre (CLF) 0.35 (INST)
Maximum Dwelling Units¹ (residential designations)	1 du / 5 acres x 93.51 ac. = 19 units	Not applicable
Maximum Beds (for CLF proposals)	19 max du x 2.39 beds/du = 45 beds	8 max du/ac x 62.33 x 2.39 = 1,192 people (CLR)

		62.33 acres x 43,560/1,000 = 2,715 beds (INST) MAX TOTAL: 3,907 beds
Population Estimate	19 max du x 2.39 beds/du = 45 beds = 45	8 max du/ac x 62.33 x 2.39 = 1,192 people (CLR) 62.33 acres x 43,560/1,000 = 2,715 beds (INST) MAX TOTAL: 3,907 beds
Maximum Square Feet ^{2, 4} (non-residential designations)	0.15 FAR x 93.51 ac. = 610,944 SF of agriculture use.	0.35 FAR x 62.33 ac. (Development Area) = 950,283 SF of Institutional Use.
Proposed or Conditioned Potential ^{3, 4}	None	CLR: no restriction (1,192 beds) Institutional (INST) restricted to 224,400 SF of Hospital use or (678 beds ALF + 150 beds Nursing Home), or uses generating an equivalent volume of trips.
Max Trip Generator	<p><i>Nursery (Garden Center) (ITE 817)</i> Daily: 108.1 trips/acre AM Peak Hour: 2.82 trips/acre PM Peak Hour: 8.06 trips/acre</p> <p><i>Nursery (Wholesale) (ITE 818)</i> Daily: 19.5 trips/acre AM Peak Hour: 0.23 trips/acre PM Peak Hour: 0.36 trips/acre</p>	<p><i>Assisted Living Facility (CLR/INST) (ITE 254)</i> Daily: 2.6 trips/bed AM Peak Hour: 0.18 trips/bed PM Peak Hour: 0.24 trips/bed</p> <p><i>Nursing Home (INST) (ITE 620)</i> Daily: 3.06 trips/bed AM Peak Hour: 0.14 trips/bed PM Peak Hour: 0.14 trips/bed</p> <p><i>Hospital (INST) (ITE 610)</i> Daily: 10.77 trips/1,000 SF AM Peak Hour: 0.82 trips/1,000 SF PM Peak Hour: 0.86 trips/1,000 SF</p>
Maximum Trip Generation	<p><i>Max Daily: 2,267 trips</i> <i>Max AM Peak: 34 trips</i> <i>Max PM Peak: 96 trips</i></p>	<p><i>CLR/INST (with Hospital as INST use, Unrestricted):</i> <i>Max Daily: 12,310 trips</i> <i>Max AM Peak: 916 trips</i> <i>Max PM Peak: 1,021 trips</i></p> <p><i>CLR/INST (with Hospital as INST use, Proposed Voluntary Restriction):</i> <i>Max Daily: 5,274 trips</i> <i>Max AM Peak: 381 trips</i> <i>Max PM Peak: 460 trips</i></p> <p><i>CLR/INST (with ALF + Nursing Home as INST use, Unrestricted):</i> <i>Max Daily: 10,181 trips</i> <i>Max AM Peak: 695 trips</i> <i>Max PM Peak: 921 trips</i></p> <p><i>CLR/INST (with ALF + Nursing Home as INST use, Proposed Voluntary restriction):</i> <i>Max Daily: 5,275 trips</i></p>

		<i>Max AM Peak: 356 trips</i> <i>Max PM Peak: 468 trips</i>
Net Daily Trips:	10,043 (Maximum with Hospital as INST use minus Current Maximum) 3,007 (Vol. Restriction with Hospital as INST use minus Current Maximum) 7,914 (Maximum with ALF + Nursing Home as INST use minus Current Maximum) 3,008 (Vol. Restriction with ALF + Nursing Home as INST use minus Current Maximum)	
Net PH Trips:	882 AM, 925 PM (Max with Hospital as INST use minus Current Max) 347 AM, 364 PM (Vol. Restr. With Hospital as INST use minus Current Max) 661 AM, 825 PM (Max with ALF + Nursing Home as INST use minus Current Max) 322 AM, 372 PM (Vol. Restr. With ALF + Nursing Home as INST use minus Current Max)	

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

B. Applicant Information

Name	Patricia A Mazzoni (Successor Co-Trustee of William A. Mazzoni Revocable Trust)
Company Name	William A. Mazzoni Revocable Trust dated June 4, 1992
Address	950 Greenbriar Drive
City, State, Zip	Boynton Beach, FL 33435
Phone / Fax Number	See Agent
Email Address	See Agent
Interest	Property Owner

Name	Thomas A Smith (Successor Co-Trustee of William A. Mazzoni Revocable Trust)
Company Name	William A. Mazzoni Revocable Trust dated June 4, 1992
Address	950 Greenbriar Drive
City, State, Zip	Boynton Beach, FL 33435
Phone / Fax Number	See Agent
Email Address	See Agent
Interest	Property Owner

Name	Steven Montgomery, Authorized Signatory
Company Name	Erickson Living Properties, LLC

Address	701 Maiden Choice Lane
City, State, Zip	Baltimore, MD 21228
Phone / Fax Number	Available upon request of the Agent
Email Address	Available upon request of the Agent
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 7,200 SF warehouse and office, and 816 SF storage building and a pole barn. See Attachment F.
PCN	00-42-43-27-05-054-0022 & 00-42-43-27-05-054-0050
Street Address	8344 Boynton Beach Boulevard
Frontage	375 feet of frontage along Boynton Beach Boulevard
Legal Access	Boynton Beach Boulevard
Contiguous under same ownership	<i>Indicate whether there is adjacent property under the same ownership and provide the acreage and pcns for the site(s).</i>
Acquisition details	<p>PCN 00-42-43-27-05-054-0022 – The Property was acquired on July 14, 1992, from William Mazzoni and Dorothy C. Mazzoni by Warranty Deed. According to the Warranty Deed, the Property was granted for the consideration of \$10.00. See Attachment A for Warranty Deed.</p> <p>PCN 00-42-43-27-05-054-0050 – The Property was acquired on August 28, 2002, from Douglas McGregor Stewart, Gary A. Luing and John M. Farrell by Trustees' Deed. According to the Warranty Deed, the Property was granted for \$2,640,000.00. See Attachment A for Warranty Deed.</p>
Size purchased	+/- 93.51 acres

B. Development History

Control Number	2018-186 2018-187
Previous FLUA Amendments	No previously FLUA amendments have been submitted for the Property.
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. *Indicate the following for each surrounding property:*

- **Uses.** *Indicate the existing land use, subdivision name, and existing units and density (residential) or square footage (non-residential).*
- **FLUA Designations.** *Indicate the future land use designations. No acronyms.*
- **Zoning.** *Indicate the Zoning and petition numbers. No acronyms.*

