

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

*Instructions are provided in italics. **Delete** the italicized instructions and replace with non-italicized information. Do not use acronyms. Do not use "N/A" (not applicable). Any references to an attachment must include a summary of that attachment within the tables.*

A. Amendment Data

Round	22-B2	Intake Date	February 9, 2022
Application Name	Indian Trails Grove	Control No.	2002-90045
Acres	4,866.10 Acres	Concurrent Zoning application?	Yes
		Text Amend?	Yes (Part 7/Attachment Q)
PCNs	00-40-42-17-00-000-7000 00-40-42-19-00-000-9000 00-40-42-18-00-000-7000 00-40-42-20-00-000-9000 00-40-42-22-00-000-1010 00-40-42-21-00-000-9000 00-40-42-34-00-000-1010 00-40-42-27-00-000-9000 00-40-43-03-00-000-3020 00-40-42-30-00-000-9000 00-40-43-04-00-000-9010 00-40-42-31-00-000-9000		
Location	West of 180 th Avenue North, south of Hamlin Boulevard, approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard.		
	Current	Proposed	
Tier	Rural Tier	Rural Tier	
Use	Agriculture	Residential, Commercial, Civic and Preserve	
Zoning	Western Communities Residential – Planned Unit Development	Western Communities Residential – Planned Unit Development	
Future Land Use Designation	Western Communities Residential	Western Communities Residential	
Underlying Future Land Use Designation	There are no existing underlying designations.	There are no existing underlying designations and applicant is not requesting to add any.	
Conditions	Ordinance No. 2016-041, please see attached for listing of current conditions.	Please see the attached for listing of proposed condition modifications in Attachment V, shown with newly proposed text <u>underlined</u> and text to be deleted as struck out .	
Density Bonus	None	None	
Total Number of Units	3,897 DU (includes 390 WHP Units*) *Ten (10%) percent WHP (3,897 DU x 10% = 390 units)	2,612 DU (includes 261 WHP Units*) *Ten (10%) percent WHP (2,612 DU x 10% = 261 units)	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	0.8 units per acre 300,000 SF of commercial uses 50,000 SF of office use 42,689 SF Place of Worship use	0.8 units per acre 200,000 SF of commercial uses 33,500 SF of office use
Maximum Dwelling Units¹ (residential designations)	4,871 acres X 0.8 du/ac = 3,897 du	3,266.10 acres X 0.8 du/ac = 2,612 du
Maximum Beds (for CLF proposals)	No CLF use proposed.	No CLF use proposed.
Population Estimate	3,897 max du x 2.41 = 9,392 persons	2,612 max du x 2.41 = 6,295 persons
Maximum Square Feet^{2, 4} (non-residential designations)	300,000 SF of commercial uses, 50,000 SF of office uses, and 42,689 SF of private civic	200,000 SF of commercial uses, 33,500 SF of office uses
Proposed or Conditioned Potential^{3, 4}	0.8 units per acre 300,000 SF of commercial uses 50,000 SF of office use 42,689 SF Place of Worship use	0.8 units per acre 200,000 SF of commercial uses 33,500 SF of office use
Max Trip Generator	Single Family Residential – ITE 210: 10 trips/DU; Multifamily DU – ITE 220: 7.32 trips/DU; Church – ITE 560: 6.95 trips/1,000 S.F.; Office – ITE 710: $\text{Ln}(T) = 0.97\text{Ln}(X)+2.5$; Commercial – ITE 820: $\text{Ln}(T) = 0.68\text{Ln}(X)+5.57$	Single Family Residential – ITE 210: 10 trips/DU; Office – ITE 710: $\text{Ln}(T) = 0.97\text{Ln}(X)+2.5$; Commercial – ITE 820: $\text{Ln}(T) = 0.68\text{Ln}(X)+5.57$
Maximum Trip Generation	45,950 Daily Trips	31,663 Daily Trips
Net Daily Trips:	-14,287 Daily Trips	
Net PH Trips:	AM Net Trips: -974 (2,093 proposed – 3,067 current) PM Net Trips: -1,147 (2,643 proposed – 3,790 current)	

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.

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 2. Applicant Data

A. Co- 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	Kevin Ratterree / Gladys Digirolamo
Company Name	GL Homes of Florida
Address	1600 Sawgrass Corporate Parkway, Suite 400
City, State, Zip	Sunrise, FL 33323
Phone / Fax Number	954-753-1730
Email Address	kevin.ratterree@glhomes.com gladys.digirolamo@glhomes.com

(Indian Trail Groves FLUA Amendment)

Name	Sandra Megrue
Company Name	Urban Design Studio
Address	610 Clematis Street Suite CU-02
City, State, Zip	West Palm Beach, FL 33401
Phone / Fax Number	561-366-1100/561-366-1111
Email Address	smegrue@udsflorida.com

(Comprehensive Plan Text Amendment Application)

Name	Lauren McClellan / Jennifer Morton
Company Name	JMorton Planning & Landscape Architecture
Address	3910 RCA Boulevard, Suite 1015
City, State, Zip	Palm Beach Gardens, FL 33410
Phone	561-721-4463
Email Address	lmcclellan@jmortonla.com / jmorton@jmortonla.com

B. Applicant Information

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

Name	Alan Fant, Vice President
Company Name	Palm Beach West Associates I, LLLP
Address	1600 Sawgrass Corporate Parkway
City, State, Zip	Sunrise, FL 33323
Phone / Fax Number	954-753-1730
Email Address	kevin.ratterree@glhomes.com
Interest	Property Owner

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 3. Site Data

A. Site Data

Built Features	The subject property is primarily used for agriculture and there are no structures outside of accessory agriculture structures on the property. See Attachment F for Built Feature and Inventory Map.
PCN	<p>PCN's are as follows:</p> <ul style="list-style-type: none"> • 00-40-42-17-00-000-7000 • 00-40-42-18-00-000-7000 • 00-40-42-19-00-000-9000 • 00-40-42-20-00-000-9000 • 00-40-42-21-00-000-9000 • 00-40-42-22-00-000-1010 • 00-40-42-27-00-000-9000 • 00-40-42-30-00-000-9000 • 00-40-42-31-00-000-9000 • 00-40-42-34-00-000-1010 • 00-40-43-03-00-000-3020 • 00-40-43-04-00-000-9010 <p>Please see Attachment A for Legal and Attachment P for the Survey.</p>
Street Address	18033/18230 70 th Road North and 18600 59 th Lane North
Frontage	<ul style="list-style-type: none"> • Approximately 1,535 lineal feet along Hamlin Boulevard; • Approximately 9,490 lineal feet along 180th Avenue North • Approximately 5,327 lineal feet along Orange Boulevard • Approximately 7,709 lineal feet along 59th Lane North • Approximately 3,122 lineal feet along Louise Street
Legal Access	Legal access to the ITG PUD is provided from 60 th Street North, 190 th Street, Orange Boulevard, Hamlin Boulevard and 180 th Avenue North, which has limited direct access proposed to Civic Pod 3. See Conceptual Plan in Attachment R.
Contiguous under same ownership	There is one parcel of contiguous land under the same ownership. It is PCN 00-39-42-25-00-000-1000 and totals 35.37 acres per PAPA.
Acquisition details	<p>PCN's 00-40-42-17-00-000-7000, 00-40-42-18-00-000-7000, 00-40-42-19-00-000-9000, 00-40-42-20-00-000-9000, 00-40-42-21-00-000-9000, 00-40-42-22-00-000-1010, 00-40-42-27-00-000-9000, 00-40-42-30-00-000-9000, 00-40-42-31-00-000-9000 and 00-40-42-34-00-000-1010 were purchased for \$163,831,200.00 by Palm Beach West Associates I, LLLP from Indian Trail Groves L.P. on November 9, 2005 per the Special Warranty Deed recorded in Official Records Book (ORB) 19548, Page (PG) 796 on November 17, 2005.</p> <p>PCN's 00-40-43-00-000-3020 and 00-40-43-04-00-000-9010 were purchased for \$21,116,738.00 by Palm Beach West Associates I, LLLP from Irving Cowan, Individually and as Trustee, on November 14, 2005 per the Special Warranty Deed recorded in ORB 19548, PG 552 on November 17, 2005.</p>

Size purchased	The parcels acquired were not part of a larger property. Please see Attachment A for copies of all the deeds and the applicable corporation documents.
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B. Development History

Control Number	2002-90045
Previous FLUA Amendments	<p>Ordinance No. 2016-041 (LGA 2016-017) (Attachment U) approved September 22, 2016. See attached listing of Conditions of Approval as Status of Conditions and Proposed Modifications (Attachment V).</p> <p>Subsequently in 2017, the property owner petitioned PBC (LGA 2018-008) to revise the text of the Comprehensive Plan policies for the Agricultural Reserve (AR) Tier, the WCRO, and the future land use designation for the Rural Tier, as well as the Future Land Use Atlas revision for the ITG site in the Rural Tier, to allow 3,010 acres of land in the WCRO to be used as Preserve Area for Agricultural Reserve Planned Developments and allow the associated development rights to be clustered in development areas within the AR, allowing 2,420 residential development rights approved for the WCRO to be built within the AR.</p> <p>The FLUA amendment proposed to modify previously adopted conditions of approval for the 4,871.57-acre subject site as adopted by Ord. 2016-041 (above). The amendment proposes to revise conditions as follows:</p> <ul style="list-style-type: none"> • Decrease the maximum number of dwelling units to be built on the WCRO site from 3,897 to 1,477, a 2,420 unit reduction; • Decrease the maximum allowable non-residential square footage to be built on the WCRO site from 350,000 sq. ft. to 142,182 sq. ft., a reduction of 217,818 sq. ft. • Remove 42,689 SF Place of Worship use (Private Civic) • Rename the WCRO to the Western Communities Reserve. <p><u>This petition was never reviewed or considered by the Board of County Commission and was withdrawn prior to Planning Commission by the property owner.</u></p>
Concurrency	Water and wastewater concurrency was approved through a Potable Water and Wastewater Development Agreement entered into among PBC and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in ORB 18924, PG 0357 on July 19, 2005. ITG PUD has also previously been approved via Resolution R-2019-0389, for the construction of 3,897 dwelling units, 300,000 square feet of commercial uses and 50,000 square feet of office use, securing concurrency with the development order.
Plat, Subdivision	The site hasn't been platted; however, applicant is required to plat as a condition of approval per Resolution R-2019-0389. To date, no final master plan has been approved by PBC, and construction has not commenced.

Zoning Approvals & Requests		Following the 2019 rezoning approval, the Applicant did not request Final Development Review Officer (FDRO) after the BCC approval; therefore, no final development plans have been approved based on the BCC approvals listed below. A Development Order Amendment request, including a Type 2 Variance and Type 2 Waiver, were filed with PBC Zoning Division on January 19, 2022, requesting to modify the development program for the ITG PUD and reduce land area, density, and intensity for the project. See Justification (Attachment G) for additional details on the proposed modifications to the ITG PUD development program.			
Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)
R-2019-0389	ZV/PDD/W-2018-00798	Approved/ Ongoing	Rezoning	Rezone 4,871.57 AC from AP and AR Zoning districts to Western Communities Residential PUD (WCR-PUD) (Dev Program: 3,897 DU 390 WHP DU 350,000 SF)	Request to Modify to: Reduce land area (-5.46 AC) Decrease density (-1,285 DU) Decrease intensity (159,189 SF) Dedicate lands to PBC (1,600 AC) Reduce WHP (-129 DU)
ZR-2019-009	ZV/PDD/W-2018-00798	Approved/ Ongoing	Type 2 Variance	Eliminate a Type 2 Incompatibility Buffer along the north perimeter adjacent the District F Park and lake	Requesting to vest, however may need to abandon and request similar Variance, but, based on increased lake separation.
R-2019-0390	ZV/PDD/W-2018-00798	Approved/ Ongoing	Type 2 Waiver	Allow an additional 10%, over the 40% permitted, of the local streets to terminate in a cul-de-sac or dead end	Abandoning and requesting new T2W to increase the amount local streets to terminating in a cul-de-sac or dead end to 23% over the 40% permitted.

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 4. Consistency

- A. Consistency** – Provide responses in Attachment G as G.1 through G.5. *If a text amendment is proposed, the following must be written for BOTH the text and FLUA amendment as a whole.*

Justification Provide as G.1.	Please see Attachment G for Justification providing for Consistency with the Comprehensive Plan and Florida Statutes for the proposed Text and FLUA Amendments included as part of this request.
Residential Density Increases Provide as G.2.	Please see Attachment G for Justification providing for Consistency with the Comprehensive Plan and Florida Statutes statement.
Compatibility Provide as G.3.	Please see Attachment G for Justification providing for Consistency with the Comprehensive Plan and Florida Statutes statement.
Comprehensive Plan Provide as G.4.	Please see Attachment G for Justification providing for Consistency with the Comprehensive Plan and Florida Statutes statement.
Florida Statutes Provide as G.5.	Please see Attachment G for Justification providing for Consistency with the Comprehensive Plan and Florida Statutes.

- 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. Adjacent Lands	Use	Future Land Use	Zoning
North	<ul style="list-style-type: none"> – Conservation – Residential – Public Park 	Conservation (CON) Rural Residential, 1 unit/2.5 ac. (RR-2.5) Rural Residential, 1 unit/10 ac. (RR-10)	Conservation (CON) Agricultural Residential (AR) Public Ownership (PO)
South	<ul style="list-style-type: none"> – Agricultural Production – Residential 	Rural Residential, 1 unit/10 ac. (RR-10) RR-10 and Rural Residential, 1 unit per 5 acres (RR-5)	Agricultural Production (AP) Agricultural Residential (AR)
East	<ul style="list-style-type: none"> – Residential – Public Schools (Middle/Elementary) – FPL Solar Farm 	Rural Residential, 1 unit/2.5 ac. (RR-2.5) Rural Residential, 1 unit/10 ac. (RR-10) Residential 1 with Solar Energy Overlay (City of Westlake)	Agricultural Residential (AR) Agricultural Residential (AR) Residential 1 with Solar Energy Overlay (City of Westlake)
West	<ul style="list-style-type: none"> – Utilities – Conservation 	Agricultural Production (AP) Agricultural Production (AP)	Agricultural Production (AP) Agricultural Production (AP)

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 5. Public Facilities Information

A. Traffic Information		
Please see Attachment H for the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White and PBC Traffic Letter (<i>Pending</i>).		
	Current	Proposed
Max Trip Generator	Single Family Residential – ITE 210: 10 trips/DU; Multifamily DU – ITE 220: 7.32 trips/DU; Church – ITE 560: 6.95 trips/1,000 S.F.; Office – ITE 710: $\text{Ln}(\text{T}) = 0.97\text{Ln}(\text{X})+2.5$; Commercial – ITE 820: $\text{Ln}(\text{T}) = 0.68\text{Ln}(\text{X})+5.57$	Single Family Residential – ITE 210: 10 trips/ Office – ITE 710: $\text{Ln}(\text{T}) = 0.97\text{Ln}(\text{X})+2.5$; Commercial – ITE 820: $\text{Ln}(\text{T}) = 0.68\text{Ln}(\text{X})+5.57$
Maximum Trip Generation	45,950 Daily Trips	31,663 Daily Trips
Net Daily Trips:	-14,287 Daily Trips	
Net PH Trips:	AM Net Trips: -974 (2,093 proposed – 3,067 current) PM Net Trips: -1,147 (2,643 proposed – 3,790 current)	
Significantly impacted road-way segments that fail Long Range	The proposed application results in a reduction in vehicle trips and therefore no Long Range analysis is required.	The proposed application results in a reduction in vehicle trips and therefore no Long Range analysis is required.
Significantly impacted road-way segments for Test 2	The proposed application results in a reduction in vehicle trips and therefore no Test 2 analysis is required.	The proposed application results in a reduction in vehicle trips and therefore no Test 2 analysis is required.
Traffic Consultant	Simmons & White, Inc. – Bryan G. Kelley, P.E. & Kyle Duncan, Vice President	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Palm Tran Route 40 runs along Southern Boulevard approximately 4.7 miles south of the subject property, with bus stops 3246 and 3747 located at Seminole Pratt Whitney Road and Southern Boulevard.	
Nearest Palm Tran Stop	The nearest stops are at the intersection of Southern Boulevard and Seminole Pratt Whitney Road (3246 & 3747) which is 7+ miles from the subject property. Bus stops have been approved to be provided as part of the development of the Indian Trails Grove PUD.	
Nearest Tri Rail Connection	Route 40 has a direct link to the Downtown West Palm Beach Tri-Rail Station.	

C. Potable Water & Wastewater Information

Please see Attachment I for the Level of Service letter from the PBC Water Utilities Department dated January 18, 2022.

Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department (WUD) has confirmed that it has capacity for the proposed 2,612 dwelling units and 233,500 square feet of proposed development.
Nearest Water & Wastewater Facility, type/size	The nearest potable water mains and sewer mains are located in (1) Hamlin Boulevard at PBC Park "F" (12" water main and 8" force main) approximately 1200 feet from the ITG PUD northern limits; (2) 180 th Avenue North (12" water main and 4" force main) approximately 1000 feet from the ITG PUD southern limits.

D. Drainage Information

As provided for in the Drainage Statement (Attachment J), the property is currently permitted under SFWMD Permit No. 50-02564-S. Legal positive outfall will be provided through the existing 200' easement per O.R.B. 1428, Pg. 581 which is under the maintenance obligation of the Cypress Grove CDD and all storm water will ultimately discharge into the L-8 Canal, which is adjacent to the west side of the subject property.

The residential and commercial components of the property will be designed to meet the following criteria:

1. All discharge to the L-8 Canal will be through a control structure.
2. Minimum finished floor elevation for any structure shall be set above the 100-year, 3-day, zero discharge storm event.
3. A continuous berm shall be constructed around the drainage system with a top elevation set at or above the 25-year, 3-day storm event.

The exterior Open Space consists of a 640 acre impoundment, 1,600 acre exchange bank and 448.63 acres of agriculture/water resources. The impoundment will be interconnected with the existing Indian Trail Improvement District (ITID) impoundment off-site and shall be operated by ITID. No storm water from the Indian Trails Grove WCR-PUD will discharge into the impoundment. Additionally, the water resources/agriculture will meet the requirements of SFWMD and Cypress Grove CDD. All discharge from these areas will be through the Cypress Grove CDD canals to the L-8 Canal.

E. Fire Rescue

Nearest Station	Palm Beach County Fire-Rescue Station #22, 5060 Seminole Pratt Whitney Road.
Distance to Site	Approximately 2.41 miles, however Fire Station #22 is not capable of serving the ITG PUD, so civic area has been dedicated for a new fire station, as needed by PBC.
Response Time	TBD
Effect on Resp. Time	Please see letter from the Fire-Rescue Department in Attachment K. Response times are unable to be calculated as Fire Station #22 is not capable of servicing the ITG PUD. A 5 acre Civic dedication is proposed by ITG to provide for a Fire-Rescue Station.

F. Environmental

Significant habitats or species	Per the CPA Environmental Assessment Report prepared by WGI and included as Attachment L, the subject property is an active agricultural operation producing a variety of crops (bell peppers, cabbage, etc.). The majority of the site has been altered for farming practices including rows and furrows and a network of drainage
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	ditches. Little to no vegetation besides the specific crop is present within these areas. In addition, there are numerous wetland areas that have been left in place throughout the property. These herbaceous wetlands are disturbed by exotic and nuisance species. There is one area in the southernmost parcel that has been impacted as a shallow borrow pit. Finally, there is an operations center located in the southeast corner of the site where a barn and offices are located and farm equipment is stored. Due to the current condition and use of the subject property, there are no significant environmental concerns. The lack of quality habitat makes it improbable for any listed animal or plant species to occur on the site. However due to the proximity of the JW Corbett Wildlife Management Area usage by transient species for foraging or other uses may occur on the subject property.
Flood Zone*	A majority of the property is located in Flood Zone "B" with a small portion (along the southwest side) being located in Flood Zone AO – Depth 1.0'. Please see Attachment M for Floodplain Statement prepared by GLH Engineering.
Wellfield Zone*	The subject property is located outside of the wellfield protection zones. Please see Attachment M for Wellfield Protection Zone Statement prepared by GL Homes.

** If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.*

G. Historic Resources

Please see Attachment N for Historic Resource Evaluation Letter from the County Historic Preservation Officer/Archeologist dated January 10, 2022. Per the 2015 letter of findings, the Archaeological and Historical Conservancy's (2006) report found no resources, but deeply buried resources could not be accounted for. As such, a Certificate to Dig (CTD) will be required for any excavation of soils to a depth greater than two feet. In addition, the present review of the County's map of known archaeological sites has identified a known archaeological resource (8P815987) located on or within 300 feet of the above referenced properties.

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

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park, 7715 Forest Hill Boulevard, West Palm Beach, FL	0.00339	-3,097 (3,897-2,612 =1,285X2.41)	-10.50 AC
Beach	Phil Foster Park, 900 E. Blue Heron Boulevard, Riviera Beach, FL 33404	0.00035	-3,097	-1.08 AC
District	Samuel Friedland Park, 18500 Hamlin Blvd, Loxahatchee, FL 33470	0.00138	-3,097	- 4.27 AC

I. Libraries - Residential Only (Including CLF)

Library Name	Acreage Branch
Address	15801 Orange Boulevard
City, State, Zip	Loxahatchee, FL 33470
Distance	Approximately 2.2 miles

Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	-3,097	-6,194 holdings
All other staff	0.6 FTE Per 1,000 persons	-3,097	-1.85 FTE
Library facilities	0.6 square feet per person	-3,097	-1,858 SF
J. Public Schools - Residential Only (Not Including CLF)			
Please see Attachment O for the Level of Service request letter to the School District of PBC.			
	Elementary	Middle	High
Name	Frontier	Osceola Creek	Seminole Ridge Community
Address	6701 180 th Avenue North	6775 180 th Avenue North	4601 Seminole Pratt Whitney Road
City, State, Zip	Loxahatchee, FL 33470	Loxahatchee, FL 33470	Loxahatchee, FL 33470
Distance	Adjacent	Adjacent	4.4 miles

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

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 for Text (Part A) and FLUA Amendments (Part B) (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 Amendments**
- R. FLUA Conceptual Plan**
- S. Agreement: Stipulated Final Judgment - FPL**
- T. Agreement: ITID Escrow**
- U. Ordinance 2016-041**
- V. Status of Conditions (included in Word and PDF)**

W. Hyder West Overlay Supporting Documents

1. FLUA Application Part 5 (Public Facilities Information)
2. Attachment A_List of Parcel Control Numbers
3. Attachment D_500 feet list, map, labels
4. Attachment H_Traffic Report
Attachment H_Traffic Approval Letter
5. Attachment I_Water and Wastewater Provider LOS Letter
6. Attachment J_Drainage Statement Signature Report
Attachment J_Drainage Statement
7. Attachment K_Fire Rescue Letter
8. Attachment M_Wellfield Protection Map
9. Attachment N_Historic Resource Evaluation Letter
10. Attachment O_Palm Beach County School District LOS Request
Attachment O_Palm Beach County School District LOS Letter

500-foot envelopes with forever stamps (Delivered by JMorton 3/11/22)

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>

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 7. Text Amendment Application

A. Proposed Text Amendment Summary

Elements & Policies to be revised	<ul style="list-style-type: none"> • Revise Introduction Element to amend definition of Western Communities Residential • Revise Future Land Use Element Objectives and Policies related to Agricultural Reserve Tier, Western Communities Residential Overlay (WCRO), and Western Communities Residential (WCR) • Revise Map Series to identify new Overlay within Agricultural Reserve Tier
Purpose	<p>Amend Sub-Objective 1.5.1 (Planned Developments) and create new Sub-Objective 1.5.2 (West Hyder Overlay (WHO)) of the Future Land Use Element to establish a new overlay specific to the Hyder West property located west of State Road 7 and south of Rio POCO Planned Unit Development within the Agricultural Reserve (AGR) Tier. The WHO overlay would:</p> <ol style="list-style-type: none"> (1) Allow specific existing approved AGR PUDs preserve areas (inclusive of acreage and units) to be re-allocated and satisfied within the Western Communities Residential Overlay (WCRO); (2) Allow new 60/40 AGR PUD development area within the WHO Overlay, inclusive of public and private civic uses; and, (3) Allow the required preserve area (inclusive of acreage and units) for any new 60/40 AGR PUD approved within the WHO Overlay to be allocated and satisfied within the Western Communities Residential Overlay (WCRO). <p>Amend Objective 1.11 (Western Communities Residential Overlay (WCRO)) and Objective 4.5 (Western Communities Residential) of the Future Land Use Element to:</p> <ol style="list-style-type: none"> (1) Allow 1,600 acres identified on the Indian Trails Grove Conceptual Plan for water resource/agricultural purposes, and proposed to be conveyed to Palm Beach County, to be utilized as a water resources/agriculture regional benefits bank that can be utilized to meet the required preservation area (inclusive of acreage and units) for specific AGR PUD currently approved within the new WHO Overlay. (2) Allow 1,600 acres identified on the Indian Trails Grove Conceptual Plan for water resource/agricultural purposes, and proposed to be conveyed to Palm Beach County, to be utilized as a water resources/agriculture regional benefits bank that can be utilized to meet the required preservation area (inclusive of acreage and units) for new 60/40 AGR PUD development area approved within the proposed WHO Overlay. (3) Establish the transfer rate of units from the 1,600 acre water resource/agriculture regional benefits exchange bank at .8 du/ac. (4) Amend specific Objectives and Policies of the WCRO Overlay (Objective 1.11) and Western Communities Residential (Objective 4.5) consistent with these concepts, the revised Conceptual Plan for Indian Trails Grove and other requested amendments. <p>Amend other Objective and Policies of the Comprehensive Plan, as needed, to implement the above.</p>
Justification	<p>The re-allocation of existing AGR PUD required preserve area (both acreage and units) from the West Hyder Overlay (WHO) to the Western Communities Residential Overlay (WCRO), and the approval of the new 60/40 PUD within the WHO Overlay and allowing the required preserve (both acreage and units) for new AGR PUD within the WHO Overlay to be satisfied within the Western Communities Residential Overlay (WCRO) will result in the dedication of 1,600 acres of the Indian Trails Grove PUD land to Palm</p>

Beach County. The potential regional environmental benefits of the 1,600 acres being in public ownership include (either alone or in combinations with connections to nearby properties and canals): water storage; flow way connections between the L-8 Canal and M0 Canal; fresh water flows to the Loxahatchee River and Grassy Waters Preserve; decreased harmful discharge to the Lake Worth Lagoon; and flood control. Overall, the proposed text amendments would increase the amount of public civic (which includes the addition of a 200-acre Civic Pod with the intended use of an All-Terrain Vehicle Park with accessory uses) and preservation lands in Palm Beach County as indicated by the table below, as well as add 1,600 acres of preserve land under the ownership and direct control of Palm Beach County.

	Existing		Proposed	
	Approved Acres	County Controlled Acres	Proposed Acres	County Controlled Acres
Indian Trail Improvement District Impoundment Area	640	0	640	0
Indian Trails Grove Agriculture/Water Resources	1,068	0	1,600	1,600
Indian Trails Grove Additional Agriculture/Water Resources/O.S.	0	0	248	0
Indian Trails Grove Public Civic Pods (Pods A – E)	126	84	100	60
Indian Trails Grove 200-acre Civic Pod (Pod F)	0	0	200	200
Total Lands	1,834	84	2,788	1,860
Difference (Approved to Proposed)			+954	+1,776

*Acreages are approximate.

Additionally, overall, the proposed text amendments would result in a decrease in the number of units approved by 8 units (a reduction of 1,285 units at Indian Trails Grove and the addition of 1,277 units within the WHO Overlay).

Consistency

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

County Goals

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

Goal 2. Land Planning. It is the goal of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

Goal 3. Service Areas and Provision of Services. It is the goal of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and

to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

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

County Objectives

Sub-Objective 1.1.1. Climate Change. Palm Beach County shall adopt, implement, and encourage strategies which increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.

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

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

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

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

County Policies

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

	<p><i><u>Response:</u> The proposed changes to the Comprehensive Plan will create a new Overlay within the Agricultural Reserve Tier, and amend Objectives and Policies of the Agricultural Reserve, WCRO Overlay, and WCR land use. Approval of these changes will result in the conveyance of 1,600 acres from the Indian Trails Grove Planned Unit Development to Palm Beach County that could provide water resource/agriculture regional benefits to the residents of Palm Beach County. The regional benefits as a water resource include (either alone or in combination with connections to nearby properties and canals), water storage, water filtration, and/or flow ways that will be beneficial in assisting with saltwater intrusion to the Loxahatchee River, decreased harmful discharges to the Lake Worth Lagoon and Grassy Waters Preserve, and water storage for flood mitigation.</i></p>
Text Changes	<p>Introduction Element</p> <p>WESTERN COMMUNITIES RESIDENTIAL - A future land use designation reflecting a development pattern which allows for the preservation of large contiguous acres of land for <u>agriculture, water resources and open space while also accommodating a mixed-use design concept</u> comprised of a mixture of land uses, including residential, retail, office, recreation, civic, etc., located within close proximity to each other, in order to provide for a variety of housing, recreation, shopping, and employment opportunities.</p> <p>Future Land Use Element</p> <p><u>NEW Policy 1.5.1-XX:</u> In order to promote regional water management opportunities outside of the Agricultural Reserve Tier, limited land in the Agricultural Reserve may convert from agricultural preservation to unique development options that are not otherwise available in the Tier. The six projects listed below may utilize land dedicated to the County as designated on an adopted <u>Western Communities Residential Conceptual Plan for a regional water management or agriculture use within the Western Communities Residential Overlay (WCRO) as also indicated in Policy 1.11-j, to partially satisfy 60/40 AGR-PUD Preserve requirements as specified for the following existing 60/40 AGR-PUDs.</u></p> <ol style="list-style-type: none"> 1. <u>Hyder (Seven Bridges) AGR-PUD (Control Number 2005-455) may utilize up to 29.80 acres of WCR land, to satisfy 29.80 acres and 23.84 units of AGR-PUD requirements;</u> 2. <u>Lyons West (Valencia Reserve) AGR-PUD (Control Number 2005-003) may utilize up to 462.51 acres of WCR land to satisfy 462.51 acres and 370.01 units of AGR-PDD requirements;</u> 3. <u>Fogg North (Canyon Lakes) AGR-PUD (Control Number 2002-067) may utilize up to 23.87 acres of WCR land to satisfy 23.87 acres and 19.10 units of AGR-PUD requirements;</u> 4. <u>Fogg Central (Canyon Isles) AGR-PUD (Control Number 2002-068) may utilize up to 29.28 acres of WCR land to satisfy 29.28 acres and 23.42 units of AGR-PUD requirements;</u> 5. <u>Fogg South (Canyon Springs) AGR-PUD (Control Number 2002-069) may utilize up to 32.21 acres of WCR land to satisfy 32.21 acres and 25.77 units of AGR-PUD requirements; and</u> 6. <u>Whitworth AGR-PUD (Control Number 2021-031) may utilize up to 113.05 acres of WCR land to satisfy 113.05 acres and 90.44 units of AGR-PUD requirements.</u> <p><u>The corresponding zoning development orders shall clearly depict the preserve and unit allocation from the Western Communities Reserve Overlay on the approved development order plans and corresponding resolution; however, the WCRO lands themselves are excluded from the Zoning development order.</u></p> <p><u>NEW SUB-OBJECTIVE 1.5.2 The West Hyder Overlay (WHO)</u></p> <p><u>In order to foster opportunities for long-term regional water management benefits for the overall County, the County shall allow 60/40 Agricultural Reserve Planned Developments and institutional, public and civic uses within the West Hyder Overlay (WHO). The purpose of the Overlay is to promote regional water management opportunities outside of the Agricultural</u></p>

Reserve Tier by allowing limited land in the Agricultural Reserve to convert from agricultural preservation to a unique development option not otherwise available in the Tier, and allow for a development's AGR-PUD 60/40 preserve requirements to be fulfilled entirely by lands outside of the Tier.

NEW Policy 1.5.2-a: The West Hyder Overlay (WHO) is depicted on the Special Planning Areas Map LU 3.1 in the Map Series and generally delineated as the area bounded on the north by the LWDD L-36 Canal, on the east by SR-7, on the south by the LWDD L-39 Canal, and on the west by the LWDD S-11 Canal and the Sunshine Meadows equestrian facility. The overlay comprises approximately 682 acres of land.

NEW Policy 1.5.2-b: Lands within the West Hyder Overlay shall either remain in an agricultural, environmental, or other open space use in accordance with the requirements of the Tier, or may be eligible to convert to a development area of a 60/40 AGR-PUD only in the following limited circumstance, with the uses specified:

West Hyder AGR-PUD (Control Number 2022-005):

- a. Up to 1,000 units of adult age-restricted residential development;
- b. Up to 277 units of workforce housing, distributed between 60-140% affordability range, and to be provided on-site (with no buyout or in-lieu option);
- c. Institutional, Public and Civic Uses as identified in the ULDC Use Matrix;
- d. The zoning development order shall include conditions of approval requiring a deed restriction limiting the adult age-restricted residential development to an adult age-restricted community; this restriction shall remain unless a development order amendment is submitted to delete the conditions for the deed restriction, and may only be approved upon demonstration that the impacts associated with removing the age restriction have been addressed and any impacts to service providers are mitigated; and
- e. Fulfillment (issuance of Certificate of Occupancy – COs) of all 277 workforce housing units shall be completed prior to the issuance of 277 residential Certificate of Occupancies for the adult age-restricted residential development portion of the subject site.

NEW Policy 1.5.2-c: Consistent with Policy 1.5.2-b, West Hyder AGR-PUD (Control Number 2022-005) may utilize up to 909.31 acres of WCR land to satisfy 909.31 acres and 727.45 units towards its AGR-PUD requirements, provided the WCR land is contiguous lands within the West Communities Residential Overlay that are: (1) required to be deeded to the County or other government entity; (2) consistent with an adopted WCR Conceptual Plan, and, (3) designated for a regional water management or agricultural use.

Lands within the WCRO that are not allocated to WCR-PUD development areas, and that are required to be deeded to the County in fee simple, shall count toward satisfying the minimum 250-acre requirement for 60/40 AGR-PUD for the acreages specified above, but do not need to be included in any Zoning development order application.

NEW Policy 1.5.2-d: Within the West Hyder Overlay, institutional, public and civic uses may be allowed west of SR-7 provided they are located within the development area of an AGR-PUD listed in Policy 1.5.2-b, or are on land deeded to the County.

REVISE OBJECTIVE 1.11 Western Communities Residential Overlay

General: The Purpose of the Western Communities Residential Overlay (WCRO) is to provide a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects, as well as providing the opportunity for regional water management benefits. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into conservation areas. It achieves compatibility with the existing residential development pattern in the surrounding area while furthering remediation of the historic land use imbalance in that area through the additional non-residential uses and residential support for other projects whose non-residential development is intended to do so, including but not limited to the City of Westlake.

In 2016, the County adopted the Western Communities Residential Overlay along with the corresponding Western Communities Residential future land use designation in the

Comprehensive Plan and adopted a site specific amendment and Conceptual Plan with an overall density of 1 unit per 1.25 acres, resulting in 3,897 dwelling units, and corresponding non-residential uses. In 2022, in consideration of property owner rights, and the potential to achieve a larger, regional public benefit and improve regional water management and agricultural holdings, the property owner proposed exchanging density and land within the WCRO for additional development on land in the Agricultural Reserve Tier. This exchange of density between the Tiers is based on the original 3,897 units in the 2016 approval (Ordinance 2016-040). However, this exchange proportionally reduced the development contemplated within the WCRO by one-third, and the reduction is incorporated in this Objective and Objective 4.5, and their respective policies.

Only the density associated with the 2016 WCRO approval is exchanged with the Agricultural Reserve Tier, at a ratio of 1.25 units of WCR development potential to one unit of AGR development potential (1.25:1).

REVISE Objective: The Western Communities Residential Overlay (WCRO) enables the appropriate transition between rural/suburban development, preservation and conservation areas while allowing for residential development at a density that is compatible with the surrounding area through the preservation of large tracts of contiguous acres of land for water resources, agriculture, or other suitable open space uses. The WCRO achieves compatibility with the existing residential development pattern in the surrounding area and remediates the historic land use imbalance in the central western communities and provides other regional benefits. This overlay complements existing provisions and concepts within the Comprehensive Plan to further the potential to address regional Water Resources needs, and also perpetuate Agricultural uses in areas that are not proposed for development.

REVISE Policy 1.11-a: The Western Communities Residential Overlay is depicted on the Special Planning Areas Planning Map LU 3.1, in the Map Series and consists of approximately 4,871 acres of land generally located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard.

REVISE Policy 1.11-b: The Western Communities Residential (WCR) Future Land Use ~~category designation~~ shall ~~be established to~~ allow a compatible density with the existing rural residential lifestyle adjacent to the Western Communities Residential Overlay.

REVISE Policy 1.11-c: Development within the Western Communities Residential Overlay shall only occur in the form of a Planned Development District, Planned Unit Development and commercial nodes consistent with the form of the Traditional Marketplace in the Comprehensive Plan, with a minimum gross land area of 900 acres. Within the Overlay, the maximum number of residential units shall be limited to 3,897 2,612; the maximum amount of ~~non-residential commercial retail~~ uses shall be limited to 300,000 233,500 square feet; ~~and, the maximum amount of non-residential commercial office uses shall be limited to 50,000 comprised of 200,000 square feet of commercial retail uses and 33,500 square feet of commercial office uses.~~

REVISE Policy 1.11-e: In addition to other public facilities required by the ULDC, the following within the Western Communities Residential Overlay shall be provided at developer expense:

1. Paved on-site roads to serve all uses.
2. On-site central water and wastewater service and facilities adequate to meet adopted level of service standards, with an off-site loop main that will allow other residences in the vicinity to connect to central services.
3. On-site retention and drainage facilities that connect to the L-8 canal.
4. A minimum 44 9 miles of 8-foot-wide pedestrian and bicycle pathways, open to the public.
5. A minimum 47.5 9.6 miles of equestrian trails open to the public.
6. On-site bus shelter easements for Palm Tran.
7. Off-site road improvements that include:
 - a. Extension of 60th Street North from Seminole Pratt Whitney to 190th Street North.
 - b. Extension of 190th Street North from 60th Street North to Hamlin Boulevard.
 - c. Extension of Orange Blvd. from 180th Ave. North to 190th Street North.
 - d. Connection of Hamlin Boulevard from its present terminus to 190th Street North.
8. In addition to the project's fair share proportionate share obligation, fund an additional \$5,000,000.00 for road improvements in the Central Western Communities.

REVISE Policy 1.11-h: The Western Communities Residential Overlay developer shall dedicate the following land for public facilities to serve on-site residents and other users within the surrounding area:

1. Upon the date mutually agreed to in written agreement between Indian Trail Improvement District and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District or the County. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID/County as a storm water retention/water management area.
2. Upon written request of the Palm Beach County School Board and receipt of at least 250 residential building permits, whichever shall later occur, dedicate ~~a 15.5-acre site for a future elementary school and a 25.0-acre site for a future middle school, minimum 40-acre school site subject to the conditions in the zoning development order, constructed at school board expense. An additional 22.6 acres adjacent to either the elementary school site or middle school site shall be dedicated upon request of the Palm Beach County School Board with the concurrence of Palm Beach County.~~ The development shall take all required drainage from the school sites into the development's storm water management system.
3. Prior to receipt of no less than 250 residential building permits, a minimum forty (40) acres adjacent to District Park "F" for its expansion, constructed at County expense subject to the conditions in the zoning development order.
4. Prior to receipt of no less than 250 residential building permits, a minimum five (5) acre site for a fire/police/utility site subject to the conditions in the zoning development order.
5. Prior to the receipt of no less than 250 residential building permits, a minimum ten (10) acre site for civic site uses to be dedicated to the County subject to the conditions in the zoning development order.

NEW Policy 1.11-i: The areas within the Overlay that are designated as Water Resources/Agriculture/Impoundment Area on the adopted WCR Conceptual Plan, and are conveyed via warranty deed to the County or other governmental entity that is not a CDD, shall be restricted to the following uses and purposes consistent with this Overlay, including, but not limited to: excavation for regional water management, stormwater impoundment, flow ways and other means of water conveyance, water quality enhancement projects, environmental restoration, environmental mitigation banks, Everglades restoration, conservation, and bona fide agriculture. The County shall adopt conditions of approval in the zoning development order to address the timing and construction of the excavation.

Excavation for the purposes of fulfilling the requirements of this policy, including but not limited to the digging of fill for use on-site or to support the drainage system of the development, shall not be removed from the site and not subject to the limitations of Objective 2.3, Mining and Excavation. In addition, areas designated as water resources or impoundment on an adopted WCR Conceptual Plan, and dedicated to the County, the South Florida Water Management, or the Indian Trail Improvement District are permitted to excavate in support of water management projects that are associated with, but not limited to, ecosystem restoration, regional water supply, and flood protection.

NEW Policy 1.11-j: Lands within the Western Communities Residential Overlay that are dedicated to the County or other government entity for Water Resources/Agriculture/Impoundment areas, and are depicted as such on the adopted WCR Conceptual Plan and Site Data table, shall satisfy Agricultural Reserve Tier AGR-PUD Preserve area and density requirements for the projects and amounts, as follows:

1. Hyder (Seven Bridges) AGR-PUD (Control Number 2005-455) may utilize up to 29.80 acres of WCR land, to satisfy 29.80 acres and 23.84 units of AGR-PUD requirements;
2. Lyons West (Valencia Reserve) AGR-PUD (Control Number 2005-003) may utilize up to 462.51 acres of WCR land to satisfy 462.51 acres and 370.01 units of AGR-PUD requirements;
3. Fogg North (Canyon Lakes) AGR-PUD (Control Number 2002-067) may utilize up to 23.87 acres of WCR land to satisfy 23.87 acres and 19.10 units of AGR-PUD requirements;
4. Fogg Central (Canyon Isles) AGR-PUD (Control Number 2002-068) may utilize up to 29.28 acres of WCR land to satisfy 29.28 acres and 23.42 units of AGR-PUD requirements;

5. Fogg South (Canyon Springs) AGR-PUD (Control Number 2002-069) may utilize up to 32.21 acres of WCR land to satisfy 32.21 acres and 25.77 units of AGR-PUD requirements;
6. Whitworth AGR-PUD (Control Number 2021-031) may utilize up to 113.05 acres of WCR land to satisfy 113.05 acres and 90.44 units of AGR-PUD requirements;
7. West Hyder AGR-PUD (Control Number 2022-005) may utilize up to 909.31 acres of WCR land to satisfy 909.31 acres and 727.45 units towards AGR-PUD requirements.

REVISE OBJECTIVE 4.5 Western Communities Residential

The County shall recognize the unique characteristics of agricultural parcels that are adjacent to existing residential communities within the Rural Tier and the Western Communities Residential Overlay that seek to develop by assigning the Western Communities Residential (WCR) future land use designation through a Future Land Use Amendment process. A WCR site specific amendment that supports balanced growth may occur in the Rural Tier and may exceed rural densities and intensities. A WCR site specific amendment shall achieve compatibility with the existing residential development pattern in the surrounding area of the Rural Tier while furthering remediation of the historic land use imbalance in the western communities and providing other regional benefits.

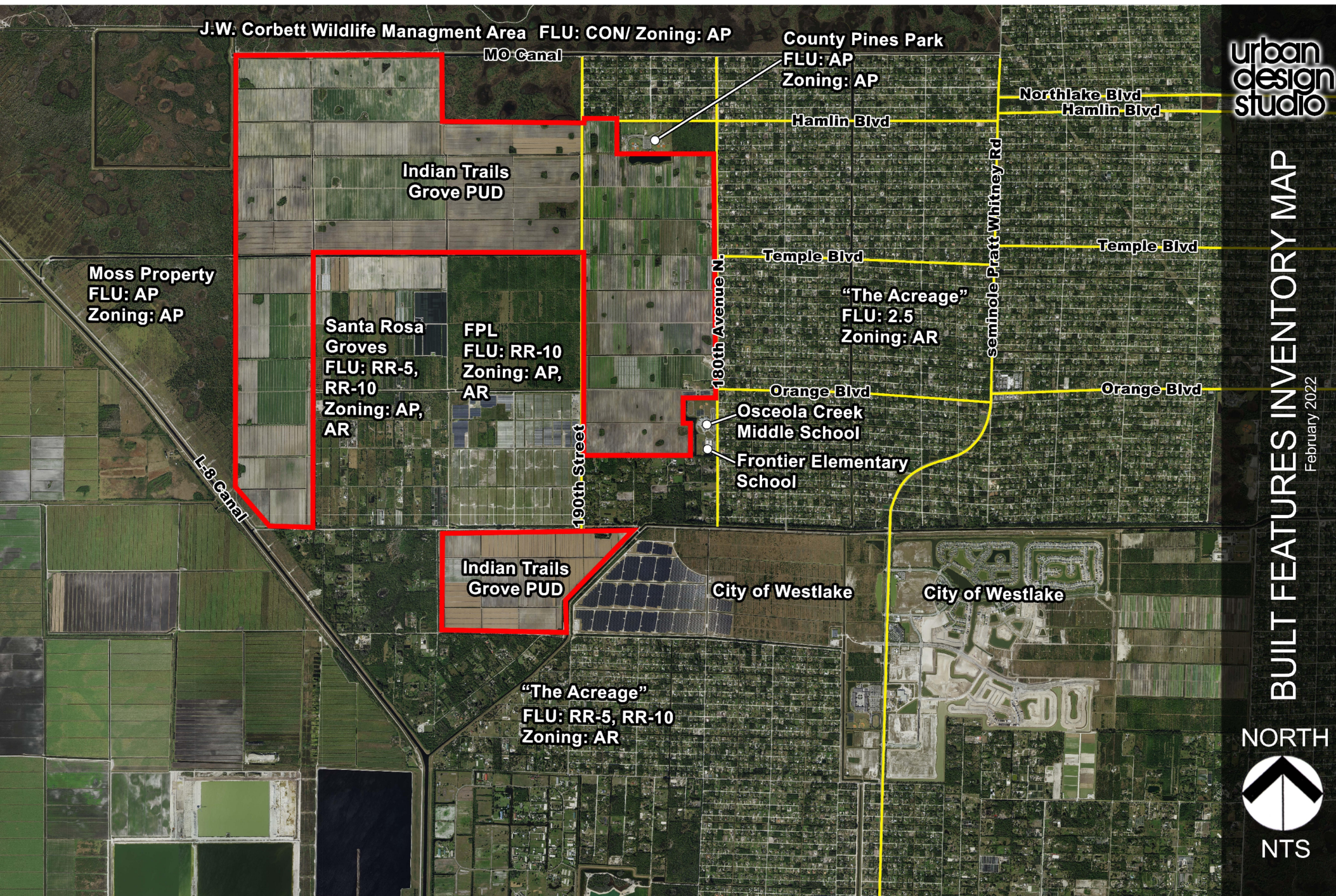
REVISE Policy 4.5-d: Western Communities Residential Conceptual Plan shall include a Site Data table establishing an overall density and intensity for the project, as well as minimum and/or maximum percentages for the acreages shown on the Plan and other binding standards. The Conceptual Plan shall include a depiction of the residential, non-residential, recreational, civic and open space elements of the project and allow the clustering of the density to promote a variety of neighborhoods and housing types and to act as transition areas between the Western Communities Residential and adjacent existing communities. The Conceptual Plan and Site Data table shall also include specific acreages for lands and units within the Overlay that provide density and satisfy preserve area requirements in the Agricultural Reserve Tier, for developments specified in Policy 1.11-j.

REVISE Policy 4.5-e: A property with Western Communities Residential future land use designation shall utilize the Planned Unit Development (PUD) zoning district of the Unified Land Development Code, with the form of the commercial nodes reflected on the Conceptual Plan, which commercial nodes shall be designed consistent with the form of the Traditional Marketplace provisions in the Comprehensive Plan. Each residential pod within a WCR Planned Unit Development ~~may~~ shall be developed according to the density/intensity assigned on the Conceptual Plan.

REVISE Policy 4.5-f: In order to achieve compatibility with the existing residential development pattern in the surrounding area and create a more sustainable land use pattern through compactness of design, any land developed utilizing the WCR future land use shall be required to exhibit the following characteristics:

1. A maximum permissible gross residential density of 0.80 DU/AC.
2. The project shall provide a minimum of 66.67% of the gross site acreage in open space uses (the Required Open Space). A minimum of 50% of the gross site acreage shall be in the form of Exterior Open Space which shall be limited to preservation, conservation, passive and/or active recreation, perimeter landscape buffers, rural parkways, pedestrian pathways and greenways, wetlands, bona fide agriculture, regional water management, fallow land, perimeter water management areas, public and/or private civic uses, and/or, equestrian uses. Perimeter water management areas shall only count as Exterior Open Space if the water management area is accessible to the general public from a publicly accessible buffer or open space tract that includes a minimum 8-foot wide paved pedestrian pathway that connects the perimeter of the site to the water management area. Perimeter water management areas shall be available for use by the general public for fishing and non-motorized boating activities. Land area allocated as Exterior Open Space counts towards meeting the minimum Required Open Space.
3. A minimum of 33.33% of the gross site acreage shall be provided in one large contiguous open space land area and shall be depicted on the Conceptual Plan approved by the Board of County Commissioners. Land area allocated as part of the 33.33% contiguous open space counts towards meeting the minimum Required Open Space.
4. Neighborhood-serving commercial nodes shall comprise no less than 2% of the overall

	<p>developable land area (developable land area being defined as the area available for development less the required Exterior Open Space). The commercial nodes shall: (1) be designed consistent with the form of the Traditional Marketplace provisions of the Comprehensive Plan; and, (2) be depicted on the Conceptual Plan approved by the Board of County Commissioners.</p> <p>5. A minimum 20% of the residential units shall be located within one-quarter mile radius of commercial nodes; a minimum 40% of the residential units shall be located within one-half mile radius of commercial nodes; and a minimum of 66% of the residential units shall be located within one-quarter mile radius of commercial nodes or civic uses (public or private) or recreation uses (public or private).</p> <p>6. Higher density residential areas shall be located adjacent to and within one-quarter mile radius of any commercial node. Lower density residential areas shall be located around the perimeter of the development area to promote compatibility with existing development in the surrounding area. Medium density residential shall be located between commercial nodes/High density residential areas and the Low density residential areas. All of which shall be reflected on the Conceptual Plan approved by the Board of County Commissioners.</p> <p>7. A minimum of 10.0% of on-site for-sale units shall be provided as workforce housing based on the County's affordability standards.</p> <p>8. A maximum permissible non-residential intensity of 350,000 square feet of commercial uses, comprised of 300,000 square feet of commercial retail uses, and 50,000 square feet of commercial office uses <u>Commercial uses shall be limited to 233,500 square feet comprised of 200,000 square feet of commercial retail uses and 33,500 square feet of commercial office uses.</u></p> <p>Map Series Add West Hyder Overlay (WHO) to Special Planning Areas Map</p>
ULDC Changes	Proposed ULDC amendments which have been provided to the Zoning Director for review will be modified to match proposed Comprehensive Plan text as needed.



J.W. Corbett Wildlife Management Area FLU: CON/ Zoning: AP

MO Canal

County Pines Park

FLU: AP
Zoning: AP

Northlake Blvd
Hamlin Blvd

Hamlin Blvd

Indian Trails
Grove PUD

Temple Blvd

Temple Blvd

Moss Property
FLU: AP
Zoning: AP

Santa Rosa
Groves
FLU: RR-5,
RR-10
Zoning: AP,
AR

FPL
FLU: RR-10
Zoning: AP,
AR

"The Acreage"
FLU: 2.5
Zoning: AR

Orange Blvd

Orange Blvd

Osceola Creek
Middle School

Frontier Elementary
School

L-8 Canal

190th Street

180th Avenue N.

Seminole Pratt Whitney Rd

Indian Trails
Grove PUD

City of Westlake

City of Westlake

"The Acreage"
FLU: RR-5, RR-10
Zoning: AR

urban
design
studio

BUILT FEATURES INVENTORY MAP

February 2022

NORTH



NTS

ATTACHMENT G

CONSISTENCY WITH THE COMPREHENSIVE PLAN & FLORIDA STATUTES

On behalf of the owner/developer/applicant, GL Homes, Urban Design Studio, and JMorton Planning & Landscape Architecture as co-Agents have prepared and hereby respectfully submit this request for a Comprehensive Plan Text Amendment and Site-Specific Future Land Use Amendment as further described below. These applications are being processed concurrently with numerous Zoning Development Order Amendment and Rezoning applications. Indian Trails Grove will host the newly created Western Communities Residential (WCR) Exchange Parcel that will support the preserve areas for several AGR-PUDs to meet the 60/40 AGR-PUD requirements. This Exchange Parcel will allow land within the newly created West Hyder Overlay (WHO) at the southwest corner of the Agricultural Reserve to be entitled as a new AGR-PUD. This Exchange Parcel will be implemented through the new policy language in the Plan proposed via this amendment, amendments to the Indian Trails Grove Future Land Use Ordinance also proposed via this amendment, and amendments to the associated Zoning Resolutions for this project and others via concurrent Development Order Amendment applications.

If approved, the proposed FLUA Map Amendment and the proposed Comprehensive Plan Text Amendment will:

- 1) Decrease the residential and non-residential land use approvals previously granted on the Indian Trails Grove property while ensuring the decrease remains in full compliance with the WCR development requirements;
- 2) Authorize the use of lands designated as the WCR Exchange Parcel on the Indian Trails Grove Conceptual Plan as the WCR Exchange Parcel for specific AGR-PUDs; and
- 3) Authorize the reallocation of units from the Indian Trails Grove Conceptual Plan to specific AGR-PUD Development Areas.

Collectively, these changes apply to both the Rural and Agricultural Reserve Tiers of the Comprehensive Plan.

Future land use plans evolve over time. The Applicant opines that the proposed FLUA Map Amendment and Text Amendments result in better land use planning for both the Ag Reserve Tier and the Rural Tier, and thus are a benefit to Palm Beach County in totality by:

- 1) Ensuring the revised Indian Trails Grove Conceptual Plan complies with the requirements of Policy 4.5-f of the FLUE, even though the proposed amendment is a reduction in density and intensity;
- 2) Resulting in MORE large tracts of contiguous land being preserved in Palm Beach County, which PBC may also elect to convert into unique development options otherwise not available in the Tier, such as excavation for regional water management or agriculture uses with the WCRO;
- 3) Authorizing a new residential development in an area of the Agricultural Reserve Tier already developed with residential neighborhoods of similar density; and,
- 4) Allowing for the allocation of land to provide additional civic uses and opportunities for

Workforce Housing within the Agricultural Reserve.

- 5) Promote regional water management benefits and agriculture opportunities outside of the Agricultural Reserve Tier.

The proposed Text Amendment modification language is contained in Attachment Q of this application.

Initially submitted February 9, 2022, this application was postponed to the May 3, 2023, Transmittal Public Hearing, where the BCC approved to transmit this application request to the State with directive provided to the applicant to modify the Preliminary Master Plan drawings to include a 200-acre Civic Pod (Pod F per PMP-1) at the southwest corner of the overall development area. This Civic Pod will be utilized as a Public Park, which allows for a range of uses including but not limited to an All-Terrain Vehicle (ATV) Park, which is the intended use. Ancillary uses to the ATV park may include camping sites associated with the ATV use, and parking for recreational vehicles. With the addition of the new Civic Pod F, the boundary of the proposed-to-be dedication of 1,600-acres to Palm Beach County has been slightly modified to maintain the 1,600-acre dedication, while reducing the size of Open Space Pod 2 (Water Resources / Agricultural; west of Pod E) from 448.630 acres to 248.630 acres. The overall modifications to the plan have no effect on Pods A through E or the 640-acre Impoundment Expansion Area (OS Pod 1).

COMPREHENSIVE PLAN TEXT AMENDMENT REQUEST

On behalf of the owner/developer/applicant, GL Homes and JMorton Planning & Landscape Architecture as co-Agents have prepared and hereby respectfully submit this request for a Comprehensive Plan Text Amendment. The re-allocation of existing AGR-PUD required preserve areas (both acreage and units) from the West Hyder Overlay (WHO) to the Western Communities Residential Overlay (WCRO), and the approval of a new 60/40 PUD within the WHO Overlay and allowing the required preserve (both acreage and units) for the new AGR PUD within the WHO Overlay to be satisfied within the Western Communities Residential Overlay (WCRO) will result in the dedication of 1,600 acres of the Indian Trails Grove PUD land to Palm Beach County. This proposed amendment would create more publicly controlled land for agricultural uses and water resource purposes, which the later provides the potential of regional benefits such as supporting the restoration effort for the Loxahatchee River Watershed by creating a flow way on the 1,600 acres to move water from the SFWMD L-8 canal to the MO canal, reducing harmful discharges into the Lake Worth Lagoon, providing an alternative route for water discharges into the Grassy Waters Preserve, which is the City of West Palm Beach's drinking water supply, and/or storing discharges from Lake Okeechobee in the SFWMD L-8 canal that would otherwise discharge directly into the Lake Worth Lagoon. Overall, the proposed text amendments would increase the amount of public civic and preservation lands in Palm Beach County as indicated in the table below, as well as add 1,600 acres of preserve land under the ownership and direct control of Palm Beach County.

	Existing		Proposed	
	Approved Acres	County Controlled Acres	Proposed Acres	County Controlled Acres
Indian Trail Improvement District Impoundment Area	640	0	640	0
Indian Trails Grove Agriculture/Water Resources	1,068	0	1,600	1,600
Indian Trails Grove Additional Agriculture/Water Resources/O.S.	0	0	248	0
Indian Trails Grove Public Civic Pods (Pods A – E)	126	84	100	60**
Indian Trails Grove 200-acre Civic Pod (Pod F)	0	0	200	200
Total Lands	1,834	84	2,788	1,860
Difference (Approved to Proposed)			+954	+1,776

*Acreages are approximate.

**Acreage does not reflect lands to be conveyed to the School District of PBC.

Additionally, overall, the proposed text amendments would result in a decrease in the number of units approved by 8 units (a reduction of 1,285 units at Indian Trails Grove and the addition of 1,277 units within the WHO Overlay).

SITE-SPECIFIC FUTURE LAND USE ATLAS AMENDMENT REQUEST

On behalf of the owner/developer/applicant, Palm Beach West Associates I, LLLP, GL Homes and Urban Design Studio as co-Agents have prepared and hereby respectfully submit this request for a Site-Specific Future Land Use Amendment to the previously adopted Indian Trails Grove (LGA 2016-017) to modify the Conceptual Plan to reflect a revised plan of development. The subject site is located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard, in the Limited Urban Service Area (LUSA). The site has a Western Communities Residential (WCR) Future Land Use designation and is located within the Western Communities Residential Overlay (WCRO). The subject site is not located in any neighborhood planned area, or Redevelopment or Countywide Community Revitalization Team (CCRT) area.

The property that is the subject of the Site-Specific Amendment includes the following Property Control Numbers (PCN's):

Indian Trails Grove - PCN List	
00-40-42-17-00-000-7000	00-40-42-27-00-000-9000
00-40-42-18-00-000-7000	00-40-42-31-00-000-9000
00-40-42-19-00-000-9000	00-40-42-30-00-000-9000
00-40-42-20-00-000-9000	00-40-42-34-00-000-1010
00-40-42-21-00-000-9000	00-40-43-03-00-000-3020
00-40-42-22-00-000-1010	00-40-43-04-00-000-9010

In 2015, the Applicant filed a Site-Specific Future Land Use Amendment for the subject site concurrent with Comprehensive Plan Text Amendments to create a new FLU designation and Overlay to allow for a planned development supporting predominately residential development along with supporting commercial and public services on the site. In creating the new Western Communities Residential (WCR) designation and description, Policy 4.5-a required that the Site-Specific amendment ordinance include a Conceptual Plan, and Policy 4.5-b required that all development orders within the WCR be consistent with the Conceptual Plan.

Following adoption of these amendments via Ordinance 2016-041 on September 22, 2016, the applicant sought, and was granted approval for Indian Trails Grove PUD (ITG PUD) based on a design that was consistent with the Conceptual Plan adopted in Ordinance 2016-041. The current approved plan of development includes approximately 4,871.57 acres and six (6) Development Pods (Pods A thru F) consisting of 3,897 dwelling units, each having their own access, Recreation Pods, School Bus Shelters, Trolley Stops, Focal Points, Pedestrian Gathering Areas and other amenities, and interconnected via Equestrian and Pedestrian Trails. The ITG PUD also includes 7 Civic Pods (5 public and 2 private) and 3 Commercial Pods totaling approximately 55.89 acres.

With this request, the applicant is proposing to modify the plan of development. The Applicant is proposing to reduce the amount of land area within the Conceptual Plan to address the 2019 taking of 5.467 acres by Florida Power and Light along the south perimeter of the site, reducing the overall acreage from 4,871.57 to 4,866.10 acres. The FPL holding will no longer be included in the Conceptual Plan boundaries.

The most significant change is a proposal to convey 1,600 acres of land previously approved as all of Pod F, a small portion of Pod E and Open Space Pod 2, to Palm Beach County for use for water resources, and/or continued agriculture use, including potential use for water storage/filtration, flow-way connections, reduced flooding, and/or other regional water management strategies. This dedication will reduce the number of dwelling units and amount of non-residential development. The number of units will be decreased from 3,897 units to 2,612 units, a reduction of 1,285 units; non-residential development will be reduced from 300,000 square feet (SF) of commercial intensity to 200,000 SF; and office intensity reduced from 50,000 SF to 33,500 SF. The previously approved Place of Worship consisting of 42,689 SF has been removed and 45,000 SF Government Services added. All civic sites are proposed for public use. The amount of land dedicated to Open Space will increase with this amendment, from approx.

3,207 acres to 3,797 acres (which includes the 1,600 acre PBC conveyance). The land dedicated to Commercial will decrease proportionate to the intensity decrease, however will still exceed the minimum acreage required by FLUE Policy 4.5-f that states “Neighborhood-serving commercial nodes shall comprise no less than 2% of the overall developable land area (developable land area being defined as the area available for development less the required Exterior Open Space).

