

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	<i>Provide the number of the round.</i>	Intake Date	February 24, 2023
Application Name	<i>GoldCoast Logistics</i>	Control No.	2007-00003
Acres	6.33 acres	Concurrent Zoning application?	No
		Text Amend?	Yes
PCNs	00-42-43-27-05-067-0283 and 00-42-43-27-05-067-0281		
Location	<i>Located on the northwest corner of the intersection of State Road 7/US 441 and La Reina Road.</i>		
	Current	Proposed	
Tier	AG Reserve Tier	AG Reserve Tier	
Use	Vacant	Warehouse/office for agricultural uses	
Zoning	AGR – Agricultural Reserve	IL – Light Industrial	
Future Land Use Designation	AGR – Agricultural Reserve Land Use	Commerce Land Use	
Underlying Future Land Use Designation	<i>There is no underlying designation.</i>	If necessary – AGR – Agricultural Reserve	
Conditions	<i>No Conditions</i>	<i>No Conditions</i>	
Density Bonus	<i>No Density Bonus – not a residential use</i>	<i>not a residential use</i>	
Total Number of Units	<i>not a residential use</i>	<i>not a residential use</i>	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	<i>1 unit per 5 acres</i>	No Residential use proposed
Maximum Dwelling Units¹ (residential designations)	<i>1 du/acre x 6.31 acres = 1 unit</i>	No residential is proposed
Maximum Beds (for CLF proposals)	No CLF is proposed	No CLF is proposed

Population Estimate	_____ max du x 2.39 = _____	_____ max du x 2.39 = _____
Maximum Square Feet 2, 4 (non-residential designations)	.15 FAR x 6.33 ac. = 41,480 S.F. (276,534.83 s.f.)	.45 FAR x 6.33 ac. = 124,442 S.F.
Proposed or Conditioned Potential 3, 4	<i>Vacant</i>	<i>Potentially a total 95,000 s.f. of use</i>
Max Trip Generator	<i>Provide the ITE Use Name & the trip generation rate</i> <i>LU 817 Nursery (Garden Center)</i>	<i>Provide the ITE Use Name & the trip generation rate for maximum and proposed potential</i> <i>Max – LU 110 General Light Industrial</i> <i>Proposed – LU 150 Warehouse and LU 710 General Office</i>
Maximum Trip Generation	<i>Provide the trip generation for the maximum potential</i> <i>Daily – 103; AM – 3; PM - 8</i>	<i>Provide the trip generation for the maximum potential AND the proposed potential</i> <i>Max: Daily – 544; AM – 83; PM – 73</i> <i>Proposed: Daily-591; AM-80; PM-76</i>
Net Daily Trips:	<u>441</u> (maximum minus current) <u>488</u> (proposed minus current)	
Net PH Trips:	80 AM, 65 PM (maximum) 77 AM, 68 PM (proposed)	

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

Identify the information for the agent processing the application. The agent will be the primary contact for Planning Division staff throughout the amendment process.

Name	George G. Gentile
Company Name	2GHO, Inc.
Address	1907 Commerce Lane Suite 101
City, State, Zip	Jupiter FL 33458
Phone / Fax Number	561-575-9557/561-575-5260
Email Address	george@2gho.com

B. Applicant Information

Identify the information for each Property Owner and Contract Purchaser. Duplicate table as needed.

Name	Dragos Sprinceana, Manager
Company Name	15445 US 441 LLC
Address	17686 Circle Pond Court
City, State, Zip	Boca Raton FL 33496
Phone / Fax Number	
Email Address	
Interest	15445 US 441 LLC is owned 100% by Dragos Sprinceana

Attachment G
Consistency with the Comprehensive Plan & Florida Statutes

On behalf of the property owner/applicant, **15445 US 441 LLC**, 2GHO, Inc., as agent, has prepared and hereby respectfully submits this application for a Privately-Initiated Text Amendment to the Palm Beach County Comprehensive Plan.

The subject site is located in unincorporated Palm Beach County (PBC), situated in the Agricultural Reserve Tier with a Future Land Use Atlas (FLUA) designation of Agricultural Reserve with a Zoning Designation of AR – Agricultural Reserve District. The subject property is located on the northwest corner of the intersection of State Road 7 and La Reina Road on 6.33 acres of land.