Adjacent Lands	Use	Future Land Use	Zoning
North	Agriculture and Southbound ramp to Florida's Turnpike	Agricultural Reserve	Agricultural Reserve
South	Single Family Homes	Agricultural Reserve	Agricultural Reserve-Planned Unit Development
East	Northbound ramp to Florida's Turnpike, Warehouse, Single Family Homes	Utilities and Transportation, Multiple Land Use, and Institutional with underlying Medium Residential 5	Agricultural Reserve, Light Industrial, and Planned Unit Development
West	Agriculture	Agricultural Reserve	Agricultural Reserve

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Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	<p><i>Nursery (Garden Center) (ITE 817)</i> <i>Daily: 108.1 trips/acre</i> <i>AM Peak Hour: 2.82 trips/acre</i> <i>PM Peak Hour: 8.06 trips/acre</i></p> <p><i>Nursery (Wholesale) (ITE 818)</i> <i>Daily: 19.5 trips/acre</i> <i>AM Peak Hour: 0.23 trips/acre</i> <i>PM Peak Hour: 0.36 trips/acre</i></p>	<p><i>Assisted Living Facility (CLR/INST) (ITE 254)</i> <i>Daily: 2.6 trips/bed</i> <i>AM Peak Hour: 0.18 trips/bed</i> <i>PM Peak Hour: 0.24 trips/bed</i></p> <p><i>Nursing Home (INST) (ITE 620)</i> <i>Daily: 3.06 trips/bed</i> <i>AM Peak Hour: 0.14 trips/bed</i> <i>PM Peak Hour: 0.14 trips/bed</i></p> <p><i>Hospital (INST) (ITE 610)</i> <i>Daily: 10.77 trips/1,000 SF</i> <i>AM Peak Hour: 0.82 trips/1,000 SF</i> <i>PM Peak Hour: 0.86 trips/1,000 SF</i></p>
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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.	
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	1.75 miles
Response Time	Average response time is 7:36
Effect on Resp. Time	Fire Rescue is not able to determine the impact on the proposed land use change of this property. However, Assisted Living and Congregate Living Facilities usually generate a significant number of calls 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	+ 3,017	+10.22 acres
Beach	Ocean Ridge Hammock Park 6620 North Ocean Boulevard Ocean Ridge, FL 33435	0.00035	+ 3,017	+1.05 acres
District	Canyon District Park 8802 Boynton Beach Blvd. Boynton Beach, FL 33472	0.00138	+ 3,017	+4.16 acres

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	+ 3,017	+6,034 holdings
All staff	0.6 FTE per 1,000 persons	+ 3,017	+1.81 FTE
Library facilities	0.6 square feet per person	+ 3,017	+1,810 sf

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

	Elementary	Middle	High
Name	N/A	N/A	N/A
Address			
City, State, Zip			
Distance			

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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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Boynton Beach Boulevard

Pole Barn

7,200 SF one-story
warehouse and office

816 SF one-story
storage building

SITE

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 and text amendment (“amendment”) for the property located on the South side of Boynton Beach Boulevard, immediately to the west of the FL Turnpike and approximately 0.63 miles east of Lyons Road in Palm Beach County (“Property”) to amend the future land use designation from Agricultural Reserve (AGR) to Institutional with an underlying Congregate Living Residential designation (“INST/CLR”) (“Project”). The 93.51-acre¹ Property is located within the Agricultural Reserve Tier (“Agricultural Reserve” or “Tier”) and is currently utilized for agriculture row crops.

I. PROPOSED FLUA TEXT AND MAP AMENDMENT

The Applicant is requesting a Comprehensive Plan Future Land Use Atlas Amendment from Agricultural Reserve (“AGR”) to Institutional (“INST”) with an underlying Congregate Living Residential (“CLR”) designation for a 62.33-acre portion (“Development Area”) of the Property. The Development Area is determined based on the Comprehensive Plan’s prescribed On-site (10% of Development Area) and Off-site (50% of Development Area) preserve requirements. The Development Area proposed to be designated “INST/CLR” is inclusive of 6.23 acres of On-site preserve, while 31.17 acres of the total Site Area will maintain the AGR designation to satisfy the Off-site preserve requirement. The Applicant is also requesting a Comprehensive Plan Text Amendment to allow for a second location of the CLR designation and to allow for water retention in the preserve area.

The current future land use designation would allow for the development of nineteen (19) dwelling units (1 du/5 acres x 93.51 ac.) or 610,94 square feet (0.15 FAR x 93.51 ac.) of agricultural uses, based on the total Site Area. The proposed future land use designation will allow for a maximum of 1,192 beds per the CLR designation (62.33 acres x 8 units/acre x 2.39 persons) and a maximum intensity of 950,283 square feet (0.35 x 62.33 acres) or 2,715 beds (62.33 acres x 43,560 sf/1,000 sf).

The Applicant will pursue a concurrent rezone to Multiple Use Planned Development (MUPD), which will allow for the development of a 3,705-beds² Congregate Living Facility inclusive of Independent Living, Assisted Living, and Skilled Nursing/Memory Care.

Description of Site Vicinity

The Property is located along the south side of Boynton Beach Boulevard, just west of the FL Turnpike and approximately 0.63 miles east of Lyons Road within the Agricultural Reserve. Surrounding the Property to the north across Boynton Beach Boulevard and west, are agricultural uses; to the south single-family residential and to the east is the FL Turnpike.

Land uses directly abutting the Property include the following:

Adjacent Property	Land Use Designation	Zoning Designation	Existing Use	Control Number	Resolution Number
North	AGR	AGR	Agriculture Use and Florida State DOT right-of-way for the Florida Turnpike.	1980-50124 2010-00072 2016-0163	N/A

¹ The total Site Area of the Property is 93.51 acres per the ALTA Survey prepared by David Lindley dated April 7, 2022.

² The proposed total bed count is inclusive of a voluntary restriction as further described within the Traffic Study submitted with this application.

South	AGR	AGR-PUD	Canyon Trails PUD/579 Units/1 Du per acre	2006-550	R-2011-224
East	AGR; UT (Utilities and Transportation)	AR	Florida State DOT right-of-way for the Florida Turnpike.	N/A	N/A
West	AGR (Proposed EH)	AGR	Agriculture Use and warehouse	2004-471 2018-187	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 necessary changes in the Ag Reserve. These changes included increasing the commercial square footage cap to allow for additional smaller commercial projects that serve the residents, 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 within the Ag Reserve. While the first “80/20” Planned Unit Developments “PUDs” came about in 1980 (per the Agricultural Reserve Chronology document prepared by Palm Beach County Planning Division) we are now more than 40 years past and those initial residents have aged and are now looking for housing that affords them the ability to remain local and age in place. The Comprehensive Plan has mechanisms in place for Congregate Living Facilities in the Urban Suburban Tier, but up until recently, there wasn’t a land use designation that would allow a CLF in the Agricultural Reserve. After first considering CLF in the Agricultural Reserve in 2019, the BCC adopted a private text amendment and future land use amendment for the All Seasons Delray, allowing for one Congregate Living Facility in the Agricultural Reserve. The All Seasons project was adopted on April 28, 2022, and the Future Land Use Designation of Congregate Living Residential was applied to the site specific All Seasons project. The Future Land Use Designation of Congregate Living Residential will diversify housing opportunities by allowing for a senior housing option to serve the needs of existing residents and be in close proximity to related uses such as the Baptist Health Bethesda Hospital West, within proximity to the Property. Further, applying the CLR designation as underlying to the Institutional land use designation allows a Congregate Living Facility to offer care for residents allowing them to age in place, from independent living and assisted living to memory care.