This Site-Specific Amendment will implement the changes proposed by the afore-referenced Comprehensive Plan Text Amendments for changes to various objectives and policies for the AGR and Rural Tier, the WCR and WCRO. Even with the above referenced changes, the overall development concept for the site will remain. A compact form of development continues to be proposed with the development area clustered on the eastern and southern portions of the site. Commercial and civic uses are integrated into the community. Open space surrounds the development area. The equestrian and pedestrian trail systems within these open space corridors will continue to connect the Pods within the development, and provide external connections. Alternative transportation options include the commitment for a trolley to provide service from homes in Indian Trails Grove to on-site non-residential uses. In addition, the trolley will take Indian Trails Grove residents to commercial areas within the Minto West project, in part reducing vehicular trips on external roads.

The above concurrent zoning applications associated with new and existing AGR PUDs will utilize these 1,600 acres to exchange the required AGR preserve lands from the proposed West Hyder Overlay (WHO) to the WRCO. With the proposed dedication of the 1,600 acres in this manner, the applicant is proposing to amend the development program accordingly to reduce the amount of ‘usable/developable area’ shown on the Conceptual Plan, thereby resulting in a reduction in the amount of proposed dwelling units and non-residential development.

The Applicant has also filed a concurrent Development Order Amendment application to the Indian Trails Grove PUD on January 19, 2022 with the Zoning Division to similarly modify the Planned Unit Development (PUD) Preliminary Master Plan and conditions of approval contained in Resolution No. 2019-0389 to reflect the revised plan of development. Modifications reflecting the BCC’s Transmittal Hearing directive were submitted to PBC Zoning on May 22, 2023.

This application is not requesting a Future Land Use Atlas change to the current WCR designation. Based on the revised plan of development, the Applicant is requesting to:

- modify the overall acreage of the FLUA Conceptual Plan;
- modify the FLUA Conceptual Plan; and
- amend several conditions of approval contained in Ordinance No. 2016-041 as stated below:

1. Development of the site is limited to a maximum gross density of 0.8 dwelling units/acre (~~3,897~~ 2,612 units maximum); no additional density bonuses are permitted;
3. Commercial development on the site is limited to a maximum ~~300,000~~ 200,000 square feet and office development is limited to a maximum of ~~50,000~~ 33,500 square feet;

4. Prior to the issuance of the ~~2,598th~~ 1,741th residential building permit, a minimum of ~~233,000~~ 155,511 square feet of commercial uses shall receive a certificate of occupancy/certificate of completion;
6. Prior to the recordation of the first plat for the development, the developer shall record a conservation easement for the ~~4,068~~ 248 acres of land identified as Water Resources/Agriculture on the Conceptual Plan, in favor of Palm Beach County, subject to the approval of the County Attorney;
9. The Zoning development order shall include the provision of at least 10% of the residential units, a total of ~~390~~ 261 units, shall be provided as workforce housing, subject to the following requirements:
 - a. The property owner shall provide these units on site and between 60-120% of the Average Median Income ranges for the County, in three ranges (60-80%, 81-100% and 101-120%);
 - b. Prior to the issuance of the first residential building permit, a master covenant for all ~~390~~ 261 workforce housing units shall be recorded;
 - c. Prior to the issuance of the certificate of occupancy for each designated workforce housing unit a deed restriction for each unit shall be recorded containing all relevant information, implementing the workforce housing conditions, specified in this ordinance and any subsequent zoning approval;
 - d. Upon the recordation of sale for each workforce housing unit a copy of the deed restriction shall be provided to the Planning Director and the Department of Economic Sustainability (DES) (or its successor);
 - e. The deed for each workforce housing unit sold shall include restrictions requiring:
 - i. that all identified units be sold or resold only to qualified households in the applicable targeted income range at an attainable housing cost for each of the targeted income ranges;
 - ii. that these restrictions remain in effect for 15 years recurring from the date of the certificate of occupancy for each unit; and
 - iii. that in the event a unit is resold before the 15-year period concludes, a new 15-year period shall take effect on the date of the resale;
 - f. Prior to final site plan approval for each subdivision plan per pod, the total number of workforce housing units provided shall be identified within that pod;
 - g. A release of obligation to construct workforce housing units consistent with the ULDC provisions shall be included in the zoning development order;
 - h. Beginning in October 2020, an annual report shall be submitted to DES and the Planning

Director denoting compliance with the workforce housing requirements adopted with the amendment and any future development order. Should no units receive a certificate of occupancy prior to October 2020, the reporting requirement shall begin one year after the issuance of the first certificate of occupancy, and continue each year thereafter;

i. Prior to the issuance of the ~~663rd~~ 444th building permit, ~~39~~ 26 workforce housing units (all located in Parcel A) shall be issued a certificate of occupancy;

j. Prior to the issuance of the ~~1,797th~~ 1,202nd building permit, ~~195~~ 157 workforce housing units shall be issued a certificate of occupancy;

k. Prior to the issuance of the ~~2,499th~~ 1,671th building permit, ~~292~~ 196 workforce housing units shall be issued a certificate of occupancy;

l. Prior to the issuance of the ~~3,358th~~ 2,246th building permit, all ~~390~~ 261 workforce housing units shall be issued a certificate of occupancy;

Condition numbering 10 – 18 omitted from original Ordinance.

21. To facilitate road improvements in the area, the developer shall pay the County \$1.25 million prior to the issuance of the first building permit; additional payments of \$1.25 million shall be made to the County prior to the issuances of the ~~974th~~ 653rd, ~~1,948th~~ 1,306th, and ~~2,922nd~~ 1,959th building permits; these payments shall be subject to the cost adjustment clause in the proportionate fair share agreement to account for changes in road development costs over time;
22. The land depicted on the conceptual plan as the ~~42~~ 43-acre park expansion shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC;
23. The land depicted on the conceptual plan as the 5-acre fire/police/utility location shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC. ~~as an alternative to placing Fire/Rescue Services on the 5-acre site, the County may request, and the developer shall provide a 2.5-acre site to the County for a future Fire/Rescue Station at the non-residential node at the northwest corner of 190th Street North and Indian Trails Blvd.; in the event the County accepts another site for Fire/Rescue purposes outside of the Indian Trail Groves within a two mile radius of the 5-acre location identified on the conceptual plan, the developer is relieved of the fire station dedication option within the non-residential node at 190th Street N. and Indian Trails Blvd.;~~
24. The land depicted on the conceptual plan as the ~~25-acre proposed middle school, 22.6-acre proposed park, and 15.5-acre proposed elementary school~~ 40-acre school site shall be conveyed to the Palm Beach County School District; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; in the event the School District does not utilize the sites for related schools and

recreational facilities, ownership of any remaining unbuilt sites shall be conveyed to Palm Beach County at the County's sole discretion;

Additionally, the Applicant will agree to the addition of a new condition of approval to convey the 1,600 acres labeled on the Conceptual Master Plan as "WCR Exchange Parcel / Palm Beach County Conveyance (1,600 acres)" to Palm Beach County. The proposed language is:

26. Prior to the issuance of the first residential building permit, the property owner will convey the 1,600 acres labeled on the Conceptual Plan as "WCR Exchange Parcel / Palm Beach County Conveyance (1,600 acres)" to Palm Beach County.

Applicant will work with PBC Planning and Zoning Divisions to craft language for a condition of approval requiring the dedication and construction of the newly proposed 200-acre Civic Pod for active recreation (Pod F).

BACKGROUND/PROJECT HISTORY

The subject property is located west of 180th Avenue North, south and east of the J.W. Corbett Wildlife Management Area and north and west of the "M" Canal. The 4,866.10-acre subject site is in active agricultural operation/production with accessory agriculture structures located in the southeast corner of the northern portion of the site.

The subject property is within the boundaries of the Cypress Grove Community Development District (CGCDC), which is a special district created in 1993 by the Governor and Cabinet, sitting as the Florida Land and Water Adjudicatory Commission. The CGCDC has the authority to provide public infrastructure and services and to operate district facilities. While the subject property is within the CGCDC, the owner/applicant is committing (subject to Indian Trail Improvement District (ITID) agreement and acceptance), that each single-family residential unit (upon closing to a third party within the development), will become an active unit of the ITID, and that the proposed commercial/office uses, once developed, will become an active member of the ITID; subject to the terms and conditions of such an agreement to be negotiated with the ITID. The ITID is also a special district created by the Florida Legislature in 1957.

To the north and northwest of the subject property is the J.W. Corbett Wildlife Management Area, which is a 60,348-acre wildlife management area managed by the Florida Fish and Wildlife Conservation Commission (FWCC). In 1947 the Florida Game and Fish Commission (GFC) (predecessor to the FWCC) purchased approximately 52,000 acres from the Southern States Land and Timber Company and named it after James Wiley Corbett, a former commissioner. In 1993 another 2,331 acres were added to the wildlife management area with funds from the Conservation and Recreation Lands program and leased to the then GFC. The additional lands added in 1993 are parcels due west of the subject property and were sold by Indian Trail Groves, Ltd. which was an entity controlled by Irving Cowan who was also the managing member of Indian Trail Groves, L.P., the entity that sold a portion of the subject property to the current owner / applicant.

Abutting the property to the northeast, east and southeast are residential, single-family lots within what is commonly referred to as The Acreage. According to the Historical Society of Palm Beach County, The Acreage was established in the early 1960's by Samuel Nathan Friedland's Royal Palm Beach Colony, Ltd. that began selling 1.25-acre lots for \$5,000 per lot. Based on an analysis of aerials from 1953 and 1968 obtained from the University of Florida's George A. Smather's Libraries, it appears that the drainage canals on the subject property were dug at the same time as the residential development. The subject property and the areas that became "The Acreage" were primarily wetlands in 1953. By 1968 roadways and drainage canals were in place so that "The Acreage" could be developed for residential and the subject property could be utilized for agriculture. While the lots being sold were 1.25 acres in size, the lot configuration included the roadway easements and associated swale drainage area necessary to provide legal access to each of the lots.

The site had been in agricultural production since the early 1960s as a citrus farm. In the early 2000s, the citrus trees became diseased due to greening and eventually died. The Applicant purchased the property in 2005 as the citrus production was completed and greening devastated the property.

Instead of allowing the land to sit idle, the applicant took steps to convert the site into a row crop farm. This transformation entailed knocking down dead trees, root raking the property, burning the material, and then de-rocking the site. The property was filled with a cap rock, which had large veins running great distances throughout the property. (The ability for a row crop farmer to grow crops would be impaired if the rocks had remained because phosphorus levels would be too high and the plants would lack the required nutrients to thrive.) Once these activities were completed, the site had to be leveled. It took approximately five years to complete the majority of the conversion. Today, the property is leased to farmer(s) who grow sugar cane, peppers, beans, squash, Chinese vegetables, and other crops.

In September of 2016, the applicant brought forward a development plan to PBC that would result in the creation of a new Future Land Use designation and associated overlay, known today as Western Communities Residential and the Western Communities Residential Overlay respectively. The BCC granted approval of the request via Ordinance No. 2016-014, which adopted the following:

1. Designation of the subject property as a Limited Urban Service Area (LUSA); and
2. Amended the FLUA designation of the subject property from AP, in part, and RR-10, in part, to Western Communities Residential (WCR), in whole.

The previously approved FLUA application also included the following revisions to the text of the PBC Comprehensive Plan:

- a. Added new objective and policies to the Future Land Use Element (FLUE) to create the Western Communities Residential Overlay;
- b. Revised the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Western Communities Residential Overlay (WCRO);

- c. Revised the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;
- d. Revised the Special Planning Areas Map LU 3.1 to identify the location of the Western Communities Residential Overlay;
- e. Revised the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190th Street;
- f. Revised the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190th Street as an 80' right of way north from 60th Street North to Orange Blvd;
- g. Revised the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as an undefined right of way Seminole Pratt Whitney Road to 190th Street;
- h. Revised the Functional Classification of Roads Map TE 3.1 to show the extension of 190th Street as an undefined right of way from 60th Street North to Orange Blvd; and
- i. Created Future Land Use Atlas (FLUA) designation titled Western Communities Residential Development (WCR) along with the establishment of the subject property as a LUSA.

In addition to the Comprehensive Plan revisions noted above, the Unified Land Development Code (ULDC) was also amended via Ordinance No. 2017-011 to include the Purpose and Intent, Applicability, Development Review Procedures, and Planned Unit Development (PUD) Exceptions of the WCR PUD.

In 2017, the Applicant submitted a privately initiated Comprehensive Plan Text Amendment application, Indian Trails Grove WCR AGR (LGA 2018-008), to allow lands within the WCRO to be used as Preserve Areas for AGR-PUDs, and to allow the WCR development rights to be allocated to, and clustered in, AGR-PUD Development Areas. This amendment did not receive Staff support, and was withdrawn prior to the Planning Commission meeting on December 8, 2017. The amendment was not publicly debated nor did the Board of County Commission (BCC) analyze or deliberate the request.

There are changed conditions and benefits from the 2017 request that merit further consideration with the current proposal. Unlike the 2017 request, the approval of this application will result in the conveyance of 1,600 acres of land to Palm Beach County. This proposed amendment would create more publicly controlled land for water resource purposes, by providing the potential for regional benefits such as supporting the restoration effort for the Loxahatchee River Watershed by creating a flow way on the 1,600 acres to move water from the SFWMD L-8 canal to the MO canal, reducing harmful discharges into the Lake Worth Lagoon, providing an alternative route for water discharges into Grassy Waters Preserve, which is the City of West Palm Beach's drinking water supply, and/or storing discharges from Lake Okeechobee in the SFWMD L-8 canal that would otherwise discharge directly into the Lake Worth Lagoon.

At their December 15, 2021 Zoning Hearing, the BCC discussed this changed condition whereby 1,600 acres of land within the WCRO would be conveyed to Palm Beach County in public

ownership and utilized as the County deems most appropriate for water resources, in exchange for the relocation of residential development potential from the WCRO to the AGR Tier. A majority of the members of the BCC supported exploring this opportunity in more detail. The Applicant responded to their direction by submitting this privately initiated Comprehensive Plan Text Amendment application. "Phase 1" was again considered by the BCC at their February 2, 2022 Comprehensive Plan Public Meeting. A majority of the members of the BCC voted to move into "Phase 2" and analyze the public benefit and impact on water resources that could result from this initiative.

The initial 4,871.57-acre PUD rezoning and PMP were approved in 2019.

In February of 2019, as part of the rezoning application, the Zoning Commission approved a Type 2 Variance via Resolution ZR-2019-009 allowing the applicant to eliminate the landscape requirements of a Type 2 Incompatibility Buffer along 1,658 linear feet of the northern perimeter between Pod D and PBC District Park F to accommodate an existing lake.

In March of 2019, the applicant was further granted approval by the Board of County Commission (BCC) to rezone the subject properties from Agricultural Production (AP) in part and Agricultural Residential (AR) in part to the Western Communities Residential Planned Unit Development (WCR-PUD) with 3,897 residential dwelling units, 300,000 SF of commercial use, 50,000 SF of office use, and a 42,689 SF Place of Worship. The BCC also granted a Type 2 Waiver via Resolution No. R-2019-0390 to allow for an increase in the number of local streets that terminate in a cul-de-sac or dead-end condition over the 40% permitted by ULDC Article 3.E.1.c.2.a.5.b.

The development order has not yet been implemented. FPL acquired 5.467 acres through a Stipulated Final Judgement in the fall of 2019, as recorded in ORB 30909, Page 650.

A. FUTURE LAND USE AMENDMENT CONSISTENCY & COMPATIBILITY

G.1 - Justification

Per Policy 2.1-f of the FLUE of the PBC Plan, before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use, and for residential density increases, demonstrate that the current land use is inappropriate.

- The applicant is not requesting to amend the current FLUA designation of WCR or for a residential density increase. The request is to modify the Conceptual Plan to reflect a revised plan of development and reduce acreage, and modify conditions of approval included in the governing Ordinance.

The proposed FLUA amendment meets the required standard as follows:

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

Applicant's Description: The proposed uses and plan of development have been previously found to be suitable and appropriate for the subject site, and compatible with surrounding uses. The proposed modifications to the development program do not significantly change the prior finding for the site, which is that the use and design of the overall project as provided on the Conceptual Plan minimizes the environmental impacts to water, air, storm-water management, wildlife, vegetation, wetlands and the natural functioning of the environment by utilizing the majority of the lands as open space. A total of 2,196.848 acres of open space is reflected on the concurrent Preliminary Master Plans, which equates to 68.67% of the overall site. This number does not account for the 1,600 acres to be conveyed to Palm Beach County. If the additional 1,600 acres is considered into the Open Space calculation, the overall Open Space increases to 3,796.848 acres, which equates to a total of approx. 78% open space ($2,196.848 + 1,600 = 3,796.848 / 4866.102$ (Gross Acreage) – 78.03%). The extensive lake system will have a positive effect on the natural environment by providing additional habitat and sanctuary for various species of wildlife.

The project has been designed to maintain the environmental integrity within the area including the encouragement to restore and protect the viable, native ecosystems and endangered and threatened wildlife within the surrounding area by limiting the impacts of growth on those systems; directing incompatible growth away from them; and by utilizing environmentally sound land use planning and development, and by recognizing the carrying capacity and/or limits of stress upon these fragile areas.

The project continues to be designed in a manner that creates an appropriate transition and separation between the proposed development and the J.W. Corbett Wildlife Management Area thereby protecting it from any potential impact from the project. And although there are no on-site natural features that warrant preservation, the project provides a minimum of 68% of the site as Required Open Space (78% with the addition of the 1,600 ac. PBC conveyance), with more than 50 percent of the site being retained in Exterior Open Space. This includes areas for water resources and agricultural production, and other perimeter open space uses such as lakes,

greenway buffers and trails. This Exterior Open Space is in addition to the Interior Open Space areas located within the developable portion of the project. As a result of both the Exterior Open Space and Interior Open Space, only 1/3 of the overall site is eligible for use as a vertical development area.

By strategically locating more than 50 percent of the open space on the perimeter of the site, the adjoining State-owned Moss property and Corbett WMA are protected from further encroachment of residential development. The amended Conceptual Plan contributes to the better storage and/or distribution of storm-water in the general area. The project promotes the conservation of water and energy by concentrating the developable portion of the site to less than one-half of the overall, the master plan promotes conservation of water and energy through site design. The proposed conveyance of 1,600 acres to PBC for water resources and/or agricultural uses, along with 248.630 acres of retained area for agricultural or water resources, and dedication of 640.00 acres for the Indian Trails Improvement District (ITID) along the western limits of the site, the resulting development pattern reduces the travel distance to the on-site centers and civic areas for shopping, work, and recreation, which reduces energy consumption. The clustering of units onto a smaller portion of the site, as opposed to a development pattern of 1 unit per 1.25 acres over the entirety of the site, results in a more compact development pattern. The development plan continues to be designed to concentrate development on a smaller footprint of the site (less than 50 percent) through the clustering of units, density range, allocation of non-residential uses throughout the development plan, and the transition of uses from the core to the perimeter. Through these measures, a more balanced development pattern is created than that which exists exterior to the site. The result promotes a more compact form of development that promotes the conservation of water and energy.

This request to modify the Conceptual Plan to reduce the land area, density and intensity, and reconfigure the development does not adversely affect its suitability and compatibility. The proposed modifications to the Conceptual Plan provide for additional land conservation, and reduced density and intensity across the project, thus further reducing and adverse impacts.

The proposed text amendment to allow the creation of the West Hyder Overlay (WHO) allows for the reallocation of density from the rural tier where public infrastructure and other services are more limited to lands situated immediately to the north of the Urban/Suburban Tier. As evidenced by previous BCC discussion and proposed bond funded initiatives, housing and water quality/supply are at the epicenter of County priorities. With these proposed changes, additional housing opportunities will be available which will help to address general needed housing supply as well as provide for workforce housing opportunities within an area of the County where public infrastructure is more readily available. Additionally, the transfer of density out of the ITG will allow for the preservation of significant land that is anticipated to contribute to water storage/quality needs of the County residents and agriculture use. Therefore, approval of this one application would contribute to addressing top priorities of the Board of County Commissioners. The lands proposed for development within the WHO are immediately contiguous to existing residential developments to the north, east and south.

2) The basis for the requested change for this particular site is based upon the following

criteria:

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

Applicant's Description: This amendment is a result of a change in circumstances. This request is part of a "bundle" of related development order applications submitted concurrently involving the Indian Trails Grove site and the property known as Hyder West, located west of SR 7 and south of Atlantic Avenue in the Agricultural Reserve Tier. A total of 1,600 acres of land within this site will be designated for water resources or agricultural purposes, and be utilized to replace AGR preserve area acres on the Hyder West property.

The regional benefits of this plan of development will be to create 1,600 acres owned and controlled by Palm Beach County that is contiguous to the L-8, MO and M Canals, providing potential to send fresh water flows to the Loxahatchee River, Grassy Waters and the Lake Worth Lagoon, and for potential water storage. This land could create a potential flow way connecting the L-8 canal to the MO Canal. This land is also contiguous to the west to 640 acres within the PUD that has been previously committed to Indian Trail Improvement District (ITID) to increase stormwater storage for the Acreage that is adjacent to their existing +550-acre drainage impoundment area, and to the east to an additional 248.63 acres of open space designated for water resources or agriculture.

Accommodating a larger contiguous mosaic of lands for water resources and/or agriculture provides more flexibility in addressing both water management challenges, and/or supporting agricultural production in Palm Beach County. Reducing density/intensity in an area where infrastructure is limited in exchange for increasing density in the AGR where infrastructure exists is prudent long-range planning.

Future land use plans evolve over time. The Applicant opines that the proposed Text Amendments result in better land use planning for both the Ag Reserve Tier and the Rural Tier, and thus are a benefit to Palm Beach County in totality. Via the 60/40 and 80/20 development options authorized in the Comprehensive Plan, over 7,100 acres have been preserved; meaning residential development approvals have resulted in three times as much land being preserved than was acquired by the County through the bond (and at no taxpayer expense). Development, therefore, has been the primary mechanism by which more land has been preserved in the Agricultural Reserve Area. The use of the WHO property for agriculture is not an efficient use of the property as it is bounded by the Urban/Suburban Tier to the south, Rio POCO to the north and State Road 7 to the east. As discussed above keeping environmentally sensitive lands and agriculture lands aggregated into larger tracts of land ensures efficiency.

- ***Inappropriateness of the adopted FLU designation.***

Applicant's Description: This application does not request a change to the WCR future land use designation as the designation is not inappropriate for the site.

G.2 Residential Density Increases

Per Future Land Use Policy 2.4-b the proposed FLUA amendment meets the required factors as follows:

- The applicant is not requesting to amend the current FLUA designation of WCR or for a residential density increase. The request is to modify the Conceptual Plan and reduce the number of dwelling units from 3,897 to 2,612.
- The proposed text changes will allow for an increase of residential units within the Ag Reserve Tier not originally contemplated by the Ag Reserve Master Plan. While the proposed text changes will allow for the increase of residential units within the Ag Reserve Tier, the approval of this application will reduce the number of residential units intended to be developed in totality throughout the County.

- ***Demonstrate a need for the amendment.***

Applicant's Description: This Future Land Use Atlas amendment application does not request a change to the WCR future land use designation, and the revised plan of development results in a decrease in the number of units. In addition to the decrease in units, the revised plan of development proposes to dedicate 1,600 acres to Palm Beach County for water resources or agricultural purposes and has been modified to include a 200-acre Civic Pod for active recreation use (proposed All-Terrain Vehicle Park and accessory uses). The resulting change to the design of the project necessitates an amendment to the Conceptual Plan. Pursuant to Policy 4.5-b, all development orders must be consistent with the Conceptual Plan. As the proposed plan of development is changing, this application seeks to modify the Conceptual Plan.

The proposed text amendment will allow for the increase of residential units within the Ag Reserve Tier and reduce the number of units being built within the Rural Tier. The need for additional density in areas of the County where services, jobs, and infrastructure are available is key to addressing the need for housing. Additionally, the proposed WHO will ensure an additional 277 units of workforce housing is available within an area of the County that has historically been developed with single family housing for those residents above the workforce housing income brackets. And allow for the provision of needed public civic uses in the area.

- ***Demonstrate that the current FLUA designation is inappropriate.***

Applicant's Description: This Future Land Use Atlas amendment application does not request a change to the WCR future land use designation as the designation is not inappropriate for the site, and there is a proposed decrease in the number of units as a result of the revised plan of development. The proposed text amendments to create the WHO will allow development of a 60/40 residential PUD on the west side of State Road 7 on property bounded by residential development to the north, south and east. It is arguable that the use of agriculture on the property within the proposed WHO is inappropriate. Farming is most efficient when it is aggregated into large tracts of land not surrounded by residential uses. The original intent of the Agricultural Reserve Master Plan was to keep the farming uses in the central core of the Agricultural Reserve while providing a transition of density from the Urban/Suburban Tier boundaries to that central core. The proposed overlay will ensure that a transition area is accommodated while also

protecting the environmentally sensitive lands further to the west of the WHO as well as in the WCRO.

- ***Explain why the Transfer of Development Rights, Workforce Housing, and/or Affordable Housing Programs cannot be utilized to increase density.***

Applicant's Description: The Owner/Applicant is not requesting any additional density than that permitted by the WCR designation. No utilization of the above density bonus programs is proposed although the Applicant is proposing to provide 277 workforce housing units within the WHO. In totality, the number of workforce housing units throughout the County will increase with this proposal.

	WHP Units based on Current Entitlement	Proposed	Change
Indian Trails Grove PUD	390	261	-129
Hyder West Preserve	0	277	+277
Total	390	511	+148

G.3 - Compatibility

Provide written data and analysis to demonstrate compatibility with the surrounding and adjacent land uses.

Applicant's Description: 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."*

Based on this definition and accepted growth management ideals, the proposed amendment to revise the proposed plan of development and change the Conceptual Plan does not cause the project to be incompatible with the surrounding uses and adjacent lands. It will not create or foster undesirable effects. The Conceptual Plan has been previously found to be compatible with surrounding uses. This request to modify the plan to reduce the land area, density and intensity, and reconfigure the development does not adversely affect its compatibility to those uses.

The project continues to be designed in a manner that creates an appropriate transition and separation between the proposed development and the J.W. Corbett Wildlife Management Area thereby protecting it from any potential impact from the project. And although there are no on-site natural features that warrant preservation, the project provides a minimum of 68% of the site as Required Open Space, with more than 50 percent of the site being retained in Exterior Open Space. This includes areas for water resources and agricultural production, and other perimeter open space uses such as lakes, greenway buffers and trails. This Exterior Open Space is in addition to the Interior Open Space areas located within the developable portion of the project. As a result of both the Exterior Open Space and Interior Open Space, only 1/3 of the overall site is eligible for use as a vertical development area.

By strategically locating more than 50 percent of the open space on the perimeter of the site, the adjoining State-owned Moss property and Corbett WMA are protected from further encroachment of residential development. The amended Conceptual Plan contributes to the better storage and/or distribution of storm-water in the general area. The project promotes the conservation of water and energy by concentrating the developable portion of the site to less than one-half of the overall, the master plan promotes conservation of water and energy through site design. The proposed conveyance of 1,600 acres to PBC for water resources and/or agricultural uses, along with 248.630 acres of retained area for agricultural or water resources, and dedication of 640.00 acres for the Indian Trails Improvement District (ITID) along the western limits of the site, the resulting development pattern reduces the travel distance to the on-site centers and civic areas for shopping, work, and recreation, which reduces energy consumption. The clustering of units onto a smaller portion of the site, as opposed to a development pattern of 1 unit per 1.25 acres over the entirety of the site, results in a more compact development pattern. The development plan continues to be designed to concentrate development on a smaller footprint of the site (again less than 50 percent) through the clustering of units, density range, allocation of non-residential uses throughout the development plan, and the transition of uses from the core to the perimeter. Through these measures, a more balanced development pattern is created than that which exists exterior to the site.

As previously mentioned, the proposed WHO is located immediately to the north of the Urban/Suburban Tier and immediately to the south of the Rio POCO community. Development of residential uses within this proposed Overlay is more compatible with the existing surrounding residential uses than the site's existing agriculture use, and will serve as a transition area from the Urban/Suburban Tier to the agriculture uses further to the north within the Ag Reserve Tier.

G.4 -Comprehensive Plan

The applicant has the option of including written data and analysis to demonstrate consistency with specific objectives and policies in the Comprehensive Plan, and Special Plans or Overlays identified in the Future Land Use Element.

Applicant's Description: The Future Land Use (FLU) designation for the site was established by application LGA 2016-017 (Ordinance 2016-041), changing the designation from AP, in part, and RR-10, in part, to Western Communities Residential (WCR) in whole. The WCR land use requires that a site-specific FLUA Conceptual Plan be adopted as part of the WCR Future Land Use, reflecting the proposed development program, which can only be revised through the FLUA amendment process. This application includes a Privately Initiated Comprehensive Plan Text Amendment to various Policies to establish a new option for preserve and density assignments in the Agricultural Reserve Tier for sites associated with land dedications in the Rural Tier, and is being processed concurrently with numerous other zoning applications. The new set of Policies will allow land area in the Western Communities Residential Overlay (WCRO) and within the Western Communities Residential future land use (WCR) to be dedicated to the County, and that land area contribute towards the preserve area and density assignments for Agricultural Reserve Planned Developments (AGR-PUDs) in the Agricultural Reserve. The proposed modifications to the plan of development and the Conceptual Plan are to be in compliance with

Policies 4.5-b and d of Objective 4.5.

This amendment is in compliance with **Objective 1.11, Western Communities Residential Overlay** and **Objective 4.5, Western Communities Residential**, as proposed to be amended via the aforementioned text amendment. The project was found to be consistent with the Comprehensive Plan when the FLU of WCR was adopted in 2016, and continues to be consistent with the following objectives and policies with the revised plan of development:

- **County Directions**
 1. *Livable Communities.*
 2. *Growth Management.*
 4. *Land Use Compatibility.*
 5. *Neighborhood Integrity*
 10. *Level of Service Standards*
 11. *Linear Open Space and Park Systems*
 12. *Environmental Integrity*
 13. *Design*
 14. *A Strong Sense of Community*
 15. *Agricultural and Equestrian Industries*
- **FLUE Policy 1.4-a:** The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier
- **FLUE Policy 1.4-g:** Non-residential development shall be designed in the form of a Traditional Marketplace, or the development shall comply with rural design standards in the ULDC to ensure protection of the character of the Tier and to minimize impacts on adjacent neighborhoods. Standards for Traditional Marketplace Development shall also reflect the scale and character of the Rural Tier.
- **FLUE Policy 1.4-h:** The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and collocating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.
- **FLUE Policy 1.4-i:** Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional water resource management protection, and incorporation of greenway/linked open space initiatives.
- **FLUE Objective 2.1:** PBC shall designate on the FLUA sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth.
- **FLUE 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.

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

- **County Goals**

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

Response: *The Indian Trails Grove property is ideally located to provide critical connections between various water bodies with the potential to contribute to enhancing water resources for all residents of Palm Beach County. The proposed text amendment will reduce the number of residential units within the Rural Tier and provide additional land for regional water resources. The creation of the WHO will allow for additional development in the Agricultural Reserve Tier, which is a Limited Urban Service Area (LUSA) where services are already available. The proposed WHO will also provide for the development of workforce housing within the Tier. The Agricultural Reserve Tier has historically been developed with single family homes that are not attainable to middle income and low-income residents. This Overlay and Future Land Use amendment will ensure that residents with variable income levels have the opportunity to live within the Agricultural Reserve Tier.*

Goal 2. Land Planning. It is the goal of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

Response: *The proposed text and future land use atlas amendment will contribute to improvements of the environmental and economic needs of the County. As evidenced by previous BCC discussion and proposed bond funded initiatives, housing and water quality/supply are at the epicenter of County priorities. With these proposed changes, workforce housing units within the Agricultural Reserve Tier will be constructed. Additionally, the transfer of density from Indian Trails Grove will allow for the conveyance and preservation of significant land that is anticipated to contribute to water supply/quality needs of the County residents. Therefore, approval of this one application would contribute to addressing the two top priorities of the Board of County Commissioners and contribute to good planning practices.*

Goal 3. Service Areas and Provision of Services. It is the goal of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the

physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

Response: *The proposed text and future land use amendments would allow for additional development on a parcel of land that is bounded by the Urban/Suburban Tier to the south and Rio POCO to the north, which was a neighborhood in existence prior to the creation of the Agricultural Reserve Tier. Development within the proposed WHO would serve as a transition between the Urban/Suburban Tier and the Agricultural Reserve Tier, and more specifically between two residential communities with larger lots to the north and smaller lots to the south. Although located on the west side of State Road 7 (as is Stonebridge Golf and Country Club to the north and Rio POCO to the south), development on this Property better utilizes existing public services and facilities than any proposed development within the Rural Tier, where water, sewer and roadway infrastructure is more limited.*

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

Response: *As previously indicated and further expanded upon later in this justification statement, allowing additional density to be relocated out of the Rural Tier into the WHO will contribute to the preservation and enhancement of regional water resources for Palm Beach County.*

- **County Objectives**

Sub-Objective 1.1.1. Climate Change. Palm Beach County shall adopt, implement, and encourage strategies which increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.

Response:

The proposed text and site-specific amendments will allow for the implementation of strategies to combat climate change. Water supply, storage and quality has become a concern of expanding regional significance. Providing 1,600 acres of land to the County within Indian Trails Grove, in addition to the 640 acres previously allocated to ITID, will put 2,240 acres of land in public control that can be used to improve the conveyance of cleaner water via the adjacent canals, potentially afford the opportunity to address storage of water during periods of inundation, and promote improving water quality. The increase in open space and resulting reduction in the ITG PUD development area and reduction in the number of units will reduce impacts on, and need for new infrastructure. The WHO will allow for development to occur in a built area where infrastructure already exists, maximizing its

efficiency and preserving and protecting natural resources elsewhere in the County where they have the potential to implement strategies to combat climate change.

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

Response: *The County initially created the WCRO within the Rural Tier as a method to provide a transition from the Rural Tier to the newly formed City of Westlake. The transition was necessary to accommodate the pressure for new housing opportunities within the vicinity of the City of Westlake. Since that time, it has become evident that water supply and water quality has become a resource of expanding regional significance. Approval of the proposed text and future land use atlas amendments will ensure the protection of 1,600 acres of land under County ownership and control within the Rural Tier, while relocating approved density to another area of the County where urban services are readily available and where jobs and shopping opportunities are located within close proximity.*

Objective 1.5. Agricultural Reserve Tier. Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier. This shall be accomplished by limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development limited to uses serving the needs of farmworkers and residents of the Tier. The Agricultural Reserve Tier shall be preserved primarily for agricultural use, reflecting the unique farmlands and wetlands within it.

Response: *The proposed text and future land use amendments would allow for additional development on a parcel of land that is bounded by the Urban/Suburban Tier to the south (Stonebridge Golf and Country Club) and Rio POCO (which was a neighborhood in existence prior to the creation of the Agricultural Reserve Tier) to the north, as well as, multiple 60/40 AGR PUD developments on the east side of State Road 7 (Boca Bridges, Seven Bridges, The Oaks, Saturnia Isles and Dakota). Development within the proposed WHO would serve as a transitional development between the Urban/Suburban Tier and the Agricultural Reserve Tier for those preservation lands located north of Rio POCO, Tierra Del Ray South and Tierra Del Ray North. Although located on the west side of State Road 7, development on this Property better utilizes existing public services and facilities, and provides a better transition of uses and development intensity rather than an isolated tract of land utilized for agriculture purposes abutting multiple existing residential communities contained within both the Urban/Suburban Tier and the Agricultural Reserve Tier.*

Future land use plans evolve over time. The Applicant opines that the Text Amendments proposed result in better land use planning for both the Ag Reserve Tier and the Rural Tier,

and thus are a benefit to Palm Beach County in totality. Via the 60/40 and 80/20 development options authorized in the Comprehensive Plan, over 7,100 acres have been preserved; meaning RESIDENTIAL development approvals have resulted in THREE TIMES as much land being preserved than was acquired by the County through the bond (and at no taxpayer expense). DEVELOPMENT, therefore, has been the primary mechanism by which MORE land has been preserved in the Agricultural Reserve Area.

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

Response: *The County initially created the WCRO within the Rural Tier as a method to provide a transition from the Rural Tier to the newly formed City of Westlake. The transition was necessary to accommodate the pressure for new housing opportunities within the vicinity of the City of Westlake. Since that time, it has become evident that water supply and water quality has become a resource of expanding regional significance. Approval of the proposed text and future land use atlas amendments will ensure the protection of 1,600 acres of land under County ownership and control within the Rural Tier while relocating approved density to another area of the County where urban services are readily available and where jobs and shopping opportunities are located within close proximity. Revising the Indian Trails Grove entitlement to move residential dwelling units farther away from the City of Westlake will ensure a better transition and use of land while preserving and conserving lands that are critical to the management of regional water resources within the County.*

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

Response: *With these proposed amendments, workforce housing units within the Agricultural Reserve Tier will be constructed. Additionally, the transfer of density from Indian Trails Grove to the AGR will allow for the conveyance and preservation of significant land that is anticipated to contribute to water supply/quality needs of the County residents. Therefore, approval of this one application would contribute to addressing the two top priorities of the Board of County Commissioners, and contribute to good planning practices as well as ensure that growth is kept to areas where services and public infrastructure is more readily available.*

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 Agricultural Reserve Tier is a Limited Urban Service Area (LUSA) where public infrastructure is more readily available. The proposed WHO will be on a parcel of land situated between the Urban/Suburban Tier and a residential subdivision that pre-existed the creation of the Ag Reserve. Allowing development of property where services are available provides a better transition of uses and development intensity rather than an isolated tract of land utilized for agriculture purposes abutting two residential communities, the Urban/Suburban Tier (Stonebridge Golf and Country Club) and existing 60/40 development areas east of State Road 7 (Boca Bridges, Seven Bridges, The Oaks, Saturnia Isles, and Dakota).*

• **County Policies**

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

Response: *The proposed changes to the Comprehensive Plan will create a new Overlay within the Agricultural Reserve Tier, and amend Objectives and Policies of the Agricultural Reserve, WCRO Overlay, and WCR land use. There is no change in the future land use designation for the lands within the Agricultural Reserve Tier, WCRO Overlay or WCR designated lands. The permitted density and intensity, therefore, do not exceed the natural or manmade constraints of the area. Approval of these changes will result in the conveyance of 1,600 acres from the Indian Trails Grove Planned Unit Development to Palm Beach County that could provide water resource/agriculture regional benefits to the residents of Palm Beach County. The regional benefits as a water resource include (either alone or in combination with connections to nearby properties and canals), water storage, water filtration, and/or flow ways that will be beneficial in assisting with saltwater intrusion to the Loxahatchee River, decreased harmful discharges to the Lake Worth Lagoon and Grassy Waters Preserve, and water storage for flood mitigation.*

G.5. - Florida Statutes

The following is optional data and analysis to demonstrate consistency with Chapter 163.3177, F.S.

Applicant's Description: The Indian Trails Grove amendment (LGA 2016-017) was found to be consistent with the Florida Statutes when adopted in 2016, and continues to meet the criteria with the revised plan of development.

Florida law requires that Comprehensive Plans and Plan Amendments discourage the proliferation of urban sprawl. § 163.3177(6)(a)9., F.S. By statutory definition, urban sprawl means “a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner and failing to provide a clear separation between urban and rural uses.” § 163.3164(51), F.S. Florida law further provides that a plan amendment that incorporates at least four of eight statutory criteria “shall be determined to discourage the proliferation of urban sprawl.” § 163.3177(6)(a)9.b., F.S.

A sprawl analysis of proposed development in the Central Western Communities must begin with consideration of the planning context of that portion of Palm Beach County. The site is at the western edge of the Acreage, a residential community consisting of approximately 15,000 single-family lots. There are limited commercial opportunities in the area and many of the non-arterial roadways are dirt roads which turn into dead ends. The community was developed in a grid like pattern and is comprised entirely of single-family homes on a minimum of 1¼-acre lots. The site is bordered on the north and west sides by State-owned land that will never be developed.

Public facilities are a major concern. The vast majority of the homes are served by wells and septic tanks, and there are virtually no water bodies in the area to address drainage. As a result, the area is prone to flooding during heavy storms. In the early 1990s, the area was exempted from transportation concurrency, which meant that all homes built in the area no longer had to meet the County’s traffic performance standards. This exemption resulted in many homes being built, notwithstanding the amount of traffic generated by new residents. With limited job opportunities in the area due to the paucity of nonresidential development, most workers must leave the area in the morning and return home at night.

As the Central Western Communities grew, Palm Beach County began studying the area to determine how best the remaining large undeveloped parcels--including the +5,000-acre site of Indian Trails Grove--would fit into the community and remediate the land use imbalance caused by the overwhelming predominance of single-family residences in The Acreage. The objective was to ameliorate the existing pattern of development by providing more commercial opportunities, varied housing types, and a job base in conjunction with any residential development. The County first studied the area with the Midlands Study, which was completed in 1989. This was followed up by the Acreage Neighborhood Plan in 1995, the Loxahatchee Groves Neighborhood Plan in 1996, the Managed Growth Tier in 1999, and the Central Western Communities Sector Plan from 1999-2007, including the Central Western Communities Sector Plan Remedial Amendment prepared by Palm Beach County to address compliance issues with that Sector Plan, but which was withdrawn before going into effect. This prior planning work found ways to remediate the existing sprawl pattern while taking steps to ensure new development would be compatible with it.

In 2016, the Applicant took great care in designing the Indian Trails Grove community utilizing principles contained in the Central Western Communities Sector Plan Remedial Amendment,

which were intended to remediate the existing sprawl pattern and complement the development pattern of the Minto West project, now known as the City of Westlake. These design standards also intended to make Indian Trails Grove compatible with the surrounding density of only 0.8 units per acre. The design principles required setting aside land that would not be used for development. With the applicant preserving over two-thirds of the site in open space, the area remaining for vertical development will be more compact with various commercial nodes, office, and light industrial uses provided to service the proposed residential units. Land was allocated for use as civic sites, both public and private, schools, parks, a fire station, religious institutions, and such services as day care. This amendment eliminates any private civic sites. Through the extensive trail systems and interconnectivity, the design of the community will encourage walkability. Over 40 percent of the community is within a one-half mile radius of a commercial node and over two-thirds of the residents will be within a one-quarter mile radius of an amenity (commercial, recreation, or civic site). A 640-acre parcel was dedicated to the Indian Trail Improvement District (ITID) to alleviate the historic drainage problems in The Acreage, which in turn will allow streets and home sites within the upper basin of The Acreage to drain quicker.

The proposed West Hyder Overlay is also consistent with *Chapter 163.3177, F.S.* as the Overlay will apply to a geographic area that is more suburban in character than agricultural. There are existing residential developments on three sides of the site. Stonebridge Golf and Country Club to the south is comprised of a golf course and single-family lots developed in a traditional suburban golf course layout. The community of Rio POCO is to the north and is comprised of approximately 1.25-acre single family lots. To the east of the Overlay is State Road 7, currently developed with 6 travel lanes and a major thoroughfare road heading north and south. East of State Road 7 and the Overlay is Seven Bridges and Boca Bridges, comprised of single-family lots approximately .25 acres in size. North and south of these communities are other 60/40 AGR PUD development areas (The Oaks, Saturnia Isles and Dakota). All of these communities have sidewalks, recreation areas and vehicular and pedestrian connections to State Road 7.

The Indian Trails Grove and West Hyder Overlay Comprehensive Plan Text and Future Land Use Amendments discourage the proliferation of urban sprawl because it satisfies all thirteen (13) of the following criteria, as set forth in *Chapter 163.3177(6)(a)9.a., F.S.*

- I. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.*

Applicant's Description: The proposed modifications to the WCR conceptual plan of development continues to be designed with a mix of uses, including community serving commercial and civic uses that will not only service residents of Indian Trails Grove, but also residents in The Acreage. The proposed text amendment will allow for the development of additional dwelling units within the Ag Reserve Tier, where urban services are available. It will also provide for civic, government services, and educational uses, workforce housing and parks and therefore will not promote a single-use development.

- II. 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.

Applicant's Description: All of the surrounding lands of the WCRO and WHO continue to be either developed, under development or will not be developed as they are owned by government and are designated conservation areas.

III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and ITG plan of development do not further isolate the site nor create a strip or ribbon pattern of development. It continues to be a planned development with open space and buffering on the perimeter, commercial and civic nodes at strategic locations, and residential pods connected internally and externally by trail corridors. The West Hyder Overlay (WHO) is located immediately to the north of the Urban/Suburban Tier boundary, and to the south and west of other pre-existing residential developments. The proposed overlay would contribute to an orderly development pattern that will utilize the existing services and public infrastructure.

IV. 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.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and ITG plan of development continues to protect and enhance environmentally sensitive areas. The proposed change in the program to dedicate 1,600 acres to Palm Beach County for water resources or agriculture furthers this protection.

V. 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.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and ITG plan of development continues to protect and enhance environmentally sensitive areas. The proposed change in the program to dedicate 1,600 acres to Palm Beach County for water resources or agriculture furthers this protection.

VI. Fails to maximize use of existing public facilities and services.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and ITG plan of development will result is a decrease in demand for public facilities and services within the Rural Tier where minimal existing public services and facilities exist. The proposed text changes will ensure that the additional dwelling units within the Ag Reserve Tier will maximize the utilization of the existing public facilities and services.

VII. Fails to maximize use of future public facilities and services.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and ITG plan of development will result in a decrease in demand for public facilities and services within the Rural Tier. In conjunction with the 2016 FLU adoption and 2019 Development Order, conditions of approval to construct new public facilities and services were imposed. As a result, with the decrease in density and intensity, it is anticipated that the level of new public facilities will also be decreased, however still their use will be maximized. The proposed text changes will ensure that the additional dwelling units within the Ag Reserve Tier will maximize the utilization of the existing public facilities and services.

VIII. 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.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and ITG plan of development do not significantly alter or increase the cost of providing public services within the Ag Reserve Tier. The cost of providing public services to the Rural Tier will be reduced as there will be less density and intensity in an area of the County previously developed with residential uses accessing unpaved roads, septic tanks and wells.

IX. Fails to provide a clear separation between rural and urban uses.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and ITG plan of development does not result in the failure to continue to provide a clear separation. The Rural Tier will continue to build out with ITG serving as a transition between the City of Westlake and the more rural residential and conservation uses as previously approved. The proposed West Hyder Overlay (WHO) will allow for development to be located between two existing suburban residential projects and contribute to an orderly development pattern.

X. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

Applicant's Description: The proposed modifications to the ITG plan of development does not discourage or inhibit infill development or redevelopment on the surrounding properties. The proposed Comprehensive Plan text amendment will encourage infill development as the West Hyder Overlay is located north of the Urban/Suburban Tier, immediately south of other existing residential developments thus contribute to an orderly development pattern.

XI. Fails to encourage a functional mix of uses.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and plan of development does not result in a failure to continue to provide a functional mix of uses.

XII. Results in poor accessibility among linked or related land uses.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and plan of development does not results in poor accessibility within or externally to land uses.

XIII. Results in the loss of significant amounts of functional open space.

Applicant's Description: The proposed modifications to the Comprehensive Plan text and plan of development does not result in the loss of functional open space. In fact, it significantly increases the amount of consolidated open space.

The proposed text amendment to create the West Hyder Overlay, and the Indian Trails Grove conceptual plan amendment continues to discourage the proliferation of urban sprawl because it satisfies at least four (4) of the eight (8) following criteria, as set forth in *Chapter 163.3177(6)(a)9.b., F.S.*

- I. 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.*

Applicant's Description: The proposed modifications to the text and plan of development continues to locate areas for economic growth and land development in a logical and orderly manner, and protects and enhances natural resources and ecosystems. The dedication of 1,600 acres for water resources or agriculture will be a benefit to the geographic area, as will the dedication of a 200-acre Civic Pod. The WHO will allow for development to occur where services and public infrastructure are currently available and can support the proposed development.

- II. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*

Applicant's Description: The proposed modifications to the text and plan of development continue to promote the efficient and cost-effective provision of public infrastructure and services. The development area continues to be consolidated, and dedication for education and public services continue to be incorporated in the plan of development.

- III. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*

Applicant's Description: The proposed modifications to the text and ITG plan of development continue to promote a walkable and connected community through continuous paved pedestrian/bicycle pathways and paved sidewalks. The development area continues to be compact, with more than two-thirds of the residential units being located within one quarter-mile radius of commercial, civic, or recreation uses, with one-quarter mile to one-half mile being generally accepted as "walkable clusters". Development of the WHO property between two

existing residential communities will ensure infrastructure connectivity and provision of public infrastructure along a major right-of-way. Additionally, the Applicant is proposing to connect the new residential community with the residential community to the south via pedestrian and vehicular connections.

IV. Promotes conservation of water and energy.

Applicant's Description: The proposed modifications to the text and ITG plan of development will allow and continue to promote conservation of water and energy through the clustering of the development area on less than 50% of the WCRO site, and the expansion of land dedicated for water resources or agricultural.

V. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Applicant's Description: The proposed modifications to the text and ITG plan of development continue to preserve lands for agricultural areas and will increase the opportunity through the dedication of 1,600 acres to Palm Beach County for water resources or agricultural uses. The clustering of development on less than 50 percent of the WCRO site also serves to preserve existing farmland in an area where farmland can be aggregated into an efficient area for farming.

VI. Preserves open space and natural lands and provides for public open space and recreation needs.

Applicant's Description: The proposed modifications to the text and ITG plan of development continue to preserve open space and natural lands and provides for public open space and recreation needs within the WCRO, including a proposed 200-acre Civic Pod for active recreation use. The land use atlas map amendment provides for additional open space for water resources or agriculture and continues to provide open space and recreation for the public and residents. The proposed WHO will provide for additional civic area to be dedicated to Palm Beach County for public infrastructure purposes as needed.

VII. Creates a balance of land uses based upon the demands of the residential population to the nonresidential needs of an area.

Applicant's Description: The proposed modifications to the text and ITG plan of development continue to provide a balance of land uses based on the demands of the existing residential population in The Acreage and the proposed residents in Indian Trails Grove. There is a reduction in non-residential intensity corresponding with the reduction in dwelling units. The proposed WHO will accommodate additional residential units in an area of the County already served by roads, utilities and other public infrastructure. The County is experiencing a housing crisis because there is not enough market rate or workforce housing stock in this area to supply the increasing demand. These changes will accommodate that demand in an appropriate area of County that can support the increase of residential units.

VIII. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Applicant's Description: The proposed modifications to the text and ITG plan of development continue to provide for a consolidated pattern of development that incorporates commercial and community services, public services and an integrated network of streets, trails and trolley routes. Reducing the density in the Rural Tier lessens the impacts of low density residential in an area underserved by roads and public infrastructure therefore lessening the Urban Sprawl previously approved with the WCRO and, in turn, committing significant land holding to a continuing and emerging public need for water resources. Locating residential development within the WHO will ensure development within an area already served by utilities, roads, schools, and other public infrastructure.

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B. SURROUNDING USES

Adjacent Lands	Use	Future Land Use	Zoning
North	Conservation	Conservation (CON)	Conservation (CON)
	Residential	Rural Residential, 1 unit per 2.5 acres (RR-2.5)	Agricultural Residential (AR)
	Public Park	Rural Residential, 1 unit per 10 acres (RR-10)	Public Ownership (PO)
South	Agricultural Production	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Production (AP)
	Residential	Rural Residential, 1 unit per 10 acres (RR-10) and Rural Residential, 1 unit per 5 acres (RR-5)	Agricultural Residential (AR)
East	Residential	Rural Residential, 1 unit per 2.5 acres (RR-2.5)	Agricultural Residential
	Public Middle/Elementary Schools	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Residential (AR)
	Proposed Mixed Use	Agricultural Enclave (AGE)	Traditional Town Development (TDD)
West	Utilities	Agricultural Production (AP)	Agricultural Production (AP)
	Conservation	Agricultural Production (AP)	Agricultural Production (AP)

Below is a description of the uses on the adjacent properties (or those on the other side of abutting R-O-W's) to the north, south, east and west of the subject property.

North: There are 2 existing parcels that lie directly north and include approximately 25 acres that are utilized for canal and drainage purposes, and are owned by the Indian Trail Improvement District (ITID). The FLUA designation is RR-10 with an AP Zoning District. Beyond the canal lies the J.W. Corbett Wildlife Management Area including over 60,000 acres of conservation area. Some of the uses within the conservation area include; drainage, hunting, birding, hiking, camping, and horseback riding. The aforementioned J.W. Corbett Wildlife Management Area also includes a rather large parcel directly north of the north central subject Pod, all including a FLUA designation of CON (Conservation). Also to the Northeast are 7 residential parcels along with a 62-acre Park owned by Palm Beach County (District Park F, aka County Pines Recreational Complex at Samuel Friedland Park). In addition, there is an existing 60-acre undeveloped parcel owned by the School District of Palm Beach County. These properties either have a FLUA designation of RR-2.5 or RR-10 with either a PO Zoning District or an AR Zoning District.

South: There are 7 residential / agricultural parcels ranging from 5 acres to 20 acres in size with a FLUA designation of either RR-5 or RR-10 and are within the AR Zoning District. In addition, there is approximately 1,265 acres supporting agricultural operations with a FLUA designation of RR-10 and with an AP or AR Zoning District. There are two parcels comprising 16.28 acres that are utilized for drainage, and there are 2 additional parcels owned by Florida Power and Light which are utilized for utility purposes.

East: Across 180th Avenue North (a 100' ingress/egress easement) are a variety of residential parcels with a minimum lot size of 1.25 acres. All have a FLUA designation of RR-2.5 and are within the AR Zoning District. Directly to the east of the southeast section of the subject property are two parcels that equate to 58.82 acres, both owned by the School District of PBC. These parcels support the existing Frontier Elementary School and Osceola Creek Middle School. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District. Residential single-family lots within what is commonly referred to as The Acreage are noted on the PMP as "Royal Palm Beach Acreage" – Unrecorded Plat.

West: There are 4 parcels totaling approximately 1,079 acres owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. These parcels have a FLUA designation of AP, are within the AP Zoning District and are part of the J.W. Corbett Wildlife Management Area. In addition, there is a parcel containing approximately 773 acres known as the Indian Trails Grove Impoundment Area that provides additional storage for flood control for the general area. The L-8 Canal is owned by the South Florida Water Management District. All have a FLUA designation of AP within the AP Zoning District.

On behalf of the applicant, GL Homes, UDS, and JMorton respectfully request approval of this amendment. The project managers at GL Homes are Kevin Ratterree and Gladys Digirolamo who can be reached at (954) 753-1730 or via email at kevin.ratterree@glhomes.com and gladys.digirolamo@glhomes.com. At Urban Design Studio, the project manager is Sandra Megrue who can be reached at (561) 366-1100 or via email at smegrue@udsflorida.com. At JMorton Planning & Landscape Architecture, project managers are Jennifer Morton and Lauren McClellan who can be reached at (561) 500-5060 or via e-mail at jmorton@jmortonla.com and lmcclellan@jmortonla.com. Please contact the agent with any questions or for additional information in support of the requested applications.

H:\JOBS\Indian Trails Grove_14-003\PBWA I LLLP_LUP_.001\Documents\Submitted Documents\FLUA\2023-03-02 FLUA Resubmittal #6 - Update from BCC Trans_DOA\Attachment G _Consistency with the Comprehensive Plan.docx



**Water Utilities Department
Engineering**

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



**Palm Beach County
Board of County
Commissioners**

Robert S. Weinroth, Mayor
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Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

January 18, 2022

Urban Design Kilday Studios
610 Clematis Street Suite CU02
West Palm Beach, Fl. 33401

RE: Indian Trails Grove

PCN 00-40-42-17-00-000-7000, 00-40-42-18-00-000-7000, 00-40-42-19-00-000-9000, 00-40-42-20-00-000-9000, 00-40-42-21-00-000-9000, 00-40-42-22-00-000-1010, 00-40-42-27-00-000-9000, 00-40-42-30-00-000-9000, 00-40-42-31-00-000-9000, 00-40-42-34-00-000-1010, 00-40-43-03-00-000-3020 and 00-40-43-04-00-000-9010

Service Availability Letter

Dear Ms. Megrue,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required for the proposed future land use of 2612 dwelling units and 233,500 square feet commercial.

A 12" potable water main and 8" wastewater forcemain are located within Hamlin Blvd approximately 1200 feet from the subject property at the northern limits of the property. A 12" potable water main and 4" wastewater forcemain are located within 180th Avenue N approximately 1000 feet from the subject property at the southern limits of the property. Potable water and sanitary sewer extensions will be required to provide a looped system from the north connection on Hamlin Blvd. to the southern connection on 180th Avenue.

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Jackie Michels".

Jackie Michels, P.E.,
Plan Review Manager

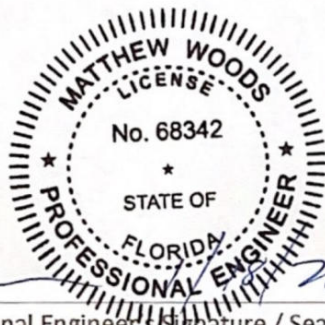
Electronic Signature Report for Engineer of Record

Project Name: Indian Trails Grove WCR-PUD

Project Address/Location: Southwest of Seminole Pratt Whitney Road and Northlake Boulevard

Documents Submitted (Document Name, Number of Sheets, SHA Code):

1. Drainage Statement for Indian Trails Grove WCR-PUD
1 Sheet,
SHA-1: fb 73 ee b6 f4 1f f3 2e b5 dc eb 6c c1 a6 f0 46 a6 06 b5 4d



Professional Engineer's Signature / Seal

Matthew Woods, PE

Professional Engineer's Name

68342

Professional Engineer's License Number

January 18, 2022

Date

GLH Engineering, LLC Certificate of Authorization No. 27459

Firm's Name and Certificate of Authorization

**DRAINAGE STATEMENT
FOR
INDIAN TRAILS GROVE WCR-PUD**

Control No. 2002-90045

Indian Trail Groves WCR-PUD is a 4,866.102 acre site located in unincorporated Palm Beach County. The property is located in the South Florida Water Management District (SFWMD) L-8 Basin and the Cypress Grove Community Development District (Cypress Grove CDD). The property is generally located west of Seminole Pratt Whitney Road and South of Northlake Boulevard extension, in Palm Beach County, Florida. The existing property is row crop.

This PUD will include 2,612 residential units on approximately 1,953.898 acres as well as approximately 67.024 acres of right-of-way dedication, 99.765 acres of civic, 26.138 acres of private rec and 29.155 acres of commercial pods. Additionally, there are approximately 1,090.122 acres of exterior Open Space (impoundment expansion and water resources/agriculture) and 1,600 acres of Palm Beach County Conveyance.

The residential and commercial development will include on-site drainage systems that will consist of a series of catch basins and pipes which will route storm water runoff to the interconnected lakes. The lakes will be designed to provide the necessary water quality treatment and required storage for storm water runoff. All lakes within the overall project will be part of the storm water management system. All drainage systems will be designed in accordance with Palm Beach County, SFWMD and Cypress Grove CDD criteria.

There currently is one area of offsite flow entering the site, existing District Park F (Park). The discharge from the Park will be maintained at all times and will be permitted with the residential pods adjacent to the Park.

The property is currently permitted under SFWMD Permit No. 50-02564-S. Legal positive outfall will be provided through the existing 200' easement per O.R.B. 1428, Pg. 581 which is under the maintenance obligation of the Cypress Grove CDD and all storm water will ultimately discharge into the L-8 Canal. The residential and commercial components of the property will be designed to meet the following criteria:

1. All discharge to the L-8 Canal will be through a control structure.
2. Minimum finished floor elevation for any structure shall be set above the 100-year, 3-day, zero discharge storm event.
3. A continuous berm shall be constructed around the drainage system with a top elevation set at or above the 25-year, 3-day storm event.

The exterior Open Space consists of a 640 acre impoundment and 448.63 acres of water resources. The impoundment will be interconnected with the existing Indian Trail Improvement District (ITID) impoundment off-site and shall be operated by ITID. No storm water from the Indian Trails Grove WCR-PUD will discharge into the impoundment. Additionally, the water resources/agriculture will meet the requirements of SFWMD and Cypress Grove CDD. All discharge from these areas will be through the Cypress Grove CDD canals to the L-8 Canal.

GLH Engineering, LLC (FL Certificate of Authorization No. 27459)

Matthew Woods, P.E.
Florida Registration # 68342



Fire Rescue

Chief Reginald K. Duren
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

January 24, 2022

Urban Design Studio
Attention: Sandra J. Megrue, AICP, Senior Planner
610 Clematis Street
Suite CU02
West Palm Beach, FL 33401

RE: Indian Trails Grove

Dear Sandra J. Megrue,

Fire Rescue has received your letter requesting information in response to the Indian Trails Grove Development. Currently, Palm Beach County Fire Rescue serves this area from station #22 located at 5060 Seminole Pratt Whitney Road. Due to the distance from this facility to the property, station #22 is not capable of serving this new development. In order to serve this property additional facilities are needed. Fire Rescue is in favor of clustering, multiple access roads into the communities, road connect ability and developments which meet the requirements of the Florida Fire Prevention Code.

At this time Fire Rescue is unable to determine the actual number of fire rescue facilities needed or the location of these facilities without more development details such as detailed road networks, water systems, development layout and potable water supply system. Once we receive more detailed information on this development we will send additional comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jill Gregory".

Jill Gregory, Executive Assistant
Palm Beach County Fire-Rescue



INDIAN TRAILS GROVES
CPA ENVIRONMENTAL ASSESSMENT
Sections 03, 04, 17, 18, 19, 20, 21, 22, 27, 30, 31, 34/Township 42S/Range 40E
January 14, 2022

INTRODUCTION

The subject parcel is located at the northwest corner of the intersection of Orange Blvd. and 180th Ave. N, Palm Beach County, Florida (Sections 03, 04, 18, 19, 21, 22, 27, 34; Township 42S; Range 40E). The assessment area is approximately 4,837.79 acres in size. See Exhibit A, Location Map.

METHODOLOGY

WGI, Inc. environmental staff visited the subject site on December 8, 2021. An aerial photograph was used to pinpoint specific points of interest. An on-site review of the subject site's conditions was performed by walking and driving transects through the site while noting plant species, ecosystems (wetlands and uplands), and other potential environmental factors.

SITE CONDITIONS

The subject property is an active agricultural operation producing a variety of crops (bell peppers, cabbage, etc.). The majority of the site has been altered for farming practices including rows and furrows and a network of drainage ditches. Little to no vegetation besides the specific crop is present within these areas. In addition, there are numerous wetland areas that have been left in place throughout the property. These herbaceous wetlands are disturbed by exotic and nuisance species. There is one area in the southernmost parcel that has been impacted as a shallow borrow pit. Finally, there is an operations center located in the southeast corner of the site where a barn and offices are located and farm equipment is stored.