Surrounding Property Information:

	EXISTING FLU	EXISTING ZONING	PCN	EXISTING USE	CONTROL NUMBER
Subject Site	AGR	AGR	00-42-43-27-05-067-0281 00-42-43-27-05-067-0283	Vacant	
North	IND/AGR	IL	00-42-43-27-05-067-0150	AGRICULTURAL USE	2021-00166 R2021-1169
South	AGR	AGR	00-42-43-27-05-067-0290	HORSE TRAINING	N/A
East	AGR	AGR-PUD	VARIOUS PCN	RESIDENTIAL	2000-0032 R2016-1235
West	AGR	AGR	00-42-43-27-05-067-0272	PUD	N/A

Project History:

LIST OF PBC APPROVALS		
Petition No.	Application Request	Date of Approval
PLEASE NOTE THE BELOW IS THE LIST OF APPLICATION FOR PCN:00-42-43-27-05-067-0281		
Control No. 2007-00003 CB-2008-01181	Class B Conditional use to allow agriculture, sales and service in the AGR zoning district	RESOLUTION ZR-2008-066 – December 5, 2008
Control No. 2007-00003 DRO 2009-04534	FSP approval for the Class B Conditional use to allow agriculture, sales and service including indoor storage, a wholesale & retail nursery, an accessory use of landscape maintenance and a security caretaker quarter in the AGR zoning district	January 13, 2010
Control No. 2007-00003 CB-2008-01181	Status Report to Revoke the Class B Conditional use to allow agriculture, sales and service in the AGR zoning district	ZR-2017-023 – July 6, 2017
Control No. 2007-00003 ZV/CB 2017-01014	Class B for agricultural sales and service use in a project also containing a retail nursery and landscape service use	Never approved Feb 12, 2018 – letter of withdrawal was submitted to PBC Zoning
NO APPLICATIONS FOR 00-42-43-27-05-067-0283		

G. CONSISTENCY

G.1 – Justification: Text Amendment to Comprehensive Plan:

Pursuant to Policy 2.1-f of the FLUE of the PBC Comprehensive Plan, before approval of a text amendment to the Comprehensive Plan or a Future Land Use Atlas Amendment, the applicant shall provide an adequate justification for the proposed amendment. The proposed text amendment meets the required standards as follows:

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

Response: The subject site is along a major road corridor, SR7, south of W. Atlantic Avenue where, the use of light industrial exists on another parcel. The owner intends to develop on this property 6.33+ acre parcel an office/warehouse including agricultural/food cold storage and non-refrigerated warehouse. This use is consistent with the property to its north which has an IND/AGR Land Use designation and has an AGR/IND (Agricultural/Industrial) zoning designation. It is logical to move the Commerce Land Use Designation south to La Reina Road to provide opportunities for the smaller properties to develop as the owners are not pursuing residential use in the Agricultural Reserve Tier. Providing a text amendment with this application, to modify Policy 1.5-v.2 of the Comprehensive Plan will allow this use to be developed on the subject property.

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

a. Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;

Response: The County recognized the need to establish a new FLU (Commerce CMR) category for light industrial uses, as well as establishing consistent zoning districts including methods to review these light industrial projects and insure their compatibility to the surrounding uses. The Master Plan included the CMR designation in the Agricultural Reserve Tier to promote light industrial uses for economic development and job creation. The change in FLU designation in the area north of Rio Grande Avenue has prompted this property owner with property approximately 653 feet south of the current limitation and immediately adjacent to a landscape business to have the same opportunities to provide a service to the Agricultural Community and be consistent with neighbors to the north. The property adjacent to the north of the subject site is 8.19 acres and recently received a FLU amendment to Industrial with an underlying Agricultural Reserve (IND/AGR) with condition (LGA 2021-016/Ordinance 2021-021); this property has a potential for industrial uses of up to 160,540 s.f. (.45 FAR).

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

Response: The County, when working on the Agricultural Reserve Master plan, received a recommendation from their consultants to include industrial uses to balance the economics of the area, support the agricultural community and create jobs. The subject site's request to move the Commerce Land Use limits one more road south of its current location and including only two more properties is consistent with the non-residential uses on the west side of SR7 to La Reina Road. In fact, the property just north of the subject site currently has an IND FLU and AGR zoning designation and should have been included in the original limits. The subject site's immediate access to the SR7 roadway provides creates a better opportunity to develop a low impact light

industrial use, in the Atlantic Avenue area as well as providing needed services to the Agricultural Community and jobs to this area of the County. This is consistent with the intent of Policy 1.5-v.

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

Response: Since the adoption of the CMR FLU, the property owner sees an opportunity to appropriately grow his business by providing his Company office and providing agricultural/food grade refrigerated storage and non-refrigerated storage while creating jobs to the area of his property's location. Additionally, there is a current application north of La Reina Road for a light industrial designation and the project immediately north of the subject site of the this request currently has a FLU of Industrial and is an existing landscape business.

d. Inappropriateness of the adopted FLU designation; or

Response: The adopted FLU designation is not inappropriate for the subject property. However, it is not the most appropriate FLU designation for limiting this SR7 property for developing in a consistent method providing light industrial uses supporting the agricultural community, providing jobs and being more consistent with a property fronting on this County collector road. The CMR FLU will ensure the development of this 6.33± acre property will be reviewed consistent to the goals of the comprehensive plan and concurrent zoning.