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 Property is located along the south side of Boynton Beach Boulevard, just west of the Florida State Turnpike and approximately 0.67 miles east of Lyons Avenue. Boynton Beach Boulevard is a major east/west right-of-way providing easy access to Florida’s Turnpike, State Road 7 and I-95. The property is oriented toward and currently takes access from Boynton Beach Boulevard. This section of Boynton Beach Boulevard includes a mix of agricultural, commercial, and public facility uses. Recognized by the BCC, with the adoption of the Essential Housing (“EH”) land use designation, as an area that is in transition, the Property in addition to the immediately adjacent and abutting Logan Ranch Property, are identified as potential for an EH designation allowing 8 dwelling units per acre. While the INST designation will allow for use as assisted living, skilled nursing and memory care, as defined in the Comprehensive Plan, the underlying CLR designation will also allow for assisted living, but just as necessary, independent living. Similar in density to the EH land use designation, the CLR land use designation allows a density of 8 dwelling units per acre. Locating higher-*

density, cluster development on major corridors in proximity to essential needs found in the marketplaces and major medical facilities nearby and will limit trips outside the Agricultural Reserve, thereby reducing traffic. The proposed future land use designation of “INST/CLR” to allow for independent and assisted living along with memory care in a Multiple Use Planned Development, with density exceeding 1 dwelling unit per acre is suitable and appropriate for the Property.

Congregate Living Residential in the Tier furthers the County objectives of Growth Management, providing for sustainable communities and lifestyle choices. Allowing additional housing opportunities within the Agricultural Reserve will encourage balanced growth. The residential option within the Agricultural Reserve is comprised of predominately single family homes; and does not include housing that serves the needs of the aging population. This is a homogeneous development pattern that will not sustain as our population ages. 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 current residents in the Agricultural Reserve that are older or those that would like to move their aging family members nearby. The Property is well suited for increased density and Congregate Living Residential as it is proximate to major regional thoroughfares, has frontage and access on Boynton Beach Boulevard, and does not divide an existing residential community. Further, the Property is located just east of the recently built and expanding Baptist Health Bethesda West Hospital campus. The proposed Congregate Living Residential project will provide a transition between those intense uses on Boynton Beach Boulevard and the existing and future single-family uses to the south and west.

The density increase to 8 units per acre is necessary to accommodate the development of a congregate living facility which provides for independent living, assisted living and memory care. A similar congregate living facility, All Seasons Delray, was recently approved within the Agricultural Reserve allowing for a density consistent with 8 units per acre. Additionally, the recently initiated Congregate Living Residential private Text Amendment for the Property will allow for an additional land use designation of “INST/CLR” and the density of 8 units per acre at this Property. A required Preserve area is provided; and the density is needed to offset the cost of providing preserve land.

The recent adoption of Policy 1-5-u already allows additional density to accommodate CLFs in the Tier, however the location is limited to one geographic area in the central part of the Tier along Lyons Road between Atlantic Avenue and Linton Boulevard. The recently initiated private text amendment for the Property adds an additional location for CLFs under Policy 1.5-u on a relatively short section of Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Road in the northern portion of the Tier. This corridor is already characterized by existing commercial and institutional uses between Acme Dairy Road and Lyons Road to the west. The nature of the proposed amendment is such that future development will be clustered in a part of the Tier where the established development pattern is able to support increased densities without adversely impacting the remainder of the Tier. Additionally, the proposed inclusion of the option for CLFs to provide the preserve area entirely onsite is consistent with the more typical 60/40 calculations for preserve areas for planned developments in the Tier.

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 relevant is the All Seasons Delray Project on April 28, 2022, the Board of County Commissioners approved the private text amendment and future land use amendment allowing a congregate living facility within the Agricultural Reserve. In addition, the recent adoption by the Board of County Commissioners, for the project 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 at a density of 8 units per acre. The subject Property was one of the four properties identified as appropriate for an Essential Housing land use designation, including the adjacent and abutting property to the west, which is currently in the process requesting a Future Land Use Amendment to Essential Housing.

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. In addition, as the population within the Agricultural Reserve ages, there's a need for additional housing options that provide specialized services to the aging population. The residents of the single-family homes within the Agricultural Reserve will have a need for additional housing options in the future for themselves and for their families, which can be served by a congregate living facility.

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 Mazzonni, Whitworth, Winsberg, 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 do not provide for the housing options for residents to age in place. This Tier has until recently been void of congregate living facilities that provide an option to age in place.

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. In fact, not only has the population increased, the U.S. Department of Housing and Urban Development projects that by 2050 Palm Beach County's population of persons 65 and older will double. The U.S. Census Bureau identifies the highest concentration of population over 55 to be located within or adjacent to the Agricultural Reserve Tier. Currently the need for congregate living facilities is only being met by developments within the Urban/Suburban Tier and being further exacerbated by the current development pattern and density limitations within the Agricultural Reserve.

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. Allowing for Congregate Living Residential within proximity to the institutional uses such as the hospital, and other non-residential uses, allows for the County objectives of sustainable growth to occur.

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

Response: *The Agricultural Reserve Master Plan recognized the need for sustainable development 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 FLUA and 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 and ultimate adoption of the 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. In addition, in April of this year the Board of County Commissioner's approved the All-Seasons Project which located the first Congregate Living Residential designation within the Agricultural Reserve. Then in August of this year, the Board of County Commissioners initiated the proposed text amendment to add an additional location for the CLR designation, for this Property. The proposed congregate living facility will be located on major corridors with proximity to the marketplaces limiting trips. In addition, a congregate living facility provides for most of the residents needs on site, with medical services, personal care services, daily meals and dining options, thereby limiting the need to travel off site for those services.

The development of congregate living facilities will not occur in the Tier unless density rates are increased. Initially, Congregate Living Residential was intended to locate at one location in Delray. The congregate living facility has yet to be constructed. The proposed project will provide additional housing options within the Tier. This congregate living facility 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. The Project brings forward a proposal that will promote a sustainable land use pattern in the Agricultural Reserve, with residential living options for residents to age in place. Although, a Congregate Living Facility Type 3 is allowed in the ULDC Use Matrix in the Agricultural Reserve Planned Development, due to the low density permitted and preserve area requirements, development of a facility hasn't yet occurred in the Agricultural Reserve utilizing the AGR Future Land Use designation. Allowing an increase in density will allow for the original intent of the Master Plan which included a variety of housing types including congregate living facilities to be realized. The existing density of 1 du/acre will not allow for the development of a congregate living facility in the Agriculture Reserve. The Master Plan Consultants recommended a wide range of housing types and residential institutional uses, including nursing homes, assisted living facilities, and multi-family housing. The recently adopted EH Future Land Use category that allows multi-family development identifies four properties where the EH designation is appropriate, the Property being one of them in addition to the adjacent and abutting property to the west, which is currently in the process for a FLUA to EH. In terms of appropriateness, the Property is in the ideal location to receive an increased density, based on the identified*

appropriate properties eligible for the EH land use designation as well as the need for congregate living facilities in the Agricultural Reserve.