The site is bound to the east by the Acreage single family residential neighborhood, to the south by various uses including farms and low density single family residences, to the west and north by JW Corbett Wildlife Management Area. See Exhibit B, Aerial Map and Exhibit F, Site Photos.

COASTAL RESOURCES

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

HURRICANE VULNERABILITY ZONE OR COASTAL HIGH HAZARD AREA

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

VEGETATION INVENTORY

The property is primarily in agricultural production and therefore natural vegetation is actively managed. Vegetation other than the crops is limited to areas along the drainage ditches, windbreaks, and the isolated wetland areas.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Designation</u>
Live Oak	<i>Quercus virginiana</i>	Native
Strangler Fig	<i>Ficus aurea</i>	Native
Slash Pine	<i>Pinus elliotii</i>	Native
Cabbage Palm	<i>Sabal palmetto</i>	Native
Saw Palmetto	<i>Serenoa repens</i>	Native
Maidencane	<i>Panicum hemitomon</i>	Native
Arrowhead	<i>Sagittaria lancifolia</i>	Native
Pickernelweed	<i>Pontederia cordata</i>	Native
Cattail	<i>Typha latifolia</i>	Native
Broomsedge	<i>Andropogon virginiana</i>	Native
Carolina Willow	<i>Salix caroliniana</i>	Native
Fennel	<i>Eupatorium capillifolium</i>	Non-native
Ragweed	<i>Ambrosia artemisiifolia</i>	Non-native
Elephant Grass	<i>Pennisetum purpureum</i>	Non-native
Primrose Willow	<i>Ludwigia peruviana</i>	Non-native
Sedge	<i>Cyperus spp.</i>	Non-native
Water Lettuce	<i>Pistia stratiotes</i>	Non-native
Bahia Grass	<i>Paspalum notatum</i>	Non-native
Australian Pine	<i>Casuarina equisetifolia</i>	Non-native
Brazilian Pepper	<i>Schinus terebinthifolius</i>	Non-native

SOILS

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

05 – Arents – Urban Land Complex:

This complex consists of nearly level, something poorly drained, sandy soils and Urban land overlying organic soils. The areas were formerly organic marshes and swamps that were filled for urban use.

10 –Cypress Lake Fine Sand

The Cypress Lake series consists of moderately deep, poorly and very poorly drained soils that formed in sandy and loamy marine sediments over limestone bedrock. Cypress Lake soils are on low broad flats, flatwoods, low rises and/or knolls, drainageways, and depressions on marine terraces. Slopes range from 0 to 2 percent.

15 - Floridana Fine Sand:

This is a nearly level, very poorly drained soil that is on broad, low flats and in depressions. Under natural conditions, the water table is within 10 inches of the surface for 6 months during the year or more during most years. Depressions are covered by water most of the year. Natural vegetation is cypress, willow, bay, southern bayberry, St. John's Wort, maidencane, ferns, scattered sawgrass, pickerelweed, sedges, and water tolerant grasses.

16 – Brynwood Fine Sand:

Brynwood fine sand, in an urban area with a linear 1 percent slope at elevation of about 4 meters (14 feet) above mean sea level. This is a shallow and very poorly drained series.

24 – Okeelanta Muck:

This is a nearly level, very poorly drained, organic soil that has sandy mineral material within a depth of 40 inches in large, freshwater marshes and small, isolated depressions. The soil is covered by water, or the water table is within 10 inches of the surface for 6 to 12 months in most years. Natural vegetation is sawgrass, ferns, fireflag, maidencane, pickerelweed, and scattered areas of willow, elderberry, southern bayberry, cypress, and custard apple.

29 – Pineda Sand:

This is a nearly level, poorly drained, sandy soil on broad flatwoods and grassy sloughs. Under natural conditions, the water table is within 10 inches of the surface for 1 to 6 months in most years and within 10 to 30 inches most of the remainder of each year, except during extended dry periods. Natural vegetation is slash pine, cabbage palmetto, scattered cypress, and southern bayberry, St. John's wort, little blue maidencane, pineland three awn, chloris, chalky bluestem, sand cordgrass, and numerous other grasses.

30 – Pinellas Fine Sand:

This is a nearly level, poorly drained soil in nearly level areas that border sloughs and depressions. Under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and within 10 to 30 inches for 2 to 6 months in most years. Natural vegetation is slash pine, cabbage palm, saw palmetto, inkberry, pineland three awn, and many other grasses.

31 – Pits:

Pits consist of excavations from which soil and geologic material have been removed for use in road construction or for foundation purposes.

36 –Riviera Fine Sand:

This poorly drained, nearly level soil is in hammocks and along drainageways. The water table is at a depth of less than 10 inches for 2 to 4 months in most years, and at a depth of 10 to 30 inches for most of the rest of the year. Natural vegetation is cabbage palms and scattered longleaf pine and slash pine and an understory of wax myrtle, and saw palmetto. The most common native grasses are pineland three awn and blue maidencane.

37 – Riviera Sand, Depressional:

This is a nearly level, poorly drained soil found in shallow, well defined depressions. This soil is covered with up to 2 feet of water for more than 6 months each year. Natural vegetation is cypress, needlegrass, St. John's wort, corkweed, melaleuca, pickerelweed, sand cordgrass, maidencane, and water tolerant plants.

42 – Tequesta Muck:

This is a nearly level, very poorly drained soil that has a thin organic layer on broad, low flats and in marshes and depressions. The water table is aboveground for 4 to 6 months in most years and within 10 inches of the surface for 6 to 12 months during most years. Natural vegetation is needlegrass, pickerelweed, maidencane, ferns, southern bayberry, and scattered cypress trees.

49 – Wabasso Fine Sand:

This is a nearly level, poorly drained, sandy soil. The water table is within 10 inches of the surface for 1 to 4 months during most years and between 10 and 40 inches most of the remainder of each year. Natural vegetation is slash pine, cabbage palm, saw palmetto, southern bayberry, runner oak, and pineland three awn.

SIGNIFICANT HABITATS/SPECIES

No significant habitat occurs on the assessed parcel. All wetlands are highly impacted by exotic and nuisance plant species and are isolated by the active farm fields. No state or federal listed plant or animal species were identified within the assessment area during the site inspection.

WELLFIELD PROTECTION ZONE

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

POLLUTION SOURCES

As an active agricultural facility, potential pollution sources include storage and mixing facilities for fertilizers and herbicides and aboveground storage tanks to operate water pumps. During the site inspection, no obvious discharges were observed around these areas.

JOHN D. MACARTHUR/JOHNATHAN DICKINSON OVERLAY

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

HISTORIC AND ARCHAEOLOGICAL RESOURCES

See Exhibit E, Resource Data Review Verification Letter.

SURFACE WATERS AND WETLANDS

There are 86 highly disturbed and isolated herbaceous marshes scattered throughout the property. The wetlands range in size from 0.14 acres to 20 acres with an average size of 1.4 acres and a cumulative size of 126.39 acres. The wetlands are surrounded by the farm fields and are dependent on the active management of the water table within the drainage ditches and canals on the property. As a result, the water table is at a lower elevation than natural conditions and the wetlands have declined from the lack of hydrology. This has allowed exotic and nuisance plant species to dominate the areas further reducing the functions of the wetlands.

The network of drainage ditches and canals totaling 171.78 acres are considered Other Surface Waters. In addition, there is also a 12.36 acre retention pond located in the northeast corner of the site. These surface waters are devoid of vegetation with the exception of small areas of water lettuce and other floating plants.

Review by South Florida Water Management District (State) and the Florida Department of Environmental Protection (Federal) agencies would be required to verify the boundaries of the regulated wetlands and other surface waters.

TRASH AND DEBRIS

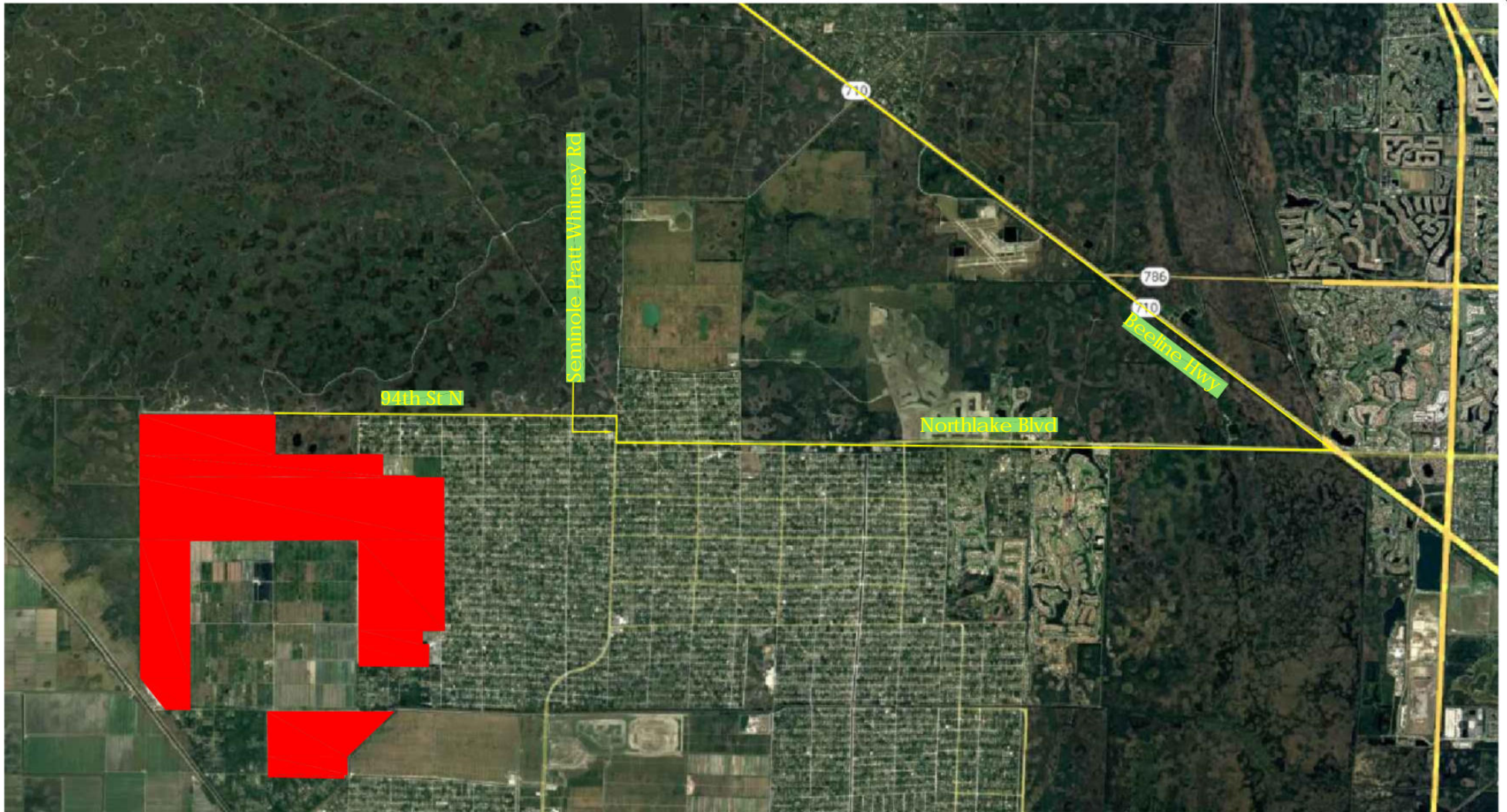
Trash and debris is primarily located within the vicinity of the storage facility in the southeast corner of the site. The farm fields are actively maintained and generally free from trash and debris. Typical debris that was observed included cardboard and wooden boxes used for packing crops and plastic bottles and cups. There were several piles of limestone rocks being stored in an ag field. The intended purpose of the piles was not determined other than storage.

CONCLUSION

Due to the current condition and use of the subject property, there are no significant environmental concerns. There are numerous remnant freshwater wetlands scattered though out the property, however, most of them are low quality and isolated from each other. Review of the site by South Florida Water Management District and the Florida Department of Environmental Protection to verify that the boundaries of regulated wetlands and other surface waters will be required. Permitting with these agencies and compensatory mitigation will be required if impacts to the wetlands are proposed.

The lack of quality habitat makes it improbable for any listed animal or plant species to occur on the site. However due to the proximity of the JW Corbett Wildlife Management Area usage by transient species for foraging or other uses may occur on the subject property.

No upland preserve set-aside would be required according to Palm Beach County Unified Land Development Code Article 14, because there are no quality native upland habitats located on the subject property. There are a few native trees that would require mitigation through the County tree removal approval process.



Source: Google Earth

INDIAN TRAILS GROVES

G.L. ACQUISITIONS CORPORATION

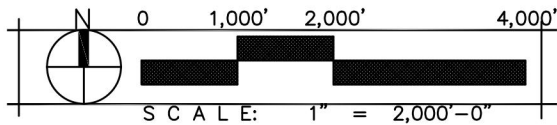
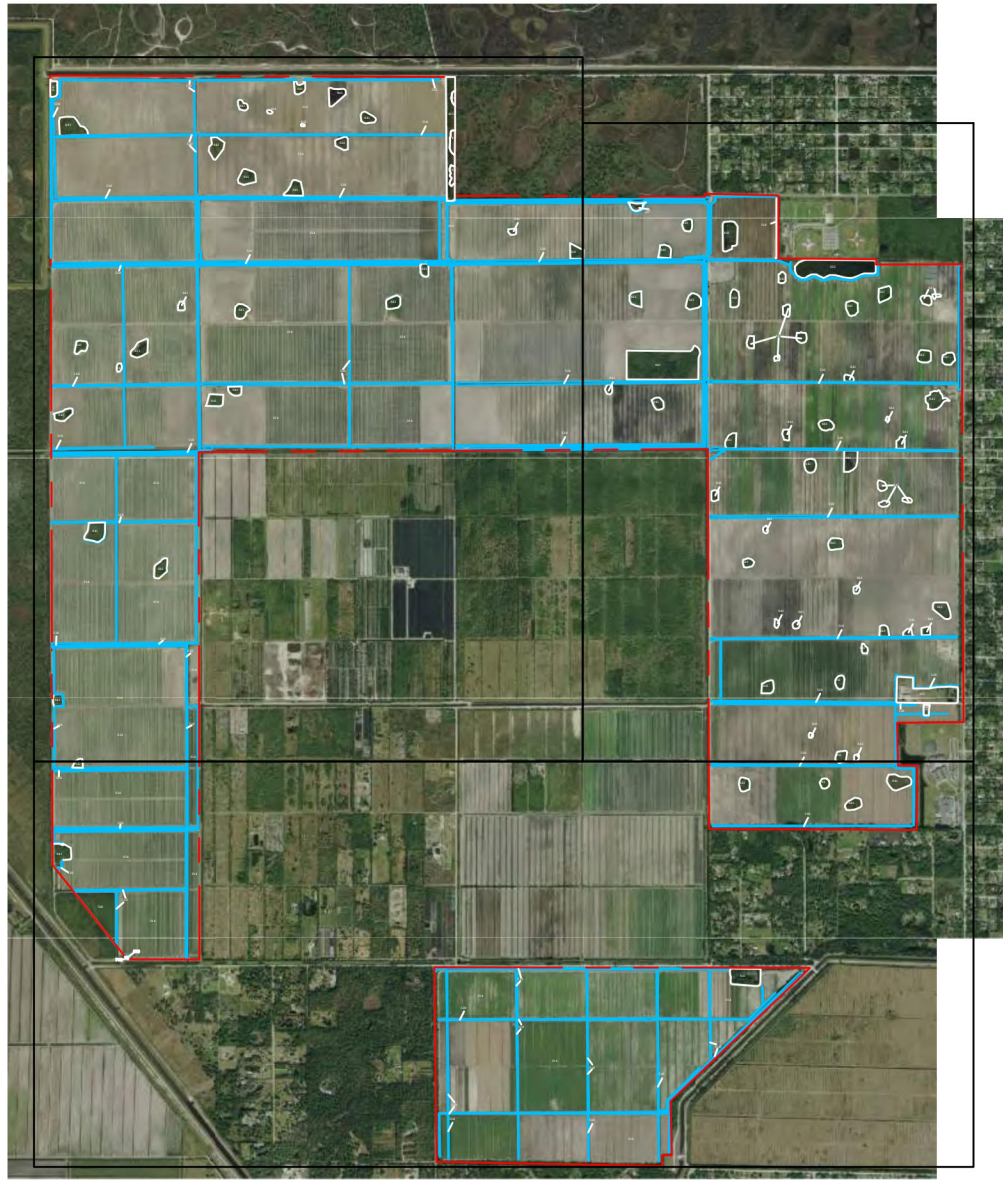
LOCATION MAP



SCALE: NTS



DRAWN BY:	LGD
DRAWING #:	766900_EV-MAPS_recover.dwg
FILE #:	7669.00
DATE:	12/16/2021



Source: FDOT Aerials GIS

FLUCCS CODE

110 - Single-Family Residential - 0.60 ac.

155 - Other Light Industrial - 11.02 ac.

214 - Row Crops - 4,493.71 ac.

411 - Pine Flatwoods - 10.50 ac.

510 - Streams and Waterways - 171.78 ac.

533 - Reservoirs > 10 acres and < 100 acres - 12.36 ac.

641 - Freshwater Marsh - 126.39 ac.

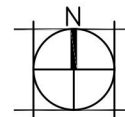
740 - Disturbed Lands - 11.43 ac.

Total Acreage = 4,837.79 ac.

INDIAN TRAILS GROVE

PREPARED FOR G.L. ACQUISITIONS CORPORATION

FLUCCS MAP KEY (1 of 4)



SCALE: 1" = 4,000'0"

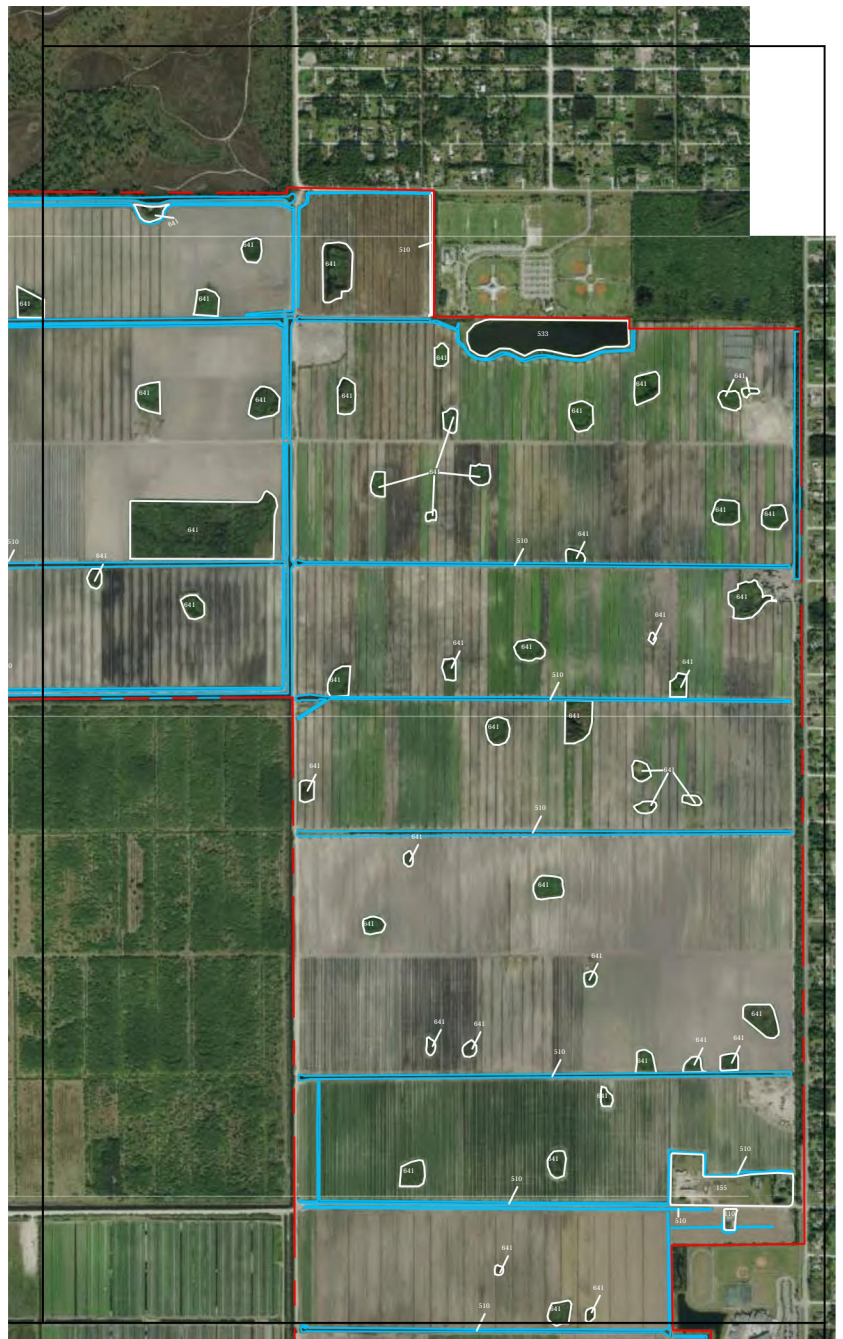


DRAWN BY: LGD

DRAWING #: 766900_EV-MAPS_recover.dwg

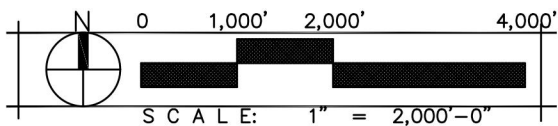
FILE #: 7669.00

DATE: 12/16/2021



FLUCCS CODE

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155 - Other Light Industrial - 11.02 ac.
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Total Acreage = 4,837.79 ac.

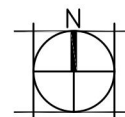


Source: FDOT Aerials GIS

INDIAN TRAILS GROVE

PREPARED FOR G.L. ACQUISITIONS CORPORATION

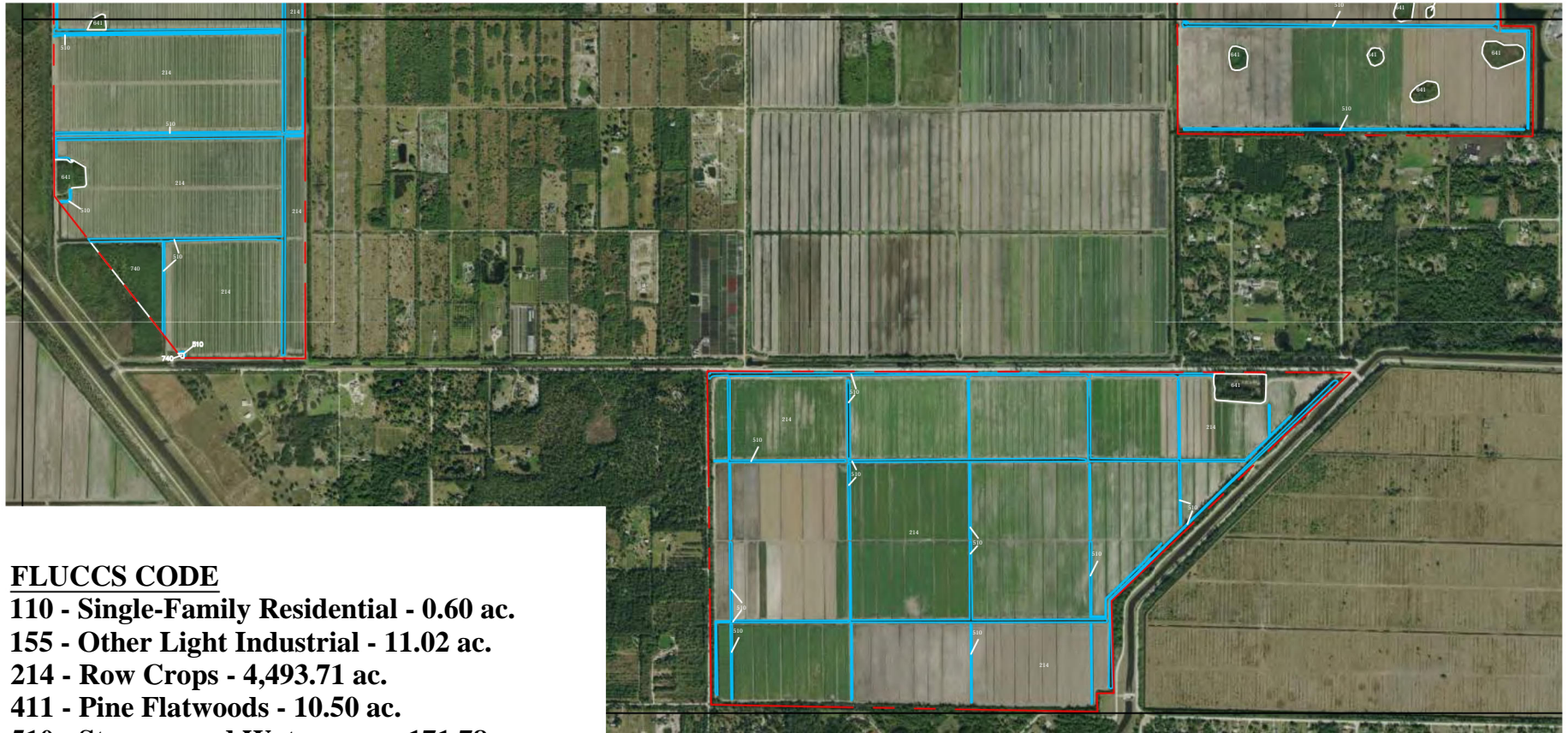
FLUCCS MAP EAST (3 of 4)



SCALE: 1" = 2,000'0"



DRAWN BY: LGD
 DRAWING #: 766900_EV-MAPS_recover.dwg
 FILE #: 7669.00
 DATE: 12/16/2021



FLUCCS CODE

110 - Single-Family Residential - 0.60 ac.

155 - Other Light Industrial - 11.02 ac.

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411 - Pine Flatwoods - 10.50 ac.

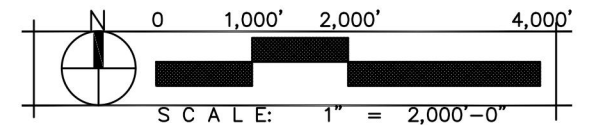
510 - Streams and Waterways - 171.78 ac.

533 - Reservoirs > 10 acres and < 100 acres - 12.36 ac.

641 - Freshwater Marsh - 126.39 ac.

740 - Disturbed Lands - 11.43 ac.

Total Acreage = 4,837.79 ac.

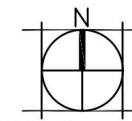


Source: FDOT GIS Aerials

INDIAN TRAILS GROVES

G.L. ACQUISITIONS CORPORATION

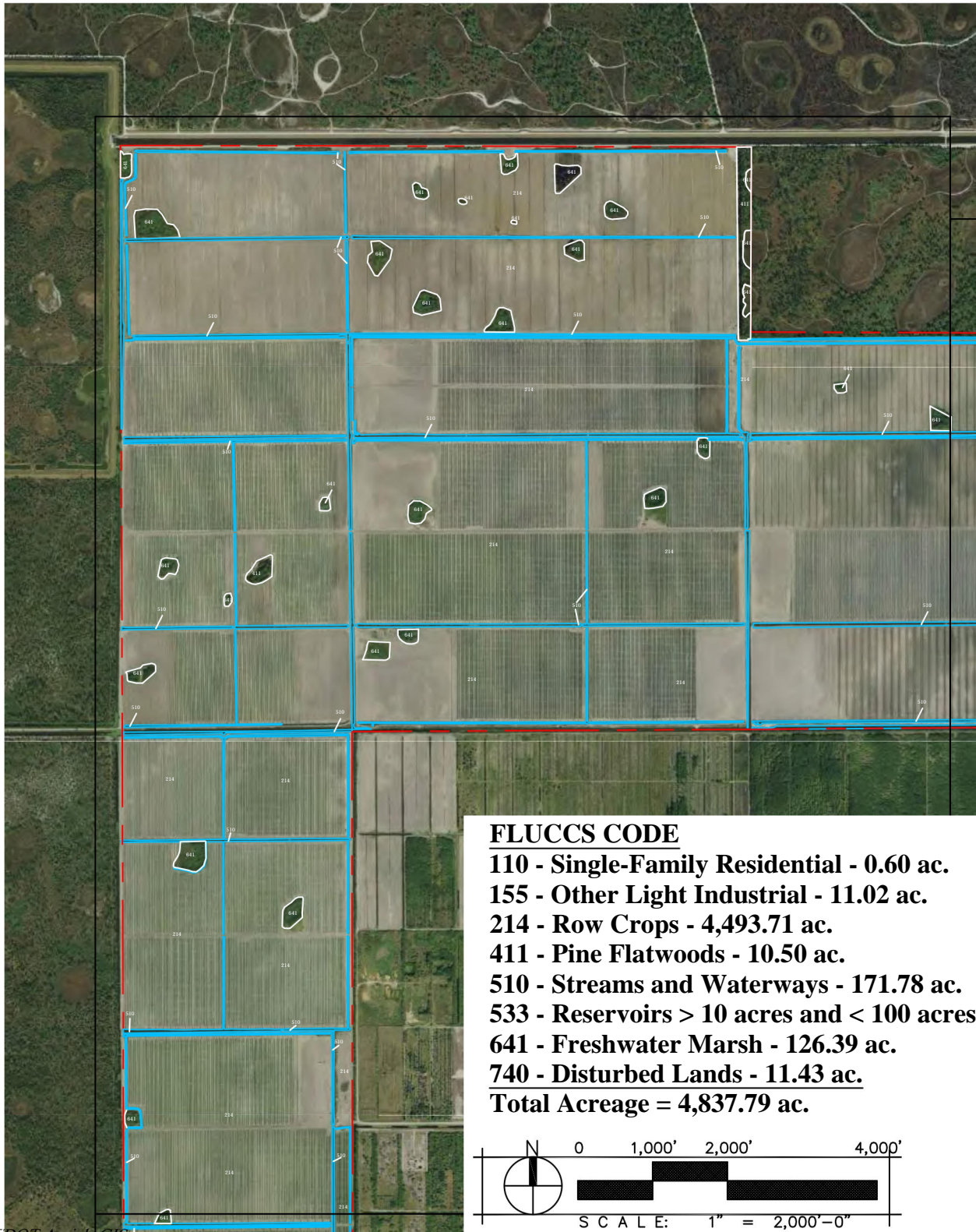
FLUCCS MAP SOUTH (4 of 4)



SCALE: 1" = 2,000'0"



DRAWN BY:	LGD
DRAWING #:	766900_EV-MAPS_recover.dwg
FILE #:	7669.00
DATE:	12/16/2021



FLUCCS CODE

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155 - Other Light Industrial - 11.02 ac.

214 - Row Crops - 4,493.71 ac.

411 - Pine Flatwoods - 10.50 ac.

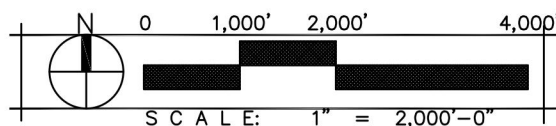
510 - Streams and Waterways - 171.78 ac.

533 - Reservoirs > 10 acres and < 100 acres - 12.36 ac.

641 - Freshwater Marsh - 126.39 ac.

740 - Disturbed Lands - 11.43 ac.

Total Acreage = 4,837.79 ac.

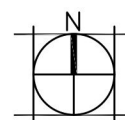


Source: FDOT Aerials GIS

INDIAN TRAILS GROVE

PREPARED FOR G.L. ACQUISITIONS CORPORATION

FLUCCS MAP WEST (2 of 4)



SCALE: 1" = 2,000'0"



DRAWN BY:	LGD
DRAWING #:	766900_EV-MAPS_recover.dwg
FILE #:	7669.00
DATE:	12/16/2021

Soil Series

10 - Cypress Lake fine sand, 0 to 2 percent slopes

15 - Floridana fine sand, frequently ponded, 0 to 1 percent slopes

16 - Brynwood fine sand, 0 to 2 percent slopes

24 - Okeelanta muck, drained, frequently ponded, 0 to 1 percent slopes

29 - Pineda-Pineda, wet, fine sand, 0 to 2 percent slopes

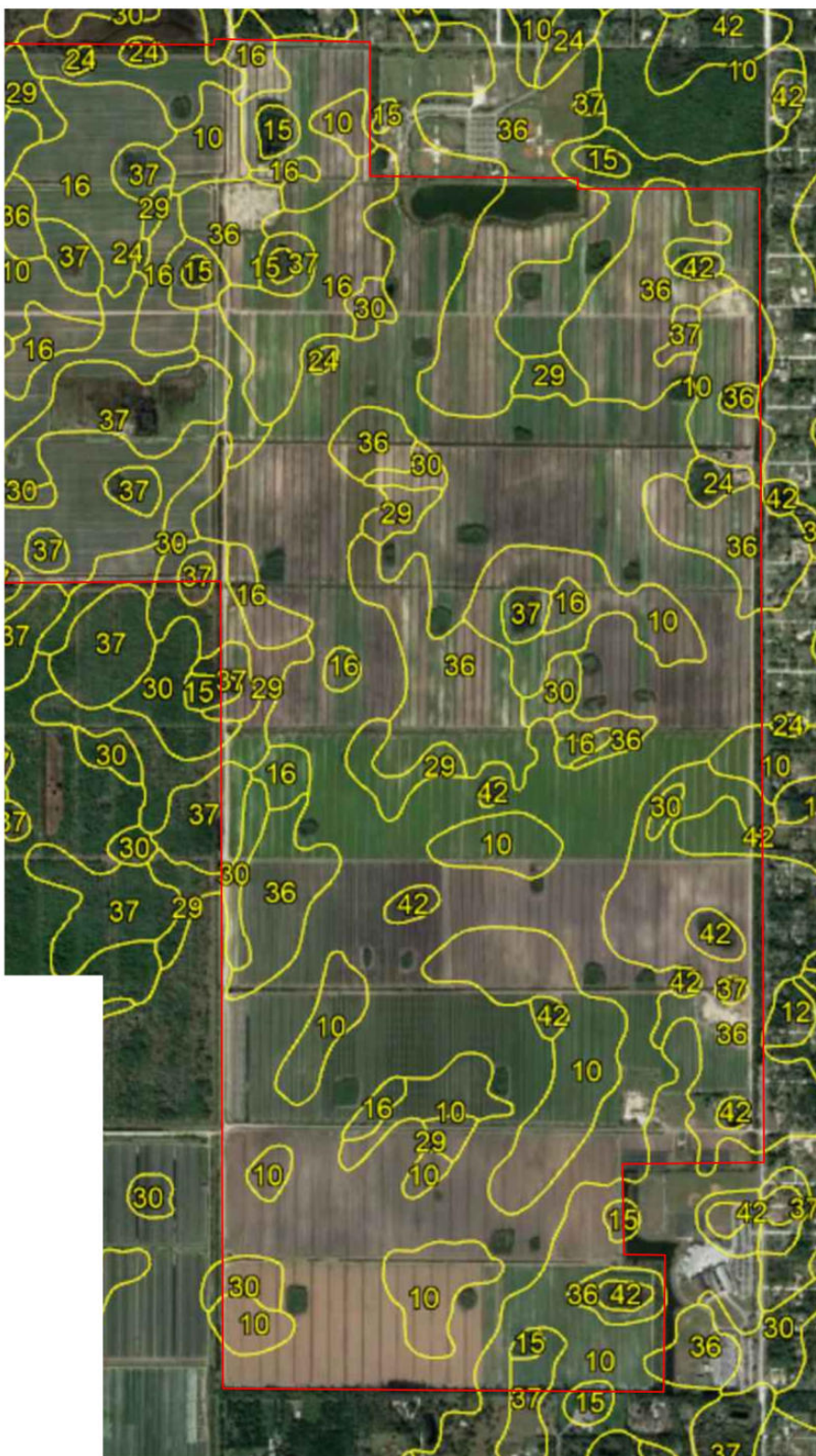
30 - Pinellas fine sand, 0 to 2 percent slopes

36 - Rivera fine sand, frequently ponded, 0 to 2 percent slopes

37 - Rivera fine sand, frequently ponded, 0 to 1 percent slopes

42 - Tequesta muck, frequently ponded, 0 to 1 percent slopes

49 - Wabasso fine sand, 0 to 2 percent slopes

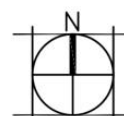


Source: Web Soil Survey

INDIAN TRAILS GROVE

PREPARED FOR G.L. ACQUISITIONS CORPORATION

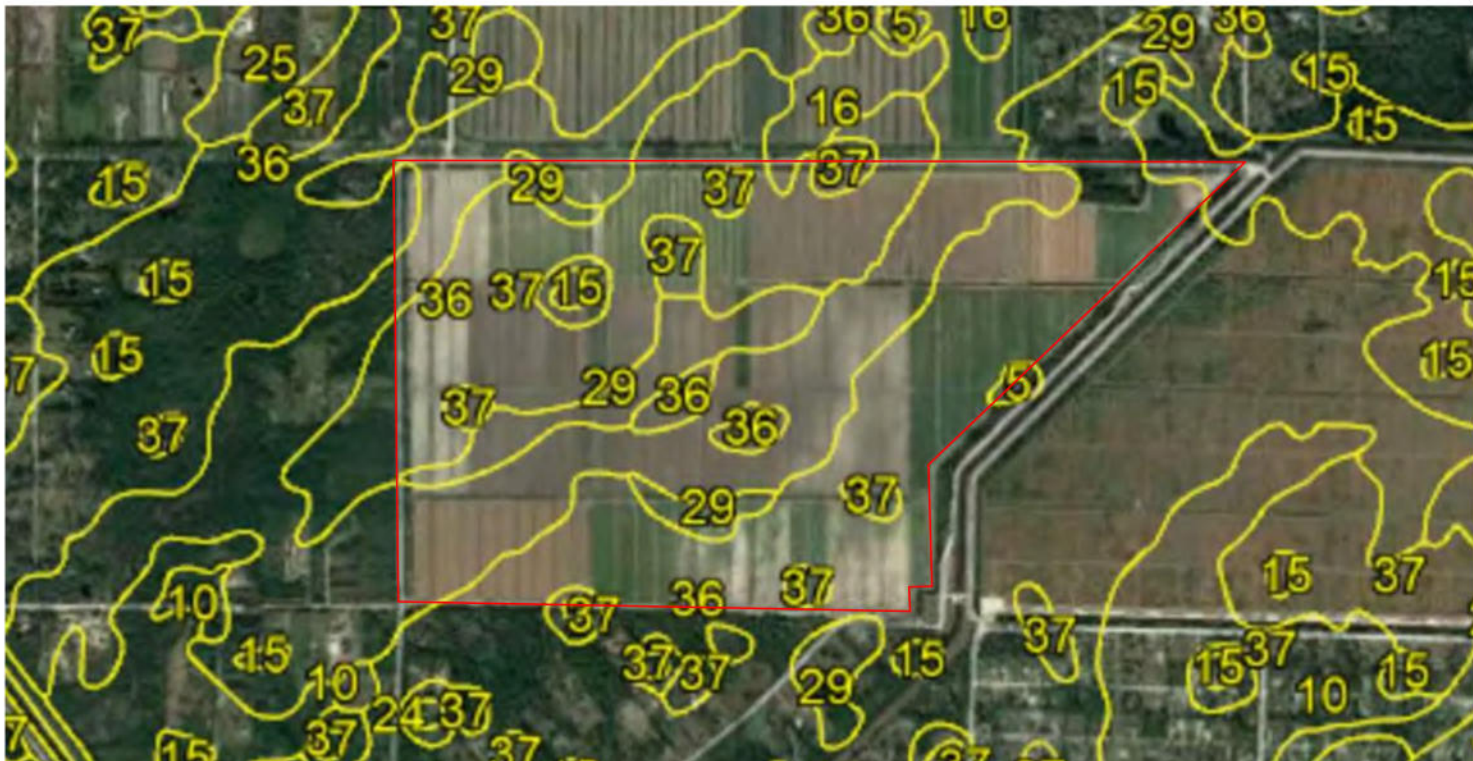
SOIL SURVEY - EAST SECTION



SCALE: NTS



DRAWN BY: LGD
DRAWING #: 766900_EV-MAPS_recover.dwg
FILE #: 7669.00
DATE: 12/16/2021



Soil Series

- 05 - Arents-Urban land complex, organic substratum**
- 15 - Floridana fine sand, frequently ponded, 0 to 1 percent slopes**
- 16 - Brynwood fine sand, 0 to 2 percent slopes**
- 29 - Pineda-Pineda, wet, fine sand, 0 to 2 percent slopes**
- 36 - Rivera fine sand, frequently ponded, 0 to 2 percent slopes**
- 37 - Rivera fine sand, frequently ponded, 0 to 1 percent slopes**

Source: Web Soil Survey

INDIAN TRAILS GROVE

PREPARED FOR G.L. ACQUISITIONS CORPORATION

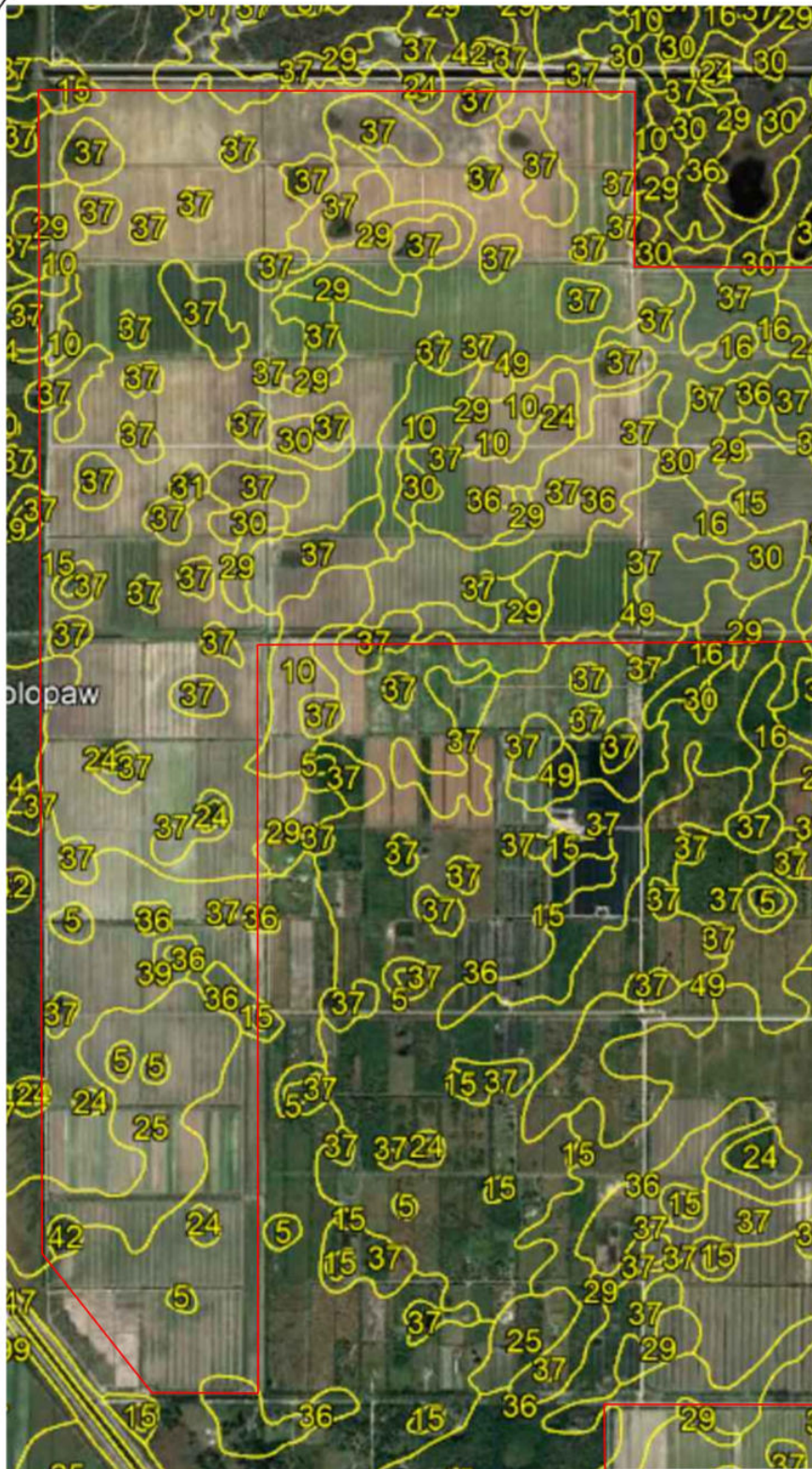
SOIL SURVEY - SOUTH SECTION



SCALE: NTS



DRAWN BY:	LGD
DRAWING #:	766900_EV-MAPS_recover.dwg
FILE #:	7669.00
DATE:	12/16/2021



Source: Web Soil Survey

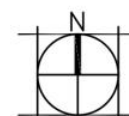
Soil Series

- 5 - Arents-Urban land complex, organic substratum**
- 10 - Cypress Lake fine sand, 0 to 2 percent slopes**
- 15 - Floridana fine sand, frequently ponded, 0 to 1 percent slopes**
- 24 - Okeelanta muck, drained, frequently ponded, 0 to 1 percent slopes**
- 29 - Pineda-Pineda, wet, fine sand, 0 to 2 percent slopes**
- 30 - Pinellas fine sand, 0 to 2 percent slopes**
- 31 - Pits, 0 to 5 percent slopes**
- 36 - Rivera fine sand, frequently ponded, 0 to 2 percent slopes**
- 37 - Rivera fine sand, frequently ponded, 0 to 1 percent slopes**
- 39 - Sanibel muck**
- 42 - Tequesta muck, frequently ponded, 0 to 1 percent slopes**

INDIAN TRAILS GROVE

PREPARED FOR G.L. ACQUISITIONS CORPORATION

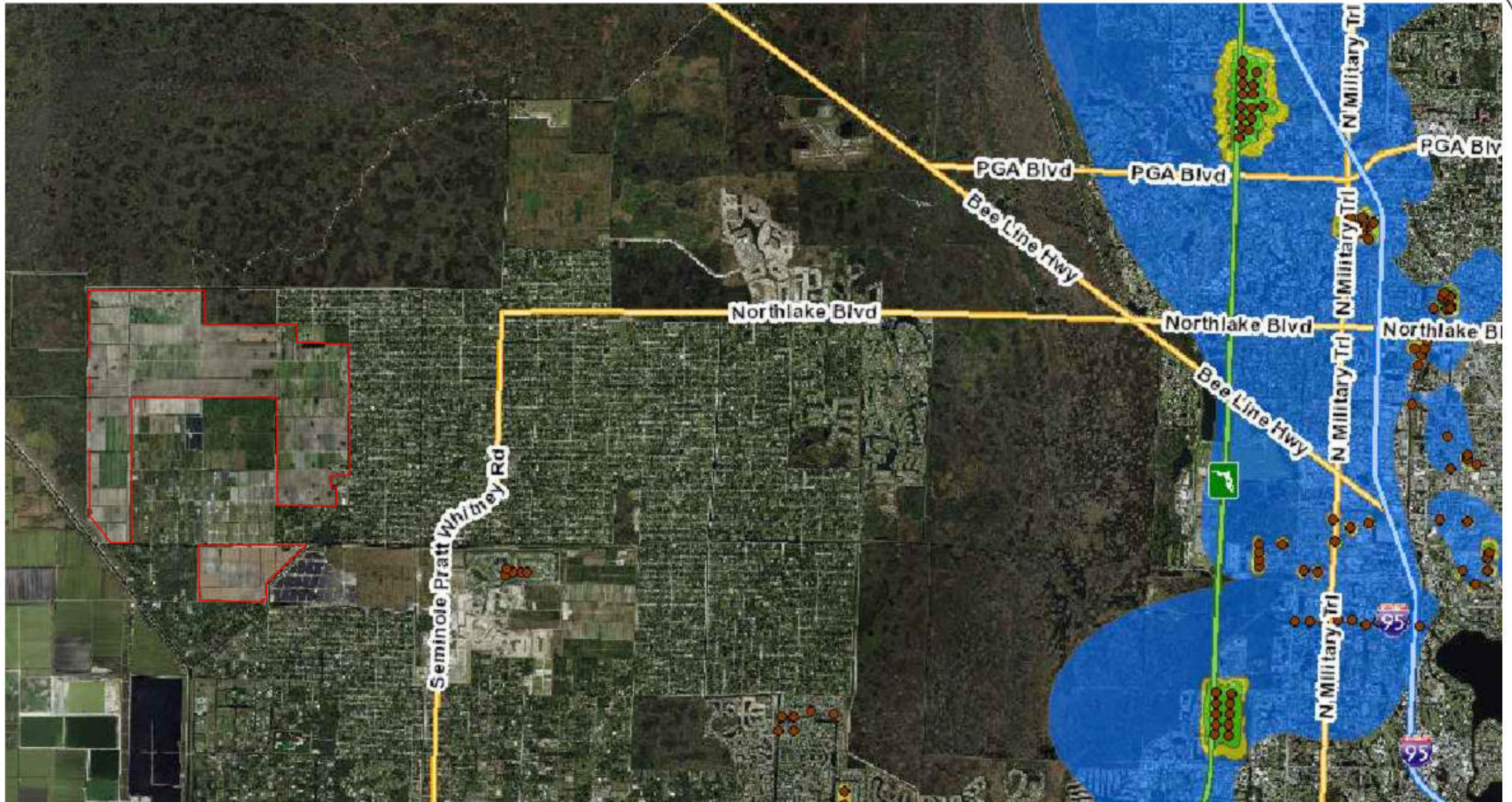
SOIL SURVEY - WEST SECTION



SCALE: NTS



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FILE #:	7669.00
DATE:	12/16/2021



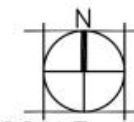
Source: FDOT GIS Aerials

***Properties are not within a public wellfield.**

INDIAN TRAILS GROVES

G.L. ACQUISITIONS CORPORATION

WELLFIELD ZONE MAP



SCALE: NTS



DRAWN BY:	LGD
DRAWING #:	766900_EV-MAPS_recover.dwg
FILE #:	7669.00
DATE:	12/16/2021

Exhibit F - Site Photographs



Typical view of drainage canal along active farmland.



Typical view of active farmland throughout site.



View of operation warehouse located in southeast corner of eastern section.



View of vegetation along south section border.



Typical view of drainage ditch and farm field in northern section.



Typical view of active farmland in northern section.



View of active farmland along the northern property line.



View of active farmland and drainage ditch along the western property line.



View of southeast parcels.

February 8, 2022

LAND USE PLAN AMENDMENT APPLICATION
FLOOD PLAIN STATEMENT

The 4,871.57 Acre Indian Trails Grove Site is Located West of Seminole Pratt Whitney Road
and South of Northlake Blvd., Unincorporated Palm Beach County, Florida.

SITE DATA

The subject property is located west of Seminole Pratt Whitney Road between Hamlin Road to the north and 59th Lane N to the south in Palm Beach County, Florida and contains approximately 4,871.57 acres. The Property Control Numbers for the subject property are:

00-40-42-18-00-000-7000
00-40-42-20-00-000-9000
00-40-42-22-00-000-1010
00-40-42-30-00-000-9000
00-40-42-34-00-000-1010
00-40-43-04-00-000-9010

00-40-42-19-00-000-9000
00-40-42-21-00-000-9000
00-40-42-27-00-000-9000
00-40-42-31-00-000-9000
00-40-43-03-00-000-3020
00-40-42-17-00-000-7000

The property is currently designated Western Communities Residential on the Palm Beach County Comprehensive Plan. The property owner is requesting to amend current FLUA to reduce the land area to 4,866.10, reduce the density and intensity of the proposed development, modify conditions of approval, and reconfigure the FLUA conceptual master plan.

FLOOD ZONE

A majority of the property is located in Flood Zone B with a small portion (along the southwest side) is located in Flood Zone AO – Depth 1.0’.

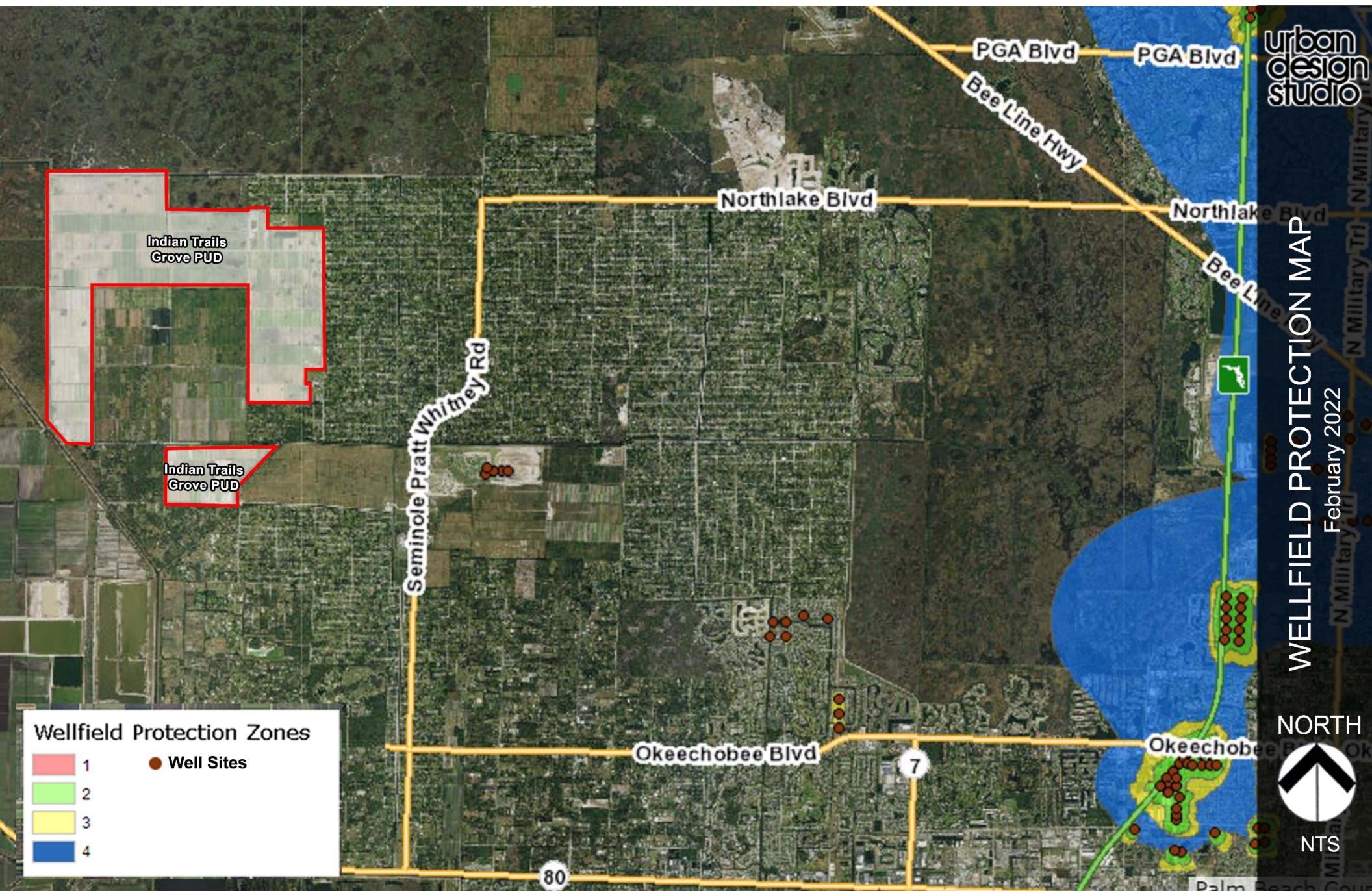
GLH Engineering, LLC (FL Certificate of Authorization No. 27459)

Matthew Woods, P.E.

Florida Registration #68342

WELLFIELD PROTECTION MAP

February 2022



Electronic Signature Report for Engineer of Record

Project Name: Indian Trails Grove WCR-PUD

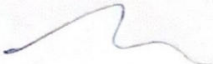
Project Address/Location: Southwest of Seminole Pratt Whitney Road and Northlake Boulevard

Documents Submitted (Document Name, Number of Sheets, SHA Code):

1. Flood Plain Statement for Indian Trails Grove
1 Sheet,
SHA-1: fb 73 ee b6 f4 1f f3 2e b5 dc eb 6c c1 a6 f0 46 a6 06 b5 4d

2. Wellfield Protection Zone Statement for Indian Trails Grove
1 Sheet,
SHA-1: fb 73 ee b6 f4 1f f3 2e b5 dc eb 6c c1 a6 f0 46 a6 06 b5 4d



 2/8/2022
Professional Engineer's Signature / Seal

Matthew Woods, PE
Professional Engineer's Name

68342
Professional Engineer's License Number

February 8, 2022
Date

GLH Engineering, LLC Certificate of Authorization No. 27459
Firm's Name and Certificate of Authorization

February 8, 2022

LAND USE PLAN AMENDMENT APPLICATION
WELLFIELD PROTECTION ZONE STATEMENT

The 4,871.57 Acre Indian Trails Grove Site is Located West of Seminole Pratt Whitney Road
and South of Northlake Blvd., Unincorporated Palm Beach County, Florida.

SITE DATA

The subject property is located west of Seminole Pratt Whitney Road between Hamlin Road to the north and 59th Lane N to the south in Palm Beach County, Florida and contains approximately 4,871.57 acres. The Property Control Numbers for the subject property are:

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00-40-42-20-00-000-9000
00-40-42-22-00-000-1010
00-40-42-30-00-000-9000
00-40-42-34-00-000-1010
00-40-43-04-00-000-9010

00-40-42-19-00-000-9000
00-40-42-21-00-000-9000
00-40-42-27-00-000-9000
00-40-42-31-00-000-9000
00-40-43-03-00-000-3020
00-40-42-17-00-000-7000

The property is currently designated Western Communities Residential on the Palm Beach County Comprehensive Plan. The property owner is requesting to amend current FLUA to reduce the land area to 4,866.10, reduce the density and intensity of the proposed development, modify conditions of approval, and reconfigure the FLUA conceptual master plan.

WELLFIELD PROTECTION ZONE

The above referenced property is not located in a Wellfield Protection Zone.

GLH Engineering, LLC (FL Certificate of Authorization No. 27459)

Matthew Woods, P.E.
Florida Registration #68342



FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski
Archaeological and Historical Conservancy, Inc.
4800 SW 64th Ave., Suite 107
Davie, FL 33314
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R40E, Sections 17, 18, 19, 20, 21, 22, 27, 30, 31 & 34

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Marie Celeste Ivory
Marie Celeste Ivory
Archaeological Data Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439
State SunCom: 205-6440
Email: fmsfile@dos.state.fl.us
Web: <http://www.dos.state.fl.us/dhr/msf/>

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office
(850) 245-6300 • FAX: 245-6435

☐ Archaeological Research
(850) 245-6444 • FAX: 245-6436

☐ Historic Preservation
(850) 245-6333 • FAX: 245-6437

☐ Historical Museums
(850) 245-6400 • FAX: 245-6433

☐ Palm Beach Regional Office
(561) 279-1475 • FAX: 279-1476

☐ St. Augustine Regional Office
(904) 825-5045 • FAX: 825-5044

☐ Tampa Regional Office
(813) 272-8843 • FAX: 272-2340



FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski
Archaeological and Historical Conservancy, Inc.
4800 SW 64th Ave., Suite 107
Davie, FL 33314
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R39E, Sections 25 & 26

In interpreting the results of our search, please remember the following points:

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If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Celeste Ivory

Marie Celeste Ivory
Archaeological Data Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439
State SunCom: 205-6440
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☐ Tampa Regional Office
(813) 272-3843 • FAX: 272-2340

JUN-16-2006 17:28

P.05



FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski
Archaeological and Historical Conservancy, Inc.
4800 SW 64th Ave., Suite 107
Davie, FL 33314
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R40E, Sections 3 & 4

In interpreting the results of our search, please remember the following points:

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If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

A handwritten signature in cursive script that reads "celeste ivory".

Marie Celeste Ivory
Archaeological Data Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439
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☐ Tampa Regional Office
(813) 272-3843 • FAX: 272-2340



FLORIDA DEPARTMENT OF STATE
Rue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller
Archaeological and Historical Conservancy
4800 S.W. 64th Ave., Suite 107
Davis, FL 33314
Fax: (954) 792-0954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R39E, Section 1

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Celeste Ivory

Celeste Ivory
Archaeological Data Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439
State SunCom: 205-6440
Email: fmsfile@dos.state.fl.us
Web: <http://www.dos.state.fl.us/dhr/fmsff>

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

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☐ Archaeological Research
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☐ Historic Preservation
(850) 245-6333 • FAX: 245-6437

☐ Historical Museums
(850) 245-6400 • FAX: 245-6433

☐ Palm Beach Regional Office
(561) 279-1475 • FAX: 279-1476

☐ Ft. Augustine Regional Office
(904) 875-3043 • FAX: 823-5044

☐ Tampa Regional Office
(813) 272-8843 • FAX: 272-7341

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FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller
Archaeological and Historical Conservancy
4800 S.W. 64th Ave., Suite 107
Davie, FL 33314
Fax: (954) 792-9954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, K40E, Sections 2, 5 & 6

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Celeste Ivory

Celeste Ivory
Archaeological Data Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
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☐ Historic Preservation
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☐ Historical Museums
(850) 245-6400 • FAX: 245-6433

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☐ St. Augustine Regional Office
(904) 823-5043 • FAX: 823-5044

☐ Tampa Regional Office
(813) 272-8848 • FAX: 772-2540



FLORIDA DEPARTMENT OF STATE
 Sue M. Cobb
 Secretary of State
 DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller
 Archaeological and Historical Conservancy
 4800 S.W. 64th Ave., Suite 107
 Davie, FL 33314
 Fax: (954) 792-9954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R39E, Sections 13, 24 & 36

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Celeste Ivory

Celeste Ivory
 Archaeological Data Analyst, Florida Master Site File
 Division of Historical Resources
 R. A. Gray Building
 500 South Bronough Street
 Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439
 State SysCom: 205-6440
 Email: fmrfile@dos.state.fl.us
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☐ Historical Museums
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☐ St. Augustine Regional Office
 (904) 825-5045 • FAX: 825-5044

☐ Tampa Regional Office
 (813) 272-3843 • FAX: 272-2340



FLORIDA DEPARTMENT OF STATE
 Sun M. Cobb
 Secretary of State
 DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller
 Archaeological and Historical Conservancy
 4800 S.W. 64th Ave., Suite 107
 Davie, FL 33314
 Fax: (954) 792-9954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R40E, Sections 14, 15, 16, 23, 26, 28, 29, 32, 33 & 35

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Celeste Ivory

Celeste Ivory
 Archaeological Data Analyst, Florida Master Site File
 Division of Historical Resources
 R. A. Gray Building
 500 South Bronough Street
 Tallahassee, Florida 32399-0250

Phone: 850-245 6440, Fax: 850-245-6439
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☐ Tampa Regional Office
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KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

6500 N. Andrews Ave. • Fort Lauderdale, FL 33309 • (954) 776-1616 • (954) 771-7690 Fax
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**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

"An Equal Opportunity
Affirmative Action Employer"

January 10, 2022

Ms. Sandra Megrue
Urban Design Studio
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

**RE: Reevaluation of Historical Preservation Data & Analysis
Requirements Future Land Use Amendment Request: Indian Trails
Groves UDS File No. 14-003.001**

This correspondence is in reply to your email requesting a review of the proposed Large-Scale Future Land Use Atlas (FLUA) Amendment application for property control numbers (PCNs):

00-40-42-17-00-000-7000	00-40-42-18-00-000-7000	00-40-42-19-00-000-9000
00-40-42-20-00-000-9000	00-40-42-21-00-000-9000	00-40-42-22-00-000-1010
00-40-42-27-00-000-9000	00-40-42-30-00-000-9000	00-40-42-31-00-000-9000
00-40-42-34-00-000-1010	00-40-43-03-00-000-3020	00-40-43-04-00-000-9010

In the proposed 4,871.57 +/- acre Indian Trails Grove Planned Unit Development (PUD).