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

Response: The current adopted FLU designation was not assigned in error. The County's AGR (Agricultural Reserve) allowed for a range of agricultural business and residential uses. However, the current FLU designation no longer meets the highest and best use of the property which fronts SR 7 and where the character of the area immediately north of the property is changing to meet the development pressures and development patterns established by current actions of the County.

Residential Density Increase – Attached G.2 Not Applicable

Compatibility – Attached G.3

Compatibility is defined in the County's Unified Land Development Code as: "Land uses that are congruous, similar and in harmony with one another because they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar, contradictory, incongruous, or discordant activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise, vibration, smoke, hazardous odors, radiation, function and other land use conditions."

Response: The request is for a text amendment to change the location, with frontage and access to SR7, to north of La Reina Road and a future application to request a FLU amendment for the property to CMR. The text amendment request is to move the location of the CMR limitation one road south of the current location in the adopted Comprehensive Plan Policy 1.5-v.2. The intent of this policy is to foster employment opportunities in the Agricultural Reserve Tier through the use of light industrial uses. The uses currently existing from the W. Atlantic Avenue to La Renia Road are non-residential uses including landscape business, EJKJ Industrial located .15 miles south of W. Atlantic Avenue on the west side of State Road 7 which is in process currently to change the FLU from AGR to CMR/AGR with a concurrent Rezoning from AGR to MUPD to allow a warehouse/office project with 111, 300 s.f.. Moving the location to north of La Reina Road and changing the FLU designation of the subject site to CMR/AGR will be compatible with a continued

progression of the same land use and zoning regulations to the properties to the north up to the W. Atlantic Avenue intersection with SR7. The proposed use of the property will include office/warehouse including agricultural/food cold storage and non-refrigerated warehouse. This use will be compatible with the intent of the Comprehensive Plan and will ensure through the future concurrent zoning application to be reviewed to meet the design, scale and character of the Tier.

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Part 7. Text Amendment Application

A. Proposed Text Amendment Summary

Elements & Policies to be revised	<i>NEW Future Land Use Element Policy 1.5-v</i>
Purpose	<i>PLEASE SEE ATTACHED JUSTIFICATION STATEMENT</i>
Justification	<i>PLEASE SEE ATTACHED JUSTIFICATION STATEMENT</i>
Consistency	<i>PLEASE SEE ATTACHED JUSTIFICATION STATEMENT</i>
Text Changes	<i>PLEASE SEE ATTACHED FOR PROPOSED TEXT CHANGES</i>
ULDC Changes	<i>NO CONCURRENT ULDC TEXT AMENDMENTS ARE PROPOSED AT THIS TIME.</i>

PRIVATELY INITIATED AMENDMENT TO COMPREHENSIVE PLAN
PROPOSED AMENDMENTS TO COMPREHENSIVE PLAN

The Text Amendment application is to revise the Industrial policy and provisions. The revisions are shown below with added text underlined and deleted text shown in ~~striketrough~~.

REVISED Policy 1.5-v: Industrial. The County shall foster employment opportunities in the Agricultural Reserve Tier by allowing light industrial uses at appropriate location to provide a balance of land uses for current and new reside of the Tier. All new future land use amendments requesting industrial type uses in the Agricultural Reserve Tier shall meet the following requirements.

1. Limited to Commerce (CMR) future land use designation;
2. Located with frontage and access on State Road 7 (~~north of Rio Grande Avenue~~)(north of La Reina Road). Atlantic Avenue, Boynton Beach Boulevard or have access to these roadways through an existing commercial or industrial site. sites located west of State Road 7 must share a common border with a property with commercial or industrial future land use.
3. Be accompanied by a concurrent zoning application and conceptual site plan in order to demonstrate that the proposal meets the design, scale, and character requirements of the Tier;
4. Have a minimum of 3 acres and a maximum of 50 acres (with the exception of lands dedicated to rights of way); and
5. Preserve shall be required for Commerce sites utilizing Light Industrial, Multiple Use Planned Development, or Planned Industrial Park Development zoning pursuant to FLUE Policy 1.5.1-q and subject to the following:
 - a. The preserve area requirements shall be based upon the acreage over 16 acres, shall be a minimum of 40% of the total land area over 16 acres, and allow water management tracts in preserve areas contiguous to the development area that provide enhanced environmental features and improved water quality as demonstrated through the future land use amendment process.