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 housing crisis. There is a significant deficit of senior housing options available to the aging population in Palm Beach County, but specifically within and adjacent to the Agricultural Reserve. 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 and not appropriate for a Congregate Living Facility. However, the Project will be increasing density through the requested amendment to the Future Land Use Designation of Institutional /Congregate Living Residential (“INST/CLR”). The proposed amendment will further the County Directions by providing additional locations for existing and future residents of the Agricultural Reserve Tier to age in place. Approval of this proposed text amendment and FLUA amendment will continue to implement recent strategies to provide for a more diverse community and variety of land uses to meet the needs of residents in the Agricultural Reserve Tier. It will ensure opportunity is provided to meet the need for additional housing choices as the needs of the aging population change over time. This proposed text amendment and FLUA amendment will ensure that the Agricultural Reserve Tier remains a diverse community that can meet the needs of existing and future residents within the Tier.*

b. Demonstrate that the Current FLUA Designation is Inappropriate

Response: *The current FLUA designation is Agricultural Reserve and does not permit the development of a congregate living facility, nor does it provide the density required to develop a congregate living facility that allows its residents the option to age in place. The recent adoption of Policy 1-5-u already allows additional density to accommodate CLFs in the Tier, however limits the location to one geographic area in the central part of the Tier along Lyons Road between Atlantic Avenue and Linton Boulevard. The proposed text amendment adds an additional location for CLFs under Policy 1.5-u on a relatively short section of Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Road in the northern portion of the Tier. This corridor is already characterized by existing commercial and institutional uses between Acme Dairy Road and Lyons Road to the west. The nature of the proposed amendment is such that future development will be clustered in a part of the Tier where the established development pattern is able to support increased densities without adversely impacting the remainder of the Tier. Additionally, the proposed inclusion of the option for CLFs to provide the preserve area entirely onsite is consistent with the more typical 60/40 calculations for preserve areas for planned developments in the Tier.*

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 adopted Future Land Use Designation CLR, will provide the desired density 8 dwelling units per acre. 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 institutional, 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 the proposed text and FLU amendments will allow for the development of a congregate living facility at the Property. Single-family residential development in the Agricultural Reserve has been growing substantially without any alternative housing options provided. Residents within the Agricultural Reserve and adjacent, continue to age and require additional housing options. The proposed FLU amendment will bring additional housing opportunities to the Agricultural Reserve catering to the*

aging population within and adjacent to the Tier thus enhancing the quality of life for those that have chosen to live within the western Boynton 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, that do not provide the additional services that come with a congregate living facility. This is a homogeneous development pattern that does not take into account the inevitable aging population. 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 that are aging and require additional services are offered.*

- **Strategic Planning** – “...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:** The proposed text and FLUA amendment furthers this goal, by promoting balanced growth and providing a diversity of housing choices and level of care options for residents of the Tier and locating development along established corridors. The recent adoption of Policy 1.5-u supports the need to address an underserved use in the Tier and the proposed text amendment will establish an additional location for development of CLFs to meet that need.*

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

- **FLUE 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 provisions 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:** A change to the Policy 1.5-u will allow for the development of an additional CLF use to support the growing and aging residential communities within the Agricultural Reserve by providing additional opportunities for senior housing in close proximity to existing services and major transportation routes.*

- **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, 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 the aging population. 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 development of a congregate living facility that provides housing options for independent living, assisted living and memory care. Further, the facility will provide for the*

needs of those residents from medical appointments, personal care appointments and provides on-site food options and dining, thus reducing the amount of residents leaving the Tier for those services and needs.

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

- **FLUE 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 text amendment is consistent with this policy as it does not make any changes to the institutional uses allowed in the Tier.
- **FLUE 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 land area assigned the CLR designation for the purposes of calculating congregate living facility beds.
 2. **Separation.** Residential uses shall be setback 50 feet 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 Policy 1.5.1-i, and may represent a portion of a larger AGR-PUD.
 - 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 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 the 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 which restricts uses allowed to those permitted within AgR-TMD preserves by Policy 1.5.1-n.
 - 3) **Design Features.** A development with “INST/CLR” future land use is not considered mixed use, and is not subject to the Design Elements in Policy 1.5.1-r or Usable Open Space Requirements for Multiple Use Planned Development (MUPD) in the ULDC.”

Response: This policy is the subject of the proposed text amendment. The only proposed changes are to allow an additional location for CLF uses utilizing the “INST/CLR” FLU designation, make available the option for development to provide its required preserve area entirely onsite, and to ensure preserve area uses are consistent with the proposed preserve area permitted uses for other higher density FLU categories. The density, separation and minimum acreage requirements of the policy are unchanged. The proposed text amendment will support the County’s objectives of providing additional opportunities for senior housing in appropriate locations while preserving a transition between residential and non-residential uses.

- **FLUE 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: *Preserve areas for any future development resulting from the proposed text amendment that will utilize an MUPD zoning will comply with this policy.*

- **FLUE Policy 2.1-1:** “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 proposed text and FLUA amendment will include property on Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Road that is near all of the necessary urban services including, but not limited to, a hospital, the roadway network, water/wastewater and drainage facilities, mass transit opportunities, etc. Development resulting from the proposed text amendment will sufficiently utilize the existing urban services within the area, allowing land elsewhere 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: *As discussed, the proposed text and FLUA amendment will allow for the “INST/CLR” FLU designation on Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Road, providing much needed additional senior housing opportunities to existing and future residents in the Agricultural Reserve Tier. The allocation of additional land area as suitable for future CLF uses will assist with countering somewhat the imbalance of homogenous single family uses created by the development of AgR-PUDs in the Agricultural Reserve and provide additional opportunity for residents (existing and future) of the Agricultural Reserve to “age in place”.*

- **Policy 2.2.1-b:** “Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintained to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.”