Per the 2015 letter of findings, the Archaeological and Historical Conservancy's (2006) report found no resources, but deeply buried resources could not be accounted for. As such, a Certificate to Dig (CTD) will be required for any excavation of soils to a depth greater than two feet. In addition, the present review of the County's map of known archaeological sites has identified a known archaeological resource (8PB15987) located on or within 300 feet of the above referenced properties. Per Article 9.A.1.B.6 of the Unified Land Development Code (ULDC), a CTD would now be required regardless of the 2015 findings.

Since the property has already been subject to an archaeological investigation, remote sensing should be used to identify high probability areas, such as but not limited to, former hammock locations or areas around paleo-wetlands, to be systematically tested at close interval, as defined by the State's Cultural Resource Management Handbook. In addition, an archaeological monitor shall be onsite when excavations exceed 2ft of depth are undertaken, particularly areas where water holding structures/areas may be located.



Lastly should any artifacts or skeletal remains be encountered at any point during construction, per Article 9 of the ULDC, the developer is required to stop soil disturbing activities and contact the County Archaeologist.

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", followed by a long horizontal line.

Christian Davenport, MA, RPA
County Historic Preservation Officer/Archeologist

cc: Patricia Behn, Planning Director, PBC Planning Division
Kevin Fischer, Deputy 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\Urban Design Studio\Indian Trails Groves UDS file No. 14-0003.01 Ltr 1-10-2022.doc



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

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

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

KRISTIN K. GARRISON
DIRECTOR

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	01/26/2023		
	SCAD No.	23012501F/FLU and 23012501D/D. O.		
	FLU /Rezoning/D.O. No.	2022-155 – Palm Beach County		
	PCN No. / Address	00-40-42-27-00-000-9000/18033 70th RD N and more (see file)		
	Development Name	Indian Trails Grove		
	Owner / Agent Name	Palm Beach West Associates I, LLLP / Sandra J. Megrue		
	SAC No.	420H		
	Proposed Unit No. & Type	Maximum 2,612 Residential Units 2,612 Single-Family Units		
Impact Review		Frontier Elementary School	Osceola Creek Middle School	Seminole Ridge High School
	New Students Generated	413	212	298
	Capacity Available	-329	-19	-344
	Utilization Percentage	139%	102%	115%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, School District staff recommends the following condition to mitigate such impacts.</p> <p>1) To mitigate impacts at the District Elementary and Middle School level, the property owner shall convey to the Palm Beach County School District a 40-acre site to accommodate K-8 new students generated from the subject project;</p> <p>2) In order to address the school capacity deficiency created by this proposed project at the District High School level, the property owner shall contribute \$3,515,506.00 to the School District of Palm Beach County prior to issuance of first building permit. This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on September 13, 2022.</p>			
Validation Period	<p>1) This determination is valid from 02/09/2023 to 02/08/2024 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 02/08/2024 or this determination will expire automatically on 02/08/2024.</p>			
Notice	<p>1) This letter replaces the previous one under case# 22010601F and 22010601D.</p> <p>2) School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

Joyce Cai

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

CC: Kevin Fischer, Planning Director, Palm Beach County
Vismary Dorta, Site Plan Technician, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County

February 9, 2023

Date

joyce.cai@palmbeachschools.org

Email Address



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

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

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

KRISTIN K. GARRISON
DIRECTOR

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	01/07/2022		
	SCAD Case No.	22010601F/FLU and 22010601D/D. O.		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	PCN No. / Address	00-40-42-27-00-000-9000/18033 70th RD N and more		
	Development Name	Indian Trails Grove		
	Owner / Agent Name	Palm Beach West Associates I, LLLP / Sandra J. Megrue		
	SAC No.	420H		
	Proposed FLU Amendment Proposed Unit No. & Type	Maximum 2,612 Residential Units 2,612 Single-Family Units		
Impact Review		Frontier Elementary School	Osceola Creek Middle School	Seminole Ridge High School
	New Students Generated	408	225	322
	Capacity Available	-296	-130	-326
	Utilization Percentage	135%	112%	114%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public school system. Therefore, if the proposed development is approved by the Palm Beach County government, School District staff recommends the following condition to mitigate such impacts.</p> <p>1) To mitigate impacts at the District Elementary and Middle School level, the property owner shall convey to the Palm Beach County School District a 40-acre site to accommodate K-8 new students generated from the subject project;</p> <p>2) In order to address the school capacity deficiency created by this proposed project at the District High School level, the property owner shall contribute \$5,065,382.00 to the School District of Palm Beach County prior to issuance of first building permit. This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <hr/> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on April 16, 2019.</p>			
Validation Period	<p>1) This determination is valid from 02/16/2022 to 02/15/2023 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 02/15/2023 or this determination will expire automatically on 02/15/2023.</p>			
Notice	<p>1) The SCAD letter under case# 18052201Z and 18052202D is replaced by this letter.</p> <p>2) School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

Joyce Cai

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

February 16, 2022

Date

joyce.cai@palmbeachschools.org

Email Address

CC: Patricia Behn, Planning Director, Palm Beach County
Kevin Fischer, Interim Planning Director, Palm Beach County
Vismary Dorta, Site Plan Technician, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County

The School District of Palm Beach County, Florida
A Top High-Performing A Rated School District
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Attachment Q – Proposed Text Amendments

A. Introduction & Administration Element, Western Communities Residential Definition

REVISE WESTERN COMMUNITIES RESIDENTIAL - A future land use designation ~~reflecting a development pattern~~ which allows for the preservation of large contiguous acres of land for agriculture, water resources, and open space while also accommodating a mixed-use design concept comprised of a mixture of land uses, including residential, retail, office, recreation, civic, etc., located within close proximity to each other, in order to provide for a variety of housing, recreation, shopping, and employment opportunities.

B. Future Land Use Element, Agricultural Reserve Tier

NEW Policy 1.5.1-XX: In order to promote regional water management opportunities outside of the Agricultural Reserve Tier, limited land in the Agricultural Reserve may convert from agricultural preservation to unique development options that are not otherwise available in the Tier. The six projects listed below may utilize land dedicated to the County as designated on an adopted Western Communities Residential Conceptual Plan for a regional water management or agriculture use within the Western Communities Residential Overlay (WCRO) as also indicated in Policy 1.11-j, to partially satisfy 60/40 AGR-PUD Preserve requirements as specified for the following existing 60/40 AGR-PUDs.

1. Hyder (Seven Bridges) AGR-PUD (Control Number 2005-455) may utilize up to 29.80 acres of WCR land, to satisfy 29.80 acres and 23.84 units of AGR-PUD requirements;
2. Lyons West (Valencia Reserve) AGR-PUD (Control Number 2005-003) may utilize up to 462.51 acres of WCR land to satisfy 462.51 acres and 370.01 units of AGR-PDD requirements;
3. Fogg North (Canyon Lakes) AGR-PUD (Control Number 2002-067) may utilize up to 23.87 acres of WCR land to satisfy 23.87 acres and 19.10 units of AGR-PUD requirements;
4. Fogg Central (Canyon Isles) AGR-PUD (Control Number 2002-068) may utilize up to 29.28 acres of WCR land to satisfy 29.28 acres and 23.42 units of AGR-PUD requirements;
5. Fogg South (Canyon Springs) AGR-PUD (Control Number 2002-069) may utilize up to 32.21 acres of WCR land to satisfy 32.21 acres and 25.77 units of AGR-PUD requirements; and
6. Whitworth AGR-PUD (Control Number 2021-031) may utilize up to 113.05 acres of WCR land to satisfy 113.05 acres and 90.44 units of AGR-PUD requirements.

The corresponding zoning development orders shall clearly depict the preserve and unit allocation from the Western Communities Reserve Overlay on the approved development order plans and corresponding resolution; however, the WCRO lands themselves are excluded from the Zoning development order.

C. Future Land Use Element, West Hyder Overlay

NEW SUB-OBJECTIVE 1.5.2 The West Hyder Overlay (WHO)

In order to foster opportunities for long-term regional water management benefits for the overall County, the County shall allow 60/40 Agricultural Reserve Planned Developments and institutional, public and civic uses within the West Hyder Overlay (WHO). The purpose of the Overlay is to promote regional water management opportunities outside of the Agricultural Reserve Tier by allowing limited land in the Agricultural Reserve to convert from agricultural preservation to a unique development option not otherwise available in the Tier, and allow for a development's AGR-PUD 60/40 preserve requirements to be fulfilled entirely by lands outside of the Tier.

NEW Policy 1.5.2-a: The West Hyder Overlay (WHO) is depicted on the Special Planning Areas Map LU 3.1 in the Map Series and generally delineated as the area bounded on the north by the LWDD L-36 Canal, on the east by SR-7, on the south by the LWDD L-39 Canal, and on the west by the LWDD S-11 Canal and the Sunshine Meadows equestrian facility. The overlay comprises approximately 682 acres of land.

NEW Policy 1.5.2-b: Lands within the West Hyder Overlay shall either remain in an agricultural, environmental, or other open space use in accordance with the requirements of the Tier, or may be eligible to convert to a development area of a 60/40 AGR-PUD only in the following limited circumstance, with the uses specified:

West Hyder AGR-PUD (Control Number 2022-005):

- a. Up to 1,000 units of adult age-restricted residential development;
- b. Up to 277 units of workforce housing, distributed between 60-140% affordability range, and to be provided on-site (with no buyout or in-lieu option);
- c. Institutional, Public and Civic Uses as identified in the ULDC Use Matrix;
- d. The zoning development order shall include conditions of approval requiring a deed restriction limiting the adult age-restricted residential development to an adult age-restricted community; this restriction shall remain unless a development order amendment is submitted to delete the conditions for the deed restriction, and may only be approved upon demonstration that the impacts associated with removing the age restriction have been addressed and any impacts to service providers are mitigated; and
- e. Fulfillment (issuance of Certificate of Occupancy – COs) of all 277 workforce housing units shall be completed prior to the issuance of 277 residential Certificate of Occupancies for the adult age-restricted residential development portion of the subject site.

NEW Policy 1.5.2-c: Consistent with Policy 1.5.2-b, West Hyder AGR-PUD (Control Number 2022-005) may utilize up to 909.31 acres of WCR land to satisfy 909.31 acres and 727.45 units towards its AGR-PUD requirements, provided the WCR land is contiguous lands within the West Communities Residential Overlay that are: (1) required to be deeded to the County or other government entity; (2) consistent with an adopted WCR Conceptual Plan, and, (3) designated for a regional water management or agricultural use.

Lands within the WCRO that are not allocated to WCR-PUD development areas, and that are required to be deeded to the County in fee simple, shall count toward satisfying the minimum 250-acre requirement for 60/40 AGR-PUD for the acreages specified above, but do not need to be included in any Zoning development order application.

NEW Policy 1.5.2-d: Within the West Hyder Overlay, recreational, institutional, public and civic uses may be allowed west of SR-7 provided they are located within the development area of an AGR-PUD listed in Policy 1.5.2-b, or are on land deeded to the County.

D. Future Land Use Element Western Communities Residential Overlay

REVISE OBJECTIVE 1.11 Western Communities Residential Overlay

General: The Purpose of the Western Communities Residential Overlay (WCRO) is to provide a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects, as well as providing the opportunity for regional water management benefits. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into conservation areas. It achieves compatibility with the existing residential development pattern in the surrounding area while furthering remediation of the historic land use imbalance in that area through the additional non-residential uses and residential support for other projects whose non-residential development is intended to do so, including but not limited to the City of Westlake.

In 2016, the County adopted the Western Communities Residential Overlay along with the corresponding Western Communities Residential future land use designation in the Comprehensive Plan and adopted a site specific amendment and Conceptual Plan with an overall density of 1 unit per 1.25 acres, resulting in 3,897 dwelling units, and corresponding non-residential uses. In 2022, in consideration of property owner rights, and the potential to achieve a larger, regional public benefit and improve regional water management and agricultural holdings, the property owner proposed exchanging density and land within the WCRO for additional development on land in the Agricultural Reserve Tier. This exchange of density between the Tiers is based on the original 3,897 units in the 2016 approval (Ordinance 2016-040). However, this exchange proportionally reduced the development contemplated within the WCRO by one-third, and the reduction is incorporated in this Objective and Objective 4.5, and their respective policies.

Only the density associated with the 2016 WCRO approval is exchanged with the Agricultural Reserve Tier, at a ratio of 1.25 units of WCR development potential to one unit of AGR development potential (1.25:1).

REVISE Objective: The Western Communities Residential Overlay (WCRO) enables the appropriate transition between rural/suburban development, preservation and conservation areas while allowing for residential development at a density that is compatible with the surrounding area through the preservation of large tracts of contiguous acres of land for water resources, agriculture, or other suitable open space uses. The WCRO achieves compatibility with the existing residential development pattern in the surrounding area and remediates the historic land use imbalance in the central western communities and provides other regional benefits. This overlay complements existing provisions and concepts within the Comprehensive Plan to further the potential to address regional Water Resources needs, and also perpetuate Agricultural uses in areas that are not proposed for development.

REVISE Policy 1.11-a: The Western Communities Residential Overlay is depicted on the Special Planning Areas Planning Map LU 3.1, in the Map Series and consists of approximately 4,871 acres of land generally located approximately two (2) miles west of the intersection of Seminole

Pratt Whitney Road and Orange Boulevard.

REVISE Policy 1.11-b: The Western Communities Residential (WCR) Future Land Use ~~category designation shall be established to~~ allow a compatible density with the existing rural residential lifestyle adjacent to the Western Communities Residential Overlay.

REVISE Policy 1.11-c: Development within the Western Communities Residential Overlay shall only occur in the form of a Planned Development District, Planned Unit Development and commercial nodes consistent with the form of the Traditional Marketplace in the Comprehensive Plan, with a minimum gross land area of 900 acres. Within the Overlay, the maximum number of residential units shall be limited to ~~3,897~~ 2,612; the maximum amount of ~~non-residential commercial retail~~ uses shall be limited to ~~300,000~~ 233,500 square feet; ~~and, the maximum amount of non-residential commercial office uses shall be limited to 50,000 comprised of 200,000 square feet of commercial retail uses and 33,500 square feet of commercial office uses.~~

REVISE Policy 1.11-e: In addition to other public facilities required by the ULDC, the following within the Western Communities Residential Overlay shall be provided at developer expense:

1. Paved on-site roads to serve all uses.
2. On-site central water and wastewater service and facilities adequate to meet adopted level of service standards, with an off-site loop main that will allow other residences in the vicinity to connect to central services.
3. On-site retention and drainage facilities that connect to the L-8 canal.
4. A minimum ~~44.9~~ 9 miles of 8-foot-wide pedestrian and bicycle pathways, open to the public.
5. A minimum ~~47.5~~ 9.6 miles of equestrian trails open to the public.
6. On-site bus shelter easements for Palm Tran.
7. Off-site road improvements that include:
 - a. Extension of 60th Street North from Seminole Pratt Whitney to 190th Street North.
 - b. Extension of 190th Street North from 60th Street North to Hamlin Boulevard.
 - c. Extension of Orange Blvd. from 180th Ave. North to 190th Street North.
 - d. Connection of Hamlin Boulevard from its present terminus to 190th Street North.
8. In addition to the project's fair share proportionate share obligation, fund an additional \$5,000,000.00 for road improvements in the Central Western Communities.

REVISE Policy 1.11-h: The Western Communities Residential Overlay developer shall dedicate the following land for public facilities to serve on-site residents and other users within the surrounding area:

1. Upon the date mutually agreed to in written agreement between Indian Trail Improvement District and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District or the County. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID/County as a storm water retention/water management area.
2. Upon written request of the Palm Beach County School Board and receipt of at least 250 residential building permits, whichever shall later occur, dedicate ~~a 15.5-acre site for a future elementary school and a 25.0-acre site for a future middle school, minimum 40-acre school site subject to the conditions in the zoning development order, constructed at school board expense. An additional 22.6 acres adjacent to either the elementary school site or middle school site shall be dedicated upon request of the Palm Beach County School Board with the concurrence of Palm Beach County.~~ The development shall take all required drainage from the school sites into the development's storm water

- management system.
3. Prior to receipt of no less than 250 residential building permits, a minimum forty (40) acres adjacent to District Park "F" for its expansion, constructed at County expense subject to the conditions in the zoning development order.
 4. Prior to receipt of no less than 250 residential building permits, a minimum five (5) acre site for a fire/police/utility site subject to the conditions in the zoning development order.
 5. Prior to the receipt of no less than 250 residential building permits, a minimum ten (10) acre site for civic site uses to be dedicated to the County subject to the conditions in the zoning development order.
 6. Prior to receipt of no less than 250 residential building permits, a minimum two hundred (200) acre site for civic / recreation uses to be dedicated to the County subject to the conditions on the zoning development order.

NEW Policy 1.11-i: The areas within the Overlay that are designated as Water Resources/Agriculture/Impoundment Area on the adopted WCR Conceptual Plan, and are conveyed via warranty deed to the County or other governmental entity that is not a CDD, shall be restricted to the following uses and purposes consistent with this Overlay, including, but not limited to: excavation for regional water management, stormwater impoundment, flow ways and other means of water conveyance, water quality enhancement projects, environmental restoration, environmental mitigation banks, Everglades restoration, conservation, and bona fide agriculture. The County shall adopt conditions of approval in the zoning development order to address the timing and construction of the excavation.

Excavation for the purposes of fulfilling the requirements of this policy, including but not limited to the digging of fill for use on-site or to support the drainage system of the development, shall not be removed from the site and not subject to the limitations of Objective 2.3, Mining and Excavation. In addition, areas designated as water resources or impoundment on an adopted WCR Conceptual Plan, and dedicated to the County, the South Florida Water Management, or the Indian Trail Improvement District are permitted to excavate in support of water management projects that are associated with, but not limited to, ecosystem restoration, regional water supply, and flood protection.

NEW Policy 1.11-j: Lands within the Western Communities Residential Overlay that are dedicated to the County or other government entity for Water Resources/Agriculture/Impoundment areas, and are depicted as such on the adopted WCR Conceptual Plan and Site Data table, shall satisfy Agricultural Reserve Tier AGR-PUD Preserve area and density requirements for the projects and amounts, as follows:

1. Hyder (Seven Bridges) AGR-PUD (Control Number 2005-455) may utilize up to 29.80 acres of WCR land, to satisfy 29.80 acres and 23.84 units of AGR-PUD requirements;
2. Lyons West (Valencia Reserve) AGR-PUD (Control Number 2005-003) may utilize up to 462.51 acres of WCR land to satisfy 462.51 acres and 370.01 units of AGR-PUD requirements;
3. Fogg North (Canyon Lakes) AGR-PUD (Control Number 2002-067) may utilize up to 23.87 acres of WCR land to satisfy 23.87 acres and 19.10 units of AGR-PUD requirements;
4. Fogg Central (Canyon Isles) AGR-PUD (Control Number 2002-068) may utilize up to 29.28 acres of WCR land to satisfy 29.28 acres and 23.42 units of AGR-PUD requirements;
5. Fogg South (Canyon Springs) AGR-PUD (Control Number 2002-069) may utilize up to 32.21 acres of WCR land to satisfy 32.21 acres and 25.77 units of AGR-PUD requirements;

6. Whitworth AGR-PUD (Control Number 2021-031) may utilize up to 113.05 acres of WCR land to satisfy 113.05 acres and 90.44 units of AGR-PUD requirements;
7. West Hyder AGR-PUD (Control Number 2022-005) may utilize up to 909.31 acres of WCR land to satisfy 909.31 acres and 727.45 units towards AGR-PUD requirements.

E. Future Land Use Element, Western Communities Residential future land use designation

REVISE OBJECTIVE 4.5 Western Communities Residential

The County shall recognize the unique characteristics of agricultural parcels that are adjacent to existing residential communities within the Rural Tier and the Western Communities Residential Overlay that seek to develop by assigning the Western Communities Residential (WCR) future land use designation through a Future Land Use Amendment process. A WCR site specific amendment that supports balanced growth may occur in the Rural Tier and may exceed rural densities and intensities. A WCR site specific amendment shall achieve compatibility with the existing residential development pattern in the surrounding area of the Rural Tier while furthering remediation of the historic land use imbalance in the western communities and providing other regional benefits.

REVISE Policy 4.5-d: Western Communities Residential Conceptual Plan shall include a Site Data table establishing an overall density and intensity for the project, as well as minimum and/or maximum percentages for the acreages shown on the Plan and other binding standards. The Conceptual Plan shall include a depiction of the residential, non-residential, recreational, civic and open space elements of the project and allow the clustering of the density to promote a variety of neighborhoods and housing types and to act as transition areas between the Western Communities Residential and adjacent existing communities. The Conceptual Plan and Site Data table shall also include specific acreages for lands and units within the Overlay that provide density and satisfy preserve area requirements in the Agricultural Reserve Tier, for developments specified in Policy 1.11-j.

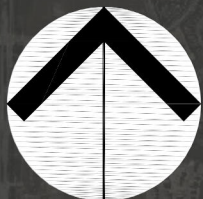
REVISE Policy 4.5-e: A property with Western Communities Residential future land use designation shall utilize the Planned Unit Development (PUD) zoning district of the Unified Land Development Code, with the form of the commercial nodes reflected on the Conceptual Plan, which commercial nodes shall be designed consistent with the form of the Traditional Marketplace provisions in the Comprehensive Plan. Each residential pod within a WCR Planned Unit Development ~~may~~ shall be developed according to the density/intensity assigned on the Conceptual Plan.

REVISE Policy 4.5-f: In order to achieve compatibility with the existing residential development pattern in the surrounding area and create a more sustainable land use pattern through compactness of design, any land developed utilizing the WCR future land use shall be required to exhibit the following characteristics:

1. A maximum permissible gross residential density of 0.80 DU/AC.
2. The project shall provide a minimum of 66.67% of the gross site acreage in open space uses (the Required Open Space). A minimum of 50% of the gross site acreage shall be in the form of Exterior Open Space which shall be limited to preservation, conservation, passive and/or active recreation, perimeter landscape buffers, rural parkways, pedestrian pathways and greenways, wetlands, bona fide agriculture, regional water management, fallow land, perimeter water management areas, public and/or private civic uses, and/or,

equestrian uses. Perimeter water management areas shall only count as Exterior Open Space if the water management area is accessible to the general public from a publicly accessible buffer or open space tract that includes a minimum 8-foot-wide paved pedestrian pathway that connects the perimeter of the site to the water management area. Perimeter water management areas shall be available for use by the general public for fishing and non-motorized boating activities. Land area allocated as Exterior Open Space counts towards meeting the minimum Required Open Space.

3. A minimum of 33.33% of the gross site acreage shall be provided in one large contiguous open space land area and shall be depicted on the Conceptual Plan approved by the Board of County Commissioners. Land area allocated as part of the 33.33% contiguous open space counts towards meeting the minimum Required Open Space.
4. Neighborhood-serving commercial nodes shall comprise no less than 2% of the overall developable land area (developable land area being defined as the area available for development less the required Exterior Open Space). The commercial nodes shall: (1) be designed consistent with the form of the Traditional Marketplace provisions of the Comprehensive Plan; and, (2) be depicted on the Conceptual Plan approved by the Board of County Commissioners.
5. A minimum 20% of the residential units shall be located within one-quarter mile radius of commercial nodes; a minimum 40% of the residential units shall be located within one-half mile radius of commercial nodes; and a minimum of 66% of the residential units shall be located within one-quarter mile radius of commercial nodes or civic uses (public or private) or recreation uses (public or private).
6. Higher density residential areas shall be located adjacent to and within one-quarter mile radius of any commercial node. Lower density residential areas shall be located around the perimeter of the development area to promote compatibility with existing development in the surrounding area. Medium density residential shall be located between commercial nodes/High density residential areas and the Low-density residential areas. All of which shall be reflected on the Conceptual Plan approved by the Board of County Commissioners.
7. A minimum of 10.0% of on-site for-sale units shall be provided as workforce housing based on the County's affordability standards.
8. ~~A maximum permissible non-residential intensity of 350,000 square feet of commercial uses, comprised of 300,000 square feet of commercial retail uses, and 50,000 square feet of commercial office uses~~ Commercial uses shall be limited to 233,500 square feet comprised of 200,000 square feet of commercial retail uses and 33,500 square feet of commercial office uses.



Note:

Locations and configurations of proposed land uses, roads, open space, water management areas, water resources / agriculture, impoundment expansion, recreation (both public and private), civic/institutional (public and private), rural parkway(s), and buffers are illustrated for conceptual purposes and are not to scale, but are required to remain in the general locations shown on the conceptual plan. Final delineation shall be determined during the site plan approval(s).

SITE DATA TABLE - AGR PRESERVE AREAS SUMMARY

Project / Control Name	Control No.	Existing AGR Preserves to be Replaced in WCR Exchange Parcel (Acres)	Replacement Acreage in WCR Exchange Parcel for AGR Preserves (Existing Area x 1.25) (Acres)	Acreage Required in WCR Exchange Parcel for New AGR Preserves (60% Land Area of PUD) (Acres)	WCR Density Exchange to WHO AGR-PUD (WCR Acreage x 0.8) (Units)	Proposed WCR Exchange Parcel (Acres)
Indian Trails Grove (ITG) WCR Exchange Parcel	2002-90045					1,600.00
Hyder (Seven Bridges) AGR-PUD	2005-00455	23.84	29.79			
Lyons West (Valencia Reserve) AGR-PUD	2005-0003	370.01	462.51			
Fogg North (Canyon Lakes) AGR-PUD	2002-0067	19.09	23.87			
Fogg Central (Canyon Isles) AGR-PUD	2002-0068	23.42	29.27			
Fogg South (Canyon Springs) AGR-PUD	2002-0069	25.76	32.2			
Whitworth AGR-PUD	2021-0031	90.44	113.05			
Totals		552.55	690.69			
WHO/Hyder West AGR-PUD	2022-0005			909.31	727	
Totals				909.31	727	
Existing Preserve Acres replaced with WCR Exchange Parcel			690.69			
New Preserve Acres utilizing WCR Exchange Parcel				909.31		
Total Preserve Acres utilizing WCR Exchange Parcel			1,600.00			

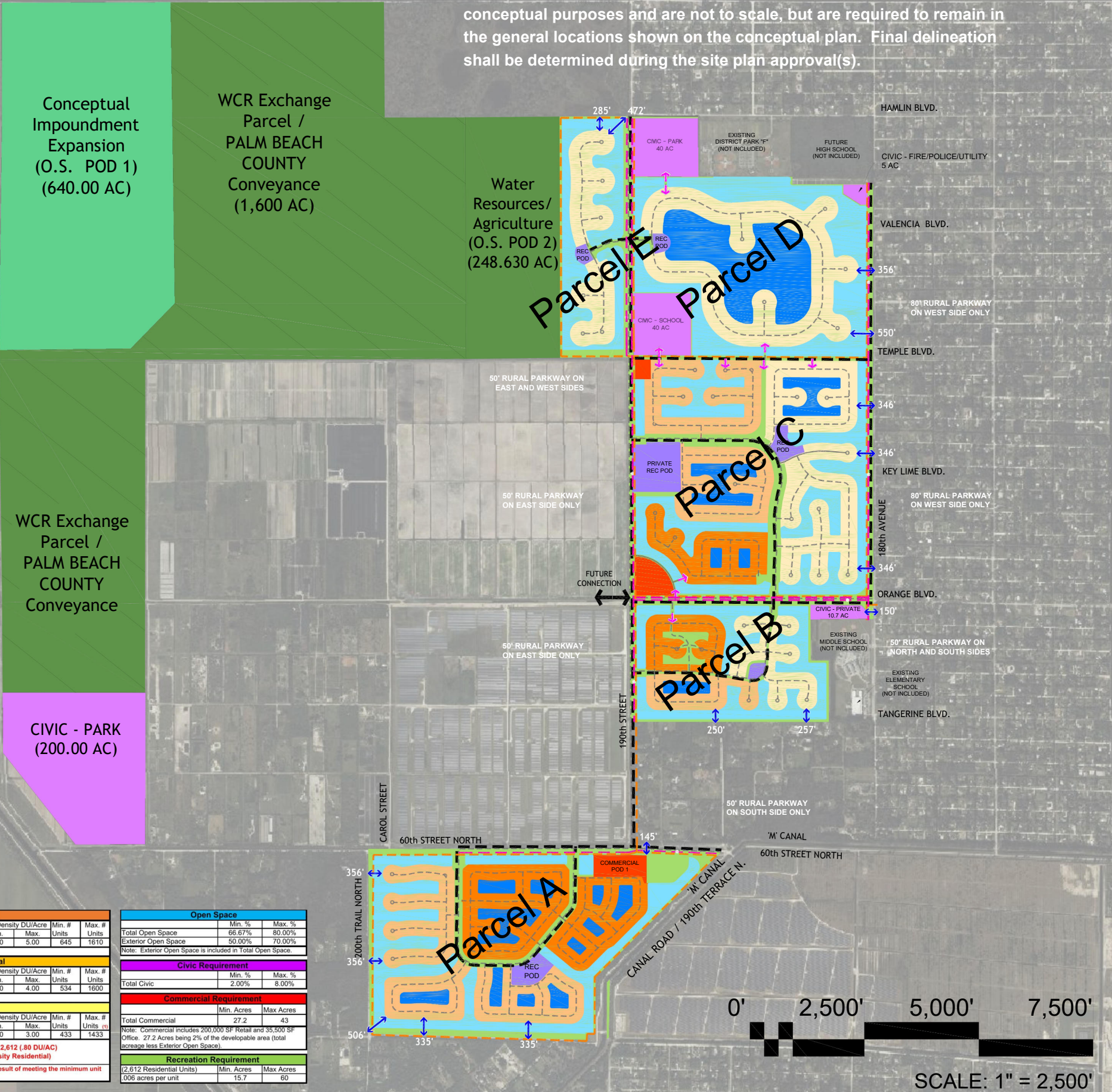
LEGEND

- Pedestrian Pathways Public connectivity 9 miles +/-
- Public horse trails - 9.6 miles +/-
- Sidewalk connectivity
- Rural Parkway (Width as Noted on Plan)
- Community connectivity
- ↔ Setback to ITG Perimeter Property Line
- Commercial / Retail & Office
- High Density Development ZLL lots
- Medium Density Housing 50' ZLL to 65' SF lots
- Low Density Housing 65' SF to 100'+ SF lots
- Civic / Institutional use
- Private Recreation
- Exterior Open space
- Exterior Open space Water Management Areas
- Internal Lakes
- Water Resources / Agriculture WCR Exchange Parcel / Palm Beach County Conveyance
- Conceptual Impoundment Expansion

LAND USE MIX

High Density Residential						
Unit Type	Land Area		Net Density DU/Acre		Min. # Units	Max. # Units
	Min. Acres	Max. Acres	Min.	Max.	Units	Units
High Density (ZLL)	215	322	3.00	5.00	645	1610
Medium Density Residential						
Unit Type	Land Area		Net Density DU/Acre		Min. # Units	Max. # Units
	Min. Acres	Max. Acres	Min.	Max.	Units	Units
ZLL & SF	267	400	2.00	4.00	534	1600
Low Density Residential						
Unit Type	Land Area		Net Density DU/Acre		Min. # Units	Max. # Units
	Min. Acres	Max. Acres	Min.	Max.	Units	Units
SF	433	650	1.00	3.00	433	1433
MAXIMUM NUMBER OF RESIDENTIAL UNITS - 2,612 (.80 DU/AC) (High Density, Medium Density and Low Density Residential)						
(1) Note: Maximum number of DU within Low Density category is a result of meeting the minimum unit requirements of High Density and Medium Density categories.						

Open Space		
	Min. %	Max. %
Total Open Space	66.67%	80.00%
Exterior Open Space	50.00%	70.00%
Note: Exterior Open Space is included in Total Open Space.		
Civic Requirement		
	Min. Acres	Max. Acres
Total Civic	2.00%	8.00%
Commercial Requirement		
	Min. Acres	Max. Acres
Total Commercial	27.2	43
Note: Commercial includes 200,000 SF Retail and 35,500 SF Office. 27.2 Acres being 2% of the developable area (total acreage less Exterior Open Space).		
Recreation Requirement		
(2,612 Residential Units)	Min. Acres	Max. Acres
	15.7	60



IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

DIVISION "AF"

CASE NO. 2018-CA-003902

FLORIDA POWER & LIGHT COMPANY,
a Florida corporation,

PARCEL NO. 8

Petitioner,

vs.

PALM BEACH WEST ASSOCIATES I, LLLP, a
Florida limited liability partnership, and
UNKNOWN PERSONS OR ENTITIES,

Respondents.

STIPULATED FINAL JUDGMENT AS TO PARCEL 8

This matter came before the Court upon the Joint Motion for Entry of Stipulated Final Judgment as to Parcel 8 of Petitioner, Florida Power & Light Company ("FPL"), and Respondent, Palm Beach West Associates I, ("Property Owner"), wherein the Parties request the entry of final judgment ("Stipulated Final Judgment").

The Court being fully advised in the premises, it is

ORDERED and ADJUDGED that:

1. The Court has jurisdiction over the subject matter and the parties to this cause, including all persons and entities claiming any equity, lien, title, or other interest in or to the Subject Parcel, which is described as Parcel 8 in the Stipulated Order of Taking entered on October 1, 2018, attached hereto as Exhibit 1 ("Order of Taking"). FPL accomplished service in this case on unknown persons or entities by publication. Except for Property Owner, no other party has responded in this case. FPL's vested title and rights, as described in the Order of Taking, are hereby approved, ratified and confirmed.

2. FPL has complied with sections 73.031 and 74.041, Florida Statutes, and has properly served the Property Owner and all other persons and entities claiming or potentially claiming any equity, lien, title, or other interest in or to the Subject Parcel with a Summons, Petition in Eminent Domain, Notice of Lis Pendens, Declaration of Taking, and Notice of Filing Affidavit in Support of Constructive Service, the originals of which have been filed by FPL with the Clerk of Court. The pleadings in this cause are sufficient and FPL is properly exercising its delegated power of eminent domain for a proper purpose. The Declaration of Taking filed in this cause as to Parcel 8 was made in good faith and based upon a valid appraisal, and the Order of Taking was entered after delivery of proper notice to all Respondents (including the Property Owner).

3. The Property Owner and FPL have reached a settlement, that has been reduced to writing in a Mediated Settlement Agreement, dated August 28, 2019, (the "Mediated Settlement Agreement") which provides Property Owner full compensation for the property taken, including, but not limited to the value of the easement taken, claimed damages to the Property Owner's interests in remainder property, as well as any and all other claims for damages, compensation, interest, attorneys' fees pursuant to Section 73.092, Florida Statutes, and expert fees and costs pursuant to Section 73.091, Florida Statutes, with respect to the Subject Parcel.

4. Pursuant to the Order of Taking entered on October 1, 2018, FPL deposited the total of SIX HUNDRED THWENTY-THREE THOUSAND TWO HUNDRED DOLLARS AND NO CENTS (\$623,200.00) into the Registry of the Court as to Parcel 8 on October 8, 2018. FPL shall be credited for said funds against the full settlement amount herein.

5. FPL shall pay to the Smolker Bartlett Trust Account c/o David Smolker, 100 North Tampa Street, Suite 2050, Tampa, Florida 33602, the additional sum specified in Paragraph 4 of the Mediated Settlement Agreement within fifteen (15) days of entry of the Stipulated Final Judgment.

6. The amount paid to the Property Owner pursuant to Paragraphs 4 and 5 above, shall represent FPL's final payment of full compensation for property taken, including, but not limited to, claimed damages to the Property Owner's interests in remainder property adjacent to the Subject Parcel, as well as any and all other claims by Property Owner for damages, compensation, and interest with respect to the Subject Parcel, attorney's fees under Section 73.092, Florida Statutes, and costs under Section 73.091, Florida Statutes.

7. FPL shall have no obligation whatsoever to Property Owner for additional payment, reimbursement, allocation, or apportionment other than as specified in the Stipulated Final Judgment.

8. Upon entry of this Stipulated Final Judgment, any and all claims by the Property Owner for full compensation for property taken, including, but not limited to, the values of the easement taken, claimed damages to the Property Owner's interest in remainder property adjacent to the Subject Parcel, damages, compensation, interest, attorney's fees under Section 73.092, Florida statutes, and costs under Section 73.091, Florida Statutes, shall be resolved with respect to the Subject Parcel.

9. The Court retains jurisdiction of this case and the parties to this cause in order to enforce the terms of the Order of Taking, the Mediated Settlement Agreement and the Stipulated Final Judgment.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida, this
20 day of September, 2019.



HONORABLE JOHN S. KASTRENAKES
CIRCUIT JUDGE

Copies: all counsel and parties on attached service list

David Smolker, Esq.
Smolker, Bartlett, Loeb, Hinds & Thompson,
P.A., 100 North Tampa Street
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Florida 33602
Primary: davids@smolkerbartlett.com
Secondary: jenniferc@sblfirm.com
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Secondary: Eservice@Gunster.com
Counsel for Petitioner
Florida Power & Light Company

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

FLORIDA POWER & LIGHT COMPANY,
a Florida Corporation,

CASE NO. 2018-CA-003902

Petitioner,

PARCEL NO.: 8

vs.

PALM BEACH WEST ASSOCIATES I, LLLP, a
Florida limited liability partnership, and
UNKNOWN PERSONS OR ENTITIES,

Respondents.

STIPULATED ORDER OF TAKING

This matter came before the Court upon the stipulation and joint motion of Petitioner, Florida Power & Light Company's ("FPL" or "the Company"), and Respondent fee owner, Palm Beach West Associates I, LLLP ("Respondent"), for entry of a Stipulated Order of Taking as to Parcel 8 ("Subject Parcel"). The Court being advised of the Owner's stipulation to the entry of this Order of Taking and being otherwise fully advised in the premises, it is

ORDERED and ADJUDGED that:

1. The Court has jurisdiction over the subject matter and the parties to this Stipulated Order of Taking as to the Subject Parcel, which is described in the Petition in Eminent Domain. The legal description for the Subject Parcel is attached hereto as Exhibit "A".

2. FPL has complied with sections 73.031 and 74.031, Florida Statutes, and has properly served persons and entities claiming any equity, lien, title, or other interest in or to the Subject Parcel with a Summons, Petition in Eminent Domain, Notice of Lis Pendens, and Declaration of Taking, the originals of which have been filed by FPL with the Clerk of Court.

EXHIBIT

1

FPL v. Palm Beach West Associates I, LLLP, et. al.
Case No. 2018-CA-003902

FPL has also filed its Notice of Filing Affidavit in Support of Constructive Service and Notice of Publication.

3. The pleadings in this cause are sufficient and FPL is properly exercising its delegated power of eminent domain for a public purpose.

4. The Declaration of Taking filed in this cause as to the Subject Parcel was made in good faith and based upon a valid appraisal.

5. The taking of the Subject Parcel is reasonably necessary for a public purpose.

6. Upon payment of the amount specified in the following paragraphs, the perpetual easement rights set forth in the attached Exhibit "B," in, over, upon and across the Subject Parcel are hereby conveyed and vested in FPL.

7. FPL is required to deposit as to the Subject Parcel, the following sum into the Registry of the Court: Six Hundred Twenty Three Thousand Two Hundred Dollars and No Cents (\$623,200.00), which is two times the agreed upon good faith estimate of value, in compliance with Section 74.051(2) of the Florida Statutes.

8. Said sum shall be deposited in the Registry of this Court within twenty (20) days from the date of this Stipulated Order of Taking, and upon making such deposit, FPL shall be entitled to enter into possession of the Subject Parcel as described above to the extent of the interests in said property sought to be taken by FPL and described in each Exhibit "B" attached hereto.

9. That the deposits of money referenced in the above paragraphs will secure the persons lawfully entitled to the compensation which will be ultimately determined by final judgment of this Court as to the Subject Parcel. All rights to contest full compensation for the Subject Parcel are preserved by the parties to this action and this Stipulated Order of Taking is

FPL v. Palm Beach West Associates I, LLLP, et. al
Case No. 2018-CA-003902

without prejudice to Respondent's ultimate claim of compensation for the taking of the Subject Parcel.

10. Any reference that this Stipulated Order of Taking, or any part hereof, was agreed, consented, or stipulated to by any party to this action shall not be allowed at any subsequent compensation trial.

11. Upon deposit into the Registry of the Court of the sum set forth in paragraph 7 above, the Clerk of the Court shall immediately issue a check in the amount of Six Hundred Twenty Three Thousand Two Hundred Dollars and No Cents (\$623,200.00) to the Smolker, Bartlett, Loeb, Hinds & Thompson, P.A. Trust Account, c/o David Smolker, Esq., 100 North Tampa Street, Suite 2050, Tampa, FL 33602.

12. The Court retains jurisdiction for the determination of full compensation by the jury and for the award of fees and costs pursuant to Florida law.

DONE and ORDERED in Chambers at Palm Beach County, Florida, this 1st day of

Oct, 2018.


Honorable Edward L. Artau
Circuit Court Judge, Fifteenth Judicial Circuit

Copies to:

Counsel for Petitioner: JLittle@Gunster.com; JMuniz@Gunster.com; KDean@Gunster.com; Eservice@Gunster.com ; AAlfaro@Gunster.com

Counsel for Respondent; davids@smolkerbartlett.com

WFB_ACTIVE 8926104.1

Exhibit A

PARCEL 8

THE SOUTH 50 FEET OF SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF WEST PALM BEACH AS DESCRIBED IN DEED RECORDED IN DEED BOOK 1156, PAGE 58, AS CORRECTED IN PART BY CORRECTIVE QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 924, PAGE 965, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE RUN NORTH 00°26'02" WEST ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 50.03 FEET; THENCE DEPARTING SAID WEST LINE RUN ALONG A LINE THAT IS FIFTY FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 4, SOUTH 88°20'44" EAST, A DISTANCE OF 4763.27 FEET TO A POINT ON THE WEST LINE OF THE LANDS DESCRIBED IN THE AFOREMENTIONED OFFICIAL RECORDS BOOK 924, PAGE 965; THENCE RUN ALONG THE WEST LINE OF SAID LANDS SOUTH 00°05'08" WEST, A DISTANCE OF 50.02 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 4; THENCE RUN NORTH 88°20'44" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 4762.82 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 238,152 SQUARE FEET (5.467 ACRES) MORE OR LESS.

Corbett – Westlake - Ranch
230 kV Transmission Line Project
Easement Rights To Be Acquired

Parcel 8. A perpetual, non-exclusive easement to be used for the construction, operation and maintenance of electric transmission lines supported by one linear series of monopoles, and overhead and underground distribution lines, with all rights necessary and convenient for the full use thereof, including wires, poles, guys, anchors, conduits, communication lines to be used for the operation and maintenance of the transmission and distribution lines, and all necessary appurtenant equipment (collectively, the "Electrical Facilities"), in, on, over, under, upon and across the lands located in Palm Beach County, Florida described as Parcel 8 in Exhibit B attached hereto and incorporated herein by this reference (the "Right-of-Way" or "Transmission Easement Area"), together with the rights to repair, reconstruct, inspect, alter, improve, change the voltage (not to exceed a nominal voltage of 230 kV), as well as the size of and replace, remove or relocate such Electrical Facilities in, on, over, under, upon and across the Right-of-Way, with all rights necessary or convenient for the full enjoyment or use thereof for the above-mentioned purposes, including without limitation, the right to construct, operate and maintain roads, pads, culverts or other drainage facilities, lay temporary mats, and install gates to existing or future fences, all to facilitate ingress and egress for personnel, vehicles, equipment and materials of the Company, its contractors, agents, successors and assigns, together with the right to mark the location of any underground distribution facilities by above ground and other suitable markers, and to cut, trim or keep clear all trees and undergrowth and other obstructions within the Right-of-Way that may interfere with the proper construction, operation and maintenance of said Electrical Facilities,

provided that, no poles, pads, guys, anchors, or markers shall be placed within an existing improved road or driveway;

provided further, that, subject to the foregoing, the following shall be reserved to the owner of each said property, its representatives, successors and assigns (the "Owner"): the right and privilege to use Parcel 8 which is described in Exhibit B for all other purposes permitted, except as herein stated, or as might interfere or be inconsistent with the Company's use, occupation, maintenance or enjoyment thereof, *provided that* no building or structures, other than fences which do not interfere with the Company's use of said Parcel, will be located or constructed by the Owner on said Parcel of land, and *provided further, that* the Owner shall not excavate any portion of the Right-of-Way without written permission of the Company, which permission shall not be unreasonably withheld by the Company.

Exhibit B

PARCEL 8

THE SOUTH 50 FEET OF SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF WEST PALM BEACH AS DESCRIBED IN DEED RECORDED IN DEED BOOK 1156, PAGE 58, AS CORRECTED IN PART BY CORRECTIVE QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 924, PAGE 965, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE RUN NORTH 00°26'02" WEST ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 50.03 FEET; THENCE DEPARTING SAID WEST LINE RUN ALONG A LINE THAT IS FIFTY FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 4, SOUTH 88°20'44" EAST, A DISTANCE OF 4763.27 FEET TO A POINT ON THE WEST LINE OF THE LANDS DESCRIBED IN THE AFOREMENTIONED OFFICIAL RECORDS BOOK 924, PAGE 965; THENCE RUN ALONG THE WEST LINE OF SAID LANDS SOUTH 00°05'08" WEST, A DISTANCE OF 50.02 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 4; THENCE RUN NORTH 88°20'44" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 4762.82 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 238,152 SQUARE FEET (5.467 ACRES) MORE OR LESS.

Exhibit B to Easement Rights to Be Acquired

March 30, 2018

Lorenzo Aghemo, Planning Director
Palm Beach County Planning Division
2300 North Jog Road
West Palm Beach, FL 33411-2741

RE: Indian Trails Grove, Ordinance 2016-041, Condition 7

LORENZO
Dear Mr. Aghemo,

Please find attached confirmation of compliance for Condition 7 of Ordinance 2016-041. Specifically, on March 29, 2018, an Agreement for Donation of Real Property ("Agreement") was fully executed by and between Palm Beach West Associates I, LLLP ("Donor") and the Indian Trail Improvement District ("District"). Pursuant to that Agreement, the deed executed by Donor for the 640.00 acres was placed in escrow prior to the compliance date of April 1, 2018. Attached herewith is confirmation of the deed being placed in escrow by GrayRobinson, P.A., as Escrow Agent under the Agreement.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Regards,
Palm Beach West Associates I, LLLP



Kevin Ratterree

cc: Verdenia C. Baker, County Administrator (electronic PDF copy, with attachments)
Faye W. Johnson, Assistant County Administrator (electronic PDF copy, with attachments)
Patrick W. Rutter, PZB Executive Director (electronic PDF copy, with attachments)
Robert Banks, Chief Land Use County Attorney (electronic PDF copy, with attachments)
Patricia Behn, Deputy Planning Director (electronic PDF copy, with attachments)
Bryan M. Davis, Principal Planner (electronic PDF copy, with attachments)
Frank Palen, Counsel, ITID (electronic PDF copy, with attachments)
Larry Portnoy, GL Homes (electronic PDF copy, with attachments)
Clayton Ratliff, Esq., GL Homes (electronic PDF copy, with attachments)

<kr/indiantrails/aghemo.033018>

GRAY | ROBINSON
ATTORNEYS AT LAW

401 EAST LAS OLAS BLVD.
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MIAMI
NAPLES
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TALLAHASSEE
TAMPA

Brian A. Seidenberg

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BRIAN.SEIDENBERG@GRAY-ROBINSON.COM

March 30, 2018

VIA FEDEX

Indian Trail Improvement District
Attn: District Manager
13476 61st Street North
West Palm Beach, Florida 33412

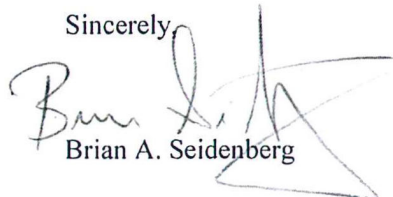
Re: **Agreement for Donation of Real Property by and between PALM BEACH WEST ASSOCIATES I, LLLP, a Florida limited liability limited partnership ("Donor"), and INDIAN TRAIL IMPROVEMENT DISTRICT, an Independent Special District of the State of Florida ("District") (the "Agreement")**

District Manager:

Capitalized terms not otherwise defined herein shall have the same meanings ascribed to them in the Agreement. Please be advised that GrayRobinson, P.A., as Escrow Agent under the Agreement, has received the Deed from Donor and we will hold it in escrow pursuant to the terms and conditions of the Agreement.

If you have any questions or need anything further, please feel free to contact me.

Sincerely,



Brian A. Seidenberg

BAS/rb

cc: (via FedEx):

District Legal Counsel
Caldwell Pacetti Edwards Schoech & Viator LLP
Attn: Mary M. Viator, Esq.
1555 Palm Beach Lakes Boulevard, Suite 1200
West Palm Beach, FL 33401

(continued on following page)

March 30, 2018
Page 2

Palm Beach County Department of Planning Zoning & Building
Attn: Patrick W. Rutter, Executive Director
2300 N Jog Road
West Palm Beach, FL 33411-2741

Palm Beach County Attorney's Office
Attn: Robert Banks, Esq., Senior Assistant County Attorney
301 North Olive Avenue
West Palm Beach, FL 33401

Palm Beach West Associates I, LLLP
Attn: Larry Portnoy
1600 Sawgrass Corporate Parkway, Suite 400
Sunrise, Florida 33323

Palm Beach West Associates I, LLLP
Attn: Steven M. Helfman, Esq.
1600 Sawgrass Corporate Parkway, Suite 400
Sunrise, Florida 33323

cc: (via email): James D. Barnett, Esq.

ORDINANCE NO. 2016 -041

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR THE SITE SPECIFIC AMENDMENT **INDIAN TRAILS GROVE (LGA 2016-017)**, MODIFYING PAGES 33, 39, 40, AND 4042 OF THE FLUA FOR APPROXIMATELY 4,871.57 ACRES OF LAND, GENERALLY LOCATED WEST OF 180TH AVENUE NORTH, SOUTH OF HAMLIN BOULEVARD, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM RURAL RESIDENTIAL, 1 UNIT PER 10 ACRES (RR-10) ON APPROXIMATELY 3,592.16 ACRES AND AGRICULTURAL PRODUCTION (AP) ON APPROXIMATELY 1,279.41 ACRES TO WESTERN COMMUNITIES RESIDENTIAL (WCR) WITH CONDITIONS; THE INTRODUCTION AND ADMINISTRATION ELEMENT (TO ESTABLISH A DEFINITION FOR **WESTERN COMMUNITIES RESIDENTIAL DEVELOPMENT**); THE FUTURE LAND USE ELEMENT (TO ESTABLISH THE **WESTERN COMMUNITIES RESIDENTIAL OVERLAY** (WCRO) BY ADDING NEW OBJECTIVE AND POLICIES, AND REVISING EXISTING POLICIES; AND TO ESTABLISH THE WESTERN COMMUNITIES RESIDENTIAL (WCR) FUTURE LAND USE DESIGNATION, TO EXEMPT THE INDIAN TRAILS GROVE OVERLAY FROM THE TRAFFIC REQUIREMENTS OF POLICY 3.5-D AND TO ESTABLISH AS A LIMITED URBAN SERVICE AREA, AND RELATED AMENDMENTS); THE TRANSPORTATION ELEMENT (TO ESTABLISH NEW RURAL PARKWAYS WITHIN THE INDIAN TRAILS GROVE OVERLAY); **MAP SERIES** (TO REVISE TO REFLECT THE ESTABLISHMENT OF THE **WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO)** AS FOLLOWS: TO REVISE MAP LU 1.1 MANAGED GROWTH TIER SYSTEM TO SHOW THE BOUNDARIES OF THE WCRO OVERLAY AS A LUSA; TO REVISE MAP LU 2.1 SERVICE AREAS TO CHANGE THE WCRO OVERLAY FROM THE RURAL SERVICE AREA TO A LIMITED URBAN SERVICE AREA; TO REVISE MAP LU 3.1 SPECIAL PLANNING AREAS TO IDENTIFY THE BOUNDARIES OF THE WCRO OVERLAY; AND TO REVISE MAP TE 14.1 THOROUGHFARE RIGHT OF WAY IDENTIFICATION MAP ROADS TO ADD OR REVISE THE FOLLOWING ROADWAY SEGMENTS: TO ADD 60TH STREET NORTH FROM SEMINOLE PRATT WHITNEY ROAD TO 190TH STREET NORTH AS A 100 FOOT RIGHT OF WAY; TO ADD 190TH STREET NORTH FROM 60TH STREET NORTH TO HAMLIN BOULEVARD AS A 100 FOOT RIGHT OF WAY; TO REVISE 60TH STREET NORTH FROM SEMINOLE PRATT WHITNEY ROAD TO 140TH AVENUE NORTH FROM AN 80 TO A 100 FOOT RIGHT OF WAY; TO DEPICT THE LOCATIONS OF RURAL PARKWAYS AND ADD APPROPRIATE REFERENCES TO THE NOTES); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

1 **WHEREAS**, Section 163.3184(2)(a), Florida Statutes, provides that comprehensive
2 plan amendments shall follow the expedited state review process except as set forth in
3 Section 163.3184(2)(b) and (c), Florida Statutes; and

4 **WHEREAS**, the Palm Beach County Board of County Commissioners have initiated
5 amendments to several elements of the Comprehensive Plan in order to promote the health,
6 safety and welfare of the public of Palm Beach County; and

7 **WHEREAS**, the proposed amendments meet the requirements of Section
8 163.3184(3)(a), Florida Statutes, to be processed through the expedited state review
9 process, and are being processed through the expedited state review process; and

10 **WHEREAS**, the Palm Beach County Local Planning Agency conducted its public
11 hearing on February 12, 2016 to review the proposed amendments to the Palm Beach
12 County Comprehensive Plan and made recommendations regarding the proposed
13 amendments to the Palm Beach County Board of County Commissioners pursuant to
14 Chapter 163, Part II, Florida Statutes; and

15 **WHEREAS**, the Palm Beach County Board of County Commissioners, as the
16 governing body of Palm Beach County, conducted a public hearing pursuant to Chapter
17 163, Part II, Florida Statutes, on April 12, 2016 to review the recommendations of the Local
18 Planning Agency, whereupon the Board of County Commissioners authorized transmittal of
19 proposed amendments to the state land planning agency and review agencies pursuant to
20 Chapter 163, Part II, Florida Statutes; and

21 **WHEREAS**, Palm Beach County received a letter from the state land planning
22 agency dated June 3, 2016 stating that the agency had identified no comments related to
23 important state resources and facilities within the Agency's authorized scope of review that
24 will be adversely impacted by the amendment contained in this ordinance if adopted; and

25 **WHEREAS**, on September 22, 2016 the Palm Beach County Board of County
26 Commissioners held a public hearing to consider adoption of the amendments; and

27 **WHEREAS**, the Palm Beach County Board of County Commissioners has
28 determined that the amendments comply with the requirements of the Community Planning
29 Act.

30 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
31 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

32 **Part I. Amendments to the 1989 Comprehensive Plan**

33 Amendments to the 1989 Comprehensive Plan are hereby adopted and attached to
34 this Ordinance is Exhibits 1 and 2:

1 **1. Future Land Use Atlas pages 33, 39, 40, and 4042** is amended as follows:

2 **Application: Indian Trails Grove (LGA 2016-017)**

3 **Amendment:** From Agricultural Production (AP) on 1,279.41 acres and Rural Residential, 1
4 unit per 10 acres (RR-10) on 3,592.16 acres to Western Communities
5 Residential (WCR),

6 **Location:** West of 180th Avenue North, South of Hamlin Boulevard,

7 **Size:** 4,871.57 total acres approximately,

8 **Conditions:** See Exhibit 1,

9 **2.A. Introduction and Administration Element,** to establish a definition for Western
10 Communities Residential Development;

11 **2.B. Future Land Use Element,** to revise Rural Tier policies and provisions;

12 **2.C. Future Land Use Element,** to establish a new objective and policies relating to the
13 Western Communities Residential Overlay;

14 **2.D. Future Land Use Element,** to add the Western Communities Residential
15 designation to the Residential Future Land Use Maximum Density Table 2.2.1-g.1;

16 **2.E. Future Land Use Element,** to add the Western Communities Residential
17 designation to the Residential Future Land Use - Zoning Consistency Table 2.2.1-j.1,;

18 **2.F. Future Land Use Element,** to add the Western Communities Residential Overlay to
19 the list of identified Limited Urban Service Areas;

20 **2.G. Future Land Use Element,** to add the Western Communities Residential Overlay to
21 the list of identified exemptions to Policy 3.5-d;

22 **2.H. Future Land Use Element,** to establish a new objective and policies relating to the
23 Western Communities Residential;

24 **2.I. Future Land Use Element,** establish the new Future Land Use designation in the
25 appropriate tables for Tier and allowable densities,

26 **2.J. Transportation Element,** to modify Policy 1.4-Q to establish new rural parkways
27 within the Western Communities Residential Overlay;

28 **2.K. Map Series, Managed Growth Tier System Map LU 1.1,** to show the boundaries of
29 the WCRO as a Limited Urban Service Area;

30 **2.L. Map Series, Service Areas Map LU 2.1,** to change the WCRO Overlay from the
31 Rural Service Area to a Limited Urban Service Area;

32 **2.M. Map Series, Special Planning Areas Map LU 3.1,** to identify the boundaries of the
33 WCRO Overlay;

34 **2.N. Map Series, Thoroughfare Right of Way Identification Map TE 14.1,** to add or
35 revise roadway segments and rural parkways as depicted in the exhibit;

1 **3. Conceptual Plan**, to adopt the conceptual plan;

2 **Part II. Repeal of Laws in Conflict**

3 All local laws and ordinances applying to the unincorporated area of Palm Beach
4 County in conflict with any provision of this ordinance are hereby repealed to the extent of
5 such conflict.

6 **Part III. Severability**

7 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for
8 any reason held by the Court to be unconstitutional, inoperative or void, such holding shall
9 not affect the remainder of this Ordinance.

10 **Part IV. Inclusion in the 1989 Comprehensive Plan**

11 The provision of this Ordinance shall become and be made a part of the 1989 Palm
12 Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or
13 re-lettered to accomplish such, and the word "ordinance" may be changed to "section,"
14 "article," or any other appropriate word.

15 **Part V. Effective Date**

16 The effective date of this plan amendment, if the amendment is not timely
17 challenged, shall be 31 days after the state land planning agency notifies the County that
18 the plan amendment package is complete. If timely challenged, this amendment shall
19 become effective on the date the state land planning agency or the Administration
20 Commission enters a final order determining this adopted amendment to be in compliance.
21 No development orders, development permits, or land uses dependent on this amendment
22 may be issued or commence before it has become effective. If a final order of
23 noncompliance is issued by the Administration Commission, this amendment may
24 nevertheless be made effective by adoption of a resolution affirming its effective status, a
25 copy of which resolution shall be sent to the state land planning agency.

26 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
27 Beach County, on the 22 day of September, 2016.