Response: *The proposed text and FLUA amendment is consistent with this policy as it maintains the separation, density and minimum acreage requirements as recently adopted in Policy 1.5-u. These requirements have been established to ensure adequate regulations are in place to address compatibility with surrounding uses. Additionally, the proposed inclusion of an option to provide the entire preserve area onsite will provide an additional mechanism to address compatibility.*

- **FLUE 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 text and FLUA amendment is consistent with this policy as it will provide additional opportunities for CLFs, which are a permitted use in the AgR-MUPD zoning district.*

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 “INST/CLR” and an associated text amendment 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 congregate living facility at a second location within the Agricultural Reserve.*
- 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 and to the south with a residential PUD. 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. Further, the amendment will require preservation of 40% of the Property with Off-site and On-site preservation.*

- 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 south and the Florida Turnpike to the east, 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 8 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. The property to the south is developed as single-family residential; and the properties to the west and north are in the process for development as Essential Housing and Commerce. The Florida Turnpike right-of-way borders the property to the east. 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 residential uses from independent living and assisted living to skilled nursing and memory care. 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 and FLUA 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 text and 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 a congregate living facility 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 aging population and employments for workers in the medical and senior living field within the Agricultural Reserve.*

Conclusion

As described above, the proposed future land use amendment from Agricultural Reserve (AGR) to Institutional /Congregate Living Residential (“INST/CLR”) and Comprehensive Plan Text Amendment to add a second location for a Congregate Living Facility within the Agricultural Reserve is consistent with the Goals, Objectives, and Policies of Palm Beach County’s Comprehensive Plan and the Florida State Statutes. The proposed amendments are also compatible with the surrounding area. The proposed amendments do not contribute to urban sprawl. The amendments are consistent with the Agricultural Reserve Master Plan as well as provide a much-needed service and alternative housing options to the area residents and workers that will not negatively impact service provision.



**Water Utilities Department
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*"An Equal Opportunity
Affirmative Action Employer"*

April 5, 2022

Morton
3910 RCA Boulevard
Palm Beach Gardens, FL 33410

RE: Mazzoni Property
PCN 00-42-43-27-05-054-0050 & 00-42-43-27-05-054-0022
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 CLR subject to a Capacity Reservation Agreement with PBCWUD. The proposed change will allow for the development of an assisted living and congregate living facility.

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 approximately 1100 feet from 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,

Jackie Michels, P.E,
Project Manager

**ENGINEER'S DRAINAGE STATEMENT
ERICKSON BOYNTON BEACH CCRC
PCN: 00-42-43-27-05-054-0050 and 00-42-43-27-05-054-0022.
PALM BEACH COUNTY, FLORIDA**

EXISTING SITE CONDITIONS

The 93.51-acre subject property is located on the southwest corner of the intersection of Boynton Beach Boulevard and Florida's Turnpike in unincorporated Palm Beach County, Florida. The parcel control numbers (PCNs) of the property are 00-42-43-27-05-054-0050 and 00-42-43-27-05-054-0022. The existing project site is currently used for agricultural purposes.

PROJECT DESCRIPTION

The project consists of 62.33 acres of development area and approximately 31.17 acres of off-site preserve area. The project will consist of the construction of 8 three to four-story residential buildings inclusive of up to a maximum of 3,907 beds in the proposed land use designation of INST/CLR. The project also includes a gatehouse, a pool, enhanced landscaping, stormwater management facilities, ancillary drive aisles, and associated surface parking.

PERMITTING REQUIREMENTS

The site is situated in South Florida Water Management District's (SFWMD) C-16 Drainage Basin and within the Lake Worth Drainage District (LWDD) service area. The project will meet the requirements set forth by SFWMD, LWDD and Palm Beach County.

DRAINAGE FACILITIES

The proposed stormwater management improvements may include but are not limited to storm sewer systems, swales, lakes, dry detention areas, and underground detention areas. Wet or dry detention areas will be utilized for water quality treatment and required storage prior to offsite discharge. The offsite connection will occur to the north via the existing LWDD Lateral No. 24 on the south side of Boynton Beach Boulevard. The LWDD L-24 Canal has a control water elevation of 16.00 ft-NGVD (14.50 ft-NAVD).

Water quality treatment equivalent to 2-½ -inch times the percent imperviousness of the site or 1-inch over the entire site, whichever is greater, will also be required. Water attenuation up to the 25-year, 3-day design storm event peak stage elevation must be retained onsite and a perimeter berm with the top of berm set at the 25-year, 3-day design storm event peak stage elevation will be required.

The project site falls within the Waters Not Attaining Standards (WNAS) Map as determined by the Florida Department of Environmental Protection (FDEP). This means that an additional 50% of water quality treatment will have to be provided for. Refer to Exhibit M. The existing site is discharging into an Outstanding Florida Water (OFW) area and into a basin that is considered an impaired water body, both of which require additional water quality treatment as a part of the proposed drainage system design.

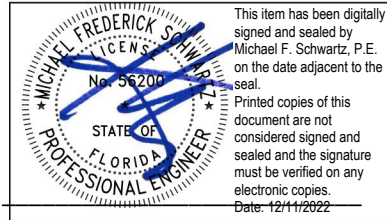
The site is located within the South Florida Water Management District (SFWMD) C-16 Basin (See Exhibit J). This basin is controlled by the Boynton Canal which provides flood protection from a 25-year storm event. The allowable discharge within the C-16 Basin is 62.6 CSM for the 25-year design storm since the project is upstream of the SFWMD S-41 spillway control structure. No off-site areas contribute to the project sites drainage area.

LEGAL POSITIVE OUTFALL

Legal positive outfall will be provided for by piped connections to the LWDD L-24 Canal. Drainage outfall will be routed through the control structure consisting of a bleeder and a weir to meet water quality and attenuation requirements before discharging to the L-24 canal.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOODPLAIN

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the entirety of the project site lies within Flood Hazard Zone X as shown in Panel 12099C0770F. Flood Hazard Zone X is defined as an area of minimal flood hazard. This flood zone is further depicted as an area determined to be outside the 500-year flood and protected by levee from 100-year flood.



Michael F. Schwartz, P.E.

Florida Registration # 56200

Kimley-Horn and Associates, Inc.

1920 Wekiva Way, Suite 201

West Palm Beach, Florida 33411

Phone: 561-404-7247

Authorization No. CA 00000696

This item has been digitally signed and sealed by Michael F. Schwartz on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

**ENGINEER'S ENVIRONMENTAL STATEMENT
ERICKSON BOYNTON BEACH CCRC
PCN: 00-42-43-27-05-054-0050 and 00-42-43-27-05-054-0022.
PALM BEACH COUNTY, FLORIDA**

EXISTING SITE CONDITIONS

The 93.51-acre subject property is located on the southwest corner of the intersection of Boynton Beach Boulevard and Florida's Turnpike in unincorporated Palm Beach County, Florida. The parcel control numbers (PCNs) of the property are 00-42-43-27-05-054-0050 and 00-42-43-27-05-054-0022. The existing project site is currently used for agricultural purposes.

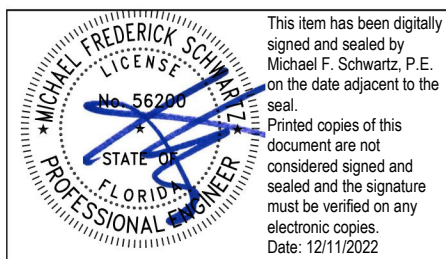
PROJECT DESCRIPTION

The project will consist of the construction of 8 three to four-story residential buildings inclusive of maximum of 3,907 beds in the proposed land use designation of INST/CLR. The project also includes a gatehouse, a pool, enhanced landscaping, stormwater management facilities, ancillary drive aisles, and associated surface parking within the 62.33 developed area.

A 31.17 preserve area will be provided within the property. A portion of the preserve area will be considered active with paths and gathering areas for the community and the public. The preserve area will include lakes.

All of the lakes, including the lakes within the preserve area, will include a variety of habitat types, such as upland open grassed areas, lakes and upland forested areas. The proposed stormwater management facilities will include littoral planting areas to enhance the water quality and environmental aspects to promote natural habitat conditions. Therefore, this natural area will provide suitable habitat for a variety of wildlife species including listed species, such as wood stork, Florida sandhill crane, American kestrels, and others. The natural area will be planted with native trees, shrubs and groundcovers, again which will provide habitat for wildlife.

In addition, this site lies within the South Florida Water Management District (SFWMD) C16 Drainage Basin, which is listed as an Impaired Water Body. In accordance with SFWMD requirements, the site will provide additional water quality treatment prior to discharge which will provide an additional layer of water quality treatment prior to discharge to the adjacent Lake Worth Drainage District Canal.



Michael F. Schwartz, P.E.
Florida Registration # 56200
Kimley-Horn and Associates, Inc.
1920 Wekiva Way, Suite 201
West Palm Beach, Florida 33411
Phone: 561-404-7247

Authorization No. CA 00000696

This item has been digitally signed and sealed by Michael F. Schwartz on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



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**

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"

Official Electronic Letterhead

April 1, 2022

JMorton
Attn: Lauren McClellan
RCA Boulevard
Palm Beach Gardens, FL 33458

Re: Mazzoni

Dear Ms. McClellan:

Per your request for response time information to the subject property located on the south side of Boynton Beach Boulevard between Acme Dairy Road and FL Turnpike. 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 1.75 miles from the station. The estimated response time to the subject property is 6 minutes. For fiscal year 2021, the average response time (call received to on scene) for this stations zone is 7 seconds 36 minutes.

Based on the information provided Fire Rescue is not able to determine the impact on the proposed land use change of this property. However, Assisted Living and Congregate Living Facilities usually generate a significant number of calls for Fire Rescue.

If you have any further questions, please feel free to contact me at 561-616-6971.

Sincerely,

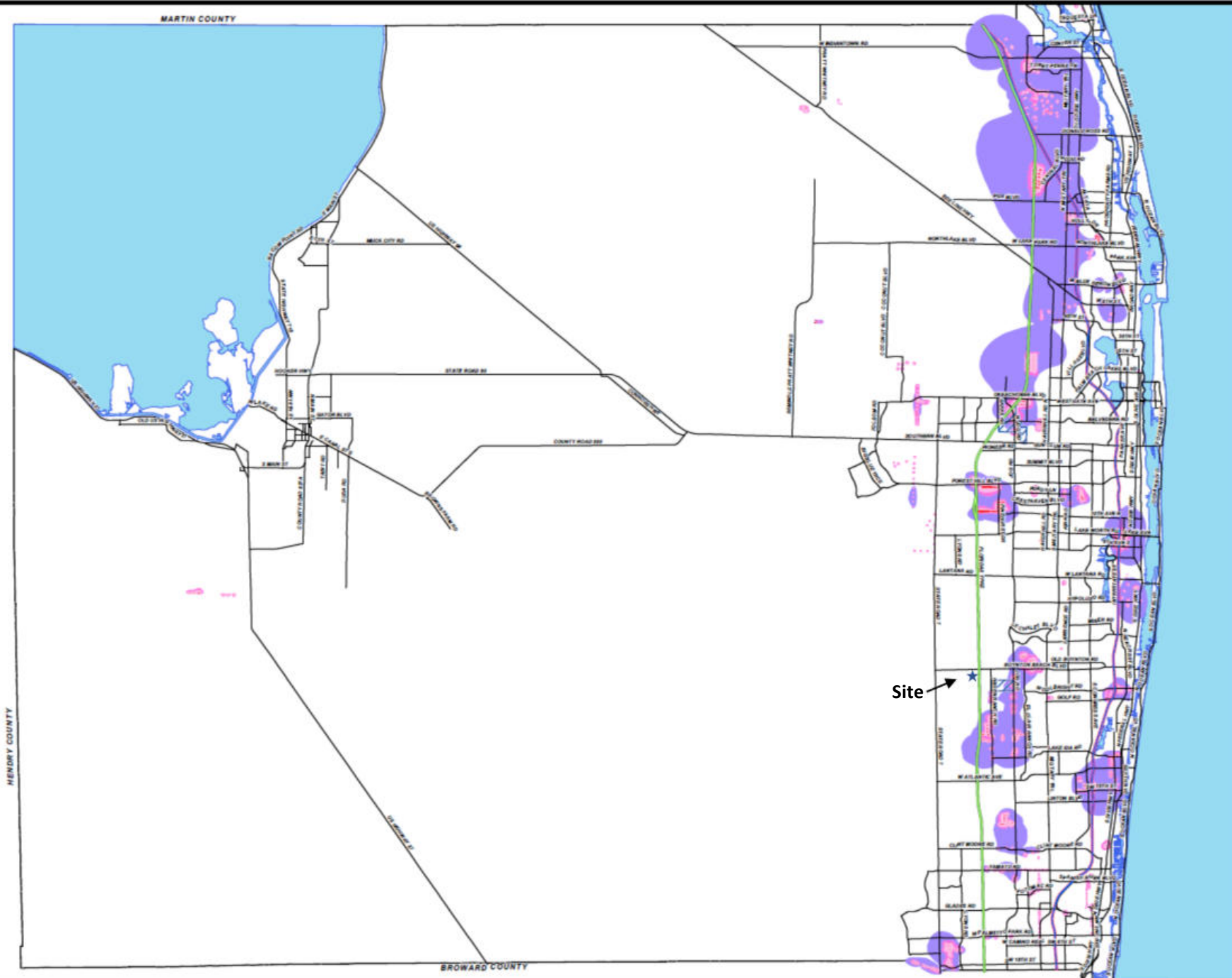
Alyssa Tagdharie, Planner
Palm Beach County Fire-Rescue

Natural Feature Inventory & Map

Boynton Beach Boulevard

SITE

No significant natural
features on site



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

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

5/4/2004 (08/11)
SOURCES:
PSC 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 recently 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



0 1 2 3 4 Miles

Effective Date: 10/2004
Filename: IV Map Series/MD/Adopted
Contact: PSC 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
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

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: Mazzoni,
under PCN's: 00-42-43-27-05-054-0050 & 00-42-43-27-05-054-0022.

Dear Ms. Velasco:

This correspondence is in response 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 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.