28 ATTEST:
29 SHARON R. BOCK, CLERK
30 & COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

31 By 
32 Deputy Clerk

By 
Mary Lou Berger, Mayor

33 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

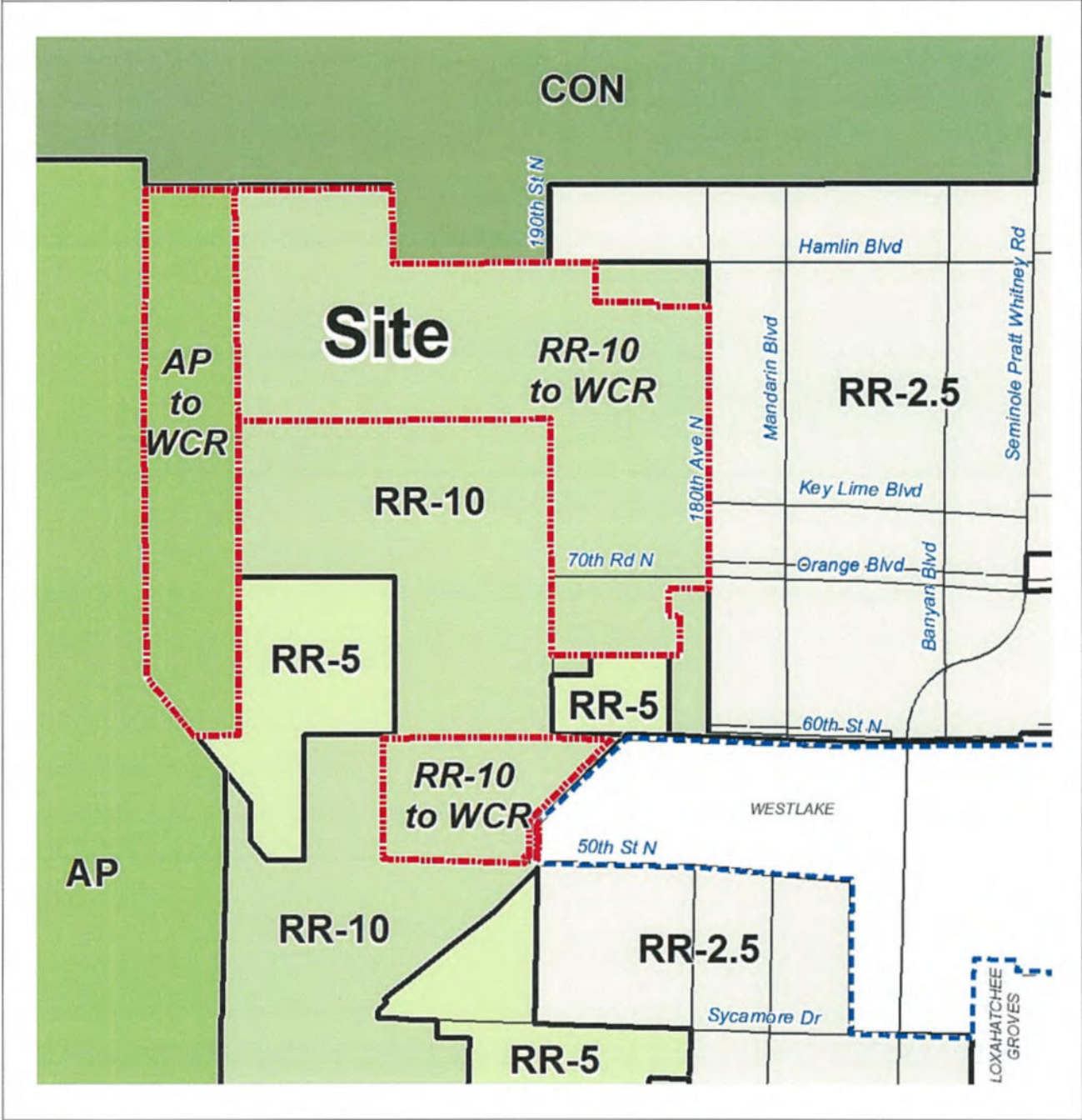
34 By 
35 County Attorney

36 Filed with the Department of State on the _____ day of _____, 2016.

EXHIBIT 1

A. Future Land Use Atlas pages 33, 39, 40, and 4042 is amended as follows:

Amendment No:	Indian Trails Grove (LGA 2016-017)	
Amendment:	From Rural Residential, 1 unit per 10 acres (RR-10) on 3,592.16 acres and Agricultural Production (AP) on 1,279.41 acres to Western Communities Residential (WCR)	
Location:	West of 180 th Avenue North, South of Hamlin Boulevard	
Size:	4,871.57 acres approximately	
Property Control Numbers:	00-40-42-17-00-000-7000 00-40-42-18-00-000-7000 00-40-42-19-00-000-9000 00-40-42-20-00-000-9000 00-40-42-21-00-000-9000 00-40-42-22-00-000-1010	00-40-42-27-00-000-9000 00-40-42-30-00-000-9000 00-40-42-31-00-000-9000 00-40-42-34-00-000-1010 00-40-43-03-00-000-3020 00-40-43-04-00-000-9010



Conditions:

1. Development of the site is limited to a maximum gross density of 0.8 dwelling units/acre (3,897 units maximum); no additional density bonuses are permitted;
2. Development of the site must conform with the site data table and the conceptual plan;
3. Commercial development on the site is limited to a maximum 300,000 square feet and office development is limited to a maximum of 50,000 square feet;
4. Prior to the issuance of the 2,598th residential building permit, a minimum of 233,000 square feet of commercial uses shall receive a certificate of occupancy/certificate of completion;
5. Recordation of the first plat required within three years of any development order approval, subject to time extensions as allowed by the ULDC, or otherwise permitted pursuant to State Law and County Policy;
6. Prior to the recordation of the first plat for the development, the developer shall record a conservation easement for the 1,068 acres of land identified as Water Resources/Agriculture on the Conceptual Plan, in favor of Palm Beach County, subject to the approval of the County Attorney;
7. A deed conveying the Impoundment Expansion area of 640 acres to the Indian Trail Improvement District (ITID), as shown on the conceptual plan, shall be executed by the property owner and placed in escrow prior to the recordation of the first plat, or April 1, 2018, whichever occurs first. The terms of the release from escrow and recordation of the deed shall be pursuant to the terms of an agreement by and between the applicant, its successors and assigns, and the ITID. Upon written notice to the County by ITID, that the 640 acre Impoundment Expansion area will not be utilized by the District, then the land shall be deeded to the County for storm water retention/water management purposes; the timing and conveyance of such dedication and any other conditions pertaining to the conveyance (to Palm Beach County rather than ITID) shall be established in the zoning development order issued by the BCC;
8. Within 60 days of the effective date of the comprehensive plan amendments regarding the Indian Trails Grove site, the developer shall provide the County Attorney an executed restrictive covenant, approved by the County Attorney, which shall be recorded in the public records prohibiting the property owned by the developer, affiliated entities, and any and all successors and assigns, within the area covered by the Western Communities Residential Overlay, from voluntarily annexing into a municipality, signing annexation petitions or otherwise consenting to annexation, seeking to incorporate as a municipality, or consenting to participating in or financially contributing to efforts to incorporate a municipality until the threshold established in Chapter 720.307 F.S. (2016, as amended from time to time) is achieved. The developer shall provide the County with a certified copy of the executed and recorded restrictive covenant prior to certification of any development order. In the event the developer seeks certification of any development order application prior to recording the covenant, the developer shall provide to the County Attorney the executed covenant in recordable form, with the appropriate filing fee, to be held in escrow by the County Attorney and recorded after the effective date of the comprehensive plan amendments.

9. The Zoning development order shall include the provision of at least 10% of the residential units, a total of 390 units, shall be provided as workforce housing, subject to the following requirements:
- a. The property owner shall provide these units on site, and between 60-120% of the Average Median Income ranges for the County, in three ranges (60-80%, 81-100% and 101-120%);
 - b. Prior to the issuance of the first residential building permit, a master covenant for all 390 workforce housing units shall be recorded;
 - c. Prior to the issuance of the certificate of occupancy for each designated workforce housing unit, a deed restriction for each units shall be recorded containing all relevant information implementing the workforce housing conditions, specified in this ordinance and any subsequent zoning approval;
 - d. Upon the recordation of sale for each workforce housing unit, a copy of the deed restriction shall be provided to the Planning Director and the Department of Economic Sustainability (DES) (or its successor);
 - e. The deed for each workforce housing unit sold shall include restrictions requiring:
 - i. that all identified units be sold or resold only to qualified households in the applicable targeted income range at an attainable housing cost for each of the targeted income ranges;
 - ii. that these restrictions remain in effect for 15 years recurring from the date of the certificate of occupancy for each unit; and
 - iii. that in the event a unit is resold before the 15-year period concludes, a new 15 year period shall take effect on the date of the resale;
 - f. Prior to final site plan approval for each subdivision plan per pod, the total number of workforce housing units provided shall be identified within that pod;
 - g. A release of obligation to construct workforce housing units consistent with the ULDC provisions shall be included in the zoning development order;
 - h. Beginning in October 2020, an annual report shall be submitted to DES and the Planning Director denoting compliance with the workforce housing requirements adopted with the amendment and any future development order. Should no units receive a certificate of occupancy prior to October 2020, the reporting requirement shall begin one year after the issuance of the first certificate of occupancy, and continue each year thereafter;
 - i. Prior to the issuance of the 663rd building permit, 39 workforce housing units (all located in Parcel A) shall be issued a certificate of occupancy;
 - j. Prior to the issuance of the 1797th building permit, 195 workforce housing units shall be issued a certificate of occupancy;
 - k. Prior to the issuance of the 2,499th building permit, 292 workforce housing units shall be issued a certificate of occupancy;
 - l. Prior to the issuance of the 3,358th building permit, all 390 workforce housing units shall be issued a certificate of occupancy;

19. The Zoning development order and proportionate fair share agreement shall include timing mechanisms and proportionate share dollar amounts for the construction of all identified Thoroughfare Identification map roads, relative to the timing of construction and roadway impacts, and shall be to the satisfaction of the County Engineer;
20. Regarding 60th Street North:
 - a. Prior to issuance of the first residential permit, the developer shall improve and construct as a 2-lane section to County thoroughfare standards 60th St. N. from the existing east/west pavement west of Seminole Pratt-Whitney Rd. to 190th St. N., inclusive of a new bridge crossing over the M-Canal at the ultimate 4-lane section;
 - b. Prior to issuance of the 1,663rd residential permit, should the additional right-of-way for 60th St. N. from Seminole Pratt-Whitney Rd. to the western limits of the City of Westlake not have been dedicated to the County by Minto, the developer shall fund acquisition of said right-of-way;
 - c. Prior to issuance of the 2,320th residential permit, the developer shall improve and construct a 4-lane section to County thoroughfare standards 60th St. N. from Seminole Pratt-Whitney Rd. to 190th St. N.;
21. To facilitate road improvements in the area, the developer shall pay the County \$1.25 million prior to the issuance of the first building permit; additional payments of \$1.25 million shall be made to the County prior to the issuances of the 974th, 1,948th, and 2,922nd building permits; these payments shall be subject to the cost adjustment clause in the proportionate fair share agreement to account for changes in road development costs over time;
22. The land depicted on the conceptual plan as the 42-acre park expansion shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC;
23. The land depicted on the conceptual plan as the 5-acre fire/police/utility location shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; as an alternative to placing Fire/Rescue Services on the 5-acre site, the County may request, and the developer shall provide a 2.5-acre site to the County for a future Fire/Rescue Station at the non-residential node at the northwest corner of 190th Street North and Indian Trails Blvd.; in the event the County accepts another site for Fire/Rescue purposes outside of the Indian Trail Groves within a two mile radius of the 5-acre location identified on the conceptual plan, the developer is relieved of the fire station dedication option within the non-residential node at 190th Street N. and Indian Trails Blvd.;
24. The land depicted on the conceptual plan as the 25-acre proposed middle school, 22.6-acre proposed park, and 15.5 acre proposed elementary school shall be conveyed to the Palm Beach County School District; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; in the event the School District does not utilize the sites for related schools and recreational facilities, ownership of any remaining unbuilt sites shall be conveyed to Palm Beach County at the County's sole discretion;

25. Rural Parkway easements shall be located along the south side of 60th Street North, both sides of Orange Blvd., the west side of 180th, and the east and west sides of 190th within the project boundaries, for the purposes of buffering and providing pedestrian, bicycle and equestrian trail connections within the development, and adjacent to the thoroughfare road network. These rural parkway easements shall:
- a. be a minimum of 50 feet in width, except for 180th which shall be a minimum 80 feet in width;
 - b. include 8-foot wide multi-purpose pathways and 10-foot wide equestrian trails as indicated, which shall be accessible to the public;
 - c. obtain conceptual approval for signage located in the rural parkway that is context sensitive to the Rural Tier and subject to Planning Director approval, prior to final master plan approval;
 - d. obtain conceptual approval for all rural parkway planting plans prior to final master plan approval;
 - e. all rural parkway easements shall be recorded in the public record prior to the recordation of the first plat;
 - f. commence construction of each rural parkway segment prior to the first building permit in the adjacent pod, and shall be further detailed in the zoning development order;
 - g. complete construction of each rural parkway segment prior to the first certificate of occupancy in the adjacent pod, as further detailed in the zoning development order; and
 - h. include a minimum of 70% native plant material in each rural parkway planting plan, and the following minimum quantities of each type of vegetation, notwithstanding any ULDC buffer requirements:
 1. canopy trees, 1 per 1,000 square feet of rural parkway easement;
 2. flowering trees, 1 per 4,000 square feet of rural parkway easement;
 3. palms, 1 per 1,600 square feet of rural parkway easement;
 4. pines, 1 per 2,000 square feet of rural parkway easement;
 5. large shrubs, 1 per 400 square feet of rural parkway easement;
 6. medium shrubs, 1 per 300 square feet of rural parkway easement;
 7. small shrubs, 1 per 200 square feet of rural parkway easement;
 8. turf grass and/or other ground cover as applicable for areas not planted with landscape material.

Legal Description:

PARCEL 1:

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

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

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

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

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

PARK

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

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

TOGETHER WITH

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

SCHOOL SITE (OFFICIAL RECORDS BOOK 11559, PAGE 1999)

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

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

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

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

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

AND LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

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

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

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

PALM BEACH COUNTY PARCEL

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

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

TOGETHER WITH

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

PARCEL 2:

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; AND ALL THAT PART OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 3, SAID POINT BEING 2,632.90 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE RUNNING IN A NORTHEASTERLY DIRECTION A DISTANCE OF 3,610.56 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION, 2,530.47 FEET EAST OF THE NORTHWEST CORNER THEREOF.

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

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

CONTAINING A TOTAL OF 4871.569 ACRES MORE OR LESS.

Exhibit 2

A. Introduction & Administration Element, Western Communities Residential Definition

1. **NEW:** To add a new definition for Western Communities Residential. The revisions are numbered below, and shown with the added text underlined.

WESTERN COMMUNITIES RESIDENTIAL - A future land use designation reflecting a development pattern which allows for a mixed-use design concept comprised of a mixture of land uses, including residential, retail, office, recreation, civic, etc., located within close proximity to each other, in order to provide for a variety of housing, recreation, shopping, and employment opportunities.

B. Future Land Use Element, Rural Tier Revisions

REVISIONS: To revise the Rural Tier policies and provisions. The revisions are numbered below, and shown with the added text underlined.

1. REVISE OBJECTIVE 1.4 Rural Tier

General: The Rural Tier includes agricultural land and rural settlements that range in density from primarily 1 dwelling unit per 5 acres to 1 dwelling unit per 20 acres, except in special planning areas such as, but not limited to, the Western Communities Residential Overlay (WCRO). These areas support large agricultural operations as well as single-family homes with small family-owned agricultural businesses, including equestrian related uses. Due to the declining availability of land and the increase in population in the Urban and Exurban Tiers, the Rural Tier is beginning to experience pressure for urban densities and non-residential intensities normally associated with a more urban area. The strategies in the Rural Tier are established to protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that further the goals of the Rural Tier.

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

2. **REVISE Policy 1.4-d:** Any parcel of land in the Rural Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless: each parcel created is consistent with the minimum lot size required by its respective future land use designation or is developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development or as a Planned Unit Development developed under the Western Communities Residential (WCR) Future Land Use Category. Parcels may be subdivided for the purpose of enlarging other parcels in the subdivision. The overall number of units of the reconfigured lots may not exceed the original number of units calculated for the lots being reconfigured.

C. Future Land Use Element, Western Communities Residential Overlay

NEW: To establish a new objective and policies relating to the Western Communities Residential Overlay. The revisions are numbered below, and shown with the added text underlined.

1. NEW OBJECTIVE 1.12 Western Communities Residential Overlay

General: The Purpose of the Western Communities Residential Overlay (WCRO) is to provide a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into conservation areas. It achieves compatibility with the existing residential development pattern in the surrounding area while furthering remediation of the historic land use imbalance in that area through the additional non-residential uses and

residential support for other projects whose non-residential development is intended to do so, including but not limited to the City of Westlake.

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

2. **NEW Policy 1.12-a:** The Western Communities Residential Overlay is depicted on the Special Areas Planning Map LU 3.1, in the Map Series and consists of approximately 4,871 acres of land generally located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard.
3. **NEW Policy 1.12-b:** The Western Communities Residential (WCR) Future Land Use category shall be established to allow a compatible density with the existing rural residential lifestyle adjacent to the Western Communities Residential Overlay.
4. **NEW Policy 1.12-c:** Development within the Western Communities Residential Overlay shall only occur in the form of a Planned Development District, Planned Unit Development and commercial nodes consistent with the form of the Traditional Marketplace in the Comprehensive Plan, with a minimum gross land area of 900 acres. Within the Overlay, the maximum number of residential units shall be limited to 3,897; the maximum amount of non-residential commercial retail uses shall be limited to 300,000 square feet; and, the maximum amount of non-residential commercial office uses shall be limited to 50,000 square feet.
5. **NEW Policy 1.12-d:** For the purposes of contiguity, any land area within the Western Communities Residential Overlay shall be considered contiguous so long as it is submitted under one unified plan of development (a.k.a. Conceptual Plan).
6. **NEW Policy 1.12-e:** In addition to other public facilities required by the ULDC, the following within the Western Communities Residential Overlay shall be provided at developer expense:
 1. Paved on-site roads to serve all uses.
 2. On-site central water and wastewater service and facilities adequate to meet adopted level of service standards, with an off-site loop main that will allow other residences in the vicinity to connect to central services.
 3. On-site retention and drainage facilities that connect to the L-8 canal.
 4. A minimum 11 miles of 8-foot-wide pedestrian and bicycle pathways, open to the public.
 5. A minimum 17.5 miles of equestrian trails open to the public.
 6. On-site bus shelter easements for Palm Tran.
 7. Off-site road improvements that include:
 - a. Extension of 60th Street North from Seminole Pratt Whitney to 190th Street North.
 - b. Extension of 190th Street North from 60th Street North to Hamlin Boulevard.
 - c. Extension of Orange Blvd. from 180th Ave. North to 190th Street North.
 - d. Connection of Hamlin Boulevard from its present terminus to 190th Street North.
 8. In addition to the project's fair share proportionate share obligation, fund an additional \$5,000,000.00 for road improvements in the Central Western Communities.
7. **NEW Policy 1.12-f:** The Western Communities Residential Overlay developer shall provide a trolley for scheduled seven-day-a-week shuttle service to on-site nonresidential uses and areas, and to commercial centers in Westlake. Service shall be provided at no charge to riders after the developer receives 1,000 certificates of occupancy for on-site residential units. The trolley shall remain in service at the expense of the developer or assigns until such time as the County authorizes the service to end in the event of low ridership.
8. **NEW Policy 1.12-g:** A range of housing choices shall be provided within the Western Communities Residential Overlay through the provision of three different density ranges as depicted on the Conceptual Plan.

9. **NEW Policy 1.12-h:** The Western Communities Residential Overlay developer shall dedicate the following land for public facilities to serve on-site residents and other users within the surrounding area:
1. Upon the date mutually agreed to in written agreement between Indian Trail Improvement District and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District or the County. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID/County as a storm water retention/water management area.
 2. Upon written request of the Palm Beach County School Board and receipt of at least 250 building permits, whichever shall later occur, dedicate a 15.5 acre site for a future elementary school and a 25.0 acre site for a future middle school, constructed at school board expense. An additional 22.6 acres adjacent to either the elementary school site or middle school site shall be dedicated upon request of the Palm Beach County School Board with the concurrence of Palm Beach County. The development shall take all required drainage from the school sites into the development's storm water management system.
 3. Prior to receipt of no less than 250 building permits, a minimum 40 acres adjacent to District Park "F" for its expansion, constructed at County expense.
 4. Prior to receipt of no less than 250 building permits, a five acre site for a fire/police/utility site.

D. **Future Land Use Element, Density**

REVISED: To add the Western Communities Residential FLU designation to the Table. The revisions are shown with the added text underlined and deletions shown in ~~strikeout~~.

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

<u>Future Land Use Designation</u>		<u>Dwelling Units per Gross Acre</u>	
		Standard	Maximum
Agricultural Reserve	AGR	0.20	1
Agricultural Enclave ²	AGE	---	---
Rural Residential, 1 unit per 20 acres	RR-20	0.05	
Rural Residential, 1 unit per 10 acres	RR-10	0.10	
Rural Residential, 1 unit per 5 acres	RR-5	0.20	
Rural Residential, 1 unit per 2.5 acres	RR-2.5	0.40	
<u>Western Communities Residential</u>	<u>WCR</u>	<u>0.80</u>	
Low Residential, 1 unit per acre	LR-1	1	
Low Residential, 2 unit per acre	LR-2	1.5	2
Low Residential, 3 unit per acre	LR-3	2	3
Medium Residential, 5 unit per acre	MR-5	4	5
High Residential, 8 unit per acre	HR-8	6	8
High Residential, 12 unit per acre	HR-12	8	12
High Residential, 18 unit per acre	HR-18	8	18

1. The Entitlement density is 1 unit per lot or as follows: Rural Residential 0.05 du/acre; Western Communities Residential 0.05 du/acre; Low Residential 0.10 du/acre; Medium Residential 0.20 du/acre; and High Residential 0.40 du/acre, whichever is greater.
2. The density of an Agricultural Enclave shall be determined utilizing the provisions of s.163.3162(5), Florida Statutes, and shall be clearly indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.

E. Future Land Use Element, Residential Future Land Use Provisions

REVISED: To add the Western Communities Residential FLU designation to the chart for consistency the applicable with Zoning Districts. The revisions are shown with the added text underlined and deletions shown in ~~strikeout~~.

1. REVISED Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency¹

Future Land Use Designation	Consistent Zoning	
	Zoning District	Planned Development
Agricultural Reserve	AGR	AGR-PUD
Rural Residential	AR, RE	RR-PUD, MHPD, RVPD
<u>Western Communities Residential</u>	<u>AR</u>	<u>PUD</u>
Low Residential	RE, RT, RTS, RS	PUD, TND, MHPD
Medium Residential	RE, RT, RS, RTU, RM ²	PUD, TND, MHPD
High Residential	RE, RT, RS, RM, RH	PUD, TND, MHPD

Note:

1. The RTS, RTU, and RH zoning districts and the Special Exception for a PUD have been discontinued. Properties with these districts shall not be required to rezone and shall utilize the property development regulations of their equivalent districts which are as follows: RTS equals RT; RTU equals RS; RH equals RM, Special Exception for a PUD equals a PUD.
2. The RM District is consistent with the MR-5 designation only for those areas zoned RM prior to the Plan's August 31, 1989 adoption.

F. Future Land Use Element, Limited Urban Service Areas

REVISED: To add the Western Communities Residential Overlay to the list of identified Limited Urban Service Areas in Objective 3.3, Policy 3.3-a. The revisions are numbered below, and shown with the added text underlined and deletions shown in ~~strikeout~~.

OBJECTIVE 3.3 Limited Urban Service Areas (LUSAs)

1. **REVISED Policy 3.3-a:** The limited Urban Service Area: The following are designated as Limited Urban Service Areas:
 1. the area described as the United Technology - Pratt and Whitney Overlay;
 2. the area defined as the General Aviation Facility/North County Airport;
 3. the Agricultural Reserve; and
 4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
 5. the area east of the SFWMD L-8 Canal within the Glades Area Protection Overlay; ~~and~~
 6. an Agricultural Enclave pursuant to Florida Statute section 163.3162(5);
and
 7. the Western Communities Residential Overlay.

G. Future Land Use Element, Long Range Transportation Planning

REVISED: To add the Western Communities Residential Overlay to the list of identified exemptions to Policy 3.5-d. The revisions are numbered below, and shown with the added text underlined.

OBJECTIVE 3.5 Levels of Service Required for Development

1. **REVISED Policy 3.5-d:** The County shall not approve a change to the Future Land Use Atlas which:
 - 1) results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d):

- a) Projected traffic volumes from the MPO's latest adopted Long Range Transportation Plan (LRTP) as amended to include latest available Future Land Use Atlas amendments that became effective subsequent to the adoption of the LRTP, and
- b) Projected traffic from proposed land use amendment, and
- c) Projected traffic from latest available Land Use Atlas amendments that were previously adopted but have not yet become effective, and
- d) Projected traffic from concurrent Land Use Atlas amendments that are approved in the same Comprehensive Plan Amendment Round that significantly impact the same roadway segments as the proposed land use change.

For purposes of applying this Policy, traffic from land use amendments in parts b), and c) shall be layered on top of traffic from part a). If the cumulative traffic from parts a), b), and c) violates this Policy, then the traffic study for the land use amendment shall not be pre-approved by the Traffic Division and the land use amendment application shall not be accepted by the Planning Division for consideration in the current Comprehensive Plan Round.

Traffic from land use amendments in parts b), c), and d) shall then be layered on top of traffic from part a). If the cumulative traffic from parts a), b), c) and d) violates this Policy, then this information shall be provided to the County Commission for consideration in deciding which land use amendments and what densities/intensities for these amendments can be approved in the current Round to comply with this Policy

Significant impact shall be as defined in Table 3.5 -1.

TABLE 3.5-1
Significant Impact

Net Trip Generation**	Distance
1 - 50	No significant impact
51 - 1,000	Only address directly accessed link on first accessed major thoroughfare*
1,001 - 4,000	One (1) mile*
4,001 - 8,000	Two (2) miles*
8,001 - 12,000	Three (3) miles*
12,001 - 20,000	Four (4) miles*
20,001 - up	Five (5) miles*

* A project has significant traffic: (1) when net trip increase will impact FIHS and SIS facilities which are already exceeding the adopted LOS or cause the adopted LOS for FIHS or SIS facilities to be exceeded; and/or (2) where net trip increase impacting roads not on the FIHS or SIS is greater than one percent (1%) for volume to capacity ratio (v/c) of 1.4 or more, two percent (2%) for v/c of 1.2 or more and three percent (3%) for v/c of less than 1.2 of the level of service "D" capacity on an AADT basis of the link affected up to the limits set forth in this table. The laneage shall be as shown on the MPO's latest adopted LRTP.

** When calculating net trip increase, traffic associated with all prior Land Use Atlas amendment approvals for the property that has not yet received development order approvals, shall be cumulatively included in the analysis. Consideration will also be given to alternative modes of transportation (i.e. bicycle lanes, bicycle paths, bus lanes, fixed rail, and light rail facilities) in reducing the number of net trips. These alternative modes must either be operating at the time of the change to the Future Land Use Atlas or be included in both the Transportation Element (Mass Transit) and the Capital Improvement Element of the Comprehensive Plan.

or;

- 2) results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1-b.

This policy shall not be applicable to an Agricultural Enclave adopted pursuant to Policy 2.2.5-d. This policy shall not be applicable to the area designated as SR-7 Economic Development Overlay (EDO). This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Western Communities Residential Overlay.

H. **Future Land Use Element, Western Communities Residential Future Land Use**

NEW: To establish a new objective and policies relating to the Western Communities Residential. The revisions are numbered below, and shown with the added text underlined.

1. **NEW Objective 4.5 – Western Communities Residential.** The County shall recognize the unique characteristics of agricultural parcels that are adjacent to existing residential communities within the Rural Tier and the Western Communities Residential Overlay that seek to develop by assigning the Western Communities Residential (WCR) future land use designation through a Future Land Use Amendment process. A WCR site specific amendment that supports balanced growth may occur in the Rural Tier and may exceed rural densities and intensities. A WCR site specific amendment shall achieve compatibility with the existing residential development pattern in the surrounding area of the Rural Tier while furthering remediation of the historic land use imbalance in the western communities and providing other benefits.
2. **NEW Policy 4.5-a:** The site specific plan amendment ordinance adopting a Western Communities Residential future land use shall include a Conceptual Plan. The Conceptual Plan can only be revised through the Future Land Use Atlas amendment process.
3. **NEW Policy 4.5-b:** All development orders within the Western Communities Residential future land use must be consistent with the adopted Conceptual Plan.
4. **NEW Policy 4.5-c:** Agricultural uses shall be permitted within the WCR future land use designation until the land physically converts to the uses permitted by such development orders. Agricultural uses shall be permissible uses within open space areas to the extent indicated on the Conceptual Plan or site specific amendment ordinance.
5. **NEW Policy 4.5-d:** Western Communities Residential Conceptual Plan shall include a Site Data table establishing an overall density and intensity for the project, as well as minimum and/or maximum percentages for the acreages shown on the Plan and other binding standards. The Conceptual Plan shall include a depiction of the residential, non-residential, recreational, civic and open space elements of the project and allow the clustering of the density to promote a variety of neighborhoods and housing types and to act as transition areas between the Western Communities Residential and adjacent existing communities.
6. **NEW Policy 4.5-e:** A property with Western Communities Residential future land use designation shall utilize the Planned Unit Development (PUD) zoning district of the Unified Land Development Code, with the form of the commercial nodes reflected on the Conceptual Plan, which commercial nodes shall be designed consistent with the form of the Traditional Marketplace provisions in the Comprehensive Plan. Each residential pod within a WCR Planned Unit Development may be developed according to the density/intensity assigned on the Conceptual Plan.
7. **NEW Policy 4.5-f:** In order to achieve compatibility with the existing residential development pattern in the surrounding area and create a more sustainable land use pattern through compactness of design, any land developed utilizing the WCR future land use shall be required to exhibit the following characteristics:
 1. A maximum permissible gross residential density of 0.80 DU/AC.
 2. The project shall provide a minimum of 66.67% of the gross site acreage in open space uses (the Required Open Space). A minimum of 50% of the gross site acreage shall be in the form of Exterior Open Space which shall be limited to preservation, conservation, passive and/or active recreation, perimeter landscape buffers, rural parkways, pedestrian pathways and greenways, wetlands, bona fide agriculture, regional water management, fallow land, perimeter water management areas, public and/or private civic uses, and/or equestrian uses. Perimeter water management areas shall only count as Exterior Open Space if the water management area is accessible to the general public from a publicly accessible buffer or open space tract that includes a minimum 8-

foot wide paved pedestrian pathway that connects the perimeter of the site to the water management area. Perimeter water management areas shall be available for use by the general public for fishing and non-motorized boating activities. Land area allocated as Exterior Open Space counts towards meeting the minimum Required Open Space.

3. A minimum of 33.33% of the gross site acreage shall be provided in one large contiguous open space land area and shall be depicted on the Conceptual Plan approved by the Board of County Commissioners. Land area allocated as part of the 33.33% contiguous open space counts towards meeting the minimum Required Open Space.
4. Neighborhood-serving commercial nodes shall comprise no less than 2% of the overall developable land area (developable land area being defined as the area available for development less the required Exterior Open Space). The commercial nodes shall: (1) be designed consistent with the form of the Traditional Marketplace provisions of the Comprehensive Plan; and, (2) be depicted on the Conceptual Plan approved by the Board of County Commissioners.
5. A minimum 20% of the residential units shall be located within one-quarter mile radius of commercial nodes; a minimum 40% of the residential units shall be located within one-half mile radius of commercial nodes; and a minimum of 66% of the residential units shall be located within one-quarter mile radius of commercial nodes or civic uses (public or private) or recreation uses (public or private).
6. Higher density residential areas shall be located adjacent to and within one-quarter mile radius of any commercial node. Lower density residential areas shall be located around the perimeter of the development area to promote compatibility with existing development in the surrounding area. Medium density residential shall be located between commercial nodes/High density residential areas and the Low density residential areas. All of which shall be reflected on the Conceptual Plan approved by the Board of County Commissioners.
7. A minimum of 10.0% of on-site for-sale units shall be provided as workforce housing based on the County's affordability standards.
8. A maximum permissible non-residential intensity of 350,000 square feet of commercial uses, comprised of 300,000 square feet of commercial retail uses, and 50,000 square feet of commercial office uses.

I. Future Land Use Element, Future Land Use Regulation Section

REVISED: To establish the new Future Land Use designation in the appropriate tables for Tier and allowable densities, and shown with the added text underlined.

1. REVISED TABLE III.C, FUTURE LAND USE DESIGNATION BY TIER

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA ¹
Rural Residential	RR-20, RR-10	---	X	X	---	---
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
<u>Western Communities Residential</u>	<u>WCR</u>			<u>X</u>		
Urban Residential	LR, MR, HR	X	---	---	---	---

J. Transportation Element, Rural Parkways

REVISED: To add additional Rural Parkways to the list contained within Policy 1.4-q of the TE. The revisions are numbered below, and shown with the added text underlined.

1. **REVISED Policy 1.4-q:** The Rural Parkway concept is established to protect the rural character of roadways outside of the Urban/Suburban Tier, and those roadways identified on the Conceptual Plan of an Agricultural Enclave designated pursuant to FLUE Policies 2.2.5-d and 2.2.5-e. Rural Parkways shall accommodate future transportation planning needs to ensure that the cross-section and alignment of the roads preserves the rural residential lifestyle, sense of place and quality of life of the adjacent areas. For properties fronting on rural parkways, a portion of the designated Right-of-Way may be retained in private ownership provided that the property owner dedicates a parkway easement to Palm Beach County for non-vehicular pathways. Such dedications shall only be required when consistent with the criteria contained in Transportation Policy 1.4-d. The following roadway segments are hereby designated as Rural Parkways:

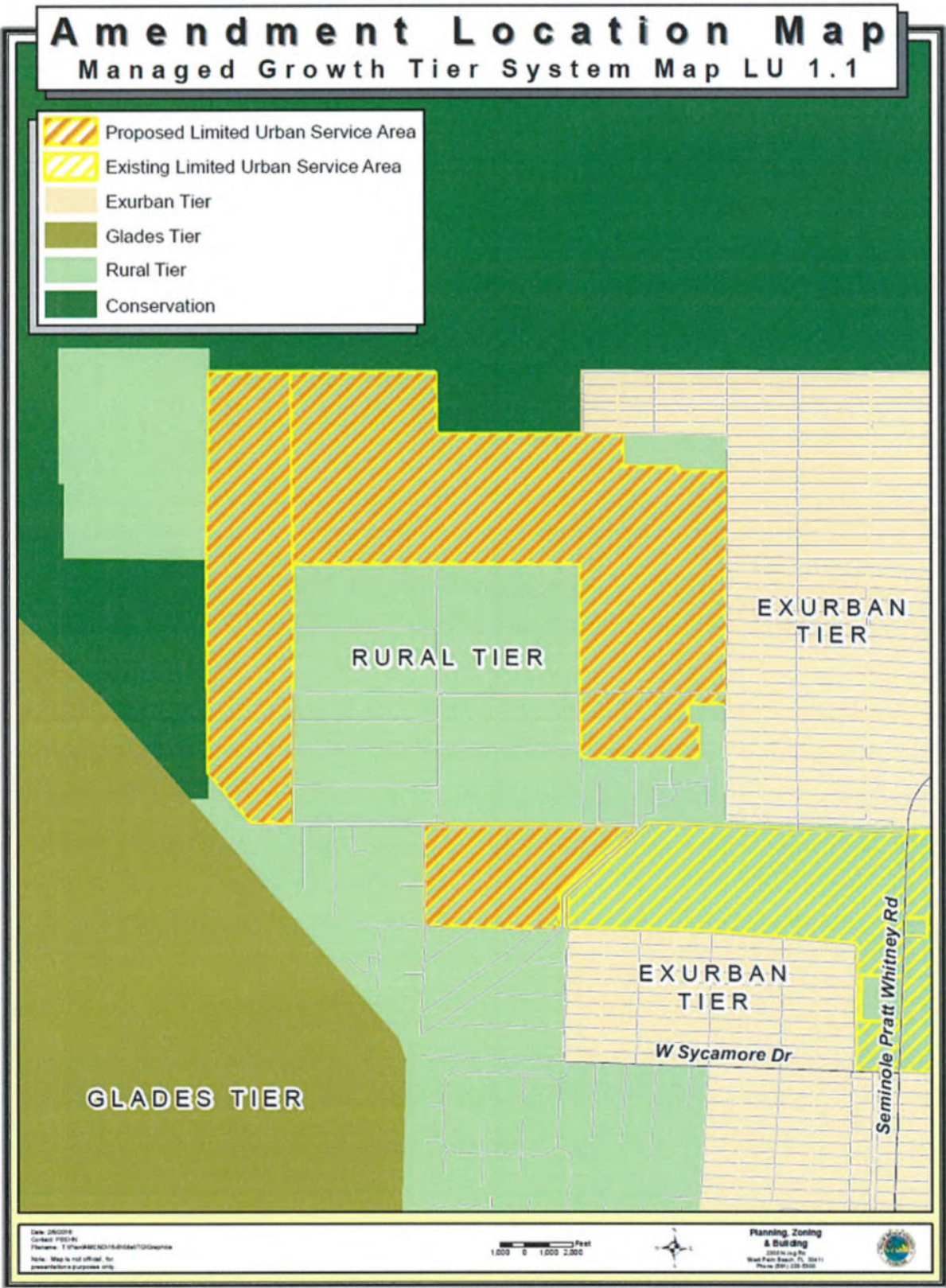
omitted for brevity

Within the designated Western Communities Residential Overlay:

8. 180th Ave. North from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation shall be required. No walls shall be allowed within the parkway easement. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
9. 190th Street North adjacent to the Indian Trails Grove PUD, a minimum of 50 feet wide easement on the east and west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
10. Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north in order to accommodate a multipurpose pathway and equestrian trail and a 50 feet wide easement on the south side to accommodate a multipurpose pathway, both landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
11. 60th Street North from the western limits of the M-1 canal to 190th Street North, a minimum of 50 feet wide easement on the south side of 60th Street North, in order to accommodate a multipurpose paved pedestrian pathway (from the eastern limits of the Indian Trails Grove PUD to the westernmost PUD entrance) and equestrian trail (from the eastern limits of the PUD to the westernmost PUD entrance) with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a context-sensitive community identification monument may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.

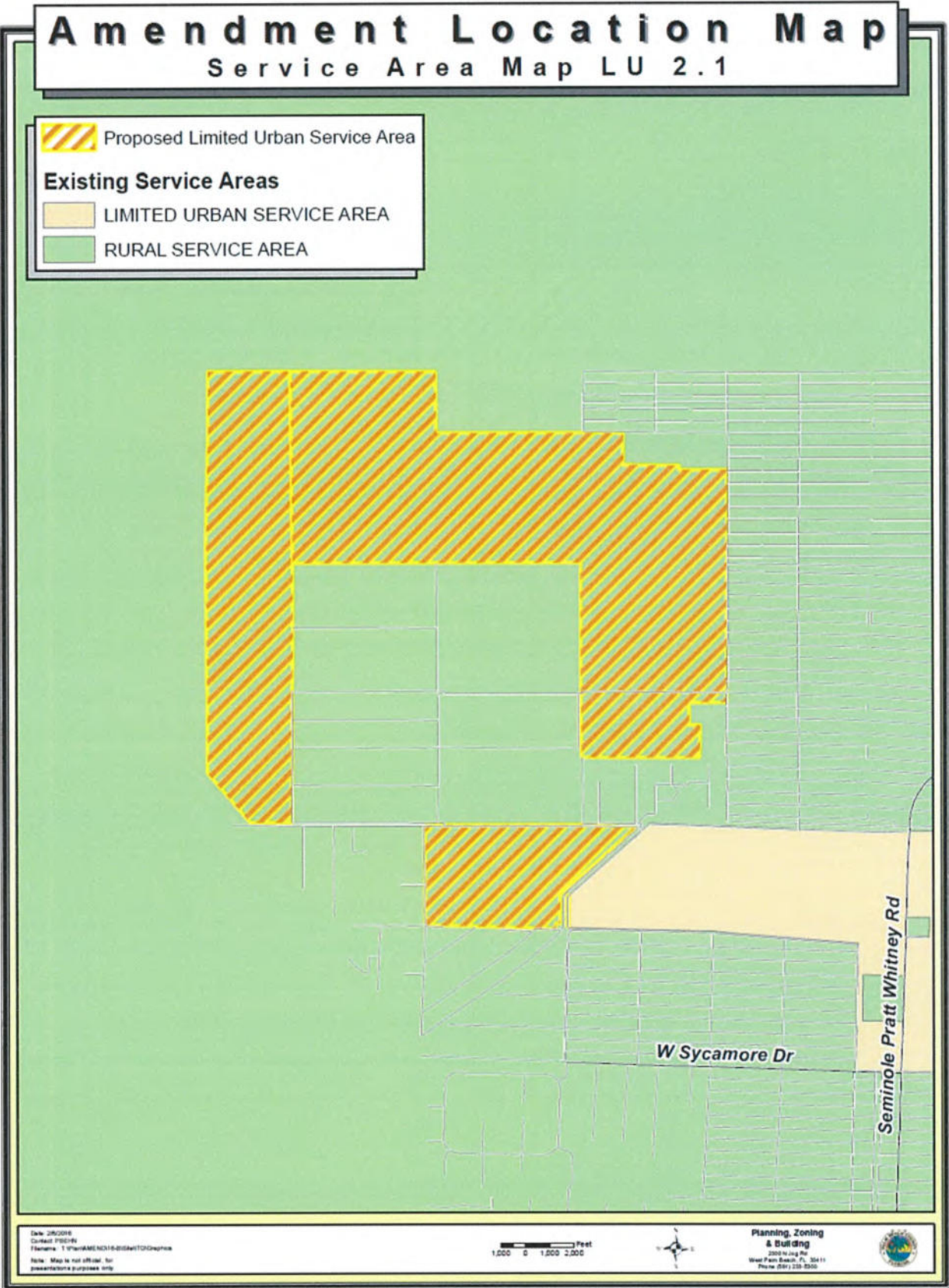
K. Map Series, Managed Growth Tier System Map LU 1.1, Western Communities Residential Overlay

REVISIONS: To depict the Western Communities Residential Overlay as a Limited Urban Service Area.



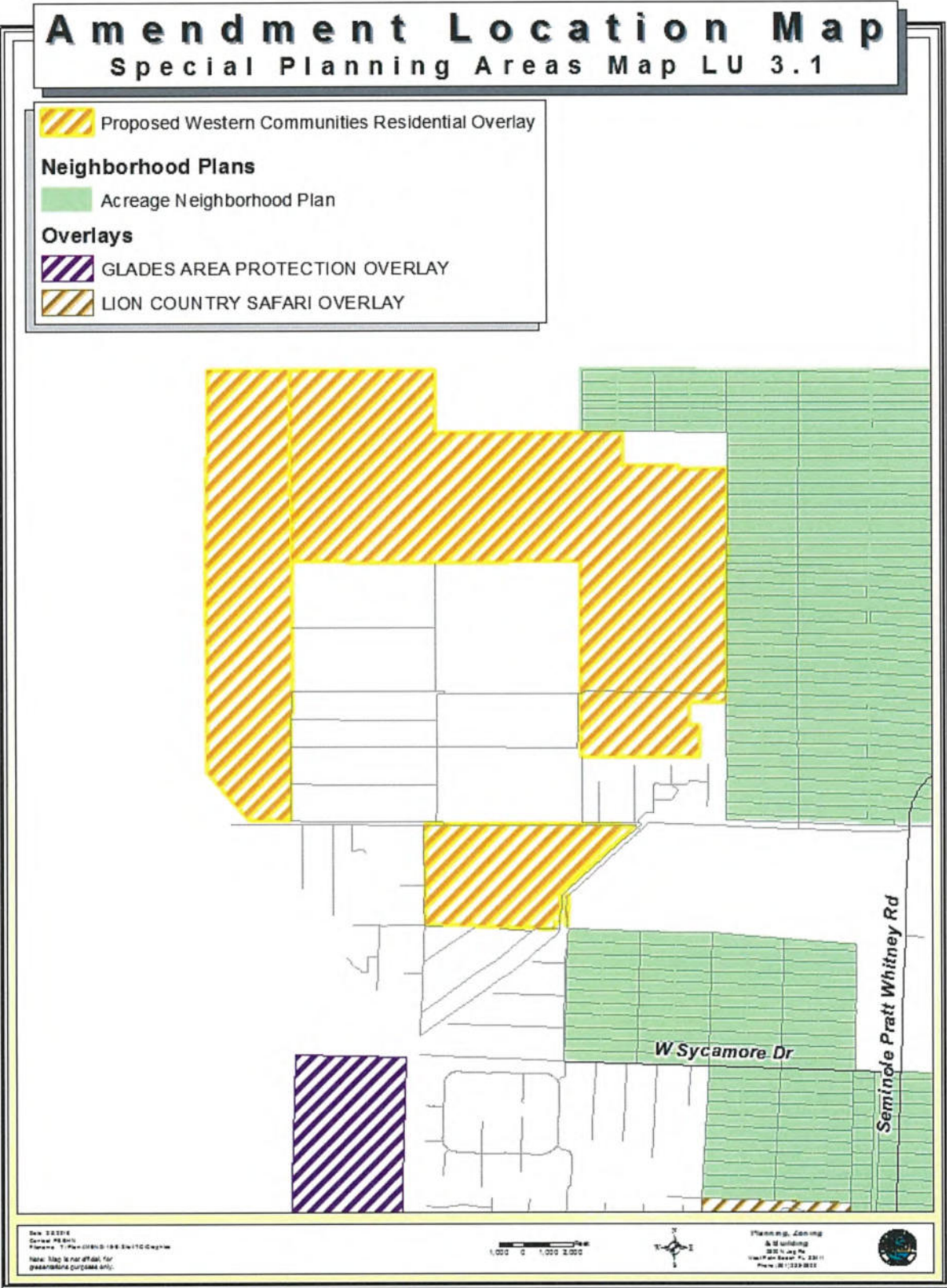
L. Map Series, Service Area Map LU 2.1, Western Communities Residential Overlay

REVISIONS: To depict the Western Communities Residential Overlay as a Limited Urban Service Area, and remove it from the Rural Service Area.



M. Map Series, Special Planning Areas Map LU 3.1, Western Communities Residential Overlay

REVISIONS: To identify the Western Communities Residential Overlay.



N. Map Series, Thoroughfare Right of Way Identification Map TE 14.1, Western Communities Residential Overlay

REVISIONS: To add or revise the following roadway segments:

- To add 60th Street North from Seminole Pratt Whitney Road to 190th Street North as a 100 foot right of way;
- To add 190th Street North from 60th Street North to Hamlin Boulevard as a 100 foot right of way;
- To revise 60th Street North from Seminole Pratt Whitney Road to 140th Avenue North from an 80 to a 100 foot right of way;
- To depict the locations of Rural Parkways and add appropriate references to the notes.

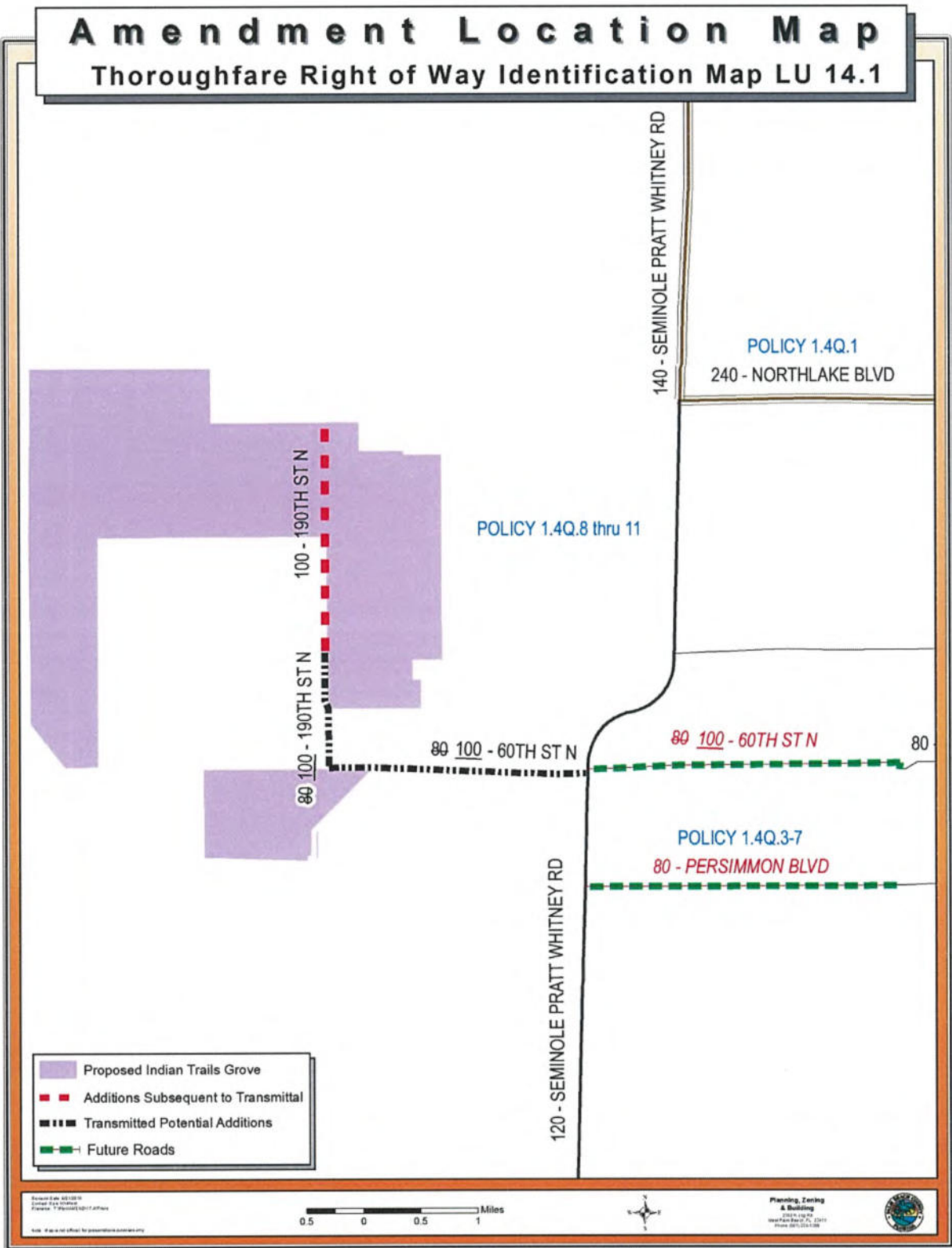


Exhibit 3

Indian Trails Grove Conceptual Plan

Land Use Mix Table						
High Density Residential						
Unit Type	Land Area		Net Density DU/Acre		Min. # Units	Max. # Units
	Min. Acres	Max. Acres	Min.	Max.		
High Density 1 (ZLL & TH)	62	94	5.00	7.00	312	656
High Density 2 (ZLL)	65	98	3.00	5.00	196	489
Medium Density Residential						
Unit Type	Land Area		Net Density DU/Acre		Min. # Units	Max. # Units
	Min. Acres	Max. Acres	Min.	Max.		
ZLL & SF	346	519	2.00	4.00	692	2076
Low Density Residential						
Unit Type	Land Area		Net Density DU/Acre		Min. # Units	Max. # Units ⁽¹⁾
	Min. Acres	Max. Acres	Min.	Max.		
SF	942	1413	1.00	3.00	942	2697
MAXIMUM NUMBER OF RESIDENTIAL UNITS – 3897 (.80 DU/AC) (High Density, Medium Density and Low Density Residential)						
(1) Note: Maximum number of DU within Low Density category is a result of meeting the minimum unit requirements of High Density 1, High Density 2, and Medium Density categories.						
Open Space						
	Min. %			Max. %		
Total Open Space	66.67%			80.00%		
Exterior Open Space	50.00%			70.00%		
Note: Exterior Open Space is included in Total Open Space						
Civic Requirement						
	Min. %			Max. %		
Total Civic	2.00%			3.14%		
Commercial Requirement						
	Min. Acres			Max. Acres		
Total Commercial	47			56		
Note: Commercial includes 300,000 SF Retail and 50,000 SF Office. 47 acres being 2% of the developable area (total acreage less Exterior Open Space.						
Recreation Requirement						
(3943 Residential Units)	Min. Acres			Max. Acres		
.006 acres per unit	24			64		

INDIAN TRAILS GROVE CONCEPTUAL PLAN

AUGUST 26, 2016



SCALE: 1" = 2,500'

0' 2,500' 5,000' 7,500'

Note:
Locations and configurations of proposed land uses, roads, open space, water management areas, water resources/agriculture, impoundment expansion, recreation (both public and private), civic/institutional (public and private), rural parkway(s), and buffers are illustrated for conceptual purposes and are not to scale, but are required to remain in the general locations shown on the conceptual plan. Final delineation shall be determined during the site plan approval(s).

LAND USE MIX						
High Density Residential						
Unit Type	Land Area		Min Density / COULDing		Min #	Max #
	Min Acres	Max Acres	Min	Max	Units	Units
High Density 1 (ZLL & T95)	82	94	5.00	7.00	212	258
High Density 2 (ZLL)	88	98	3.00	5.00	176	209
Medium Density Residential						
Unit Type	Land Area		Min Density / COULDing		Min #	Max #
	Min Acres	Max Acres	Min	Max	Units	Units
ZLL & SF	348	519	2.00	4.00	852	2078
Low Density Residential						
Unit Type	Land Area		Min Density / COULDing		Min #	Max #
	Min Acres	Max Acres	Min	Max	Units	Units
SF	842	1413	1.00	3.00	842	2007
MAXIMUM NUMBER OF RESIDENTIAL UNITS - 3007/LOD (0.4) (High Density, Medium Density, and Low Density Residential)						

Open Space		
Min. %	Max. %	
Total Open Space	60.00%	80.00%
Interior Open Space	20.00%	40.00%

Total Area		
Min. %	Max. %	
Total Area	2.00%	5.14%

Commercial		
Min. Acres	Max. Acres	
Total Commercial	17	59

Recreation Requirement		
Min. Acres	Max. Acres	
Recreation Requirement	10	64

LEGEND

- Pedestrian Pathways Public connectivity 11 miles +/-
- Public horse trails - 17.5 miles +/-
- Sidewalk connectivity
- Rural Parkway (Width as Noted on Plan)
- Community connectivity
- ↔ Setback to ITG Perimeter Property Line
- Commercial / Retail & Office
- High Density Development Multi family and ZLL lots
- Medium Density Housing 50' ZLL to 65' SF lots
- Low Density Housing 65' SF to 100+ SF lots
- Civic / Institutional use
- Private Recreation
- Exterior Open space
- Exterior Open Space Water Management Areas
- Water Resources / Agriculture
- Conceptual Impoundment Expansion

Water Resources / Agriculture

Conceptual Impoundment Expansion 640 Ac.

Water Resources / Agriculture 1,068 Ac.

Parcel F

Parcel E

Parcel D

Parcel C

Parcel B

Parcel A



COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 16-C/16-ITG

BCC ADOPTION HEARING, SEPTEMBER 22, 2016

I. General Data

Project Name:	Indian Trails Grove (LGA 2016-017)
FLUA Summary:	<p>To amend the Future Land Use Atlas on a 4,871.57 acre site with Rural Residential 1 unit per 10 acres (RR-10) on 3,592.16 acres, and Agricultural Production (AP) future land use on 1,279.41 acres to Western Communities Residential (WCR), and to:</p> <ul style="list-style-type: none"> • Increase the residential density from 0.1 dwelling units/acre (359 units) to 0.80 dwelling units/acre (3,897 units); • Allow for a maximum of 350,000 square feet of Non-Residential uses.
Text Summary:	<p>To revise the Introduction and Administration, Future Land Use, and Transportation Elements, and the Map Series to establish the <u>Western Communities Residential Overlay (WCRO)</u> Indian Trails Grove Overlay (ITGO), specifically to:</p> <ul style="list-style-type: none"> • Establish a new objective and policies relative to the <u>WCRO</u> ITGO; • Establish a definition, objective, and policies for the Western Communities Residential (WCR) future land use designation; • Modify select Rural Tier policies relative to the <u>WCRO</u> ITGO & WCR; • Allow for an exemption from FLUE Policy 3.5-d; • Establish the <u>WCRO</u> ITGO as a Limited Urban Service Area (LUSA); • Expand the list of identified Rural Parkways in TE Policy 1.4-q; and • Modify the Map Series to: <ul style="list-style-type: none"> ○ Revise Map LU 1.1 Managed Growth Tier System to show the boundaries of the Indian Trails Grove as a LUSA; ○ Revise Map LU 2.1 Service Areas to remove Indian Trails Grove from the Rural Service Area and re-designate as a LUSA; ○ Revise Map LU 3.1 Special Plan. Areas to depict <u>WCRO</u> ITGO; & ○ Revise Map TE 14.1 Thoroughfare Right of Way Identification to: <ul style="list-style-type: none"> ○ Add 60th St. N. from Seminole Pratt Whitney Rd. to 190th St. North as a <u>100</u> an 80-foot right-of-way, ○ Add 190th St. N. from 60th St. N. to <u>Hamlin</u> Orange Blvd as a <u>100</u> an 80-foot right-of-way, ○ <u>Revise 60th St. N. from an 80 to a 100-foot right-of-way from Seminole Pratt-Whiney Rd. to 140th Ave. North,</u> ○ Identify Rural Parkways.
Acres:	4,871.57 acres
Location:	West of 180th Avenue North, South of Hamlin Boulevard
Project Manager:	Bryan Davis, CNU-A, Urban Designer/Principal Planner
Applicant:	Palm Beach West Associates I, LLLP

Agent: Urban Design Kilday Studios
Staff Recommendation: Staff recommends **approval with conditions** of the amendments based upon the findings and conclusions contained within this report.

II. Site Data

Current Future Land Use

Current FLU: Rural Residential, 1 unit per 10 acres (RR-10) on 3592.16 acres, and Agricultural Production (AP) on 1279.41 acres
Existing Land Use: Vacant and Agricultural
Current Zoning: Agricultural Residential (AR) and Agricultural Production (AP)
Current Dev. Potential Max: 359 residential units

Proposed Future Land Use Change

Proposed FLU: Western Communities Residential (WCR)
Proposed Zoning: Western Communities Residential Planned Unit Development (WCR PUD)
Dev. Potential Max/Conditioned: 3,897 dwelling units, 350,000 square feet of Non-Residential uses

General Area Information for Site

Tier/Tier Change: Rural Tier – No Change
Utility Service: Palm Beach County Water Utilities Department
Overlay/Study: None
Comm. District: Commissioner McKinlay, District 6

III. Hearing History

Local Planning Agency: **Approval with conditions**, motion by Lori Vinikoor, seconded by Sandra Greenberg, passed in a 8-3 vote (with Domenic Guarnagia, George Humphries, and Thomas Dennis dissenting) at the February 12th public hearing. The Commission asked questions regarding roadway improvement timing and payments as well as maintenance obligations and potential uses for the open space. Nine members of the public, including representatives of the Village of Royal Palm Beach, Acreage Landowners Association and Everglades Law Center spoke in opposition citing changes to the character and lifestyle of the area, compatibility concerns and traffic issues.

BCC Transmittal Public Hearing: **Transmit**, motion by Comm. Taylor, seconded by Vice Mayor Valeche, passed in a 6-1 vote (with Comm. Burdick dissenting) at the April 12, 2016 hearing. A substitute motion to transmit with direction failed. Board discussion focused on the design supporting sustainable growth, benefits from increased drainage, the project's commitment that the land proposed to be open space be limited to agriculture or regional water management purposes, traffic issues including traffic impacts on Hamlin Blvd., and maintaining local control of land use decisions. Thirty-four members of the public spoke. The 14 speakers in opposition cited the impact of the proposed development on the rural lifestyle, traffic impacts, and compatibility with existing residences. The 20 speakers in support cited project benefits

including drainage relief for the Acreage, additional amenities and opportunities, positive experiences with previous GL communities, and the potential to increase home values.

State Agency Review Comments: The Department of Economic Opportunity (DEO) issued a letter dated May 18, 2016 stating that the agency had “identified no comment related to important state resources and facilities within the Department’s authorized scope of review that will be adversely impacted by the amendment if adopted.” However, the letter identified three technical assistance comments consistent with Section 163.3168(3), F.S. that are “technical in nature and designed to ensure consistency with the provisions of Chapter 163, F.S.” and that the comments will not form the basis of a challenge. In addition, comments were provided by the Florida Department of Transportation, Treasure Coast Regional Planning Council, and The Florida Fish and Wildlife Commission. Summaries of each comment and recommendation, staff response, and proposed changes to this amendment to reflect the recommendations are provided in “Exhibit 21” along with copies of the letters.

Changes Since Transmittal: Subsequent to transmittal, several changes were made to the report and proposed amendment. These changes are highlighted in the report and Exhibit 1 and 2 (for adoption) in double underline/double strike out. These changes are summarized below:

- **Staff Proposed Changes:** At the time of transmittal it was anticipated that the project’s zoning application and the Comprehensive Plan amendments would be adopted by the Board of County Commissioners at the same public hearing. Following transmittal, the applicant split off the zoning application, and would proceed separately following adoption of the Plan amendments. The Future Land Use Atlas amendment in Exhibit 1 for adoption by ordinance has been revised to incorporate additional conditions of approval to ensure that the applicant’s representations are achievable through commitments made during the FLUA amendment process. These are commitments considerably more detailed than what is commonly seen in a land use amendment, and are typically made during the zoning development order process. The applicant is agreeing to these commitments to ensure that the County has all assurances regarding the applicant’s intent.
- **Review Agency Related Changes:** Based upon the review and analysis of the State Agency review comments received following transmittal, staff is proposing several additional changes to the amendment. These changes include additional amendments to the Thoroughfare Right of Way Identification Map TE 14.1. These changes are shown for adoption by ordinance in Exhibit 2, and listed with discussion and analysis in Exhibits 4 and 21.

BCC Adoption Public Hearing: ***Adopt with modifications***, motion by Comm. McKinlay, seconded by Comm. Vana passed in a 6-1 vote (with Comm. Burdick dissenting) at the September 22nd public hearing. The motion included the removal of the Hamlin, Orange Ave and 180th Ave TIM Map amendments proposed by staff, and some minor word revisions presented in an add/delete sheet. The Board discussion included whether the proportionate share money could be spent specifically in the area of the subject site, public benefit requests by the Indian Trail Improvement District (ITID) and the purpose of the annexation condition. Two representatives of ITID spoke in support of the 640 acre parcel for water storage as a benefit, and recommended the removal of the annexation condition. Four members of the public spoke in opposition citing concerns regarding the increased density and traffic issues. Seven members of the public spoke in support citing the public benefits to the community. Two letters provided by ITID were distributed at the hearing and added to Exhibit 20.

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Future Land Use Atlas Amendment

Indian Trails Grove (LGA 2016-017)



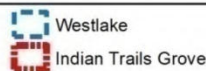
Site Data

Size: 4,871.57 acres
 Existing Use: Agriculture
 Proposed Use: Residential w/accessory Commercial
 Current FLU: RR-10 (3,592.16 ac.) and AP (1,279.41 ac.)
 Proposed FLU: Western Communities Residential (WCR)

Future Land Use Designations

RR-2.5 Rural Residential, 1 unit per 2.5 acres
 RR-5 Rural Residential, 1 unit per 5 acres
 RR-10 Rural Residential, 1 unit per 10 acres
 AP Agricultural Production
 CON Conservation

Date: 12/3/2015
 Contact: Planning
 Filename: Plan\AMEND\16-B\Sites\16-17
 Note: Map is not official, for presentation purposes only.