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,

A handwritten signature in black ink, appearing to read "Christian Davenport".

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

T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development Review\J. Morton\ Project:Mazzoni_ PCN's_00424327050540050&00424327050540022_Letter_3-1-2022.doc

"An Equal Opportunity
Affirmative Action Employer"



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Planning and Intergovernmental Relations

School Capacity Availability Determination (SCAD) Application

At least 30 days prior to seeking approval from county/local government, scan and email a completed application to joyce.cai@palmbeachschools.org.

A determination will be provided within twenty (20) days of receipt of a complete application. A determination is not transferable and is valid for one year from the date of issuance. Once a Development Order (DO) is issued, the SCAD determination shall be valid for the life of the DO.

Select type(s) of application:

☒ Future Land Use Atlas (FLUA) Amendment ☐ Rezoning ☐ Development Order (D.O.) or Amendment to D.O. ☐ No Impact

Application Review Fee(s):

- For each type of application - \$200.00 for 20 units & more or \$100 for under 20 units.
- The SCAD review fee is non-refundable and shall be paid online through the District's SchoolCashOnline at <https://palmbeach.schoolcashonline.com/>

PART I. PROJECT INFORMATION

Project Name Erickson Boynton Beach CCRC		Municipality Palm Beach County	
Property Control Number(s) 00-42-43-27-05-054-0022 & 00-42-43-27-05-054-0050		SAC #(s)	
Property Address 8344 Boynton Beach Boulevard		City Boynton Beach	Zip Code 33435
General Location South side of Boynton Beach Boulevard, immediately to the west of the FL Turnpike and approx. 0.63 miles east of Lyons Rd		Property Acreage 93.505	

Complete the following table(s). Refer to the Sufficiency Checklist and provide all the required documents. For more info, go to <http://l.sdpbc.net/xiq51>

☒ **For Future Land Use Atlas (FLUA) Amendment**

CURRENT DESIGNATION		PROPOSED DESIGNATION	
Existing use of land	Agriculture Row Crops	Proposed use of land	Congregate Living Facility
Current FLUA designation	Agricultural Reserve (AGR)	Proposed FLUA designation	CLR/INST
Maximum # of units permitted	8 units (1 unit per 5 acres)	Maximum # of units permitted	498 units (8 units per acre)

☐ **For Rezoning**

CURRENT DESIGNATION		PROPOSED DESIGNATION	
Existing use of land		Proposed use of land	
Current zoning designation		Proposed zoning designation	
Maximum # of units permitted		Maximum # of units permitted	

☐ **For Development Order (D.O.) or Amendment to D.O.**

PROJECT INFORMATION		UNIT TYPE	NUMBER OF UNITS
Total # of units proposed		Single-Family	
# of stories for each building		Multi-Family (other than apts.)	
Are there previous approval(s)*		Apartments (3 stories or less)	
Will the project be phased?***		High Rise (4 stories or more)	
		Age restricted (adults only)**	

* If applicable, please attach previous approval letter(s).


** An executed Restrictive Covenant is required for age restricted communities.

*** If applicable, please attach a Phasing Plan showing the number and type of units to receive certificate of occupancy yearly.

Owner / Agent Information

Owner's Name William A. Mazzone Revocable Trust		Owner's Email		Owner's Phone #	
Agent's Name Heather Waldstein / JMorton Planning & Landscape Arch		Agent's Email hwaldstein@jmortonla.com		Agent's Phone # (561) 721-4461	
Mailing Address 3910 RCA Boulevard, # 1015		City Palm Beach Gardens		State FL	Zip Code 33410

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge.


Owner or Owner's Agent Signature

10/24/2022
Date



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Planning and Intergovernmental Relations
School Capacity Availability Determination (SCAD)
Application *continued*

Project Name Erickson Boynton Beach CCRC	Owner's Name William A. Mazzoni Revocable Trust	Agent's Name Heather Waldstein / JMorton Planning & Landscap
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PART II. LOCAL GOVERNMENT REVIEW

Date Application Filed	Petition # - FLUA	Petition # - Rezoning	Petition # - D.O.	Petition # - No impact
Reviewed By (Print Name)		Reviewed By Email		

Government Representative Signature

Date

PART III. SCHOOL DISTRICT REVIEW

Case Type	Case Number	Date Application Received	Date Application Completed	Date SCAD Letter Issued
FLUA				
Rezoning				
D.O.				
No Impact				

Additional Information

SCAD Fees Paid

Amount Paid \$ _____ Date Paid _____ SchoolCashOnline Receipt # _____

Notes

The School District of Palm Beach County
Planning and Intergovernmental Relations
3661 Interstate Park Rd North, Suite 200
Riviera Beach, FL 33404

joyce.cai@palmbeachschools.org
561-882-1941

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 7. Text Amendment Application

A. Proposed Text Amendment Summary

Elements & Policies to be revised	Future Land Use Element, Policy 1.5-u
Purpose	<p>The purpose of the proposed text amendment is to include additional locations where Congregate Living Facilities (CLFs) can be located in the Agricultural Reserve Tier, and to include the option for a project to provide the required preserve area entirely onsite.</p> <p>The recently adopted amendment to the Comprehensive Plan (LGA 2021-009) added a new policy, Policy 1.5-u, which allows the Congregate Living Residential (CLR) Future Land Use (FLU) designation in the Agricultural Reserve Tier subject to density, separation, location and preserve area requirements. In particular, Policy 1-5-u:</p> <ol style="list-style-type: none">1. Limits sites to locations fronting Lyons Road between Atlantic Avenue and Linton Boulevard; and,2. Includes requirements that preserve areas be provided through a combination of both onsite and onsite preserve areas. <p>Whilst the adoption of the new Policy goes some way to providing for additional opportunities for residents to age in place in the Agricultural Reserve Tier, there are other locations that are also suitable for a CLR FLU designation and that due to site characteristics, may be able to provide all of the required preserve area onsite.</p> <p>The proposed text amendment also includes additional language to clarify that the required preserve area uses for a multiple use project can be maintained consistent with the preserve area uses in the proposed new Essential Housing Preserve area requirements.</p>
Justification	<p>In 1980, Palm Beach County adopted the Managed Growth Tier System as part of a Comprehensive Planning effort. The purpose of the Tier System is to protect viable existing neighborhoods and communities while directing the location and timing of future development. A significant objective of the Tier System is to “provide development timing and phasing mechanisms in order to prioritize the delivery of adequate facilities and services to correct deficiencies in existing communities and accommodate projected growth in a timely and cost effective manner.”</p> <p>The population of Palm Beach County continues to grow as retirees continue to relocate to South Florida, existing business expand operations and hire additional workforce, and new companies relocate to Palm Beach County bringing new residents to the area. Additionally, many existing residents are aging, generating demand for new housing opportunities in close proximity to their community and services so that they can “age in place”. FLUE Policy 1.1-a states, the County shall develop and implement strategies for each unique community and/or geographic area based upon common characteristics, including physical development patterns and service provision.” To date the Agricultural Reserve has been developed solely with single family residential developments and limited neighborhood commercial uses.</p> <p>Many changes have been made to the Agricultural Reserve Tier since its original adoption. At the time of the adoption of the Agriculture Master Plan in 2000, 51% of the acreage was being utilized for farming. Since 2000, several large farming families have ceased operations and no longer farm, including Whitworth, Winsberg, Mazzoni,</p>

Amestoy, and Dubois. Over the past 20 years, these large tracts of former 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 for the more affluent residents of the County. This Tier has limited density of 1 dwelling unit per acre, the resultant outcome now being an area that is very homogeneous.