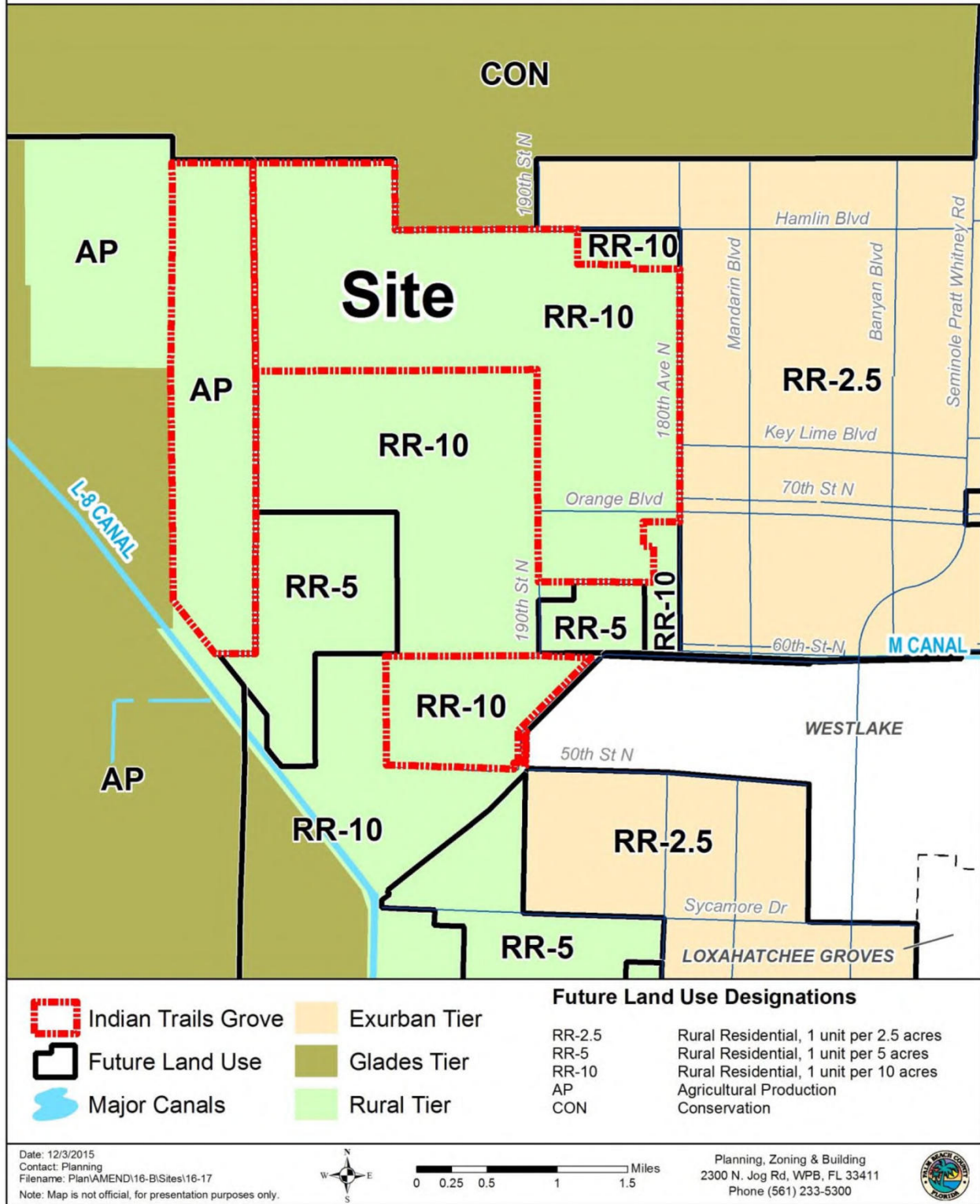


Planning, Zoning & Building
 2300 N. Jog Rd, WPB, FL 33411
 Phone (561) 233-5300



Future Land Use Atlas Amendment - Tier Map

Indian Trails Grove (LGA 2016-017)



IV. Background/History

The 4,871.57 acre subject site is currently engaged in agricultural production. According to the application submitted, the "subject property is primarily in active agricultural operation with accessory agriculture structures located in the southeast corner of the northern portion of the subject property." It was cleared and drained for citrus production in the 1960s, and continued in active citrus production until the various blights eliminated the citrus industry in the County in the 2000s. The applicant acquired the property in November 2005, and transitioned into agricultural row crop production. The "subject property is within the boundaries of the Cypress Grove Community Development District (CGCDD) which is a special district created by the Governor and Cabinet sitting as the Florida Land and Water Adjudicatory Commission in 1993." Furthermore, the project is also an inactive unit of the Indian Trail Improvement District (ITID), a special district created by the Legislature in 1957. The site is located within in an area of the County known as the Central Western Communities (CWC), a 57,000 acre area predominated by low density residential development and large tracts of undeveloped agricultural lands. Furthermore, it is located within the County's Rural Tier, and is surrounded by lands in the Exurban, Rural, and Glades Tiers (see Tier map, page 5). The uses surrounding the subject site include residential, agricultural, schools, parks, and conservation lands.

History of Area Planning Efforts

This portion of the County has been the subject of numerous planning efforts due to the long-standing land use imbalances of the area, the need to address infrastructure deficiencies, as well as the increasing number of land use amendment requests for large, vacant parcels. A brief history of these efforts is outlined below:

Midlands Study

The "Midlands Study," completed in 1989, examined the central swath of the unincorporated County, to determine the future infrastructure needs of the area, with a focus on health, safety and welfare, and determine whether limiting factors existed in the area that merited curbing potential development. It coalesced many independent and specialized studies into summaries, and distilled the relevant issues into a single document. There were no specific recommendations for this parcel within the Midlands Study.

Acreage Neighborhood Plan

The Acreage Neighborhood Plan was completed in 1995, was received by the BCC in 1996, and served as a statement of local desires and intended outcomes. The Acreage Neighborhood Plan included the following concepts: the promotion of rural character, continuing agricultural uses, preserving the area's way of life while also providing for identified community needs, including commercial uses and increased connectivity, addressing land use conflicts that accommodated orderly growth, and protecting natural resources. It is important to note that many of the planning efforts that culminated in the Acreage Neighborhood Plan identified that any commercial uses were desired to be outside of the Acreage itself. Although the Indian Trails Grove is not located within the boundaries of the Acreage Neighborhood Plan, it is adjacent to the Neighborhood Plan area.

Managed Growth Tier System

The Managed Growth Tier System (MGTS) was adopted in 1999, establishing a concept that fundamentally linked service areas, development densities and intensities, with the

desired character of each tier. The MGTS placed the subject amendment in the Rural Tier, and it is adjacent to the Exurban, Rural, and Glades Tiers.

Central Western Communities Sector Plan

After the establishment of the MGTS, the County pursued establishing a Sector Plan for the CWC area in 1999. This Sector Plan process remains an optional strategic planning effort, established in the Florida Statutes, to identify and implement specific planning strategies to address the unique needs of an area. The CWC Sector Plan was the first undertaken in the State. In the CWC area, the intent was to address the imbalance of uses within the area, the existing sprawl condition, and deficiencies in infrastructure, through a coordinated approach that incorporated design as a key component. The Sector Plan was intended to yield a long-term conceptual master plan addressing regional issues including land use, services, infrastructure, and the environment and plan for the region's future. After approximately five years of community involvement, and multiple revisions, the BCC adopted the Sector Plan Conceptual Overlay in 2005. However, the Department of Community Affairs (DCA) found the amendment "not-in-compliance" with Chapter 163, Florida Statutes, and after extensive negotiations to resolve the non-compliance finding, the County repealed the amendment in 2007.

Recognizing that the area still needed to be addressed in a comprehensive and integrated way, the County continued to explore centralized planning for the area, through a non-sector plan overlay in the Comprehensive Plan. However, many of the original "large parcels" in the Sector Plan area received separate land use amendment and development approvals outside of the Sector Plan, were located in the newly incorporated Loxahatchee Groves and therefore were no longer subject to the Sector Plan, had opted to utilize the DRI review process, or simply, entitlement efforts were discontinued due to the economic downturn. After almost two additional years of pursuing that overlay option, in 2009 the County discontinued the effort altogether.

Other Projects

In October 2014, the BCC adopted the **Minto West Agricultural Enclave** amendments to the Comprehensive Plan (LGA 2014-007, Ordinance 2015-030), and related zoning actions. The Minto West project is located on the former Callery-Judge citrus grove consisting of over 3,700 acres, adjacent to a portion of the subject amendment. Minto West incorporated many of the planning concepts of the Sector Plan Settlement Agreement, providing much needed non-residential uses in the area, public benefits including recreational amenities and potential regional drainage solutions, retained some agriculture, while establishing an authentic new urbanist community; this included over 4,500 units, with 2 million square feet of non residential uses, with a minimum of 55% open space. On June 20, 2016, the City of Westlake incorporated under the unique provisions in 165.0615 Florida Statutes.

Within the City of Palm Beach Gardens, a development proposal known as **Avenir** was adopted and rezoned by the City Council on May 5, 2016. It is located on the north side of Northlake Boulevard, approximately 4 miles east of the northeasternmost corner of the Indian Trails Grove project. The project is approximately 4,800 acres in size, proposes nearly 3,250 dwelling units, 400,000 square feet of commercial retail uses, 2,140,000 square feet of office uses, among other uses.

On April 27, 2016, the BCC adopted an amendment known as the **Central Park Commerce Center** (LGA 2016-005). This project located on the north side of Southern Boulevard, west of the L-8 Canal, proposes to place an Economic Development Center on approximately 138 acres

with the potential for approximately 3.2 million square feet of light industrial and warehouse uses.

Parcel Planning History

This amendment site has been the subject of, or included in multiple planning efforts prior to the current proposal. The following summaries focus on the proposed densities and intensities, their form of development, and other proposed criteria associated with any future development.

Central Western Communities Sector Plan (2005)

The subject site was among the properties addressed in the Sector Planning process undertaken by the County in 1999-2007. Under the adopted Sector Plan (from Amendment Round 05-1), up to 0.8 units/acre, and up to 200,000 square feet of commercial uses (and an indeterminate amount of institutional uses) in the form of a Village Center (VC) were allowed for this area. This was to be in the form of a "Rural Residential Planned Development." This included allowing for non-contiguity of parcels. Additionally, considerable focus upon developments that utilized these provisions include public benefits, addressing regional water management needs, requiring a minimum of 50% open space, provision of trails for recreational and equestrian uses, environmental mitigation/enhancement/restoration, and dedication of sites, funding or construction of public facilities. Furthermore, 20% of all units were required to be workforce housing units. Other measures to ensure compatibility included incorporating a variety of lot sizes with a specific requirement that 20% of all lots to be 1.25 acres or larger

Central Western Communities Sector Plan Settlement Agreement (2007)

The subject site was also included in the proposed Sector Plan Settlement Agreement. In that proposal which built upon and modified the above concepts, endorsed by the BCC, the "Western" area was identified as a "Traditional Village Development," eligible for a density increase up to 0.8 units/acre, and 900,000 square feet of non-residential uses (550,000 square feet of commercial uses, and 350,000 square feet of employment uses) in the form of a Village Center (VC) were allowed for this area. The Traditional Village Development form contemplated 60% minimum open space, minimum densities of 5 units/acre in the developed area to achieve a compact, walkable community, promote transit/alternative transportation modes, and establish sustainable growth patterns. At least 10% of all units were to be provided as workforce housing units. Part of the development area had to be in the form of a "Traditional Neighborhood Development" (TND). The 60% external open space requirement was to provide separation and transition between established areas of rural character and the intended development areas; to provide for opportunities for continued agriculture, recreation, water management, and environmental mitigation.

Development of Regional Impact (2007-2009)

In February 2007, owner of Indian Trails Grove submitted a Development of Regional Impact (DRI)/Application for Development Approval (ADA) to the Treasure Coast Regional Planning Council (TCRPC) in accordance with 380.06, Florida Statutes. The application proposed 12,325 dwelling units (a density of 2.5 units/acre) and approximately 250,000 square feet of commercial uses and utilizing the Traditional Town Development (TTD) form. However, applications for corresponding Comprehensive Plan and Land Use Atlas amendments, as well as zoning development orders for the DRI were not submitted to the County. On March 10, 2009, the TCRPC administratively withdrew the application for the DRI due to inactivity.

Proposed Amendment

On July 15, 2015, as permitted by the Comprehensive Plan, the applicant submitted a large scale FLUA amendment for 3,943 residential units, and 225,000 square feet of commercial uses, with a companion Comprehensive Plan text amendment. As a result of discussions with staff, the applicant revised the request on November 9, 2015, November 20, 2015, and January 29, 2016, to address concerns over the form of development, compatibility, to provide demonstrable public benefits, and a modest increase in the non-residential uses. Additionally, staff determined that approximately 57 acres of the original submittal is located within the Glades Tier, and that a corresponding Tier change study was not provided in the application. As such, the amendment is scaled back to incorporate land that is located solely within the Rural Tier. This resulted in reduction from 4,929.30 acres to 4,871.57 acres, and from 3,943 units to 3,897 units.

V. Intent of the Amendment

The intent of the proposed amendment is to amend the FLU designation, increasing density and intensity on the subject parcels.

The proposed future land use amendment is inconsistent with current Comprehensive Plan policies, and therefore, cannot be processed without a concurrent text and map series amendment to address these inconsistencies. The applicant submitted a private text amendment request to revise several policies in order for the proposed future land use change to be consistent with the Comprehensive Plan. The proposed text amendments in strike-out and underline form are provided in Exhibit 2.

The proposed text and map series amendments create new objectives within the Future Land Use Element including a new overlay and FLU designation, modify existing policies relating to the Rural Tier, Service Areas, provide an exemption from long range transportation planning policy, establish the area as a Limited Urban Service Area (LUSA), as well as a new definition in the Introduction and Administration Element, expand the designated Rural Parkways in the Transportation Element, and make the required changes to the Map Series to reflect these amendments.

The proposed Future Land Use Atlas amendment would amend the future land use on 3,592.16 acres of RR-10, and 1,279.41 acres of AP, to a new Future Land Use designation of Western Communities Residential (WCR) on the entire 4,871.57 acres. This amendment would increase the residential density from 0.10 dwelling units/acre (359 units) on the RR-10 portion (and zero (0) units on the AP portion), to 0.80 dwelling units/acre (3,897 units), and add non-residential intensity up to a maximum of 350,000 square feet of Commercial and Office uses.

The current request is also accompanied by a rezoning application (PDD/R 2015-094) which would, upon adoption of the Comprehensive Plan amendment package, enable the parcel to rezone from Agricultural Residential (AR) and Agricultural Production (AP) to Western Communities Residential Planned Unit Development (WCR PUD) as well as amendments to the Unified Land Development Code (ULDC).

VI. Comprehensive Data & Analysis

As outlined in the Intent of the Amendment - Section V above, the proposed amendment includes a site-specific amendment, amending the FLU designation with conditions of approval that relate to density and intensity of the site. The amendment also includes a text amendment

that addresses changes to the elements of the Comprehensive Plan and to various maps of the map series of the Comprehensive Plan.

This section will examine the unique factors involved in the amendment application. Additional data and analysis for these amendments are provided below, organized as follows:

- Section VII, Analysis of the Text (Elements and Map Series) and FLUA amendments (site-specific amendment and conceptual plan) pursuant to provisions of the Comprehensive Plan and general planning statutes;
- Section VIII, Public and Municipal Review, covers notification, outreach, and any feedback from those efforts;
- Section IX, Staff Assessment

A. Density

The applicant is proposing a change from 359 units to 3,897 dwelling units, a net increase of 3,538 units.

Staff Assessment: The proposed 0.8 dwelling units per acre density is consistent with the density contemplated for this parcel under the adopted CWC Sector Plan, and Sector Plan Remedial Amendments. It is the basis for the applicant's requested density. These are proposed to be clustered onto less than 33.33% of the land area (based on the proposed open space requirements), and in actuality will be less than that due to the commercial nodes also being located within the development areas. This insures that the form of development will have some compactness and efficiency, while ensuring overall compatibility with the surrounding developed areas, conservation lands, and agricultural uses that surround the larger amendment site.

B. Intensity

The applicant is proposing to add 300,000 square feet of commercial retail uses, 50,000 square feet of commercial office uses, and various civic uses necessary to support the overall development.

1. Sector Plan Identified Needs

In order to determine if the Sector Plan Remedial Amendment concept remained valid after the Minto West/City of Westlake approval, staff examined the prior analyses of the Sector Plan evolution, included the recent Minto West FLUA amendment density and intensity, and incorporated information on population and development approvals. This fundamentally reexamines the long standing imbalance of land uses remains in the CWC area. The non-residential multipliers were utilized from the Sector Plan Remedial Amendment, and replicated again in the Minto West Agricultural Enclave approval; these multipliers are a combined 36 square feet per capita for commercial uses (retail and office needs), and 22 square feet per capita for industrial/employment uses. Note that the "Future 2035 Population" row's numbers include the City of Westlake project (as the "Built/Apr" column includes all development approvals); the "Indian Trails Grove" row addresses the increment proposed by the current amendment; the "Future 2035 (with Indian Trails Grove)" is the composite.

Existing and Future Needs vs. Supply

	Population	Retail/Office			Industrial/Employment		
		Demand at 36 sf/capita	Built	Need	Demand at 22 sf/capita	Built	Need
Existing 2013 Population	41,150	1,481,400	191,312	1,290,088	905,300	0	905,300

	Population	Retail/Office			Industrial/Employment		
		Demand	Built/Apr	Need	Demand	Built/Apr	Need
Future 2035 Population	67,444	2,427,984	1,908,737	519,247	1,483,768	1,050,000	433,768
Indian Trails Grove (3,897 du @ 3.15 pph)	12,275	441,900	350,000	91,900	270,050	0	270,050
Future 2035 (with Indian Trails Grove)	79,719	2,869,884	2,258,737	611,147	1,753,818	1,050,000	703,818

The analysis indicates that the project as proposed adds some non-residential uses that serves the Indian Trails Grove. The application indicates, consistent with the Sector Plan concept, that the subject amendment would be complimentary to, and utilize the larger regional node at Westlake for its non-residential needs. However, when examining the larger CWC area, the increased non-residential uses proposed contributes to meeting, but does not fully address the long-term need. However, the BCC adopted the Central Park Commerce Center (LGA 2016-005) FLUA and associated text amendments on April 27, 2016, which added the potential for approximately 3.2 million square feet of light industrial/warehouse and employment center uses roughly 5 miles due south of the southernmost portion of this amendment. Although technically located outside of the Sector Plan Remedial Amendment boundaries, it provides the long identified need for industrial and employment uses in the Central Western Communities. The proposed Central Park Commerce Center square footage is not included in the above table. Non-residential square footage helps to create a more balanced and sustainable community by allowing residents, both within and outside of the proposed development, the ability to meet their daily needs closer to where they live, potentially reducing the number of trips on the overall system or significantly shortening those necessary trips. This is consistent with several of the concepts contained within the County Directions, and in keeping with the statutory provisions to curb urban sprawl.

In conclusion, the County has consistently maintained, through numerous years of planning efforts and studies (including the Sector Plan), that this site has an opportunity due to its location in the CWC to address imbalances of land uses through additional non-residential development as well as regional water/drainage solutions, and to provide for workforce housing. The increase in non-residential uses is consistent with staff position, numerous planning efforts and resultant data and analysis that demonstrate a need to balance land uses, specifically through the incorporation of non-residential uses in the area.

2. Applicant's "Needs" Analysis

The applicant submitted multiple needs analyses conducted by Warner Real Estate Advisors, Inc. of the residential, and non-residential land uses within the County. Two separate residential analyses were submitted, one "land based" and the other "unit based," both dated July 9, 2015. (see Exhibits 8 & 9). To summarize each study in brief, the Land based residential analysis employed their own 2035 population projections, and attempted to determine if there is sufficient vacant and underutilized residentially designated land to accommodate the projected population; the Unit based residential analysis used the same projected population to determine whether there is sufficient "residential capacity" to meet the housing need. A separate non-residential analysis was also prepared, and revised on November 2, and November 17, 2015. The non residential analysis examined the build-out population of the area and determined a per capita "multiplier" for each generalized use category, determined what the build-out population need would be, and compared that to existing and proposed non-residential development to determine whether a surplus or deficit of uses exists.

Staff Assessment: Upon review of the studies, staff determined that they were prepared using professionally accepted methodologies. The County conducted a revised non-residential needs analysis based on the CWC Sector Plan Remedial Amendment for comparison purposes to those efforts, and the recent Minto West/Westlake approval (above, VI.B). The County's and the applicant's non-residential analyses, despite using different professionally accepted methodologies indicate that there is currently, and there would still be an unmet need for additional non-residential uses in the CWC area at the 2035 forecast.

C. Public Benefits

This concept of providing larger public benefits and addressing existing planning deficiencies in the CWC area is a notion carried forward from the Sector Plan, and was further clarified and expounded upon in the Sector Plan Remedial Amendment; this was also the fundamental concept explored in the recently approved Minto West Agricultural Enclave. Additionally, these concepts and strategies are entirely consistent with the larger themes of the County Directions, found in the introduction of the Future Land Use Element, particularly the first two directions--specifically Liveable Communities and Growth Management.

Throughout the various planning processes and studies undertaken for the CWC area, the focus has been to balance land uses, providing requisite infrastructure, and addressing deficiencies in services within the area that stems from the long-established development pattern in the area on one hand, while attempting to maintain the perceived rural character of the area on the other. As a result, all efforts whether conceptual or realized, necessitate that any applicant pursue "good neighbor" initiatives in their conceptual planning efforts for the project. The applicant has provided an overview of public benefits that the Indian Trails Grove project would provide (see Exhibit 5). A similar "public benefits" oriented approach was employed in the recently approved Minto West Agricultural Enclave amendment. A summary of the relevant benefits include:

- Provision for 10% of all units to be provided on-site as workforce housing
- Create a mixed use community design to address regional land use imbalance and potential to reduce vehicle miles travelled.
- The provision of 64 acres of parks and recreation uses, 17 miles of perimeter trails for pedestrians cyclists and equestrians, 11 miles of pedestrian and bike pathways within the project, all proposed to be open to the public, as well as constructed by the developer; this would not create a long-term fiscal obligation for the County.
- Civic site dedications for a Fire Station, and school sites.

- Retain over 1,100 acres of open space for agricultural uses or convert to regional water management solutions.
- Potential to address regional flooding: The applicant has included a 640 acre site adjacent to the Indian Trail Improvement District's M-1 Impoundment in their M-1 Basin. This land will revert to the owner should the land not be used for flood control and remain as open space as agricultural uses. Alternatively, the County has included an option in the Conditions of Approval in Exhibit 1 that would allow for the County to become a provider of the additional capacity--the option would be clarified in the Zoning Development Order if the land use amendment is adopted. The 640 acre impoundment could provide for approximately 5,000 acre-feet of flood attenuation storage if permitted as conceptualized.

In addition, the Conceptual Plan and proposed Comprehensive Plan text amendments (Exhibits 2 & 3) have been revised to ensure that the public benefits and planning objectives are quantifiable and achievable. The specifics regarding the proposed text and map series amendments can be found in Section VII and Exhibit 4. However, generally these benefits remain consistent with those required in the Sector Plan Remedial Amendment and include:

- contributions and funding of roadway impacts beyond proportionate share
- workforce housing
- addressing regional water issues supply and/or drainage
- providing publicly accessible recreational facilities and sites
- regional connectivity through equestrian, bicycle, pedestrian trails
- provision of a minimum percentage of open space
- retaining agriculture on site

Staff Assessment: The applicant has committed to provide considerable public benefits as has been identified in the various CWC Sector Plan efforts, and recently demonstrated in the Minto West Agricultural Enclave approval. These are significant commitments to provide quantifiable public benefits, and are not simply addressing impacts due to the project itself. The County has both direction and policy that promote, encourage and require the preservation of agriculture. The potential to address longstanding regional drainage deficiencies are also a critical part of this project. ITID has identified a critical deficiency and the need for approximately 5,000 acre-feet of storage to address inundations during major storm events, which this project proposes (see Exhibit 19). The recreation and civic amenities, including the proposed pedestrian and equestrian trail systems are to be open to the public, would be maintained by the developer or POA and will address desires of local residents seeking more opportunities for those uses. Furthermore, the County has long sought to improve the supply of workforce housing within the County. As was recently approved at Minto West/Westlake, and proposed in the sector plan, this applicant also proposes to include 10% of all units in the project as workforce housing. Finally, through extensive discussions with County staff, the applicant is providing specific roadway improvements (in addition to other public facility commitments), enumerated in proposed Policy 1.12-e. It is anticipated that these will be further refined and detailed through the zoning and concurrency review processes, and that the requisite proportionate fair share agreement in conjunction with the development order conditions will finalize the financial contribution from the developer.

D. Agricultural Production FLU in the Rural Tier

Over 1,279 acres of land in the proposed amendment has the Agricultural Production (AP) FLU designation, and is located within the Rural Tier. This constitutes the western portion of the

amendment site. In the FLUE of the Plan, both Tables III.C, and III.C.2 indicate that the AP FLU is not allowed in the Rural Tier, and is only allowed within the Glades Tier. Furthermore, Section III.C.5 of the Future Land Use Regulation portion of the FLUE indicates that the AP FLU shall be applied to the Everglades Agricultural Area (EAA). The EAA consists of those lands located south and west of the SFWMD L-8 Canal, while the subject amendment is wholly located north/east of the L-8 Canal. Additionally, the AP designated land within the subject amendment, as well as lands west of the amendment were included within the CWC Sector Plan boundaries. However, this parcel, including the AP portion, were included in the intended areas for a development approval, but conceptually it can be inferred, were to be utilized for the purposes of calculating density. Nowhere within the proposed policies in the 05-1 adopted Sector Plan amendment, nor those in the Sector Plan Remedial Amendment was the AP portion contemplated to be excluded from the density calculation. Finally, the western portion of the amendment site with the AP FLU, was shown as being maintained in open space, with development clustered to the east in several CWC Sector Plan maps depicting desired open-space locations.

Staff Assessment: Staff acknowledges that a long-standing error exists given the AP FLU on the parcel, relative to the FLUE and the Rural Tier provisions. This error is not caused by the applicant or proposed amendment, it is due to the amendment process where the parcels come under intense scrutiny that the issue has come to light. Given that the AP FLU is not allowed in the Rural Tier, and the portion that has AP FLU is not within the EAA, the current FLU designation of AP is not appropriate for this parcel. The FLU designation should have been RR-10, as is the rest of the subject amendment, and adjacent parcels to the south and east that remain in agricultural use within the Rural Tier. As such, the CWC correctly indicated the overall parcel should have a development option. However, the configuration of the parcel and relative isolation of the western portion means it would be more appropriate to remain in some form of undeveloped "open space" use. That is what the proposed amendment contemplates, that it remain in agricultural use with some of the land being reserved for a potential regional water management purpose. Thus, although the land would have its FLU designation amended from AP to WCR, the apparent use and ongoing function would remain the same. The only result would be an increase in density that would be clustered to the east to form a compact development that is consistent with curbing urban sprawl, ameliorating the existing sprawl pattern in the area, and ensure compatibility with adjacent parcels that are in conservation, agriculture and residential uses. The proposed text amendments to the Comprehensive Plan provide the meaningful and predictable standards to achieve this aim.

VII. Text, Map Series, and FLUA Amendment Data and Analysis

A. Proposed Text Amendments for Development Area and Open Space Provisions

The bulk of the proposed text amendment is to accommodate the applicant's desired development pattern consistent with the Goals Objectives and Policies of the Comprehensive Plan, and the requirements of the Florida Statutes. Therefore, the incorporation of new concepts in both the text amendment and associated Conceptual Plan are key, as the incorporation of these components are in part the result of responding to the Florida Statutes requirement to discourage urban sprawl, and efforts to ameliorate any indicators of urban sprawl. (see Exhibit 7).

The amendment incorporates as many "off the shelf" development components as possible in

establishing the development pattern in ways familiar to the County, but to create a new framework that responds to its setting in the Rural Tier. Thus, it seeks to use the Planned Unit Development (PUD) concept as employed in the County--complete with Civic and Recreation Pods, plus school sites and other community amenities--with commercial nodes in the form of the Traditional Marketplace Development (TMD) to identify the development areas and describe those patterns. However, the applicant uses new policy language to account for and address those areas not contemplated for "vertical" development.

The text amendment requires that a minimum of 50% of any project within the proposed overlay be limited to open space. Furthermore, additional open space traditionally associated with development, including the existing ULDC definition of open space (preservation, conservation, wetlands, wellfields, passive recreation, greenways, landscaping, landscape buffers, water management tracts), will bring the total amount of open space to a minimum of 66.7% of the overall land area of the project.

The remainder of the land area (33.3%) is assigned to the development area. All of the associated dwelling units shall be clustered into the development areas, which shall include neighborhoods ranging from low density (one to three units per acre) at the edge of the development area, to densities as high as seven units per acre. Three density gradients are employed. The areas of the greatest density are identified as the "High Density Residential" which will include townhouses and some zero lot line units, located adjacent to commercial nodes that are to be developed in the form of Traditional Marketplaces.

A detailed analysis of each proposed text amendment is included in Exhibit 4.

B. Conceptual Plan

The applicant included a Conceptual Plan that will be adopted as part of the proposed amendment. The Conceptual Plan attempts to graphically depict the concepts that are discussed in the associated text amendment, and provide meaningful and predictable standards to guide the future development. The text amendment establishes policies to require specific concepts that will be used as a tool to guide the zoning/development order process for the project.

The Conceptual Plan identifies the general locations of generalized land uses, and establishes important design components to demonstrate sustainable and liveable community concepts, and graphically depicts how the proposed project does not constitute urban sprawl. These include:

- The significant open space that will act as a physical divide between the development area and the existing suburban development pattern to the east and south of the subject parcels and also will serve as a contiguous, linked open space system. It also provides substantial separation from conservation lands (JWCWMA) to the north and west.
- The development areas that will cluster the units in a compact development form, arranged and linked to enable pedestrian and other non-vehicular modes of movement within the project.
- Further clustering of densities utilizing density gradients around civic uses and the identified commercial nodes, to enable more residents to incorporate these amenities into their daily lives. The applicant's proposed zoning plans indicate that over 73% of the proposed units would be within 1/4 mile radius of either commercial, civic, or recreation uses (not including trails, parkways or other linear path systems), thereby affording those residents a choice to walk to some of their daily needs.

- Incorporating a range of densities to allow for clustering of units and a variety of unit types and sizes.
- Commercial nodes developed in the form of a Traditional Marketplace that will establish limited convenience/neighborhood scale uses, a development form identified in the comprehensive plan as being appropriate for use in the Rural and Exurban Tiers.
- Civic sites that would be required during the development review process, in excess of the required 2% dedication of civic sites.

The applicant revised the Conceptual Plan to the above level for greater specificity to respond to concerns regarding urban sprawl, particularly with regard to highlighting the locations of potential civic sites. Under current ULDC requirements for planned developments, the overall project area would be subject to a minimum 2% civic dedication during the development review process (approximately 98 acres). Future civic sites for parks, a fire-rescue site, and school sites are identified on the Conceptual Plan.

The Conceptual Plan continues an evolutionary process that helps to ameliorate the existing sprawl characteristics of the CWC.

C. Consistency with the Comprehensive Plan - General

This section of the report examines the consistency of the text and FLUA amendments with the County's Comprehensive Plan and the impacts on public facilities and services. The application included an analysis (see Exhibit 5) to demonstrate consistency with the existing Goals, Objectives and Policies of the Comprehensive Plan. To avoid repetition, the staff analysis is included below, refer to the applicant's justification statement for the Applicant's analysis of each applicable policy.

1. **Justification: FLUE Policy 2.1-f:** *Before approval of a future land use amendment, the applicant shall provide an **adequate justification** for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*
 1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
 2. *The availability of facilities and services; (see Public Facilities Section)*
 3. *The adjacent and surrounding development; (see Compatibility Section)*
 4. *The future land use balance;*
 5. *The prevention of urban sprawl as defined by 163.3164(51) FS; (See consistency with Florida Statutes)*
 6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section)*
 7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (see Public and Municipal Review Section)*

The applicant has prepared a Justification Statement, which states that the proposed amendment request is justified as "there has been a change in circumstances (correction in the single-use pattern) that affects the subject property."

Staff Assessment: This policy is the umbrella policy over the entire FLUA amendment

analysis and many of the items are addressed elsewhere in this report as identified above. With regard to the justification statement, staff concurs with the applicant's assessment that proposed amendment would correct to some extent the single-use pattern that is prevalent in the area. Some non-residential square footage at a neighborhood and community scale would in part address a long-standing land use imbalance in the CWC area. This was a priority for the County for nearly 10 years before the Sector Plan effort was finally discontinued. However, the outcome was not because the identified needs and issues had been resolved--it was a combination of factors, including the inability to reach consensus with DCA and the interveners in a timely manner and the economic recession which temporarily abated development pressures in the area. Many of the issues persist. The current entitlement does not satisfy regional issues and planning deficiencies, nor would or could the proposed amendment wholly satisfy or address the many issues in the CWC area. The Sector Plan contemplated that many large parcels would individually address some of the identified issues, and collectively would contribute to an improved situation. As such, this parcel contributes to providing some of the desired infrastructure, improving the imbalance of uses, and in that sense the amendment is justified.

2. **County Directions – FLUE 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.*

1. **Livable Communities.** Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.
2. **Growth Management.** Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.
4. **Land Use Compatibility.** Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.
7. **Housing Opportunity.** Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of very-low and low-income housing, Countywide, through the Workforce Housing Program.

11. **Linear Open Space and Park Systems.** Enhance the appearance of the County by providing an open space network that will become a visual and functional organizer of recreational activities, natural resources and other open space areas. This should include public lands, passive as well as active recreation areas, beaches and conservation areas.
13. **Design.** Promote the concept of design to direct development, in rural and urban areas. Design is used to prepare and implement policies and plans that guide the physical development of the built environment and make such development functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals.

Staff Assessment: The proposed amendment is consistent with the County Directions as it provides for a planned development pattern within an area dominated by a single-use homogeneous sprawl pattern. Although the surrounding areas land use pattern was established prior to the Comprehensive Plan and the County Directions, it openly contravenes the Directions in their guidance to provide sustainable communities, efficient land uses, cost effective delivery of services and facilities, the incorporation of design as an organizing element, the provision of open space networks. This project represents an opportunity to provide office, retail, recreation and residential uses, including workforce housing, integrated within a planned community.

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

Staff Analysis: There are no other parcels under the same or related ownership that are not included in the proposed amendment that have development potential. The portion of the outfall canal to the L-8 Canal was excluded as it is within the Glades Tier, and has no development potential. Therefore, the proposed amendment would not constitute piecemeal development.

4. **Residual Parcel – FLUE Policy 2.1-i:** *As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for inter-connectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.*

Staff Analysis: The Comprehensive Plan's Introduction and Administration Element defines a residual parcel as "a property under the same or related ownership that has been left out of a development area, resulting in a parcel which has limited development options and connections to surrounding properties." As there are no other parcels under the same or related ownership that are excluded from the application with development potential, the proposed amendment would not result in the creation of any residual parcels.

5. **Strip Commercial – FLUE Policy 2.2.2-d:** *The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development.*

Staff Analysis: The site is required under the proposed policies to provide a Conceptual Master Plan, which is intended to integrate land uses and serves to mitigate any strip commercial characteristics. It does so by concentrating commercial uses at proposed nodes, providing civic and recreation uses in close proximity, clustering residential units, and connecting them with larger trail systems throughout the project. The proposed amendment does not exhibit any of the characteristics of strip commercial development as defined in the Introduction and Administration Element of the Comprehensive Plan, and would not result in or encourage the proliferation of strip commercial development. Therefore, this amendment is consistent with this policy.

6. **Density Increases – Policy 2.4-b:** *The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:*

1. *an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or*
2. *an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or*
3. *an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:*
 - a. *West Lake Worth Road Neighborhood Plan.*

Staff Analysis: The proposed amendment is located in the Rural Tier. Per FLUE Policy 2.4-f, receiving areas for TDRs shall be inside the Urban/Suburban Tier. Therefore, the subject property is not eligible to take advantage of TDRs as a method to increase density. Regarding the second provision, although not explicitly exempted in the Housing Element, no Rural or Exurban Tier FLUA designations are included in the policies, and are therefore not eligible to take advantage of any density bonuses under the Workforce Housing or Affordable Housing programs. The third provision of this policy does not apply as the proposed amendment is not located within an identified Neighborhood Plan.

As previously discussed, the applicant has provided a justification, and demonstrated that the current rural residential FLUA designation is inappropriate.

7. **Unincorporated Protection Area – Intergovernmental Coordination Element Policy**
1.4-n: *The Palm Beach County Planning Division shall implement the exclusive method of voluntary annexation established in the County Charter through the implementation of Ordinance 2007-018. The Planning Division shall review each proposed annexation to determine whether the site is located within the Unincorporated Protection Area (UPA) and notify the annexing municipality accordingly. The boundaries of the UPA are depicted on Map ICE 1.1 and consist of all unincorporated lands outside the Urban Service Area. Map ICE 1.1 also identifies Unincorporated Rural Neighborhoods. The Planning Division shall present each proposed annexation in the UPA to the Board of County Commissioners (BCC). Annexations located within the UPA require approval of at least 5 members of the BCC. Annexations within Unincorporated Rural Neighborhoods require approval of at least 5 members of the BCC and approval from a majority of the registered electors residing within its borders. The following communities, delineated on Map ICE 1.1, are defined as the Unincorporated Rural Neighborhoods:*

*The Acreage
Caloosa
Canal Pine Acres
Deer Run
Deer Run Plat 2
Dellwood Estates
Entrada Acres
Fox Trail
Indian Lakes Estates
Jupiter Farms
Kramer's U/R (AKA – Rustic Lakes)
Las Flores Ranchos
Mandell
Oak Wood Lands
Palm Beach County Estates
Santa Rosa Groves
Stonewal Estates (AKA – Bayhill Estates)
Sunny Urban Meadows
Tall Pine Acres U/R
Waite Sub U/R
White Fence Estates
Homeland*

Staff Analysis: Since Transmittal, the City of Westlake has incorporated, and is adjacent to the southern portion of the proposed amendment site. This southern portion of the project could become a potential future annexation area of Westlake (it is worth noting that Westlake has not yet designated areas of annexation). However, the proposed project is located within the identified Unincorporated Protection Area, and as such the BCC would also need to approve any annexation with a supermajority vote. Additionally, the proposed project is not an identified Unincorporated Rural Neighborhood.

To provide additional assurances that the development would not annex into Westlake prior to commencement of development, staff is proposing an additional condition of approval at adoption to address voluntary annexation.

D. Consistency with the Managed Growth Tier System

Future Land Use Element Objective 1.1, Managed Growth Tier System, states that “Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers to:

1. Ensure sufficient land, facilities and services are available to maintain a variety of housing and lifestyle choices, including urban, suburban, exurban and rural living;
2. Preserve, protect, and improve the quality of natural resources, environmentally sensitive lands and systems by guiding the location, type, intensity, and form of development;
3. Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;
4. Enhance existing communities to improve or maintain livability, character, mobility and identity;
5. Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;
6. Protect agricultural land for farm uses, including equestrian uses;
7. Strengthen and diversify the County’s economic base to satisfy the demands of the population for employment growth, and provide opportunities for agricultural operations and employment centers; and,
8. 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.”

Staff Analysis: While the subject property lies within the Rural Tier, it is surrounded by parcels located within the Exurban, Rural and Glades Tiers. As the Comprehensive Plan does not have a mechanism for addressing urban service deliveries within the Rural Tier, and because the subject property was one of several identified by the County as an opportunity to address the planning deficiencies of the CWC area, the applicant is proposing a new Future Land Use designation, overlay, and designation of the site as a Limited Urban Service Area (LUSA). This is in an effort to achieve the larger planning objectives of the Sector Plan while considering the objective and policies of the Rural Tier. As such, the broader goals and objective of the Managed Growth Tier System are considered.

Strategy 1 addresses the need to provide services, facilities and the availability of land sufficient to maintain housing and lifestyle choices. Concurrency, as required by the statutes and implemented through the Plan and ULDC, largely addresses the services and facilities issues. However, lifestyle choice is a locally established concept. Although the exurban and rural lifestyles are based on existing subdivisions that predated the

establishment of contemporary land planning practices in the County, there is no practicable way under the statutes and contemporary planning practices to create such low density development patterns without either creating urban sprawl or using clustering notions to take the limited density and create more efficient land use patterns.

Strategy 2, in a general sense, seeks to avoid or minimize use of conservation and environmentally sensitive lands for development, and developing a context-sensitive approach is a fundamental underpinning of the Tier System. In the case of the subject parcel, it has no environmentally sensitive land (due to the clearing of the land for agriculture and drainage), and is of sufficient size to allow detailing the location, type, intensity and form of development to ensure compatibility with surrounding uses. As such, no natural resources, environmentally sensitive lands or systems would be threatened. There is the potential to provide longer term environmental mitigation and improve or restore hydrological flows to natural systems. Therefore, the proposed amendment is consistent with this strategy.

Strategy 3 fundamentally requires growth accommodation in conjunction with the curbing of urban sprawl, through a mitigating factor of using compact development form to achieve sustainability. More compact development while locating some non-residential uses in close proximity furthers sustainable development, and a more efficient use of the land--at least reducing trip length to convenience uses for those in the project, and outside the limits. The project also employs density gradients to place more units in closer proximity to these convenience uses. Finally, this allows for significant areas of the open space that do not feature density or intensity, as it has been concentrated in appropriate locations, furthering this strategy.

Strategy 4 addresses enhancing existing communities, to improve or maintain livability, character, mobility, and identity. Recalling the Acreage Neighborhood Plan, which included adding services and mobility while maintaining the established character and identity--these are the concepts that have guided the design of this project, and were enshrined in the iterations of the Sector Plan process. This project simultaneously and appropriately responds to the recently approved Minto West/City of Westlake project. This is accomplished via perimeter separation from the existing communities and the development areas, increased connectivity to the east while respecting local desires to not be impacted by traffic concerns to the extent feasible, provides for equestrian and other trails as well as publically accessible green spaces are all practices employed to further this strategy. All of the above are intended to provide more proximate resources for the existing and future residents of the area in a manner that is sensitive to, respectful of, and enhances and improves their daily lives. Therefore, the proposed amendment is consistent with this strategy.

Strategy 5, to facilitate redevelopment revitalization and infill is not applicable. Although in a very precise sense, the development of this unique parcel is an "infill" parcel that is otherwise undeveloped and is partly surrounded by existing development. However, within the County, Infill development is defined in the Plan as being within the Urban/Suburban Tier, and having at least three dwelling units per acre and/or a floor area ratio of at least 0.2.

Strategy 6 indicates that agricultural land should be kept for agricultural farm uses and equestrian use. The land was originally cleared, graded, and drained to serve as citrus groves back in the late 1960s, and continued in that capacity until the various citrus blights of the mid-2000s rendered further grove operations untenable. Indian Trails

Grove was then converted to active row crop production, a use it retains to the present. However, the applicant's Conceptual Plan identifies over 1,100 contiguous acres on the western side of the 4,000+ acre portion of the amendment site that would be retained in agriculture. It should be noted that in a limited capacity, this project would enable limited equestrian use--although it is not designed as, nor intended to be an equestrian community--through the incorporation of equestrian trails and rural parkway easements. This would provide an increase in equestrian amenities, as this parcel has never been formally available to equestrian use, and it would provide connections to existing and potential future trails in the area. Also it appropriately responds to the relative proximity of the Everglades Agricultural Area, and the Glades Tier. It uses the existing agricultural operations on the western portion of the subject site, and proposes to keep them in either agricultural or conversion of up to 640 acres for regional drainage improvements. This provides a considerable separation from the Glades Tier, and features rowcrop production as a more suitable transition to the large scale industrial agriculture production found in the Glades Tier.

Strategy 7 of employment generating uses commensurate with population growth to achieve a broad economic base. Up to 50,000 square feet of commercial office uses are proposed to help further this strategy. The applicant indicates a concerted effort in their justification statement to not compete with the recent employment generating uses approved at the adjacent City of Westlake. The proposal here is consistent with localized neighborhood and community serving needs, rather than that of attempting to address the larger regional imbalance at the edge of the CWC, and setting up a potential competition with the more centrally located Westlake.

Strategy 8 indicates that the provision of service delivery and adequate public facilities should be timed in such a way that they prioritize already developed areas with deficiencies as well as growth in a timely manner. The development would employ the CGCDD to provide the drainage infrastructure within the project, and, as is indicated in the applicant's justification statement, become an active unit of ITID. As is noted in the LUSA analysis earlier, the necessary water and wastewater systems infrastructure is available within the area and ready for connection. Additional analysis is provided below under Public Facilities and Service Impacts.

E. Consistency with Rural Tier Requirements

The applicant's request proposes to leave the project within the Rural Tier. Future Land Use Element Objective 1.4, Rural Tier, indicates that "the Rural Tier includes agricultural land and rural settlements," that the area supports "large agricultural operations as well as single-family homes with small family-owned agricultural businesses, including equestrian related uses." It goes on to indicate that "the Rural Tier is beginning to experience pressure for urban densities and nonresidential intensities normally associated with a more urban area," and that the strategies for the tier "are established to protect and enhance rural settlements that support agricultural uses and equestrian uses." The objective itself sets forth the operative conditions for the Tier: "Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area, recognizing the existence of both large undeveloped tracts as well as areas containing densities equal to or less than 1 dwelling unit per 5 acres established prior to the adoption of the 1989 Comprehensive Plan located in proximity to environmentally sensitive natural areas while protecting the Rural Tier Lifestyle."

Policy 1.4-a: *The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier by:*

1. *Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;*
2. *Providing facilities and services consistent with the character of the area;*
3. *Preserving and enhancing natural resources; and,*
4. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the community.*

Staff Analysis: This amendment is consistent with this policy. It is currently utilized to grow row crops, and would remain in agricultural use until the amendment physically converts to development. However, over 1,100 acres of the site will be retained in agriculture, even after build-out. The rural landscape will be enhanced through increased buffering and separation, as well as the incorporation of significant pedestrian and equestrian trails, and employment of the rural parkway concept along many of the collector roads that form the boundary of the parcel. These are facilities and services that are consistent with the character of the area, with a proposed minimum 70% native species requirement for planting, they would help to enhance and complement the existing natural resources and rural character of the existing community.

Policy 1.4-f: *The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector or one arterial roadway: or 2) two arterial roadways (as depicted on the Federal Function Classification of Road Maps TE 3.1), unless it is shown that a vehicular cross connection can be established to an adjacent site with a non-residential future land use designation, or such development is planned as a Traditional Marketplace Development (TMD).*

Staff Analysis: The proposed amendment does not violate this policy as the site does not contemplate adding new commercial future land use designations. It should be noted that the applicant proposes to add both portions of 60th Street and 190th Street to the Thoroughfare Right of Way Identification Map in the Map Series of the Plan, with 80 foot rights-of way. Included within the proposed Conceptual Master Plan are proposed commercial nodes, which are located at intersections of key roads that function as collector roadways. Additionally, the applicant proposes vehicular connectivity to adjacent uses within the development, which feature higher density residential development, accessibility to the larger trail/path network, and in one instance is adjacent to a proposed civic site. Finally, the applicant proposed policy language that indicates the commercial use nodes would develop in the form of a Traditional Marketplace. Therefore, although the policy does not apply, the amendment is generally consistent with the concept and intent of this policy.

Policy 1.4-g: *Non-residential development shall be designed in the form of a Traditional Marketplace, or the development shall comply with rural design standards in the ULDC to ensure protection of the character of the Tier and to minimize impacts on adjacent neighborhoods. Standards for Traditional Marketplace Development shall also reflect the scale and character of the Rural Tier.*

Staff Analysis: The application includes proposed policy language that would require new non-residential development to utilize the Traditional Marketplace form. Furthermore, non-residential buildings in the Rural Tier are required to utilize "Rural Design Elements" found in the County's ULDC Article 5.C.1.H.1.g, these are a significant portion the rural design standards found in the ULDC that the Plan references. The

other distinctions by Tier include Landscaping in Article 7, and Signage in Article 8. Therefore, the proposed amendment is consistent with this policy.

Policy 1.4-h: *The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and co-locating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.*

Staff Analysis: The Conceptual Master Plan depicts centralized community places by co-locating commercial and civic uses in nodes in identified locations. These are variably proposed to be inclusive of parks, schools, and private civic uses (religious institutions, day care facilities, etc.) in addition to the community and neighborhood serving commercial uses. Several of the community serving uses are located at, or near boundaries of this project, and as such would serve the larger area and not just this specific project. This is in part to help address infrastructure deficiencies, and improve services available in the area. Therefore, the proposed amendment is consistent with this policy.

Policy 1.4-i: *Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional water resource management protection, and incorporation of greenway/linked open space initiatives.*

Staff Analysis: The applicant has made reasonable efforts to keep proposed development areas away from the adjacent JW Corbett Wildlife Management Area. The environmental analysis submitted with the application indicates that there are no native ecosystems on the subject parcel, as it has been previously cleared for agriculture. Significant trail networks have been proposed that further trails and other linked open space networks. The applicant also proposes to convey 640 acres of land, that would ultimately have the potential to accommodate 5,000 acre/feet of water storage to help better manage regional inundations. Therefore, the proposed amendment is consistent with this policy.

Policy 1.4-j: *The existence of public facilities of any kind, including potable water, wastewater and/or reclaimed water pipelines, shall not be used as justification for making future land use decisions that increase density and/or intensity in the Rural Tier. In order to ensure system efficiency, properties within an area where a public or privately owned potable water, reclaimed water, and/or wastewater utility has been granted or assigned utility service area rights by Palm Beach County, the utility may extend lines and the properties may connect to the utility's system.*

Staff Analysis: The applicant has cited the presence of water and wastewater lines in proximity to the proposed amendment site as part of the required public facilities analysis. The applicant does propose to connect to these facilities. However, the presence of these public facilities, and the ability to connect to them are not the basis for justifying the requested density and intensity increase.

F. Consistency with LUSA Policy

The proposed amendment includes proposed designation of the subject site as a limited urban service area (LUSA), which will allow for a mix of urban and rural levels of service. This designation entails a number of revisions: to FLUE Policy 3.3-a, which lists all approved LUSAs; and to Map LU 1.1 Managed Growth Tier System, and Map LU 2.1 Service Areas, of the Comprehensive Plan Map Series, which depict the boundaries of all LUSAs. The proposed revisions are shown in Exhibit 2.

1. Objective 3.3 Limited Urban Service Areas (LUSAs)--*Palm Beach County shall allow for a mix of urban and rural levels of service in the Limited Urban Service Area. Designation of an area as a LUSA shall be based upon consideration of the following factors:*

- *The need for the proposed facilities;*
- *The ability of the proposed facilities to meet policy goals coupled with a demonstration of significant relative advantages of the area of the proposed LUSA over possible sites within the Urban Service Area; and*
- *The extent to which the designation would allow for significant public benefits, such as major economic development or environmental benefits.*

Applicant's Statement: The applicant indicates that the significant advantages of establishing the amendment site as a LUSA are the potential for the proposed development to create an appropriate transition and buffer to existing conservation areas, and further enables the parcel to address long-standing drainage issues in the area. The applicant goes on to state that there are significant public benefits associated with the project, including the perpetuation of some agricultural use on the property, provisions that require a minimum of two-thirds of the land to remain in some form of open space, the provision of land for civic, school, and other recreational uses, and all necessary road construction for the project within the amendment site.

Staff Analysis: There are significant public benefits proposed with the amendment. It is important to note several distinctions regarding Limited Urban Service Areas: these are geographically separated from the Urban Service Area (i.e., they are non-contiguous); all applicable services are provided on a county-wide basis with the exception of potable water and sanitary sewer (centralized systems are the allowable level of service). However, the benefit of designating the area as a LUSA is that it enables a development pattern that does not constitute urban sprawl, consistent with professional planning practice, and the requirements of the Florida Statutes. If the development were to be constructed at the existing FLU designation, or any increment of increase above that that is allowed in either the Rural or Exurban Tiers, and if it were to be developed applying that density uniformly and evenly over the subject parcels, that development form would be characterized as "urban sprawl." The development pattern found in the Rural and Exurban Tier are pre-existing "grandfathered" subdivisions that could not be approved today, and are generally afforded rural levels of service. The considerable Planning efforts undertaken by the County to examine the infrastructural deficiencies of these unplanned subdivisions demonstrate the difficulty in effectively serving these low density developments with anything approaching urban levels of service in a cost-effective manner. Providing potable water and wastewater services allows for smaller, clustered or more compact development, that can be served more efficiently. Furthermore, the clustering allows for additional considerations and public

benefits to be incorporated into the development form, including trails, additional recreation uses, allowing for the continuation of some agricultural uses, and including regional water management features--the aforementioned public benefits. This is consistent with the larger County Directions. Finally, the requisite infrastructure to provide water and wastewater services to the amendment site is already in place, which would enable the cost-effective provision of these services, and make better use of the existing infrastructure.

G. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use. The applicant lists the surrounding uses and FLU designations and provides a discussion of compatibility analysis the justification statement in Exhibit 5. The applicant indicates that the existing intensities and densities of development in the area, the Acreage and other rural residential subdivisions, as well as the recent large parcel approvals in the CWC have steadily altered the development potential and character in the area. As other projects have been approved using the concepts of the Sector Plan Remedial Amendment, the applicant proposes to do the same. Using the concepts of the Sector Plan Remedial Amendment including the conservation of open space, promotion of environmental sustainability and managing water resources, combined with clustering the density on a portion of the site, this leads to a development pattern that is compatible with the diversity of uses (conservation, agriculture, institutional, recreation, and residential) that surround the subject amendment.

Note that the Tier headings are the tier of the adjacent parcel, not the tier of the amendment parcels (refer to the Tier Map on page 4).

Northern Parcel Surrounding Land Uses: Immediately abutting the site are the following:

Exurban Tier

- **East** – Bordering the subject site is the Acreage, an antiquated subdivision dominated by 1.25-acre lots. The FLU designation is Rural Residential 1 unit per 2.5 acres (RR-2.5), and the zoning is Agricultural Residential (AR).

Rural Tier

- **Southeast** – At the southernmost portion of the eastern side are two schools, Osceola Creek Middle School, and Frontier Elementary School, which are both in the Rural Tier and have a FLU designation of RR-10.
- **South** - To the south of the subject property is an unnamed subdivision, Waite's Subdivision, and Tall Pines, which all have a FLU designation of Rural Residential 1 unit per 5 acres (RR-5), and are zoned AR.
- **West**- To the west side of the eastern 'leg' (along 190th St. N) are the "Iota/Carol" parcels, two sections of land with an RR-10 designation, which remains in row crop production.
- **Upper Central** - Bordering to the south of this portion of the subject amendment is "Iota Carol" which is in active row crop production, and an adjacent section of land comprising larger agricultural operations. The FLU designation is RR-10, and the zoning is AR.
- **East** - Bordering to the east is the aforementioned agricultural operation with RR-10 and AP zoning. The southern half of this border is comprised of another section of land known as Santa Rosa Groves, which is partly developed with residential estates, and also contains nursery and other small scale growing operations. The FLU designation

was amended from RR-10 to RR-5 in 2010 to reflect the existing development pattern; the zoning designation is AR.

- **South** - Bordering the subject property is Canal Pine Acres, which has a FLU designation of RR-5, and is zoned AR.
- **Southwest** - To the southwest are Florida Power and Light Transmission lines adjacent to the South Florida Water Management District (SFWMD) L-8 Canal. The FLU is RR-10, and the zoning is AP.

Glades Tier

- **West** - Directly west and south of the L-8 outfall canal is a portion of the JWCWMA. The FLU and Zoning designations are AP.

Rural Tier

- **West** – To the north of the L-8 outfall canal is a portion of the JWCWMA, and a 700+ acre parcel owned by ITID, known as the M-1 Impoundment. The FLU and Zoning designations are AP.

Glades Tier

- **North** - Bordering to the north is another portion of the JWCWMA, and the ITID M-0 Canal. The FLU and Zoning designations are Conservation.

Exurban Tier

- **Northeast** – Across Hamlin Boulevard is the Acreage, an antiquated subdivision dominated by 1.25-acre lots. The FLU designation is RR-2.5, and the zoning is AR.

Rural Tier

- **Northeast** – South of Hamlin Boulevard and west of 180th Avenue N. is the Samuel Friedland District Park (a.k.a. District Park "F"), a 62-acre parcel with a RR-10 FLU, and Public Ownership (PO) zoning district, and a 60-acre vacant parcel identified as future high school site, which is owned by the School Board of Palm Beach County with a FLU of RR-10, and AR zoning.

Southern Parcel Surrounding Land Uses: Immediately abutting the site are the following:

Rural Tier

- **North** – Bordering the subject site is a road variously known as 59th Lane N., Can Pines Road, and 60th Street N., which is adjacent to (from west to east) the aforementioned parcels known as Santa Rosa Groves (RR-5), Iota/Carol (RR-10), and Tall Pines (RR-5). The zoning for all of these is the AR district.
- **East** - To the east of the subject property is the M-Canal/L-8 Tieback Canal. Immediately east of the M-Canal is the recently incorporated City of Westlake. Westlake development was previously approved for 4,546 units, and 2 million square feet of non-residential uses (commercial and employment), as well as 200,000 square feet of civic uses. It is also designated as a Limited Urban Service Area in the Plan.
- **South** – The southern border is adjacent to Sunny Urban Meadows, a subdivision of 5-15 acre lots, with RR-10 FLU, and AR zoning.
- **West** - Directly west are parcels ranging from 5-acres up to over 100, in an unrecorded subdivision, with RR-10 FLU and AR zoning district.

FLUE Policy 2.1-f states that *“the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate*

vicinity.” And **FLUE Policy 2.2.1-b** states that “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.”

Staff Analysis: Regarding **compatibility**, staff finds that the proposed amendment would be compatible with surrounding land uses as the site is proposing a density that is equivalent to the density in the Exurban Tier. Exurban Tier densities have previously been determined to be compatible with the adjacent Rural and Glades Tiers. Additionally, the applicant is proposing extensive buffers to environmentally sensitive lands in the Glades Tier (JW Corbett Wildlife Management Area)--noting that there are existing residential parcels within the Exurban Tier that are directly adjacent to the Glades Tier (along 190th Street North, 94th Street North, and Seminole Pratt Whitney Road)--and existing residentially developed areas within the Rural and Exurban Tiers. Proposed are buffers and separations (250 feet to 1/2 mile in width), and employ strategies that were previously determined to be compatible with the adjacent uses in the recently approved Minto West/City of Westlake project. The densities in the Rural and Exurban Tiers have existed since before the establishment of the MGTS, and are compatible when adjacent to each other. They also have previously been determined to be compatible with Conservation and Agricultural lands as well. The buffers and separations between the property line and the location of the proposed development lots are in excess of those separations required in the County's TDR program when receiving areas are adjacent to environmentally sensitive land (200 feet minimum)--these are the largest buffers specified in the County's code or Plan; note that the recent Minto West/City of Westlake approval included a 200-foot minimum separation, and a 400-foot average separation from its property edge with a higher gross density. All of the uses proposed are compatible with the existing uses in the area, and incorporate sustainable planning concepts, in a form that helps to arrest the existing sprawl development pattern that permeates the area. Furthermore, new policies are proposed for the WCR that support and achieve the fundamental concept of protecting and maintaining the rural communities, as enumerated in Policy 1.4-i and Policy 1.3-i in the Exurban Tier. This informed and is, in part, a significant consideration in the design depicted on the Conceptual Plan and the policies that would shape the development and further ensure compatibility consistent with those tier policies.

H. Consistency with County Overlays, Plans, and Studies

1. **Overlays – FLUE Policy 2.1-k** states “Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.”

Staff Analysis: The proposed amendment is not located within an overlay.

2. **Neighborhood Plans and Studies – FLUE Policy 4.1-c** states “The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval.....”

Staff Analysis: The site is not located within a Neighborhood Plan area but is adjacent to The Acreage Neighborhood Plan area.

I. Public Facilities and Service Impacts

The proposed amendment will increase the development potential on the site from 359 residential units to 3,897 units and 350,000 square feet of commercial uses. Public facilities impacts are detailed in the table in Exhibit 11, and are as follows:

1. Long Range Traffic--Policy 3.5-d: *The County shall not approve a change to the Future Land Use Atlas which:*

- 1) *results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d)...*

	Trip Generation
Current FLU	3,650 Daily / 273 AM / 337 PM
Proposed FLU	46,077 Daily / 3,107 AM / 3,566 PM
Difference	42,427 Daily / 2,834 AM / 3,229 PM

The proposed land use amendment is projected to generate approximately 42,000 additional daily trips on the regional road network. To address these impacts, the applicant prepared the following traffic impact analyses: 1) a study to address the long-range requirements of FLUE Policy 3.5-d; and 2) a study to address the short-range (5-year) requirements of FLUE Policy 3.5-d. The long range Policy 3.5-d study showed that the proposed land use amendment does not comply with the policy, with the County identifying 10 segments that did not meet the adopted levels of service. It is important to note that the 3.5-d Study was completed before the application was revised by the applicant, the numbers considered were the original request (3,943 units, 225,000 square feet of commercial use, and 9.8 acres of private civic uses), and also was completed without considering the impact of the Avenir development in Palm Beach Gardens. Several of the affected segments are within the City of Westlake project, and the developer of Westlake is anticipated to make widening improvements to Seminole Pratt Whitney Road as the permit has been issued..