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 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 135,000 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 serve the residents in the area as well as those outside of the Agricultural Reserve Tier.

Over 20 years have passed since the adoption of the Agricultural Reserve Master Plan. Significant changes have occurred in Palm Beach County over this time. The estimated 2021 population for Palm Beach County is 1,497,987 which represents a 32% population increase from 2000.

Recent adopted and proposed changes to the Comprehensive Plan emphasize the current demand for additional uses in the Agricultural Reserve and the ongoing changes in the Tier. These recent adopted and proposed changes all acknowledge the current land use imbalance in the Tier.

In April 2022, the Board of County Commissioners adopted a text amendment to the Comprehensive Plan to allow the CLR future land use designation in the Agricultural Reserve Tier, specifically for the development of congregate living facilities (CLF) subject to the following criteria:

- Limit the location to sites fronting Lyons Road between Atlantic Ave and Linton Boulevard;
- Require a minimum of 5 acres;
- Allow up to 8 units per acre (2.39 beds per unit); and
- Require 50% offsite and 10% onsite preserve areas for multiple use projects.

The staff analysis included with the adoption of this amendment noted that there is up to 12,500 dwelling units either approved or allowed (depending on future approvals) and a build out population of up to 40,000 people in the Agricultural Reserve Tier. The report notes the homogeneous character of these uses, all being single family uses.

More specifically to CLFs and relevant to Policy 1.5-u, the Master Plan identified the need for additional forms of institutional uses and housing opportunities as necessary for a balanced and thriving community, as well as the need for additional housing types for an aging population who wish to “age in place”. The Master Plan recognized the immediate need for such uses, as well as the future need as the build out of residential development in the Tier continues. The resultant outcome was the adoption of the new Policy 1.5-u allowing the CLR land use and higher density CLFs in the Tier.

Further justification for the need for additional housing choice and additional locations for CLFs in the Tier is provided though the recent initiation by the Board of County Commissioners at its May 2022 meeting of a proposed text amendment to the Comprehensive Plan to add an Essential Housing FLU category to facilitate higher density residential development in the Agricultural Reserve. The underlying basis of this

	<p>amendment is that additional housing choice is an immediate need and that particular locations in close proximity to established services, such as the existing marketplaces and economic development centers adjacent to the Turnpike interchanges at Boynton Beach Boulevard and Atlantic Avenue, are suitable areas to accommodate higher density.</p> <p>The recent initiation of the text amendment to add to the Essential Housing FLU category reinforces two key factors as it relates to this proposed text amendment to add additional locations for CLF uses in the Agricultural Reserve Tier:</p> <ol style="list-style-type: none"> 1. The demand for additional housing choice is immediate and will only continue to grow into the future, including the desire of residents to “age in place” in the Tier; and, 2. Properties along Boynton Beach Boulevard adjacent to the Florida Turnpike are suitable locations to accommodate additional institutional and higher density uses to cater for this need, in close proximity to established services and without having an adverse impact on the remainder of the Tier. <p>The proposed comprehensive plan text amendment will allow for the development of CLFs along Boynton Beach Boulevard in a corridor that is already characterized by a variety of established and approved commercial and institutional uses. In addition to the established marketplaces at the intersection of Boynton Beach Boulevard and Lyons Road, an elementary school and existing and approved commercial developments are also located in this short corridor. The character of this area is therefore well suited to accommodate additional uses to meet the housing needs of the Tier without adversely impacting on the Tier overall.</p> <p>In addition to the proposed locational requirement, the recent adoption of Policy 1.5-u requires a percentage of the required preserve area to be provided offsite. In the case of smaller properties, it is acknowledged that providing the entire required preserve area onsite may not be possible. However, for a larger property, providing the entire preserve area onsite should still be an option where it is practical to do so. The proposed text amendment provides the option for properties to either provide the preserve area as a combination of onsite and offsite, or entirely onsite. The onsite preserve option is consistent with the approach to preserve areas for other types of development in the Plan and will further the objectives for preserves in the Tier.</p> <p>The objectives of the Agricultural Reserve Tier include the creation of a functional sustainable development pattern that minimizes the costs and impacts to County taxpayers. The current development pattern within the Agricultural Reserve is homogenous and not sustainable. Additional housing options are necessary for residents to “age in place” and in close proximity to established services in the Agricultural Reserve Tier.</p>
Consistency	See Attachment G.
Text Changes	<p>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:</p> <ol style="list-style-type: none"> 1. Density. The maximum density is up to 8 units per acre for the land area assigned the CLR designation for the purposes of calculating congregate living facility beds. 2. Separation. Residential uses shall be setback 50 feet from any agricultural use. 3. Location. Sites are limited to locations fronting: <ol style="list-style-type: none"> a. Lyons Road between Atlantic Avenue and Linton Boulevard; <u>or</u>, b. Boynton Beach Boulevard between the Florida Turnpike and Acme Dairy Rd. 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.

	<p>a. Single Use Project. Projects utilizing the AGR-PUD option shall be subject to the preserve percentage and use requirements of Policy 1.5.1-i and may represent a portion of a larger AGR-PUD.</p> <p>b. Multiple Use Project – Offsite Preserve Option. 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:</p> <ol style="list-style-type: none"> 1) Preserve Area Uses. Uses allowed shall be those permitted within AgR-TMD preserves by Policy 1.5.1-n. 2) Preserve Area Acreage. <ol style="list-style-type: none"> 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 the 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 which restricts uses allowed to those permitted within AgR-TMD preserves by Policy 1.5.1-n. 3) Design Features. A development with INST/CLR future land use is not considered mixed use and is not subject to the Design Elements in Policy 1.5.1-r or Usable Open Space Requirements for Multiple Use Planned Development (MUPD) in the ULDC. <p>c. Multiple Use Project – Onsite Preserve Option. 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:</p> <ol style="list-style-type: none"> 1) Preserve Area Uses. Uses allowed shall be those permitted within EH preserves by Policy 1.5.1-j; 2) Preserve Area Acreage. A minimum of 40% of the total gross acreage less right-of-way dedication shall be provided as Onsite Preserve Area; and 3) Design Features. A development with INST/CLR future land use is not considered mixed use and is not subject to the Design Elements in Policy 1.5.1-r or Usable Open Space Requirements for Multiple Use Planned Development (MUPD) in the ULDC.
ULDC Changes	None