Policy 3.5-d is a policy adopted legislatively by the County in part to determine whether or not there would be significant potential impacts upon the transportation network based on an analysis using the Metropolitan Planning Organization's (MPO) long range transportation model. It is a planning tool to determine whether there will be transportation infrastructure deficiencies and is intended as a "gatekeeper" policy, to indicate that impacts upon roadway segments would occur with a given project. If they are so indicated, a larger policy discussion and evaluation is warranted, and the impacts should be addressed comprehensively in the FLUA amendment process. It works well with facilities that are "maxed out" and no further improvements can be made to roadway capacity due to physical or other design constraints. However, when additional improvements can be made to expand capacity, the Policy does not consider this prudent course of action. Furthermore, there are significant large scale developments in

play in the larger area (Westlake and Avenir), each with significant roadway impacts that are not considered, nor contemplated in the current 2035 long range model. As with the other projects in the area, this one is also, seeking concurrent, or nearly concurrent development approvals (zoning and land use), and transportation concurrency studies were produced and are available. The type of analysis employed in a concurrency study tends to better project traffic impacts in the short and near-term planning horizons. The concurrency study enables a holistic evaluation and a mechanism to begin to address system deficiencies, allowing them to ultimately be tied to proportionate fair share payments in an agreement approved at the time of the Comprehensive Plan amendment. The concurrency studies submitted with the zoning review specifically addressed individual roadway link and intersection volumes, and identified necessary widening projects to provide additional capacity for the expected number of future trips. A review of the impacts detailed in the concurrency studies, the applicant's proposed fiscal commitments and infrastructure improvements (see Exhibit 2, Policy 1.12-e.7 & 1.12-e.8, and conditions of approval), the existing commitments in the County's adopted 5-year Capital Improvement Program, and commitments by other developments, indicates that many of the long-term deficiencies indicated in the 3.5-d study can be effectively addressed by providing more lane and intersection capacity than what was expected in the long range model road network.

It is worth noting that the 05-1 CWC Sector Plan amendment and the 2007 Sector Plan Remedial Amendment included a Policy 3.5-d exemption. At that time it was determined that complying with the development form, providing the associated public benefits that were detailed in the Sector Plan, and making certain roadway improvements commensurate with the timing of development warranted an exemption from the long range transportation requirements in the policy. In providing an exemption, the intent was to promote sustainable and liveable communities, preserve rural character and open space, and achieve the intended development forms. These components when employed as a whole, help to achieve a higher trip capture within the area, modify the direction of peak hour traffic, and reduce vehicular miles travelled by providing non-residential uses in closer proximity to existing and future development--there was an implicit assumption that concurrency as it existed then required any development to provide necessary improvements. These mitigating characteristics contemplated in those iterations of the Sector Plan are the same strategies that this developer is employing in this project.

2. **Mass Transit:** The nearest bus stop is approximately 9 miles away at Southern Boulevard and Seminole Pratt Whitney Road, which services Route 40. The applicant has indicated that they will provide any bus stop boarding and alighting easements desired by Palm Tran, and propose policy language to accomplish this. Additionally, there is an additional policy proposed that the developer would provide a trolley that would take residents of this project to the Westlake town center, located along Seminole Pratt Whitney Road.
3. **Potable Water & Wastewater:** The Palm Beach County Water Utilities Department (WUD) is the potable water, wastewater and reclaimed water service provider for the property. In a letter dated November 2, 2015, WUD indicates that they have the necessary capacity to provide the required level of service at the proposed density and intensity. The letter goes on to indicate that the nearest water and sewer pipes are located at Hamlin Blvd and County Park "F" (12" water main, and 8" force main), and 2 miles east of the property at Seminole Pratt Whitney Road & 64th Place North (30" water main, and 20" force main).

4. **Environmental:** According to the applicant's "natural features and inventory map" prepared by WGI, "due to the current condition and use of the subject property, there are no significant environmental concerns." It goes on to note that "there are numerous remnant freshwater wetlands scattered throughout the property" but these are low quality and isolated. Furthermore, "lack of quality habitat makes it improbable for any listed animal or plant species to occur on the site." However, it notes that transient species may forage on the property. The Department of Environmental Resources Management has not offered any comment on the proposed project.
5. **Historic Resources:** Each future land use amendment application requires a statement by the County Archeologist/Historic Preservation Officer regarding the identification of any historical and archaeological resources located on or within 500 feet of this property. According to the letter from the County Archaeologist, dated July 17, 2015 and based on a report prepared by the Archaeological and Historical Conservancy (AHC) in 2006, there are no known archaeological resources located on or within 500 feet of the property. Based on the AHC report, the County Archaeologist concluded that potential deeply buried resources could not be accounted for, and that a Certificate to Dig (CTD) will be required for any excavations below two feet in depth. Subsequent to the 2006 AHC report, the applicant reports that the site was "de-rocked" for agricultural purposes. This may have inadvertently altered the context of any potential archaeological resources on site. However, this will be addressed through the CTD process, and the timing of the CTD will be established through the zoning development review approval to align with any ground disturbing activities.
6. **Fire-Rescue:** According to Palm Beach County Fire Rescue in a letter dated June 12, 2015, "Palm Beach County Fire Rescue serves this area from station #22 located at 5060 Seminole Pratt Whitney Road." However, their letter goes on to state that "due to the distance from this facility to the property, station #22 is not capable of serving this new development." The Conceptual Plan identifies a 5-acre location for a new Fire-Rescue station, accessible from 180th Avenue North, which will mitigate the impacts of this project. Since the transmittal of the amendment, the County has worked with the developer to allow for alternative locations for a future fire rescue station, including the potential to locate it within one of the identified commercial nodes.
7. **Drainage:** Cypress Groves Community Development District is the eligible drainage provider for the project. The professional engineer for the applicant, Richard E. Elsner, PE, in a letter dated May 29, 2015 stated that "the property is located within the South Florida Water Management District's L-8 Basin and is currently permitted under Permit No. 50-2564-S. Legal positive outfall will be provided by the L-8 canal which is adjacent to the west side of the subject property." Additionally, the applicant has proposed policy language that would make available 640 acres for regional drainage purposes at the northwesternmost corner of the proposed project area, adjacent to the JWCWMA and the M-O Impoundment Basin. This would provide up to 5,000 acre/feet of additional storage capacity for the Indian Trail Improvement District, which has a long identified need for additional discharge during peak storm events, or an equivalent storage area to offset the lack of discharge. This is a significant public benefit that would be made available for Indian Trail Improvement District.
8. **Health Impacts:** The Department of Health has not provided any comment on the proposed amendment.

9. **Parks and Recreation Impacts:** The applicant has indicated that the subject site will be serviced by Okeeheelee Park, Phil Foster Park, and Samuel Friedland Park (also known as District Park "F") as well as the recreational facilities that will be built as the project develops. The Parks and Recreation Department has provided the following comments:

The subject project is adjacent to County Pines Recreational Complex at Samuel Friedland Park, an active 75 acre district park. The donation of a 42 acre civic site will allow the County to assist in addressing the future recreational needs of the surrounding community. The master plan also identifies a 22.6 acre public park site located between the proposed elementary and middle school sites. The current size of this site would preclude development using impact fees as this funding source can only be used to develop beach, regional, and district parks greater than 25 acres in size. Where possible the County and School District should attempt to collocate parks and schools to share parking and recreational facilities. Consider relocating the school sites closer to the existing County district park by incorporating the proposed 22.6 acre park site into the existing County park, or increase the 22.6 acre park to over 25 acres.

The County is seeking trail interconnectivity between Arden, Westlake, Indian Trails Grove, L-8 canal, J.W. Corbett Wildlife Management Area and future residential developments in this area. The County has future plans to construct a trailhead in the southwest corner of Arden for use by equestrians, pedestrians and cyclists, with a future trail planned along the L-8 canal connecting Arden to the Corbett Wildlife Management Area.

The County would also like to explore the possibility of using portions of the Water Resource/Agricultural and Impoundment expansion areas for passive recreation.

10. **Public School System:** Two public schools are immediately adjacent to the site: Frontier Elementary and Osceola Creek Middle School. The nearest high school is Seminole Ridge Community High School, which is approximately 3 miles away. In a letter dated July 23, 2015, the School District of Palm Beach County has stated that the proposed amendment will generate an additional 537 elementary students, 215 middle school students, and 286 high school students. The District states that the analysis "shows the elementary school utilization exceeding 100% in the school year 2015/2016 and the school year 2019-2020 and the high school in 2015-2016. The projections do not factor in as yet the impacts from approved developments. This will done this upcoming year closer to their schedule for development." The School District notes that "utilization at adjacent schools were not reviewed." Additionally, the School District indicates that the "amendment will require mitigation from the developer for public schools in some form in order to keep the schools from becoming overcrowded... A preliminary meeting with the developer indicated land being dedicated to the School Board for public schools." The District's letter is provided in Exhibit 14. The applicant has proposed policy language that would provide for the dedication of civic land to the School District of Palm Beach County for school sites within certain timeframes.
11. **Library:** The applicant indicates that the Acreage Branch library, located at 15801 Orange Blvd, Loxahatchee, FL will service the subject property. The library is located approximately 2.2 miles east of the subject site. The Library Department has not provided comment on the proposed amendment.

12. **Sherriff:** The Palm Beach County Sherriff's Office has not provided comment on the proposed amendment.
13. **ULDC Implications:** Concurrent with the FLUA and text amendment request are revisions to the Unified Land Development Code related to the Western Communities Residential Planned Unit Development (WCR PUD).

J. Florida Statutes (FS) Consistency

1. **Data and Analysis Applicable to F.S.:** Section 163.3177(6)(a), Florida Statutes, require that local governments future land use plans be based on a number of factors, including population projections, the character of undeveloped land, availability of public services, and other planning objectives.

Staff Analysis: This amendment has been analyzed for consistency with the Florida Statutes as demonstrated throughout the body of this report and the attached exhibits. Therefore, the site meets all applicable Florida Statutes.

It is worth noting Section 163.3168(1), Florida Statutes, which reads, "the legislature recognizes the need for innovative planning and development strategies to promote a diverse economy and vibrant rural and urban communities, while protecting environmentally sensitive areas." As evidenced in this report, the proposal complies with and promotes the statutory direction for innovative planning solutions.

2. **Data and Analysis Applicable to Florida Statutes - Consistency with Urban Sprawl:** In order to address the Urban Sprawl criteria in the statute, the applicant has provided an analysis in Exhibit 7.

Section 163.3177(6)(a)9.a., Florida Statutes, establishes a series of primary indicators to assess whether a plan amendment discourages the proliferation of urban sprawl. The statute states that the evaluation of the presence of these indicators shall consist of an analysis of the plan amendment within the context of features and characteristics unique to each locality. The analysis in the table below demonstrates that the proposed amendment has some indicators of urban sprawl. However, this does not mean that the amendment would constitute urban sprawl

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
(I) Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low intensity, low-density, or single use development or uses.	The subject site would not constitute a substantial area of the jurisdiction as the acreage of this property is minimal when considering the overall land area of unincorporated Palm Beach County.	No
(II) 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.	The project does not meet this indicator as it is adjacent to residentially developed land. Although the intended character of the Exurban and Rural Tiers is that of "rural," it features suburban density. The undeveloped land located between the amendment site and the coastal urban areas is either conservation land, within a municipality, or vacant unbuilt lots within the Acreage.	No

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
(III) Promotes, allows or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.	The proposed development does not promote radial, strip, isolated, or ribbon patterns of development that emanate from existing urban areas. It is adjacent to low density residential development ranging from 1 unit per 1.25 acres to 1 unit per 10 acres, and is adjacent to other parcels that have entitlements to develop.	No
(IV) 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.	The environmental assessment submitted with the proposed amendment does not identify any significant natural resources on site. It does reference several isolated wetlands on the parcel which have been degraded due to agricultural operations. The parcel is adjacent to the JWCWMA, and proposes separations of at least 250 feet from the closest portion. Also a drainage proposal is on offer that may contribute to rehydrating wetlands adjacent to the M-O Overflow basin west of the proposed project.	No
(V) Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.	Agricultural activities exist adjacent to this site. The applicant proposes to have separations of at least 50 feet and up to 250 feet from any proposed development area. The minimum separation of 50 feet is more than twice the largest specified landscape buffer in the ULDC.	No
(VI) Fails to maximize use of existing public facilities and services.	Information regarding the proposed amendment was distributed to the County service departments for review. There are adequate public facilities and services available to support the amendment.	No
(VII) Fails to maximize use of future public facilities and services.	Information regarding the proposed amendment was distributed to the County service departments for review. There are adequate public facilities and services available to support the amendment.	No
(VIII) 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.	Adequate services can be provided to this site, according to the service providers. The subject site is partly surrounded by existing residential communities which receive services. Additionally, the project would ameliorate an existing sprawl pattern in the area.	No
(IX) Fails to provide a clear separation between rural and urban uses.	The amendment will provide a clear separation between rural and urban uses as the applicant is proposing to cluster the development on one-third of the overall land area, and provide considerable separation between parcels in the Rural and Exurban Tiers as well as lands in environmental conservation.	No

Primary Indicators that an amendment <i>does not discourage</i> urban sprawl	Staff Assessment	Sprawl Indicated?
(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.	This amendment does not discourage or inhibit infill development or the redevelopment of existing neighborhoods and communities as the site is located within the Rural Tier which provides a different lifestyle than that of the Urban/Suburban Tier where infill and redevelopment are a priority.	No
(XI) Fails to encourage functional mix of uses.	The proposed development pattern enables a functional mix of uses by requiring the development area to be clustered on no more than one-third of the overall project. It is providing commercial retail and office/employment uses in three nodal locations, plus additional civic use and recreational uses, with density gradients clustered around them. These are connected by extensive pedestrian/trail systems throughout the development and connect to existing developed areas outside the amendment site.	No
(XII) Results in poor accessibility among linked or related land uses.	The amendment proposes to connect to the existing road network, and does not eliminate any existing connections. The amendment also proposes to include an extensive trail network that is available to the public, therefore improving access and linkages and incorporating modes in an area that do not have dedicated non-vehicular paths.	No
(XIII) Results in the loss of significant amounts of functional open space.	The proposed amendment will not result in the loss of functional open space. It will do the opposite. Additional functional open space would be created by this project through the establishment of new recreational areas, trails, and gathering areas.	No
Overall Assessment: As demonstrated above, the proposed amendment <i>does not meet</i> any indicators of urban sprawl, and would not contribute to urban sprawl in the County.		

If urban sprawl indicators are noted in evaluating Section 163.3177(6)(a)9.a Florida Statutes, the proposed amendment is then reviewed under the following section added in 2011 (Section 163.3177(6)(a)9.b Florida Statutes), which establishes that the plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of eight additional criteria. An analysis is conducted in the following table.

Indicators that an amendment <i>discourages</i> urban sprawl	Staff Assessment	Sprawl Discouraged?
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Indicators that an amendment <i>discourages urban sprawl</i>	Staff Assessment	Sprawl Discouraged?
(I) 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.	The applicant has proposed minimum 250 foot separation from the development area to the JWCWMA, with most portions of the development being at least 1/2 mile. Additionally, the project includes the potential for 640 acres of land to be dedicated for regional water management solutions, addressing long standing drainage concerns in the CWC area. This may include the potential to provide additional water to re-hydrate deteriorated wetlands west of the amendment site, enhancing and improving natural resources and ecosystems.	Yes
(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.	As noted elsewhere in the report, the applicant proposes to dedicate land for parks, schools, and emergency response services, and pay impact fees. Regarding water and wastewater services, the applicant proposes to connect to existing infrastructure in the vicinity of the development. There will be impacts to the road network, and the developer is proposing to fund several improvements to the network and make additional money available for the County and ITID to use to address other deficiencies in the area.	Yes
(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.	The amendment includes at least 66% of the residential units (2,602 units) within 1/4 mile of either a commercial, civic or recreation node. As a result, the community form is reasonably compact, provides a mix of densities (1-7 DU/ac.), a range of housing types (townhouses, zero lot lines, & single family), and pedestrian, bicycle and equestrian trails, with provisions for future bus stops if transit service is provided. Furthermore, the applicant will provide a trolley service to the nearby Westlake town center, 2.2 miles away.	Yes
(IV) Promotes conservation of water and energy.	Including some limited commercial uses in the project enables energy conservation to be achieved in that opportunities for shorter trips for existing residents outside of the development are created. More efficient water conservation (in the context of regional flood control) is provided by the site to benefit the larger area in times of inundation.	Yes

Indicators that an amendment <i>discourages urban sprawl</i>	Staff Assessment	Sprawl Discouraged?
(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.	Although the site is currently in agriculture and proposes to put less than half of the land into development (or would support development in the form of buffering, drainage, etc.), over 1,100 acres would be retained expressly in agriculture. Furthermore, should the proposed regional drainage solution not be realized, that land would also continue in agriculture, resulting in 1,700+ acres remaining for agriculture.	Yes
(VI) Preserves open space and natural lands and provides for public open space and recreation needs.	At present, no publically accessible open space exists on the site. The amendment includes over 17 miles of equestrian trails, 11 miles of pedestrian trails, and an additional 64 acres of park sites that will serve as new public open space and accommodate recreation needs appropriate to the area.	Yes
(VII) Creates a balance of land uses based upon the demands of the residential population to the nonresidential needs of an area.	The amendment proposes to include commercial uses that mainly serve the needs of the projected residents of the amendment, and relies upon the City of Westlake to the east to serve as the regional "hub" for employment. However, the project would also enable residents of both the Rural and Exurban Tiers outside of the project to meet some of their commercial needs closer to home.	Yes
(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.	The project, while not an innovative development pattern such as a transit-oriented development or a new town, provides a remedial development pattern adjacent to an area comprised wholly of low-density residential development. It provides greater opportunities for convenience, amenities, and services that are not currently found in the existing neighborhoods to the east and south of the amendment site.	Yes
Overall Assessment: As demonstrated above, <i>the proposed amendment discourages urban sprawl</i> , and therefore, does not contribute to urban sprawl in the County.		

The applicant has provided an exhaustive and thorough analysis of how the proposed project discourages urban sprawl (see Exhibit 7). It should be noted that the applicant proposed extraordinarily detailed policy language for water and energy conservation features to be required within each residential unit to address Section 163.3177(6)(a)9.b.IV. These included features such as insulated windows, R-30 attic insulation, low-flush toilets, energy and water efficient appliances, and electric car charging stations in each garage, amongst other proposals. However, it is felt that these requirements are incredibly specific for Policy in the Comprehensive Plan, and may be more appropriate to detail in a zoning development order. Therefore, staff recommends conditions of approval to require these specific commitments by the developer for energy and water conservation features would be carried forward in the Zoning development order.

VIII. Public And Municipal Review

The Comprehensive Plan Intergovernmental Coordination Element Policy 1.1-c states that *“Palm Beach County will continue to ensure coordination between the County’s Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities...”*

- A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on October 29, 2015. To date, no objections through the IPARC process to this amendment have been received. In addition, municipal notice was sent to the City of Palm Beach Gardens, the City of West Palm Beach, the Town of Loxahatchee Groves, and the Villages of Royal Palm Beach and Wellington on October 29, 2015 and January 26, 2016. A resolution in opposition to the proposed project was received from the Town of Loxahatchee Groves on October 15, 2015; within that resolution however, is a statement of support for doubling the existing density from 0.1 units per acre to 0.2 units per acre (see Exhibit 16). On November 19, 2015, the Village Council of the Village of Royal Palm Beach passed a resolution in opposition to the project due to potential traffic impacts (see Exhibit 17). Similar to the Loxahatchee Groves resolution, the Royal Palm Beach resolution supports an effective doubling of density on the parcel and "with a corresponding balanced land use of non-residential uses. On December 7, 2015, The City of West Palm Beach City Commission passed a resolution in opposition to the Comprehensive Plan Amendment for Indian Trails Grove (see Exhibit 18). As of the writing of this report, no other written comments have been received. Any written comments will be added to Exhibit 20 throughout the hearing process.

Prior to the adoption hearing, County staff attempted to contact municipal staff at Loxahatchee Groves, Palm Beach Gardens, Royal Palm Beach, Wellington, West Palm Beach, and the newly incorporated City of Westlake to solicit comments, input, concerns and educate them on the status of the amendment. Calls to Loxahatchee Groves, Royal Palm Beach, and West Palm Beach were not returned by those municipalities. Conference calls were held with the remaining municipalities. The City of Westlake, contacted on August 3, 2016 via phone, indicated an interest in traffic impacts and would review the matter prior to the adoption hearing. The Village of Wellington staff, contacted on August 15, 2016 by telephone, expressed concerns over traffic impacts and how that would potentially affect their residents. The staff of the City of Palm Beach Gardens, was contacted by phone on August 16, 2016, and similarly articulated an interest in the traffic impacts, as well as the proportionate share agreement between the developer and the County. Staff has also conducted several informal meetings with the staff and consultants of the Indian Trail Improvement District to keep them apprised of the status of the project, and to coordinate on matters such as traffic impacts and the 640 acres of land to be conveyed for drainage improvements.

- B. Other Notice:** Public notice by letter, was mailed to the owners of properties within 1,000 feet of the perimeter of the site on October 29, 2015, January 26, 2016, and September 7, 2016. In addition, on the same date, interested parties were notified by mail including the Acreage Landowners Association, South Florida Water Management District, Loxahatchee Groves Water Control District, Seminole Improvement District, and Indian Trail Improvement District. To date, no written comments have been received. Any written letters of support or objection are added to Exhibit 20 throughout the hearing process. Additionally, the site has been posted with

signage in accordance with the County's sign requirements for FLU/Plan amendments in Article 2.C.1.F.5.c of the ULDC.

- C. Informational Meeting:** The Planning Division hosted a meeting with area residents and interested parties to relay information regarding the amendment and development approval process on November 10, 2015 at the Seminole Ridge High School Auditorium. The meeting was attended by approximately 50 residents and members of the public as well as staff from County departments such as Planning Zoning & Building, Engineering, and Environmental Resources Management. Several members of the public spoke, and concerns raised included how the proposed development will fit into the existing residential area, the County's Sector Plan efforts, the density associated with Agricultural Production, the availability of water, timing and payment for roadway improvements, and the impact of the Indian Trail Groves and the Avenir development proposals on the overall road network.

IX. Conclusions and Recommendation

One of the many challenges with this amendment is to craft an amendment package (FLUA amendment, text amendment, conceptual plan) that allows for meaningful and predictable standards ensuring that the project is consistent with the Comprehensive Plan and the Florida Statutes. Generally, the amendment satisfies the broad Plan concepts, specific Tier and service provision requirements. The proposed the text and map series changes to the Comprehensive Plan, and FLUA amendment with its Conceptual Plan are generally consistent with the planning concepts from the Sector Plan Remedial Amendment, are consistent with the provisions of the Florida Statutes and the Comprehensive Plan, its Managed Growth Tier System, and associated policies. The amendment includes an exemption from Policy 3.5-d to address impacts to roadway levels of service for many facilities within central western Palm Beach County, as these impacts can be addressed through specific improvements to the roadway network.

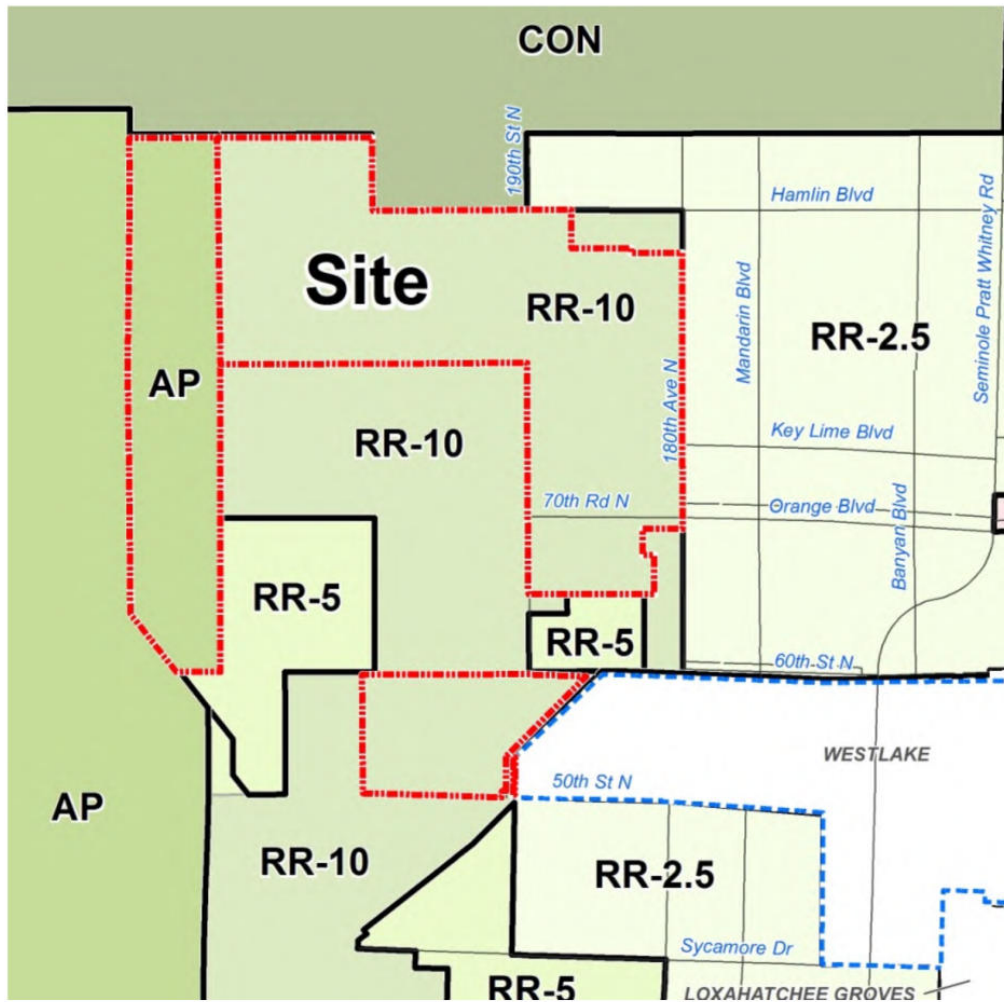
Based on the findings presented in this report, County staff recommends **approval with conditions** of the proposed amendment.

Exhibits

1. Future Land Use Map Amendment with Legal Description	E – 1
2. Applicant's Proposed Text & Map Series Amendments	E – 8
3. Applicant's Proposed Conceptual Plan	E – 23
4. Staff Analysis of Proposed Text & Map Series Amendments	E – 24
5. Applicant's Justification Statement	E – 37
6. Applicant's Consistency with the Comprehensive Plan Analysis	E – 37
7. Applicant's Consistency with the Urban Sprawl Statute Analysis	E – 37
8. Applicant's Housing Need Study--Land Based Analysis (7/9/15) <i>(provided online)</i>	E – 101
9. Applicant's Housing Need Study--Unit Based Analysis (7/9/15) <i>(provided online)</i>	E – 102
10. Applicant's Non-Residential Intensity Analysis (11/20/15) <i>(provided online)</i>	E – 103
11. Applicant's Public Facilities Analysis Table	E – 104
12. Applicant's Traffic Study <i>(provided online)</i>	E – 107
13. Applicant's Disclosure of Interest	E – 108
14. School District Letter (dated 7/23/15)	E – 134
15. Potable Water & Wastewater Letter (dated 6/19/15)	E – 136
16. Resolution from the Town of Loxahatchee Groves	E – 137
17. Resolution from the Village of Royal Palm Beach	E – 139
18. Resolution from the City of West Palm Beach	E – 140
19. Drainage Correspondence from Jay Foy to Ken Todd	E – 142
20. Correspondence	E – 145
21. State Agency Responses and Letters	E - 146

Exhibit 1

Amendment No.:	Indian Trails Grove (LGA 2016-017)	
FLUA Page Numbers:	33, 39, 40, and 4042	
Amendment:	From Rural Residential, 1 unit per 10 acres (RR-10) on 3,592.16 acres and Agricultural Production (AP) on 1,279.41 acres to Western Communities Residential (WCR)	
Location:	West of 180th Avenue North, South of Hamlin Boulevard	
Size:	4,871.57 acres approximately	
Property Control Numbers:	00-40-42-17-00-000-7000 00-40-42-18-00-000-7000 00-40-42-19-00-000-9000 00-40-42-20-00-000-9000 00-40-42-21-00-000-9000 00-40-42-22-00-000-1010	00-40-42-27-00-000-9000 00-40-42-30-00-000-9000 00-40-42-31-00-000-9000 00-40-42-34-00-000-1010 00-40-43-03-00-000-3020 00-40-43-04-00-000-9010



Conditions:

1. Development of the site is limited to a maximum gross density of 0.8 dwelling units/acre (3,897 units maximum); no additional density bonuses are permitted;
2. Development of the site must conform with the site data table and the conceptual plan;
3. Commercial development on the site is limited to a maximum 300,000 square feet and office development is limited to a maximum of 50,000 square feet;
4. Prior to the issuance of the 2,598th residential building permit, a minimum of 233,000 square feet of commercial uses shall receive a certificate of occupancy/certificate of completion;
5. Recordation of the first plat required within three years of any development order approval, subject to time extensions as allowed by the ULDC, or otherwise permitted pursuant to State Law and County Policy;
6. Prior to the recordation of the first plat for the development, the developer shall record a conservation easement for the 1,068 acres of land identified as Water Resources/Agriculture on the Conceptual Plan, in favor of Palm Beach County, subject to the approval of the County Attorney;
7. A deed conveying the Impoundment Expansion area of 640 acres to the Indian Trail Improvement District (ITID), as shown on the conceptual plan, shall be executed by the property owner and placed in escrow prior to the recordation of the first plat, or April 1, 2018, whichever occurs first. The terms of the release from escrow and recordation of the deed shall be pursuant to the terms of an agreement by and between the applicant, its successors and assigns, and the ITID. Upon written notice to the County by ITID, that the 640 acre Impoundment Expansion area will not be utilized by the District, then the land shall be deeded to the County for storm water retention/water management purposes; the timing and conveyance of such dedication and any other conditions pertaining to the conveyance (to Palm Beach County rather than ITID) shall be established in the zoning development order issued by the BCC;
8. Within 60 days of the effective date of the comprehensive plan amendments regarding the Indian Trails Grove site, the developer shall provide the County Attorney an executed restrictive covenant, approved by the County Attorney, which shall be recorded in the public records prohibiting the property owned by the developer, affiliated entities, and any and all successors and assigns, within the area covered by the Western Communities Residential Overlay, from voluntarily annexing into a municipality, signing annexation petitions or otherwise consenting to annexation, seeking to incorporate as a municipality, or consenting to participating in or financially contributing to efforts to incorporate a municipality until the threshold established in Chapter 720.307 F.S. (2016, as amended from time to time) is achieved. The developer shall provide the County with a certified copy of the executed and recorded restrictive covenant prior to certification of any development order. In the event the developer seeks certification of any development order application prior to recording the covenant, the developer shall provide to the County Attorney the executed covenant in recordable form, with the appropriate filing fee, to be held in escrow by the County Attorney and recorded after the effective date of the comprehensive plan amendments.

9. The Zoning development order shall include the provision of at least 10% of the residential units, a total of 390 units, shall be provided as workforce housing, subject to the following requirements:
- a. The property owner shall provide these units on site, and between 60-120% of the Average Median Income ranges for the County, in three ranges (60-80%, 81-100% and 101-120%);
 - b. Prior to the issuance of the first residential building permit, a master covenant for all 390 workforce housing units shall be recorded;
 - c. Prior to the issuance of the certificate of occupancy for each designated workforce housing unit, a deed restriction for each units shall be recorded containing all relevant information implementing the workforce housing conditions, specified in this ordinance and any subsequent zoning approval;
 - d. Upon the recordation of sale for each workforce housing unit, a copy of the deed restriction shall be provided to the Planning Director and the Department of Economic Sustainability (DES) (or its successor);
 - e. The deed for each workforce housing unit sold shall include restrictions requiring:
 - i. that all identified units be sold or resold only to qualified households in the applicable targeted income range at an attainable housing cost for each of the targeted income ranges;
 - ii. that these restrictions remain in effect for 15 years recurring from the date of the certificate of occupancy for each unit; and
 - iii. that in the event a unit is resold before the 15-year period concludes, a new 15 year period shall take effect on the date of the resale;
 - f. Prior to final site plan approval for each subdivision plan per pod, the total number of workforce housing units provided shall be identified within that pod;
 - g. A release of obligation to construct workforce housing units consistent with the ULDC provisions shall be included in the zoning development order;
 - h. Beginning in October 2020, an annual report shall be submitted to DES and the Planning Director denoting compliance with the workforce housing requirements adopted with the amendment and any future development order. Should no units receive a certificate of occupancy prior to October 2020, the reporting requirement shall begin one year after the issuance of the first certificate of occupancy, and continue each year thereafter;
 - i. Prior to the issuance of the 663rd building permit, 39 workforce housing units (all located in Parcel A) shall be issued a certificate of occupancy;
 - j. Prior to the issuance of the 1797th building permit, 195 workforce housing units shall be issued a certificate of occupancy;
 - k. Prior to the issuance of the 2,499th building permit, 292 workforce housing units shall be issued a certificate of occupancy;
 - l. Prior to the issuance of the 3,358th building permit, all 390 workforce housing units shall be issued a certificate of occupancy;

10. The Zoning development order and proportionate fair share agreement shall include timing mechanisms and proportionate share dollar amounts for the construction of all identified Thoroughfare Identification map roads, relative to the timing of construction and roadway impacts, and shall be to the satisfaction of the County Engineer;
11. Regarding 60th Street North:
 - a. Prior to issuance of the first residential permit, the developer shall improve and construct as a 2-lane section to County thoroughfare standards 60th St. N. from the existing east/west pavement west of Seminole Pratt-Whitney Rd. to 190th St. N., inclusive of a new bridge crossing over the M-Canal at the ultimate 4-lane section;
 - b. Prior to issuance of the 1,663rd residential permit, should the additional right-of-way for 60th St. N. from Seminole Pratt-Whitney Rd. to the western limits of the City of Westlake not have been dedicated to the County by Minto, the developer shall fund acquisition of said right-of-way;
 - c. Prior to issuance of the 2,320th residential permit, the developer shall improve and construct a 4-lane section to County thoroughfare standards 60th St. N. from Seminole Pratt-Whitney Rd. to 190th St. N.;
12. To facilitate road improvements in the area, the developer shall pay the County \$1.25 million prior to the issuance of the first building permit; additional payments of \$1.25 million shall be made to the County prior to the issuances of the 974th, 1,948th, and 2,922nd building permits; these payments shall be subject to the cost adjustment clause in the proportionate fair share agreement to account for changes in road development costs over time;
13. The land depicted on the conceptual plan as the 42-acre park expansion shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC;
14. The land depicted on the conceptual plan as the 5-acre fire/police/utility location shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; as an alternative to placing Fire/Rescue Services on the 5-acre site, the County may request, and the developer shall provide a 2.5-acre site to the County for a future Fire/Rescue Station at the non-residential node at the northwest corner of 190th Street North and Indian Trails Blvd.; in the event the County accepts another site for Fire/Rescue purposes outside of the Indian Trail Groves within a two mile radius of the 5-acre location identified on the conceptual plan, the developer is relieved of the fire station dedication option within the non-residential node at 190th Street N. and Indian Trails Blvd.;
15. The land depicted on the conceptual plan as the 25-acre proposed middle school, 22.6-acre proposed park, and 15.5 acre proposed elementary school shall be conveyed to the Palm Beach County School District; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; in the event the School District does not utilize the sites for related schools and recreational facilities, ownership of any remaining unbuilt sites shall be conveyed to Palm Beach County at the County's sole discretion;

16. Rural Parkway easements shall be located along the south side of 60th Street North, both sides of Orange Blvd., the west side of 180th, and the east and west sides of 190th within the project boundaries, for the purposes of buffering and providing pedestrian, bicycle and equestrian trail connections within the development, and adjacent to the thoroughfare road network. These rural parkway easements shall:
- a. be a minimum of 50 feet in width, except for 180th which shall be a minimum 80 feet in width;
 - b. include 8-foot wide multi-purpose pathways and 10-foot wide equestrian trails as indicated, which shall be accessible to the public;
 - c. obtain conceptual approval for signage located in the rural parkway that is context sensitive to the Rural Tier and subject to Planning Director approval, prior to final master plan approval;
 - d. obtain conceptual approval for all rural parkway planting plans prior to final master plan approval;
 - e. all rural parkway easements shall be recorded in the public record prior to the recordation of the first plat;
 - f. commence construction of each rural parkway segment prior to the first building permit in the adjacent pod, and shall be further detailed in the zoning development order;
 - g. complete construction of each rural parkway segment prior to the first certificate of occupancy in the adjacent pod, as further detailed in the zoning development order; and
 - h. include a minimum of 70% native plant material in each rural parkway planting plan, and the following minimum quantities of each type of vegetation, notwithstanding any ULDC buffer requirements:
 - 1. canopy trees, 1 per 1,000 square feet of rural parkway easement;
 - 2. flowering trees, 1 per 4,000 square feet of rural parkway easement;
 - 3. palms, 1 per 1,600 square feet of rural parkway easement;
 - 4. pinos, 1 per 2,000 square feet of rural parkway easement;
 - 5. large shrubs, 1 per 400 square feet of rural parkway easement;
 - 6. medium shrubs, 1 per 300 square feet of rural parkway easement;
 - 7. small shrubs, 1 per 200 square feet of rural parkway easement;
 - 8. turf grass and/or other ground cover as applicable for areas not planted with landscape material.

Legal Description

DESCRIPTION:

PARCEL 1:

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

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

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

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

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

PARK

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

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

TOGETHER WITH

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

SCHOOL SITE (OFFICIAL RECORDS BOOK 11559, PAGE 1999)

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

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

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

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

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

AND LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

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

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

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

PALM BEACH COUNTY PARCEL

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

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

TOGETHER WITH

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

PARCEL 2:

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; AND ALL THAT PART OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 3, SAID POINT BEING 2,632.90 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE RUNNING IN A NORTHEASTERLY DIRECTION A DISTANCE OF 3,610.56 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION, 2,530.47 FEET EAST OF THE NORTHWEST CORNER THEREOF.

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

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

CONTAINING A TOTAL OF 4871.569 ACRES MORE OR LESS.

Exhibit 2

Proposed Text Amendment

A. Introduction & Administration Element, Western Communities Residential Definition

1. **NEW:** To add a new definition for Western Communities Residential. The revisions are numbered below, and shown with the added text underlined.

WESTERN COMMUNITIES RESIDENTIAL - A future land use designation reflecting a development pattern which allows for a mixed-use design concept comprised of a mixture of land uses, including residential, retail, office, recreation, civic, etc., located within close proximity to each other, in order to provide for a variety of housing, recreation, shopping, and employment opportunities.

B. Future Land Use Element, Rural Tier Revisions

REVISIONS: To revise the Rural Tier policies and provisions. The revisions are numbered below, and shown with the added text underlined.

1. **REVISE OBJECTIVE 1.4 Rural Tier**

General: The Rural Tier includes agricultural land and rural settlements that range in density from primarily 1 dwelling unit per 5 acres to 1 dwelling unit per 20 acres, except in special planning areas such as, but not limited to, the Western Communities Residential Overlay (WCRO) ~~Indian Trails Grove Overlay (ITGO)~~. These areas support large agricultural operations as well as single-family homes with small family-owned agricultural businesses, including equestrian related uses. Due to the declining availability of land and the increase in population in the Urban and Exurban Tiers, the Rural Tier is beginning to experience pressure for urban densities and non-residential intensities normally associated with a more urban area. The strategies in the Rural Tier are established to protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that further the goals of the Rural Tier.

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

2. **REVISE Policy 1.4-d:** Any parcel of land in the Rural Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless: each parcel created is consistent with the minimum lot size required by its respective future land use designation or is developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development or as a Planned Unit Development developed under the Western Communities Residential (WCR) Future Land Use Category. Parcels may be subdivided for the purpose of

enlarging other parcels in the subdivision. The overall number of units of the reconfigured lots may not exceed the original number of units calculated for the lots being reconfigured.

C. Future Land Use Element, Western Communities Residential Overlay

NEW: To establish a new objective and policies relating to the Western Communities Residential Overlay. The revisions are numbered below, and shown with the added text underlined.

1. NEW OBJECTIVE 1.12 Western Communities Residential Overlay (WCRO) ~~Indian Trails Grove Overlay~~

General: The Purpose of the Western Communities Residential Overlay (WCRO) ~~Indian Trails Grove Overlay (ITGO)~~ is to provide a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into conservation areas. It achieves compatibility with the existing residential development pattern in the surrounding area while furthering remediation of the historic land use imbalance in that area through the additional non-residential uses and residential support for other projects whose non-residential development is intended to do so, including but not limited to the City of Westlake.

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

- 2. NEW Policy 1.12-a:** The Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~ is depicted on the Special Areas Planning Map LU 3.1, in the Map Series and consists of approximately 4,871 acres of land generally located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard.
- 3. NEW Policy 1.12-b:** The Western Communities Residential (WCR) Future Land Use category shall be established to allow a compatible density with the existing rural residential lifestyle adjacent to the Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~.
- 4. NEW Policy 1.12-c:** Development within the Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~ shall only occur in the form of a Planned Development District, Planned Unit Development and commercial nodes consistent with the form of the Traditional Marketplace in the Comprehensive Plan, with a minimum gross land area of 900 acres. Within the Overlay, the maximum number of residential units shall be limited to 3,897; the maximum amount of non-residential commercial retail uses shall be limited to 300,000 square feet; and, the maximum amount of non-residential commercial office uses shall be limited to 50,000 square feet.

5. **NEW Policy 1.12-d:** For the purposes of contiguity, any land area within the Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~ shall be considered contiguous so long as it is submitted under one unified plan of development (a.k.a. Conceptual Plan).
6. **NEW Policy 1.12-e:** In addition to other public facilities required by the ULDC, the following within the Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~ shall be provided at developer expense:
 1. Paved on-site roads to serve all uses.
 2. On-site central water and wastewater service and facilities adequate to meet adopted level of service standards, with an off-site loop main that will allow other residences in the vicinity to connect to central services.
 3. On-site retention and drainage facilities that connect to the L-8 canal.
 4. A minimum 11 miles of 8-foot-wide pedestrian and bicycle pathways, open to the public.
 5. A minimum 17.5 miles of equestrian trails open to the public.
 6. On-site bus shelter easements for Palm Tran.
 7. Off-site road improvements that include:
 - a. Extension of 60th Street North from Seminole Pratt Whitney to 190th Street North.
 - b. Extension of 190th Street North from 60th Street North to Hamlin Boulevard.
 - c. Extension of Orange Blvd. from 180th Ave. North to 190th Street North.
 - d. Connection of Hamlin Boulevard from its present terminus to 190th Street North.
 8. In addition to the project's fair share proportionate share obligation, fund an additional \$5,000,000.00 for road improvements in the Central Western Communities payable pro rata as each residential unit is issued a Certification of Occupancy.
7. **NEW Policy 1.12-f:** The Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~ developer shall provide a trolley for scheduled seven-day-a-week shuttle service to on-site nonresidential uses and areas, and to commercial centers in ~~Minto Westlake~~. Service shall be provided at no charge to riders after the developer receives 1,000 certificates of occupancy for on-site residential units. The trolley shall remain in service at the expense of the developer or assigns until such time as the County authorizes the service to end in the event of low ridership.
8. **NEW Policy 1.12-g:** A range of housing choices shall be provided within the Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~ through the provision of three different density ranges as depicted on the Conceptual Plan.
9. **NEW Policy 1.12-h:** The Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~ developer shall dedicate the following land for public facilities to serve on-site residents and other users within the surrounding area:
 1. Upon the date mutually agreed to in written agreement between Indian Trail Improvement District ~~ITID~~ and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District or the County. The dedication

- shall stipulate that the use of the 640 acres is restricted for use by the ITID/County as a storm water retention/water management area.
2. Upon written request of the Palm Beach County School Board or receipt of no less than at least 250 building permits, whichever shall later occur, dedicate a 15.5 acre site for a future elementary school and a 25.0 acre site for a future middle school, constructed at school board expense. An additional 22.6 acres adjacent to either the elementary school site or middle school site shall be dedicated upon request of the Palm Beach County School Board with the concurrence of Palm Beach County. The development shall take all required drainage from the school sites into the development's storm water management system.
 3. Prior to receipt of no less than 250 building permits, a minimum 40 acres adjacent to District Park "F" for its expansion, constructed at County expense.
 4. Prior to receipt of no less than 250 building permits, a five acre site for a fire/police/utility site ~~Palm Beach County Fire-Rescue station.~~

D. Future Land Use Element, Density

REVISED: To add the Western Communities Residential FLU designation to the Table. The revisions are shown with the added text underlined and deletions shown in ~~strikeout~~.

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

<u>Future Land Use Designation</u>		<u>Dwelling Units per Gross Acre</u>	
		Standard	Maximum
Agricultural Reserve	AGR	0.20	1
Agricultural Enclave ²	AGE	---	---
Rural Residential, 1 unit per 20 acres	RR-20	0.05	
Rural Residential, 1 unit per 10 acres	RR-10	0.10	
Rural Residential, 1 unit per 5 acres	RR-5	0.20	
Rural Residential, 1 unit per 2.5 acres	RR-2.5	0.40	
<u>Western Communities Residential</u>	<u>WCR</u>	<u>0.80</u>	
Low Residential, 1 unit per acre	LR-1	1	
Low Residential, 2 unit per acre	LR-2	1.5	2
Low Residential, 3 unit per acre	LR-3	2	3
Medium Residential, 5 unit per acre	MR-5	4	5
High Residential, 8 unit per acre	HR-8	6	8
High Residential, 12 unit per acre	HR-12	8	12
High Residential, 18 unit per acre	HR-18	8	18

1. The Entitlement density is 1 unit per lot or as follows: Rural Residential 0.05 du/acre; Western Communities Residential 0.05 du/acre; Low Residential 0.10 du/acre; Medium Residential 0.20 du/acre; and High Residential 0.40 du/acre, whichever is greater.
2. The density of an Agricultural Enclave shall be determined utilizing the provisions of s.163.3162(5), Florida Statutes, and shall be clearly indicated in the Site Data of the adopted Conceptual Plan for each Agricultural Enclave.

E. Future Land Use Element, Residential Future Land Use Provisions

REVISED: To add the Western Communities Residential FLU designation to the chart for consistency the applicable with Zoning Districts. The revisions are shown with the added text underlined and deletions shown in ~~strikeout~~.

1. REVISED Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency¹

Future Land Use Designation	Consistent Zoning	
	Zoning District	Planned Development
Agricultural Reserve	AGR	AGR-PUD
Rural Residential	AR, RE	RR-PUD, MHPD, RVPD
<u>Western Communities Residential</u>	<u>AR</u>	<u>PUD</u>
Low Residential	RE, RT, RTS, RS	PUD, TND, MHPD
Medium Residential	RE, RT, RS, RTU, RM ²	PUD, TND, MHPD
High Residential	RE, RT, RS, RM, RH	PUD, TND, MHPD

Note:

1. The RTS, RTU, and RH zoning districts and the Special Exception for a PUD have been discontinued. Properties with these districts shall not be required to rezone and shall utilize the property development regulations of their equivalent districts which are as follows: RTS equals RT; RTU equals RS; RH equals RM, Special Exception for a PUD equals a PUD.
2. The RM District is consistent with the MR-5 designation only for those areas zoned RM prior to the Plan's August 31, 1989 adoption.

F. Future Land Use Element, Limited Urban Service Areas

REVISED: To add the Western Communities Residential Overlay to the list of identified Limited Urban Service Areas in Objective 3.3, Policy 3.3-a. The revisions are numbered below, and shown with the added text underlined and deletions shown in ~~strikeout~~.

OBJECTIVE 3.3 Limited Urban Service Areas (LUSAs)

1. **REVISED Policy 3.3-a:** The limited Urban Service Area: The following are designated as Limited Urban Service Areas:
 1. the area described as the United Technology - Pratt and Whitney Overlay;
 2. the area defined as the General Aviation Facility/North County Airport;
 3. the Agricultural Reserve; and
 4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer

- systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
- 5. the area east of the SFWMD L-8 Canal within the Glades Area Protection Overlay; ~~and~~
- 6. an Agricultural Enclave pursuant to Florida Statute section 163.3162(5); ~~and~~
- 7. ~~the Western Communities Residential Overlay; Indian Trails Grove Overlay.~~

G. Future Land Use Element, Long Range Transportation Planning

REVISED: To add the Western Communities Residential Overlay to the list of identified exemptions to Policy 3.5-d. The revisions are numbered below, and shown with the added text underlined.

OBJECTIVE 3.5 Levels of Service Required for Development

1. **REVISED Policy 3.5-d:** The County shall not approve a change to the Future Land Use Atlas which:
 - 1) results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d):
 - a) Projected traffic volumes from the MPO's latest adopted Long Range Transportation Plan (LRTP) as amended to include latest available Future Land Use Atlas amendments that became effective subsequent to the adoption of the LRTP, and
 - b) Projected traffic from proposed land use amendment, and
 - c) Projected traffic from latest available Land Use Atlas amendments that were previously adopted but have not yet become effective, and
 - d) Projected traffic from concurrent Land Use Atlas amendments that are approved in the same Comprehensive Plan Amendment Round that significantly impact the same roadway segments as the proposed land use change.

For purposes of applying this Policy, traffic from land use amendments in parts b), and c) shall be layered on top of traffic from part a). If the cumulative traffic from parts a), b), and c) violates this Policy, then the traffic study for the land use amendment shall not be pre-approved by the Traffic Division and the land use amendment application shall not be accepted by the Planning Division for consideration in the current Comprehensive Plan Round.

Traffic from land use amendments in parts b), c), and d) shall then be layered on top of traffic from part a). If the cumulative traffic from parts a), b), c) and d) violates this Policy, then this information shall be provided to the County Commission for consideration in deciding which land use amendments and

what densities/intensities for these amendments can be approved in the current Round to comply with this Policy

Significant impact shall be as defined in Table 3.5 -1.

TABLE 3.5-1
Significant Impact

Net Trip Generation**	Distance
1 - 50	No significant impact
51 - 1,000	Only address directly accessed link on first accessed major thoroughfare*
1,001 - 4,000	One (1) mile*
4,001 - 8,000	Two (2) miles*
8,001 - 12,000	Three (3) miles*
12,001 - 20,000	Four (4) miles*
20,001 - up	Five (5) miles*

* A project has significant traffic: (1) when net trip increase will impact FIHS and SIS facilities which are already exceeding the adopted LOS or cause the adopted LOS for FIHS or SIS facilities to be exceeded; and/or (2) where net trip increase impacting roads not on the FIHS or SIS is greater than one percent (1%) for volume to capacity ratio (v/c) of 1.4 or more, two percent (2%) for v/c of 1.2 or more and three percent (3%) for v/c of less than 1.2 of the level of service "D" capacity on an AADT basis of the link affected up to the limits set forth in this table. The laneage shall be as shown on the MPO's latest adopted LRTP.

** When calculating net trip increase, traffic associated with all prior Land Use Atlas amendment approvals for the property that has not yet received development order approvals, shall be cumulatively included in the analysis. Consideration will also be given to alternative modes of transportation (i.e. bicycle lanes, bicycle paths, bus lanes, fixed rail, and light rail facilities) in reducing the number of net trips. These alternative modes must either be operating at the time of the change to the Future Land Use Atlas or be included in both the Transportation Element (Mass Transit) and the Capital Improvement Element of the Comprehensive Plan.

or;

- 2) results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1-b.

This policy shall not be applicable to an Agricultural Enclave adopted pursuant to Policy 2.2.5-d. This policy shall not be applicable to the area designated as SR-7 Economic Development Overlay (EDO). This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Western Communities Residential Overlay-Indian Trails Grove Overlay.

H. **Future Land Use Element, Western Communities Residential Future Land Use**

NEW: To establish a new objective and policies relating to the Western Communities Residential. The revisions are numbered below, and shown with the added text underlined.

1. **NEW Objective 4.5 – Western Communities Residential.** The County shall recognize the unique characteristics of agricultural parcels that are adjacent to existing residential communities within the Rural Tier and the Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~ that seek to develop by assigning the Western Communities Residential (WCR) future land use designation through a Future Land Use Amendment process. A WCR site specific amendment that supports balanced growth may occur in the Rural Tier and may exceed rural densities and intensities. A WCR site specific amendment shall achieve compatibility with the existing residential development pattern in the surrounding area of the Rural Tier while furthering remediation of the historic land use imbalance in the western communities and providing other benefits.
2. **NEW Policy 4.5-a:** The site specific plan amendment ordinance adopting a Western Communities Residential future land use shall include a Conceptual Plan. The Conceptual Plan can only be revised through the Future Land Use Atlas amendment process.
3. **NEW Policy 4.5-b:** All development orders within the Western Communities Residential future land use must be consistent with the adopted Conceptual Plan.
4. **NEW Policy 4.5-c:** Agricultural uses shall be permitted within the WCR future land use designation until the land physically converts to the uses permitted by such development orders. Agricultural uses shall be permissible uses within open space areas to the extent indicated on the Conceptual Plan or site specific amendment ordinance.
5. **NEW Policy 4.5-d:** Western Communities Residential Conceptual Plan shall include a Site Data table establishing an overall density and intensity for the project, as well as minimum and/or maximum percentages for the acreages shown on the Plan and other binding standards. The Conceptual Plan shall include a depiction of the residential, non-residential, recreational, civic and open space elements of the project and allow the clustering of the density to promote a variety of neighborhoods and housing types and to act as transition areas between the Western Communities Residential and adjacent existing communities.
6. **NEW Policy 4.5-e:** A property with Western Communities Residential future land use designation shall utilize the Planned Unit Development (PUD) zoning district of the Unified Land Development Code, with the form of the commercial nodes reflected on the Conceptual Plan, which commercial nodes shall be designed consistent with the form of the Traditional Marketplace provisions in the Comprehensive Plan. Each residential pod within a WCR Planned Unit Development may be developed according to the density/intensity assigned on the Conceptual Plan.
7. **NEW Policy 4.5-f:** In order to achieve compatibility with the existing residential development pattern in the surrounding area and create a more sustainable land use pattern through compactness of design, any land developed utilizing the WCR future land use shall be required to exhibit the following characteristics:
 1. A maximum permissible gross residential density of 0.80 DU/AC.

2. The project shall provide a minimum of 66.67% of the gross site acreage in open space uses (the Required Open Space). A minimum of 50% of the gross site acreage shall be in the form of Exterior Open Space which shall be limited to preservation, conservation, passive and/or active recreation, perimeter landscape buffers, rural parkways, pedestrian pathways and greenways, wetlands, bona fide agriculture, regional water management, fallow land, perimeter water management areas, public and/or private civic uses, and/or, equestrian uses. Perimeter water management areas shall only count as Exterior Open Space if the water management area is accessible to the general public from a ~~publically~~ publicly accessible buffer or open space tract that includes a minimum 8-foot wide paved pedestrian pathway that connects the perimeter of the site to the water management area. Perimeter water management areas shall be available for use by the general public for fishing and non-motorized boating activities. Land area allocated as Exterior Open Space counts towards meeting the minimum Required Open Space.
3. A minimum of 33.33% of the gross site acreage shall be provided in one large contiguous open space land area and shall be depicted on the Conceptual Plan approved by the Board of County Commissioners. Land area allocated as part of the 33.33% contiguous open space counts towards meeting the minimum Required Open Space.
4. Neighborhood-serving commercial nodes shall comprise no less than 2% of the overall developable land area (developable land area being defined as the area available for development less the required Exterior Open Space). The commercial nodes shall: (1) be designed consistent with the form of the Traditional Marketplace provisions of the Comprehensive Plan; and, (2) be depicted on the Conceptual Plan approved by the Board of County Commissioners.
5. A minimum 20% of the residential units shall be located within one-quarter mile radius of commercial nodes; a minimum 40% of the residential units shall be located within one-half mile radius of commercial nodes; and a minimum of 66% of the residential units shall be located within one-quarter mile radius of commercial nodes or civic uses (public or private) or recreation uses (public or private).
6. Higher density residential areas shall be located adjacent to and within one-quarter mile radius of any commercial node. Lower density residential areas shall be located around the perimeter of the development area to promote compatibility with existing development in the surrounding area. Medium density residential shall be located between commercial nodes/High density residential areas and the Low density residential areas. All of which shall be reflected on the Conceptual Plan approved by the Board of County Commissioners.
7. A minimum of 10.0% of on-site for-sale units shall be provided as workforce housing based on the County's affordability standards.
8. A maximum permissible non-residential intensity of 350,000 square feet of commercial uses, comprised of 300,000 square feet of commercial retail uses, and 50,000 square feet of commercial office uses.

I. Future Land Use Element, Future Land Use Regulation Section

REVISED: To establish the new Future Land Use designation in the appropriate tables for Tier and allowable densities, and shown with the added text underlined.

1. REVISED TABLE III.C, FUTURE LAND USE DESIGNATION BY TIER

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA ¹
Rural Residential	RR-20, RR-10	---	X	X	---	---
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
<u>Western Communities Residential</u>	<u>WCR</u>			<u>X</u>		
Urban Residential	LR, MR, HR	X	---	---	---	---

J. Transportation Element, Rural Parkways

REVISED: To add additional Rural Parkways to the list contained within Policy 1.4-q of the TE. The revisions are numbered below, and shown with the added text underlined.

- REVISED Policy 1.4-q:** The Rural Parkway concept is established to protect the rural character of roadways outside of the Urban/Suburban Tier, and those roadways identified on the Conceptual Plan of an Agricultural Enclave designated pursuant to FLUE Policies 2.2.5-d and 2.2.5-e. Rural Parkways shall accommodate future transportation planning needs to ensure that the cross-section and alignment of the roads preserves the rural residential lifestyle, sense of place and quality of life of the adjacent areas. For properties fronting on rural parkways, a portion of the designated Right-of-Way may be retained in private ownership provided that the property owner dedicates a parkway easement to Palm Beach County for non-vehicular pathways. Such dedications shall only be required when consistent with the criteria contained in Transportation Policy 1.4-d. The following roadway segments are hereby designated as Rural Parkways:

omitted for brevity

Within the designated Western Communities Residential Overlay ~~Indian Trails Grove Overlay~~:

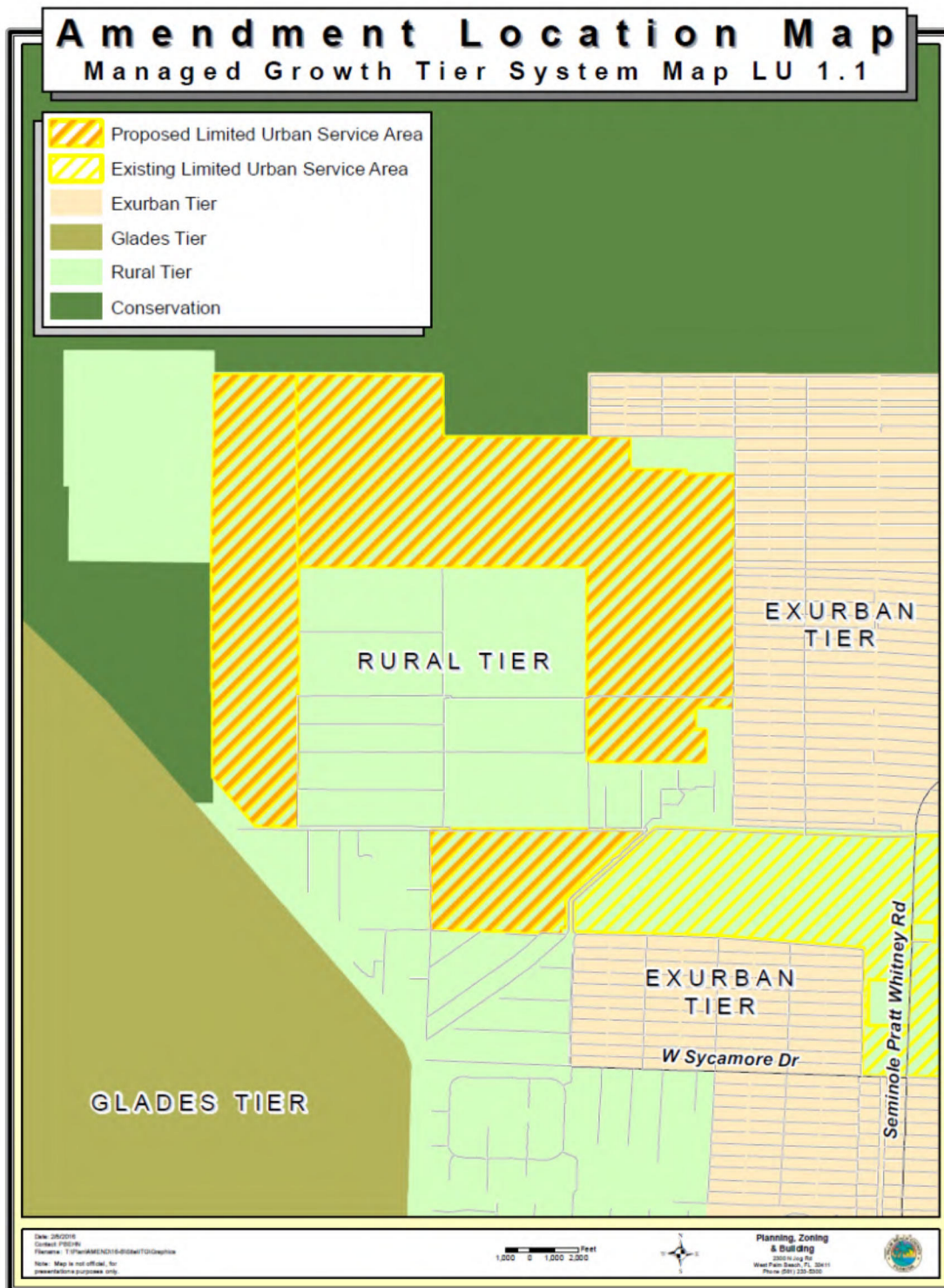
- 180th Ave. North from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to

accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation shall be required. No walls shall be allowed within the parkway easement. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.

9. 190th Street North adjacent to the Indian Trails Grove PUD, a minimum of 50 feet wide easement on the east and west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
10. Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north in order to accommodate a multipurpose pathway and equestrian trail and a 50 feet wide easement on the south side to accommodate a multipurpose pathway, both landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
11. 60th Street North from the western limits of the M-1 canal to 190th Street North, a minimum of 50 feet wide easement on the south side of 60th Street North, in order to accommodate a multipurpose paved pedestrian pathway (from the eastern limits of the Indian Trails Grove PUD to the westernmost PUD entrance) and equestrian trail (from the eastern limits of the PUD to the westernmost PUD entrance) with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. However, a context-sensitive community identification monument may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.

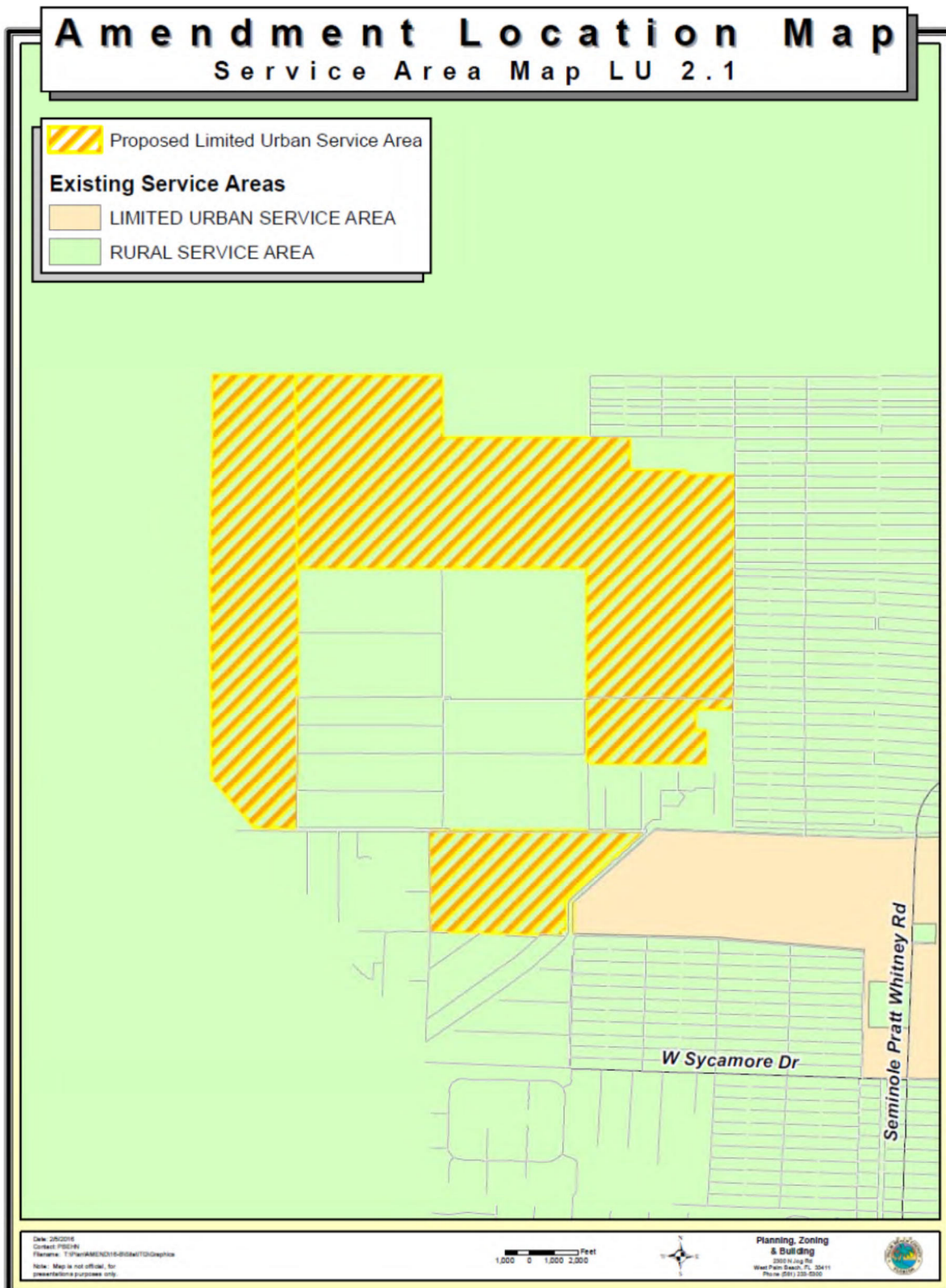
K. Map Series, Managed Growth Tier System Map LU 1.1, Western Communities Residential Overlay

REVISIONS: To depict the Western Communities Residential Overlay as a Limited Urban Service Area.



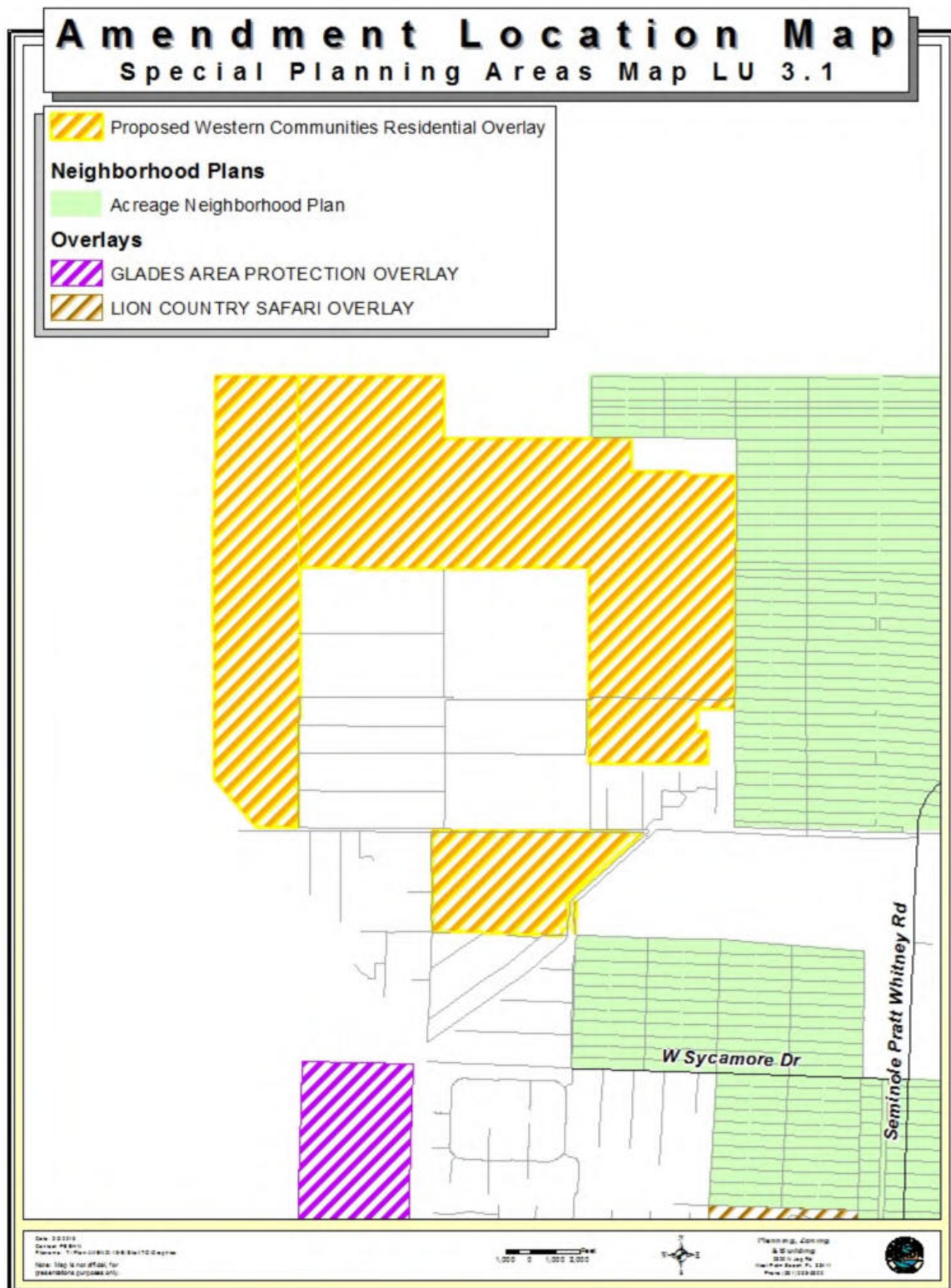
L. Map Series, Service Area Map LU 2.1, Western Communities Residential Overlay

REVISIONS: To depict the Western Communities Residential Overlay as a Limited Urban Service Area, and remove it from the Rural Service Area.



M. Map Series, Special Planning Areas Map LU 3.1, Western Communities Residential Overlay

REVISIONS: To identify the Western Communities Residential Overlay.



N. Map Series, Thoroughfare Right of Way Identification Map TE 14.1, Western Communities Residential Overlay

REVISIONS: To add or revise the following roadway segments:

- To add 60th St North from Seminole Pratt Whitney Rd to 190th St North as a 100 foot 80 foot right-of-way;
- To add 190th Street North from 60th Street North to ~~Orange Boulevard~~ Hamlin Blvd as an 100 foot 80 foot right-of-way;
- To revise 60th St North from Seminole Pratt Whitney Road to 140th Ave North from an 80 to a 100-foot right-of-way;
- To depict the locations of Rural Parkways and add appropriate references to the notes.

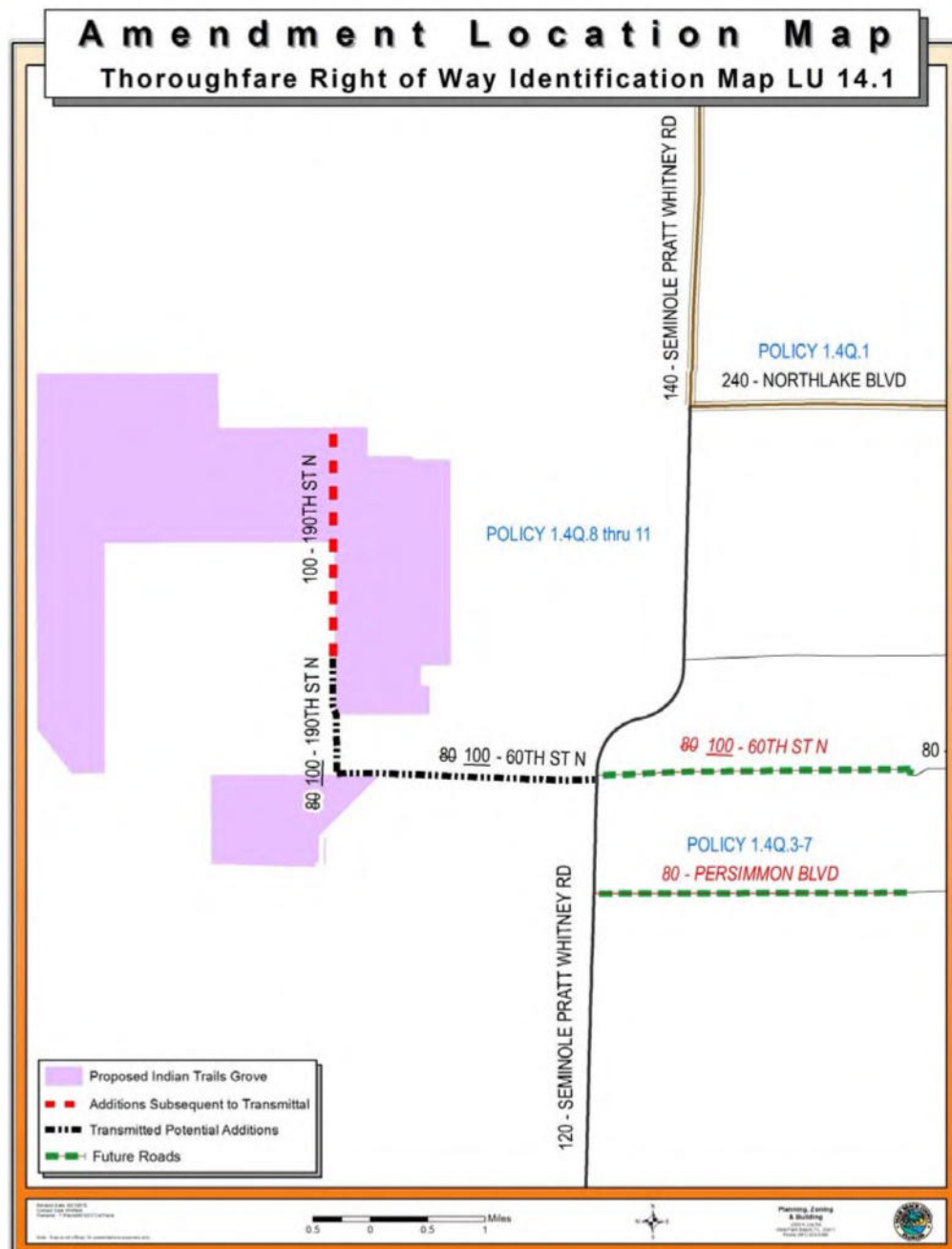




Exhibit 4

Staff Analysis of Proposed Text & Map Series Amendments

A. Introduction & Administration Element, Western Communities Residential Definition

1. NEW DEFINITION 'WESTERN COMMUNITIES RESIDENTIAL'

Staff Assessment: This definition is proposed to identify the new proposed form of development, its composition and intent, and with further meaningful and predictable standards detailed in a new objective and policies.

B. Future Land Use Element, Rural Tier Revisions

1. REVISE OBJECTIVE 1.4 RURAL TIER

Staff Assessment: The applicant is proposing to insert a new exception for the Western Communities Residential Overlay into the tier description language, and in the Objective language itself. An exception to the Rural Tier densities was previously approved in the Minto West Plan Amendment (Ordinance 2014-030), and sustained an administrative challenge in which the DEO issued a Final Order (DEO-15-087). The Minto West project (now the City of Westlake) proposed a higher density 1.2 units/acre, whereas the current proposal is for 0.8 units/acre. Furthermore, amendments are proposed to provide for allowances and protections for the Rural and Exurban Tiers consistent with the objective language, while providing exceptions to the overall general language in the Rural Tier. In Paragraph 85 (conclusions of law) of the ALJ's recommended order (adopted by DEO in their Final Order) it states, "it is not uncommon for laws, whether in the form of statutes, rules, or policies of the comprehensive plan, to identify circumstances which are excepted from the application of the law... ...creating an exception does not mean the law is in conflict with itself." The order continues, "exceptions from some Rural Tier policies created by proposed amendments... ...do not create an internal inconsistency. The location of the exceptions in the section of the FLUE... ...does not change this conclusion because the Comp Plan must be considered and applied as a whole."

2. REVISE Policy 1.4-d

Staff Assessment: The applicant's proposed text would clarify that the WCR FLU designation is an allowable exception within the Rural Tier.

C. Future Land Use Element, Western Communities Residential Overlay

1. NEW OBJECTIVE 1.12 WESTERN COMMUNITES RESIDENTIAL OVERLAY (WCRO)

Staff Assessment: The applicant is proposing to establish a new objective within the Future Land Use Element, the Western Communities Residential Overlay. The objective establishes that the Overlay is compatible and provides appropriate transitions between very low density suburban scale development with rural character, agriculture, and conservation lands. Note that subsequent to Transmittal, a running change to the amendment was made that replaced the previously proposed "Indian Trails Grove Overlay (ITGO)" name with the Western Communities Residential Overlay (WCRO).

2. **NEW Policy 1.12-a**

Staff Assessment: This policy is typical of first policies within an overlay, describing its location, and referring to the Map Series Map 3.1 Special Planning Areas.

3. **NEW Policy 1.12-b**

Staff Assessment: The proposed policy establishes that within the overlay, the WCR FLU designation is the appropriate and allowable FLU designation. This FLU is further detailed in the proposed new Objective 4.5 and following policies.

4. **NEW Policy 1.12-c**

Staff Assessment: To achieve meaningful and predictable standards, the proposed overlay establishes this policy to direct the form of development to use the established Planned Unit Development, utilizing the commercial nodes concept within those standards. These commercial nodes are to be developed in a traditional marketplace form, rather than that of a conventional suburban strip mall/plaza, consistent with longstanding provisions established in the Plan for the Exurban and Rural Tiers. Furthermore, the policy proposes to cap the overall density and intensity allowed within the overlay, consistent with the FLUA amendment request.

5. **NEW Policy 1.12-d**

Staff Assessment: This policy would establish that non-contiguity of the approximate 560 acre parcel south of 60th Street North would be able to be included within the overall amendment and subsequent development orders, if adopted. This allows for the proposed "undeveloped" areas (those earmarked for continued agriculture and regional water management uses) to be consolidated in the lands closest to existing agriculture and conservation lands. This helps to achieve a more compact and contiguous development form. It also means that the southern portion does not have to individually meet the proposed 66.67% open space requirement individually, when it is already surrounded by subdivided lands featuring large lot residential and limited agricultural uses. Furthermore, it allows additional units to be placed more proximate to the City of Westlake non-residential node, and nearer to existing and proposed thoroughfares, shortening vehicle miles travelled.

6. **NEW Policy 1.12-e**

Staff Assessment: This proposed policy indicates the proposed public facilities that the developer will provide at their expense. These demonstrate and are consistent with the quantifiable public benefits that the CWC Sector Plan intended for any developments to include to address infrastructure deficiencies, land use imbalances, and remediate an existing sprawl pattern. This policy is over and above the detail the County typically includes in a text amendment to the Plan and with a site specific FLUA amendment. This proposed policy would be more appropriate in a separate developer's agreement with the County or as conditions of approval on the FLUA amendment. Subsequent to Transmittal, and based on a comment from the Florida Department of Economic Opportunity, clarification was added to Policy 1.12-e 2, to indicate that water and wastewater services would be proposed to meet the adopted level of service consistent with the Limited Urban Service Area designation. Furthermore, additional language was added to 1.12-e 8, to clarify that the additional \$5 million contribution would be for the

purposes of road improvements in the area, and deleted the pro-rata payment per unit provision. Instead a provision has been placed in the conditions of approval of this amendment that would require payments at specific unit thresholds which would total \$5 million.

7. NEW Policy 1.12-f

Staff Assessment: To help achieve some level of energy savings and potentially reduce trips on the road network, the developer is proposing to provide a trolley service to the City of Westlake town center located on Seminole Pratt-Whitney Road. This would be at the developer's expense, and provides for a termination option at the County's discretion should the service cease to be effective.

8. NEW Policy 1.12-g

Staff Assessment: This policy is a direct response to the statutory requirement that amendments must discourage urban sprawl. The overlay, in conjunction with the WCR FLU designation requirements, proposes to provide density ranges and depict their location on the Conceptual Plan adopted with the amendment. These density ranges and corresponding housing choices--when appropriately arranged, as proposed here--helps to achieve clustering and more compact development forms, with larger lots located away from commercial and civic nodes--facilitating compatibility--and allows for a greater number of units to be clustered around those same nodes, helping to achieve a more walkable and sustainable development form. As noted earlier in the body of the staff report, the applicant's proposed zoning plan (which is based on these proposed requirements) would place over 73% of the overall dwelling units within a 1/4 mile radius of commercial, civic, or dedicated recreation spaces at buildout. No units would be located more than a 2-mile radius from a commercial node.

9. NEW Policy 1.12-h

Staff Assessment: Policy 1.12-h indicates the other public benefits that the project is proposing with their project. This are the lands dedicated for other public facilities, including parks, fire rescue station, and potential school sites, as well as the 640 acre dedication to Indian Trail Improvement District to help address regional drainage deficiencies. Additional changes proposed include adding the County as a alternate recipient of the 640 acres should ITID not be able to realize the stated public benefit for whatever reason.

D. Future Land Use Element, Density

1. REVISE Table 2.2.1-g.1:

Staff Assessment: This revision adds the Western Communities Residential FLU designation to the table depicting the dwelling units per acre. This is a fundamental aspect of indicating densities associated with each FLU designation, and this specific amendment is "housekeeping" in nature, to ensure consistency within the Comprehensive Plan. This amendment is accompanied by corresponding changes to establish the new FLU in Policy, and in the Definitions of the Introduction and Administration Element of the Plan.

E. Future Land Use Element, Residential Future Land Use Provisions

1. REVISE Table 2.2.1-j.1:

Staff Assessment: This revision adds the Western Communities Residential FLU designation to the table depicting the corresponding consistent zoning district. This is a fundamental aspect of indicating densities associated with each FLU designation, and this specific amendment is "housekeeping" in nature, to ensure consistency within the Comprehensive Plan, and development practice in the County. This amendment is accompanied by corresponding changes to establish the new FLU in Policy, and in the Definitions of the Introduction and Administration Element of the Plan.

F. Future Land Use Element, Limited Urban Service Areas

1. REVISE Policy 3.3-a:

Staff Assessment: This amendment proposes to add the Western Communities Residential Overlay to the identified list of LUSAs, ensures internal consistency, and reflects proposed improvements in infrastructure the developer would make at the site. This policy amendment is accompanied by corresponding changes to the map series to depict the LUSAs accordingly. See also the analysis in Section VII.C of the staff report.

G. Future Land Use Element, Long Range Transportation Planning

1. REVISE Policy 3.5-d:

Staff Assessment: This amendment proposes to add the Western Communities Residential Overlay to the exemptions from the level of service requirement for transportation. This is consistent with the CWC Sector Plan amendments that were adopted/directed by the BCC at the time. Those versions of the Sector Plan included a Policy 3.5-d exemption for projects that were consistent with all other Sector Plan requirements. See analysis in Section VIII.F.1 of the staff report.

H. Future Land Use Element, Western Communities Residential Future Land Use

1. NEW OBJECTIVE 4.5 WESTERN COMMUNITIES RESIDENTIAL (WCR)

Staff Assessment: Per Chapter 163.3164(33) FS, an Objective is defined as "a specific, measurable, intermediate end that is achievable and marks progress toward a goal." This proposed objective establishes the criteria to address a situation long recognized by the County that existing large agricultural operations in the Western Communities would ultimately seek development approvals. The general language leading into Rural Tier Objective 1.4 indicates that "the Rural Tier is beginning to experience pressure for urban densities and nonresidential intensities normally associated with a more urban area." It goes on to say that the strategies in the Rural Tier are established to protect and enhance rural settlements that support agricultural and equestrian uses. This new Objective, in conjunction with the Western Communities Residential Overlay establishes the mechanism to address the "pressure" for addressing development, while ensuring that the lifestyle and character of the Rural Tier is preserved. The WCR FLU, which is the focus of the new Objective and following Policies, begins to establish meaningful and predictable standards to guide the implementation of the WCR FLU, including establishing the limitations of development,

the conceptual plan, and allowing for agricultural uses to remain in their entirety until such time that the parcels designated as WCR FLU develop consistent with their adopted conceptual plan. It should be noted that the WCR FLU is limited to the WCRO Overlay as proposed in Policy 1.12-b, and is limited to the Rural Tier exclusively in the proposed amendment to Tables III.C.

2. NEW Policy 4.5-a

Staff Assessment: As indicated in the above analysis for the Objective, this policy requires any amendment to the WCR FLU designation include a Conceptual Plan that is a binding graphic depicting the locations and general configurations of a development; however, this is further clarified in New Policy 4.5-d. It is comparable to the old Development of Regional Impact (DRI) Map H. Policy also provides that the Conceptual Plan can only be amended after adoption through a subsequent FLUA amendment.

3. NEW Policy 4.5-b

Staff Assessment: To ensure that the Conceptual Plan is adhered to, and is not simply a "cartoon" depicting one way that a development could be realized, the Policy requires that any zoning development order is consistent with the Conceptual Plan. Subsequent zoning approvals may clarify and provide additional detailing, but the overall development scheme approved in the Conceptual Plan would govern, comparable to the way that "Map H" in a Development of Regional Impact was the touchstone for all subsequent development under that approval.

4. NEW Policy 4.5-c

Staff Assessment: This new policy would prevent any existing agricultural operations from being rendered non-conforming by allowing them to continue until such time as they develop. It also enables continued agricultural operations within open space areas as designated on the adopted conceptual plan.

5. NEW Policy 4.5-d

Staff Assessment: The proposed policy establishes that there will be a graphic depicting the general location of each of the uses, including the areas to remain "undeveloped," and will indicate the areas of transition to ensure compatibility with adjacent and surrounding parcels. This graphic works in conjunction with quantifiable and verifiable criteria that will guide the subsequent zoning approvals, consistent with the various requirements of the Overlay and the WCR FLU and its attendant policies.

6. NEW Policy 4.5-e

Staff Assessment: This new policy provides additional regulatory direction in that it specifies the zoning district (PUD), and requires commercial nodes to be developed in the traditional marketplace form as specified in the Comprehensive Plan. This is generally in keeping with the concepts included in the Sector Plan Remedial Amendment in 2007. It also provides additional specificity on the density and intensity being consistent with that of the adopted conceptual plan site data table.

7. NEW Policy 4.5-f

Staff Assessment: This policy deals with much of the mechanics of the intended development form. Of utmost importance is the open space requirement, as this is critical to the development form. A minimum of 66.67% of the WCR FLU gross acreage is limited to open space uses. Of this, 50% of the gross acreage constitutes the "external open space" concept. Of this 50%, a minimum of 33% of the gross acreage will be a contiguous open space area. In addition to providing a "buffer" effect, it provides an accessible greenbelt for existing and future residents that also accommodates a range of open space uses. It also further promotes clustering meaningful density within neighborhoods in precluding spreading out the residential density as the area is already allocated to other uses. This open space will allow agriculture, pastures, and rural parkways in addition to the allowable uses within the existing ULDC definition of open space (preservation, conservation, wetlands, wellfields, passive recreation, greenways, landscaping, landscape buffers, water management tracts).

The residential density is capped at 0.8 units per acre gross, and will be located on no more than 33.33% of the gross land area. That density is then to be clustered around nodal locations, and is to be arranged such that the most dense areas are located in close proximity to these non-residential nodes--located for maximum accessibility within the development. This mechanism to achieve clustering through density gradients within the project, satisfies many requirements and directions within the Plan, and Florida Statutes. It is critical to note that the proposed policy includes a provision that requires a minimum of 10% of all units to be provided as workforce housing units. These provisions are clarified in the proposed amendment condition detailing the provision of those units designated as Workforce Housing.

In response to Technical Assistance Comment #2 from the Florida Department of Economic Opportunity, an additional component to the Policy was added, specifically 4.5-f 8, which reiterates the maximum commercial square footage limitation at 350,000 square feet, as also included in the Overlay (Policy 1.12-c), and the Conditions of Approval in Exhibit 1(Condition #3). This change ensures compliance with 163.3177(1) which in part requires that Future Land Use categories contain intensity standards that are meaningful and predictable.

I. Future Land Use Element, Future Land Use Regulation Section

1. REVISE TABLE III.C

Staff Assessment: This revision addresses the tables, including the new WCR FLU designation, and reflecting the tier location contained in other policies of the amendment. This amendment is to retain consistency within the Element.

J. Transportation Element, Rural Parkway

1. REVISE Policy 1.4-q:

Staff Assessment: The provision of rural parkways is one method to help insure adequate separation and buffering of the proposed development from adjacent uses, and also provide recreational paths/trails in proximity to existing and future development. Rural Parkway are roads identified in the Plan, and are to be of rural character, and

utilize native landscape materials. The intent is to ease transitions, making them less abrupt when entering, or traveling adjacent to the overlay, and would help to obscure the development. The character is mainly addressed through the "parkway easement" adjacent to the identified right-of way, where the pedestrian paths and equestrian trails, landscape material and other amenities are located. These are publicly accessible, and would be maintained by the respective development, and/or the CGCDD. The additions are those portions adjacent to existing proposed roads, located within the boundaries of the proposed WCRO.

K. Map Series, Managed Growth Tier System Map LU 1.1, Western Communities Residential Overlay

Staff Assessment: The MGTS Map depicts those areas designated as LUSAs to facilitate understanding of those areas outside of the Urban Service Area Boundary that are afforded urban levels of service. Amending the map to indicate the WCRO as proposed LUSA designation is consistent with the proposed request, text amendment, and practices associated with the LUSAs on the MGTS Map.

L. Map Series, Service Area Map LU 2.1, Western Communities Residential Overlay

Staff Assessment: This map indicates the LUSAs, and amending it to reflect the adoption of the WCRO as a LUSA would be consistent with the proposed request, text amendment, and statutory requirements.

M. Map Series, Special Planning Areas Map LU 3.1, Western Communities Residential Overlay

Staff Assessment: The Special Planning Areas Map indicates all special studies, neighborhood plans, and overlays referenced in the Plan. As the text amendment proposes to create the WCRO, and proposed FLUE Policy 1.12-a indicates it would be depicted on this map, the Special Planning Areas Map must be amended to depict the WCRO for internal consistency within the Plan.

N. Map Series, Thoroughfare Right of Way Identification Map TE 14.1, Western Communities Residential Overlay

Staff Assessment: The applicant proposed to add 60th Street North (west of Seminole Pratt Whitney Road to 190th Street North) and 190th Street North (from Orange Boulevard to 60th Street North) to the Thoroughfare Right of Way Identification map. Designating these existing roads as thoroughfares would allow for future improvements, as they are envisioned in the long range traffic study to carry significant portions of the development traffic. Also included is an addition of the newly proposed rural parkways identified in TE Policy 1.4-q, consistent with how the other designated rural parkways are handled in the County.

Subsequent to transmittal of the amendment, the Florida Department of Transportation provided findings and recommendations to the County related to this amendment in a letter dated June 3, 2016 (see Exhibit 21). In response to the recommendations specific to this amendment, the County proposes further additions to the County's Thoroughfare Right of Way Identification Map, to create a network of needed facilities to serve land uses with the proposed amendment. Based on the projected traffic, the proposed additions to the TIM are as follows:

- Revise to amend 60th Street North from an 80-foot right-of-way to a 100-foot right-of-way from Seminole Pratt-Whitney Road to 140th Avenue North; and
- Revise to add 190th Street North as a 100-foot right-of-way from Orange Boulevard to Hamlin Boulevard;

The following modifications are also being proposed to already transmitted TIM amendments

- Revise to add 60th Street North as a ~~80~~ 100-foot right-of-way from Seminole Pratt-Whitney Road to 190th Street North; and
- Revise TE 14.1 to add 190th Street North as a ~~80~~ 100-foot right-of-way from 60th Street North to Orange Boulevard;

The County further indicates that as part of the concurrency approvals, the County will work with FDOT to address appropriate and feasible capacity improvements needed to eliminate, reduce or mitigate SIS impacts from development approvals into updates either to the County's Five Year Road Program (which includes MPO's Five Year Transportation Improvement Program (TIP) by reference) or the MPO's TIP.

Staff is providing further data an analysis in support of the proposed TIM amendments.

1. **Consistency with the Comprehensive Plan**

The following objectives & policies in the Transportation Element are relevant to the proposed amendment:

OBJECTIVE 1.4 Roadway System

The County shall provide for identification and acquisition of existing and future roadway rights-of-way consistent with the adopted Thoroughfare Right-Of-Way Identification Map and shall address certain specific corridors in the transportation planning process in Palm Beach County.

Policy 1.4-a: The County shall continue to construct the traffic circulation network consistent with the County's adopted Thoroughfare Right-Of-Way Identification Map (TIM).

Policy 1.4-b: The County shall identify transportation corridors by using the Thoroughfare Right-Of-Way Identification Map (TIM).

Staff Analysis/Comment: This amendment is to identify the road needs resulting from the Indian Trails Grove development.

B. ULDC Review Criteria & Analysis

The Unified Land Development Code (ULDC) establishes requirements regarding applications for any proposed modification or elimination of an adopted link or intersection on the Thoroughfare Right-of-Way Identification Map, and requires that a **twelve** criteria analysis be made for the change. The criteria are contained in ULDC Article 12.H.5.C, and are considered in determining whether a segment's lanes, proposed geometrics, a major intersection's proposed geometrics or the right-of-way width adopted in the Plan should be amended or eliminated. Although this proposed

amendment is for the addition of a new roadway link, rather than the modification or elimination of an existing link, the same ULDC criteria will be used to perform the analysis.

1. Whether improvements are proposed to the Link or Major Intersection under consideration.

Staff Analysis/Comment: This proposed amendment is to recognize the proposed roads as a linkage between the Indian Trails Grove project, and the county's road network.

2. Whether improvements are proposed to reliever Links or Major Intersections and the extent that such a reliever would impact traffic on the Link under consideration.

Staff Analysis/Comment: The projected traffic in the area and the resulting necessary roadway laneage is reflected in the tables provided under item 6 below. 60th Street North, which connects the site to Seminole Pratt-Whitney Road, is projected to be built as a 4 lane road and will require 100 foot right-of-way. For purposes of continuity east of Seminole Pratt-Whitney Road, the previously adopted right-of-way for 60th Street North to 140th Avenue is also being widened to 100 foot. 190th Street north, a new 4-lane road within 100 foot right-of-way, will be going through and serving the Indian Trails Grove project and will have access from Hamlin Boulevard, Orange Boulevard, and 60th Street North.

3. The physical characteristics of the property adjacent to the Link or Major Intersection under consideration.

Staff Analysis/Comment: The property adjacent to the links contains agricultural uses, and is located a couple of miles west of Seminole Pratt Whitney Road, which is the nearest road that is depicted in the TIM.

4. The character of the area businesses or neighborhoods adjacent to the Link or Major Intersection under consideration, and the extent of impact on such.

Staff Analysis/Comment: The areas adjacent to the proposed additions are predominantly rural residential in nature; there are also agricultural uses.

5. The projected cost of adding additional capacity to the Link or Major Intersection, or reliever facilities and the amount of capacity that would be added.

Staff Analysis/Comment: The county's Five Year Road Program includes the following improvements to major roads in the area:

- Seminole Pratt-Whitney Road, widening of 1.2 miles from 4 to 6 lanes on a segment from Seminole Ridge HS to 60th Street North, planning and construction in 2017, \$800,000;
- Seminole Pratt-Whitney Road, widening 1.8 miles from 4 to 6 lanes from Orange Blvd to south of Northlake Blvd., construction in 2017, \$7.4M;

- Seminole Pratt-Whitney and Northlake Boulevard, intersection improvements, \$4.2M in 2017;
- Northlake Boulevard, widening on 1 mile to 4 lanes, from east of Seminole Pratt-Whitney Rd. to east of Hall Blvd, construction in 2017, \$3M;
- Northlake Boulevard, widening on 2.4 miles, from east of Hall Blvd. to Coconut Blvd., construction in 2019, \$9.2M;
- Northlake Boulevard, design, Right-of-Way acquisition, and mitigation on 2.4 miles from east of Hall Blvd. to Coconut Blvd., in 2016, \$2.5M

6. The existing and projected volume-to-capacity of the Link and the surrounding Major Thoroughfares before and after the proposed modification.

Staff Analysis/Comment: Staff prepared the following LOS analyses.

(AM Peak Hour- Test 1)

Roadway Segment	2015 Lanes	2015 AM Peak Hr. Traffic	2035 Total Traffic	2035 Lanes	LOS D	Meets LOS?
60th St, site to Seminole Pratt-Whitney	-	306	1,533	4	1,960	Yes
60 th St, Seminole Pratt-Whitney to site	-	99	611	4	1,960	Yes
60th St, Seminole Pratt-Whitney to 140th Ave N	-	0	452	2	1,140	Yes
60 th St, 140 th Avenue N to Seminole Pratt-Whitney	-	0	177	2	1,140	Yes
Hamlin, site to Seminole Pratt-Whitney	-	219	640	2	704	Yes
Hamlin, Seminole Pratt-Whitney to site	-	43	215	2	704	Yes
Orange Blvd, site to Seminole Pratt-Whitney	-	102	599	2	704	Yes
Orange Blvd, Seminole Pratt-Whitney to site	-	40	249	2	704	Yes
190 th St, Hamlin Blvd to Orange Blvd	-	n/a	1,225	4	1,960	Yes
190 th St, Orange Blvd to 60 th St	-	n/a	915	4	1,960	Yes

(PM Peak Hour- Test 1)

Roadway Segment	2015 Lanes	2015 PM Peak Hr. Traffic	2035 Total Traffic	2035 Lanes	LOS D	Meets LOS?
60th St, site to Seminole Pratt-Whitney	-	147	876	4	1,960	Yes
60 th St, Seminole Pratt-Whitney to site	-	246	1,460	4	1,960	Yes
60th St, Seminole Pratt-Whitney to 140th Ave N	-	0	254	2	1,140	Yes
60 th St, 140 th Avenue N to Seminole Pratt-Whitney	-	0	441	2	1,140	Yes
Hamlin, site to Seminole Pratt-Whitney	-	116	379	2	704	Yes
Hamlin, Seminole Pratt-Whitney to site	-	246	690	2	704	Yes
Orange Blvd, site to Seminole Pratt-Whitney	-	95	409	2	704	Yes
Orange Blvd, Seminole Pratt-Whitney to site	-	138	659	2	704	Yes
190 th St, Hamlin Blvd to Orange Blvd	-	n/a	1,418	4	1,960	Yes
190 th St, Orange Blvd to 60 th St	-	n/a	1,065	4	1,960	Yes

7. The projected revenue for improving the Major Thoroughfare system and the likely priority of various improvements to the Major Thoroughfare system.

Staff Analysis/Comment: A review of the impacts detailed in the concurrency studies, the applicant's proposed fiscal commitments and infrastructure improvements, the existing commitments in the County's adopted 5-year Capital Improvement Program, and commitments by other developments, indicates that many of the long-term deficiencies can be effectively addressed by providing more lane and intersection capacity than what was expected in the long range model road network.

8. Environmental character and the extent of impact on such.

Staff Analysis/Comment: The site and the areas for the proposed roads are residential and/or agricultural in nature, and have been altered for those uses. No environmental impact is anticipated.

9. Historical significance and the extent of impact on such.

Staff Analysis/Comment: No historic impact is anticipated.

10. Aesthetics and the extent of impact on such.

Staff Analysis/Comment: No aesthetic impact is anticipated.

11. Amount of existing right of way, and cost to obtain additional right of way.

Staff Analysis/Comment: Generally, easements and facilities exist where the roadways are being added to the TIM. The actual alignment of all the new roads, however, will be determined during the design phase. The developer is required to dedicate any and all additional rights-of-way within the project area. For those areas outside the development, the roadways exist as easements that are typically 100 feet in width.

12. Impact on the provision of other public facilities.

Staff Analysis/Comment: Impacts to public facilities are addressed within the Indian Trails Grove Future Land Use Amendment.

Exhibit 5, 6 & 7
Applicant's Justification Statement
Applicant's Consistency with Comprehensive Plan Analysis
Applicant's Consistency Urban Sprawl Statute Analysis

REQUEST

On behalf of the property owner, Palm Beach West Associates I, LLLP by Palm Beach West I Corporation, General Partner (hereinafter referred to as the applicant), Urban Design Kilday Studios (hereinafter referred to as the agent) has prepared and hereby respectfully submits this application for a Large Scale Future Land Use Atlas (FLUA) Amendment for a +/-4,871-acre property (hereinafter referred to as the subject property) located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. The subject property currently has a Future Land Use Atlas (FLUA) designation of Agricultural Production (AP), in part (approximately 1,221 acres), and Rural Residential, 1 unit per 10 acres (RR-10), in part (approximately 3,650 acres). The subject property is within the Agricultural Production (AP) Zoning District, in part, and the Agricultural Residential (AR) Zoning District, in part. The subject property is broken into two portions (hereinafter referred to as the northern portion and the southern portion) and is comprised of the following parcel control number's (PCN's):

- 00-40-42-17-00-000-7000
- 00-40-42-18-00-000-7000
- 00-40-42-19-00-000-9000
- 00-40-42-20-00-000-9000
- 00-40-42-21-00-000-9000
- 00-40-42-22-00-000-1010
- 00-40-42-27-00-000-9000
- 00-40-42-30-00-000-9000
- 00-40-42-31-00-000-9000
- 00-40-42-34-00-000-1010
- 00-40-43-03-00-000-3020
- 00-40-43-04-00-000-9010

The applicant is requesting approval of the following from the Palm Beach County (PBC) Board of County Commissioners (BCC):

1. Designation of subject property as a Limited Urban Service Area (LUSA); and
2. To amend the FLUA designation of the subject property from AP, in part, and RR-10, in part, to Western Communities Residential Development (WCR) in whole.

The above applications are being submitted concurrently with the following requests to amend the text of the PBC Comprehensive Plan:

- Add new objective and policies to the Future Land Use Element (FLUE) to create the Indian Trails Grove Overlay;
- Revise the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Indian Trails Grove Overlay (ITGO);
- Revise the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;
- Revise the Special Planning Areas Map LU 3.1 to identify the location of the Indian Trails Grove Overlay;
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190th Street;
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190th Street as an 80' right of way north from 60th Street North to Orange Blvd;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as a collector roadway from Seminole Pratt Whitney Road to 190th Street;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 190th Street as a collector roadway from 60th Street North to Orange Blvd; and
- Creation of a new residential Future Land Use Atlas (FLUA) designation titled Western Communities Residential Development (WCR) along with the establishment of the subject property within the LUSA. The WCR FLUA designation shall limit the maximum residential density of the Indian Trails Grove project to 00.80 dwelling units per acre.

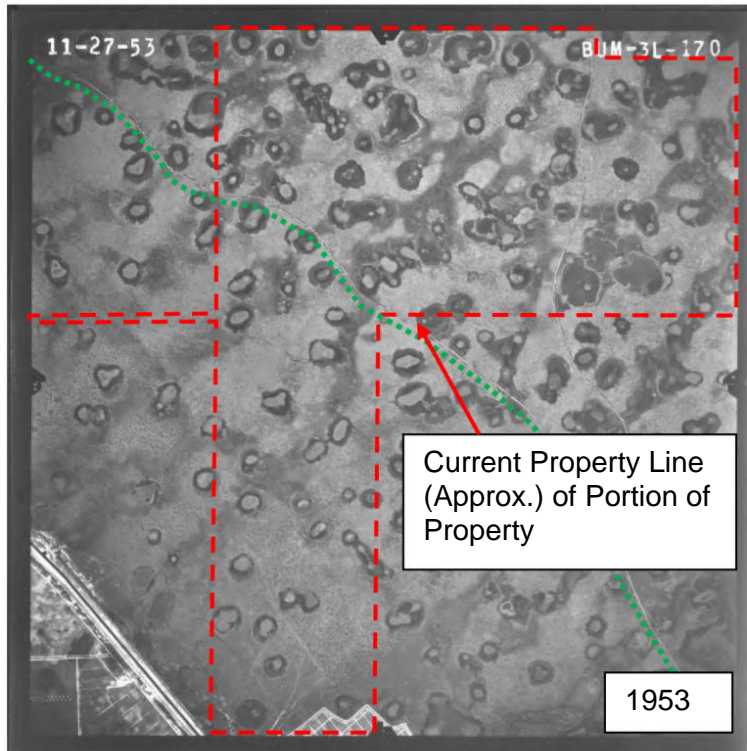
BACKGROUND

The subject property is located west of 180th Avenue North, south and east of the J.W. Corbett Wildlife Management Area and north and west of the "M" Canal. The +/-4,871-acre subject property is primarily in active agricultural operation with accessory agriculture structures located in the southeast corner of the northern portion of the subject property.

The subject property is within the boundaries of the Cypress Grove Community Development District (CGCDD), which is a special district created by the Governor and Cabinet, sitting as the Florida Land and Water Adjudicatory Commission, in 1993¹. The CGCDD has the authority to provide public infrastructure and services and to operate district facilities. While the subject property is within the CGCDD, the applicant commits to petition to become an active unit of the Indian Trail Improvement District (ITID) which is a special district created by the Florida Legislature in 1957². The applicant will petition to become an active unit of the ITID before issuance of the first building permit and through this commitment, the subject property, once developed, will pay the property assessment from ITID (upon authorization by the ITID to become an active unit). The applicant will propose to ITID that "active status" will commence upon issuance of each Certificate of Occupancy for each residential unit within the proposed development.

To the north and northwest of the subject property is the J.W. Corbett Wildlife Management Area, which is a 60,348-acre wildlife management area managed by the Florida Fish and Wildlife Conservation Commission (FWCC). In 1947³ the Florida Game and Freshwater Fish Commission (GFC) (predecessor to the FWCC) purchased approximately 52,000 acres from the Southern States Land and Timber Company and named it after James Wiley Corbett, a former commissioner. In 1993 another 2,331 acres were added to the wildlife management area with funds from the Conservation and Recreation Lands program and leased to the then GFC. These additional lands added in 1993 are the parcels due west of the subject property and were sold by Indian Trail Groves, Ltd., which was an entity controlled by Irving Cowan who was also the managing member of Indian Trail Groves, L.P., the entity that sold a portion of the subject property to the applicant.

Abutting the property to the northeast, east and southeast are residential, single-family lots within what is commonly referred to as The Acreage. According to the Historical Society of Palm Beach County⁴,



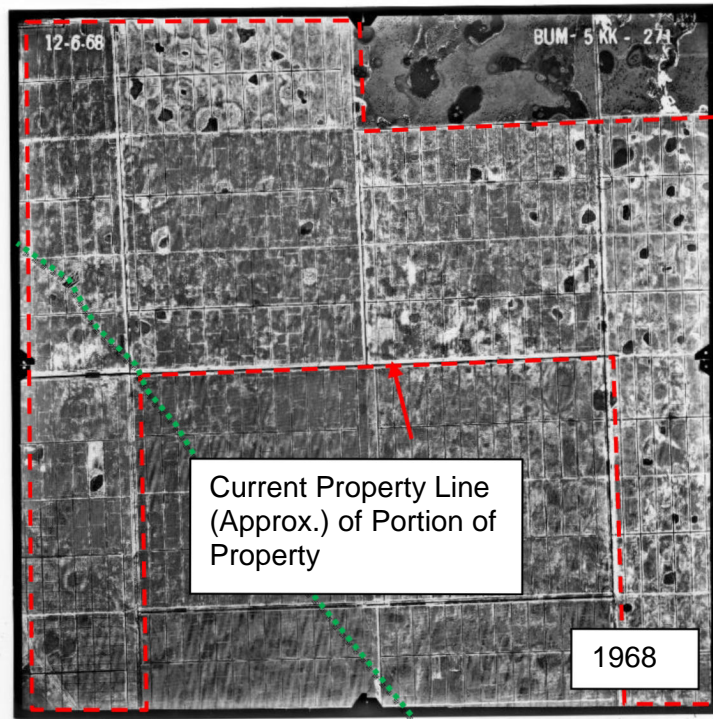
The Acreage was established in the early 1960's by Samuel Nathan Friedland's Royal Palm Beach Colony, Ltd., which began selling 1.25-acre lots on what was then swampland for \$5,000 per lot. Based on an analysis of aerials from 1953 and 1968 obtained from the University of Florida's George A. Smathers Libraries² it appears that the drainage canals on the subject property were dug at the same time as the development of The Acreage. As shown on the aerials⁵ provided below the subject property and the areas that became The Acreage were primarily wetlands in 1953. By 1968 roadways and drainage

canals were in place so that The Acreage could be developed for residential, single-family lots and the subject property could be utilized for agriculture. For a frame of reference between the two aerials the approximate location of what appears to have been a trail has been indicated in a green, dashed line.

There are a variety of other parcels surrounding the subject property and details of those (and additional details on the above parcels) are included in the "Surrounding Uses" section below.

The subject property has no previous FLUA Amendment approvals meaning that the FLUA designation on the subject property has remained consistent with the designation assigned in the 1989 PBC Comprehensive Plan. However, the subject property was included in the Central Western Communities (CWC) Sector Plan between August 1999 and November 2007 when the PBC BCC rescinded the Sector Plan during litigation with the Florida Department of Community Affairs (DCA) (predecessor to the Florida Department of Economic Opportunity [DEO]).

While the CWC Sector Plan proposed by the PBC Planning Division was never



implemented following rescission on November 26, 2007 (through Ordinance No. 2007-031), other properties in the original 53,000-acre CWC Sector Plan area have been approved by the PBC BCC in subsequent years, through standalone application requests, at, near or above the densities and intensities called for in the CWC Sector Plan. Prior to the rescission, the density for the CWC Sector Plan area approved by the PBC BCC through Ordinance No. 2005-034 had ranged from 1 unit per 5 acres (0.20 units per acre) to 1 unit per 1.25 acres (0.80 units per acre). Below is a summary of the approved densities/intensities for

these other properties in chronological order

- Sluggett Property
 - **Size:** 64.48 acres
 - **Approval:** Granted through PBC Ordinances No. 2008-050 on December 3, 2008 and 2010-030 on August 30, 2010
 - **FLUA Designation:** Commercial Low with an underlying Rural Residential 1 unit per 5 acres (CL/RR-5)
 - **Approved Residential:** 1 unit per 5 acres or 15 units
 - **Approved Non-Residential:** 280,875 s.f. of commercial uses.
- Lion Country Safari
 - **Size:** 637.16 acres
 - **Approval:** Granted through PBC Ordinance No. 2010-028 on August 30, 2010
 - **FLUA Designation:** Commercial Recreation with an underlying Rural Residential 1 unit per 2.5 acres (CR/RR-2.5)
 - **Approved Residential:** 1 unit per 2.5 acres or 254 units

- **Approved Non-Residential:**
 - Drive-thru safari park;
 - Walk-thru amusement park;
 - Recreational vehicle campground; and
 - Commercial television tower.
- Minto West (aka Callery-Judge Groves)
 - **Size:** 3,788.6 acres
 - **Approval:** Granted through PBC Ordinance No. 2014-030 on October 29, 2014
 - **FLUA Designation:** Agricultural Enclave (AGE)
 - **Approved Residential:** 1.20 units per 1 acre or 4,546 units
 - **Approved Non-Residential:**
 - 500,000 s.f. of retail;
 - 1,050,000 s.f. of light industrial and research and development;
 - 450,000 s.f. of commercial offices uses;
 - 200,000 s.f. of civic uses;
 - 150 room hotel; and
 - 3,000 student college.

What the above summaries demonstrate is that entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan. Each of these approvals was granted with a preamble that confirmed that the proposed amendments complied with the Local Government Planning and Land Development Regulations Act or Community Planning Act as were applicable at the time of adoption. The subject property is one of the few remaining undeveloped large properties (100+ acres) within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Planned Unit Development within the WCR land use plan category at a maximum residential density of 00.80 units per 1 acre. Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan (as outlined in the FLUE Map amendment application).

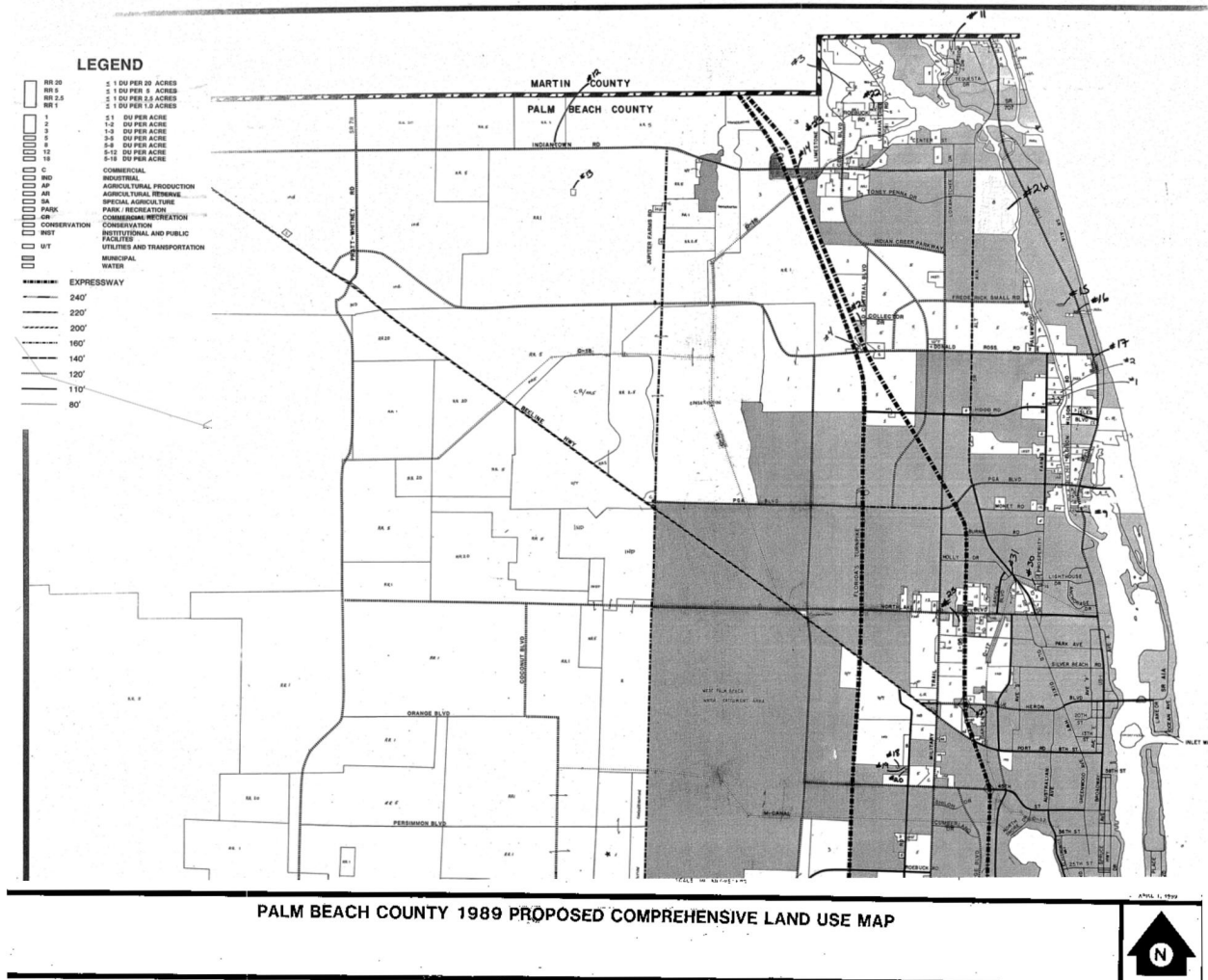
Prior to the CWC Sector Plan PBC Staff had proposed to include a Rural Residential, 1 unit per acre (RR1) as part of the proposed 1989 Comprehensive Plan. Based on a review of the "Palm Beach County 1989 Proposed Comprehensive Land Use Map" dated April 1, 1989 (see below) a significant portion of The Acreage was to have been assigned this RR1 FLU designation; however, following the issuance of the Objections, Recommendations and Comments (ORC) Report by the DCA, the RR1 FLU designation was removed and not assigned as originally proposed by PBC Staff. To address the ORC, in August of 1989 the County adopted the land use plan designation of RR10 (1 unit per 10 acres) for a majority of The Acreage. However, the County

simultaneously vested a majority of the lots within The Acreage utilizing the “Lot Requirements” provisions of the FLUE. In addition, some years later the County vested the remainder of The Acreage lots under common ownership utilizing the 85% rule of the “Lot Combination Requirements” of the FLUE. Again some years later the County amended the land use plan designation for a majority of The Acreage from RR10 to RR 2.5 (1 dwelling unit per 2.5 acres). While The Acreage may have an adopted land use designation of RR 2.5 today, there is no argument that most of the lots continue to be vested at a density of 1 dwelling unit per 1.25 acres under the “Lot Requirements” and “Lot Combination Requirements” of the FLUE; and therefore a majority of the lots in The Acreage are vested at the same density as is being requested on the Indian Trails Grove property (1 dwelling unit per 1.25 acres). Furthermore, unlike modern Planned Unit Developments, a vast majority of the Acreage lots include the adjoining roadway access and drainage swales within the gross parcel acreage (ownership going to the centerline of the adjoining roadway), resulting in a net usable land area of less than 1.25 acres. Finally, it should also be noted that The Acreage is vested from having to meet the concurrency requirements of the Comprehensive Plan. Therefore, the 14,000+ lots in The Acreage have absolutely no obligation or requirement to comply with, be analyzed for compliance with or be reviewed for consistency with the County’s Traffic Performance Standards ordinance; resulting in 14,000 lots that have no obligation to mitigate their traffic impacts on adjoining roadways.

It is worth noting that the ORC perceived the RR1 designation as a form of urban sprawl, and to address this objection the County simply adopted the RR10 land use plan designation for the area. However, by exempting these same areas from having to comply with the RR10 requirement through the “Lot Requirements” and the “Lot Combination Requirements” of the FLUE, the County has effectively allowed the same form of development as was intended under the RR1 designation that originally applied to The Acreage. The development proposed in this application is seeking the same density in a different form of development (RRPUD), which form of development does not constitute a form of urban sprawl (as outlined in the FLUE Map amendment application).

Applicable parts of “Palm Beach County 1989 Proposed Comprehensive Land Use Map” dated April 1, 1989 provided by PBC Staff are below.

ATLAS AREAS (highlighted) WITH VARIATIONS
FROM GENERALIZED MAP



SURROUNDING USES

Below is a description of the uses on the adjacent properties (or those on the other side of abutting R-O-W's) to the north, south, east and west of the overall property. Please see the Built Inventory Features Map in Attachment F for the following information overlaid on an aerial.

Northern Portion

- **North:** To the north of the subject property are the following parcels:
 - **PCN's 00-40-42-17-00-000-7010/00-40-42-18-00-000-7010:** Directly to the north of the northwest section of the subject property are these two PCN's totaling 250.85 acres that are utilized for purposes of a drainage canal owned by the Indian Trail Improvement District. These parcels have a FLUA designation of RR-10 and are within the AP Zoning District;
 - **PCN 00-40-42-16-00-000-9000:** Directly to the north of the north central section of the subject property is this 648.48-acre conservation parcel owned by the Florida Fish and Wildlife Conservation Commission. This

parcel has a FLUA designation of Conservation (CON) and is a part of the J.W. Corbett Wildlife Management Area;

- **Various PCN's:** Directly to the east of the aforementioned conservation parcel are seven (7) residential parcels adjacent to the northern property line of the subject property. These parcels are generally 1.25-acres in size, have a FLUA designation of Rural Residential, 1 unit per 2.5 acres (RR-2.5) and are within the AR Zoning District;
- **PCN 00-40-42-22-00-000-1020:** Directly to the north of the northeast section of the subject property is this 62.36-acre parcel owned by PBC that supports the Samuel Friedland Park. This parcel has a FLUA designation of RR-10 and is within the Public Ownership (PO) Zoning District; and
- **PCN 00-40-42-22-00-000-1030:** Directly to the north of the northeast section of the subject property is this 60-acre parcel owned by the School District of PBC that is currently vacant and intended to eventually support a public high school. This parcel has a FLUA designation of RR-10 and is within the AR Zoning District.
- **South:** To the south of the subject property are the following parcels. Note that this section includes those parcels that are within the area encapsulated by the U-shape of the subject property and could be deemed as being south, east or west of the subject property.
 - **Various PCN's:** Directly to the south of the southeast section of the subject property are seven residential/agricultural parcels. These parcels range in size from 5.04 acres to 20.43 acres, have a FLUA designation of either RR-5 or RR-10 and are within the AR Zoning District;
 - **PCN's 00-40-42-28-00-000-9000 & 00-40-42-33-00-000-1010/3010:** These parcels located within the eastern section of the area encapsulated by the u-shape of the subject property total 1,265.5 acres in size and are owned by Iota Carol LLC. These parcels have a FLUA designation of RR-10, are within the AP or AR Zoning Districts and currently support agricultural operations;
 - **Various PCN's:** There are 20 parcels located within the western section of the area encapsulated by the u-shape of the subject property ranging in size from 5.59 acres to 60.2 acres. These parcels have a FLUA designation of RR-5 or RR-10, are within the AP or AR Zoning Districts and currently support agricultural operations;
 - **PCN's 00-40-43-05-00-000-3270 & 00-40-43-06-00-000-1020:** Directly to the south of the southwest section of the subject property are these two PCN's totaling 16.28 acres that are utilized for purposes of a drainage canal owned by Lucilo Vasquez. These parcels have a FLUA designation of RR-5 and are within the AP or AR Zoning Districts; and
 - **PCN's 00-40-43-06-00-000-1010 & 00-40-43-31-00-000-3010:** Directly to the south of the southwest section of the subject property are these two PCN's totaling 69.23 acres that are utilized for purposes of electric transmission lines owned by Florida Power & Light Company. These parcels have a FLUA designation of AP and are within the AP Zoning District.

- **East:** To the east of the subject property, across 180th Avenue North (a 100' public ingress/egress easement) are a variety of parcels (details below):
 - **Various PCN's:** Directly to the east of the subject property are 39 residential parcels that are generally 1.25-acres in size, have a FLUA designation of RR-2.5 and are within the AR Zoning District; and
 - **PCN 00-40-42-22-00-000-1030:** Directly to the east of the southeast section of the subject property are these two parcels that equate to 580.82 acres and are both owned by the School District of PBC. These parcels support Frontier Elementary School and Osceola Creek Middle School. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District.
- **West:** To the west of the subject property are the following parcels. Note that this section includes those parcels that are north, south and west of that 57.76-acre portion (PCN's 00-39-42-25-00-000-1000 & 00-39-42-26-00-000-1020) of the subject property that extrudes westerly.
 - **PCN's 00-39-42-24-00-000-9000, 00-39-42-25-00-000-9000, 00-39-42-26-00-000-1000 and 00-39-42-36-00-000-1000:** These four (4) parcels total 1,079.58 acres in size and are owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. These parcels have a FLUA designation of AP, are within the AP Zoning District and are part of the J.W. Corbett Wildlife Management Area;
 - **PCN's 00-39-42-13-00-000-5000:** This one (1) parcel totals 757.7 acres in size and is owned by the Indian Trail Improvement District. This parcel has a FLUA designation of AP and is within the AP Zoning District; and
 - **PCN 00-39-42-26-00-000-1010:** This one (1) parcel totals 76.46 acres in size, is owned by Florida Power & Light Company and is utilized for purposes of electric transmission lines. This parcel has a FLUA designation of AP and is within the AP Zoning District.

Southern Portion (aka Cowan Parcel)

- **North:** To the north of the subject property are the following parcels:
 - **PCN's 00-40-42-17-00-000-7010/00-40-42-18-00-000-7010:** Directly to the north of this portion of the subject property are these two PCN's totaling 170.82 acres that are utilized for purposes of a drainage canal owned by the Indian Trail Improvement District. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District.
- **South:** To the south of the subject property are the following parcels:
 - **Various PCN's:** Directly to the south of this portion of the subject property are seven vacant/residential/agricultural parcels. These parcels range in size from 5.3 acres to 8.56 acres, have a FLUA designation of either RR-10 and are within the AR Zoning District.
- **East:** To the east of the subject property, across 180th Avenue North (a 100' public ingress/egress easement) are a variety of parcels (details below):
 - **PCN's 00-40-43-03-00-000-1010 & 00-40-43-04-00-000-5010:** Directly to the east of this portion of the subject property are these two PCN's totaling 370.87 acres that are utilized for purposes of a drainage canal owned by the City of West Palm Beach. These parcels have a FLUA designation of

RR-10 and are within the AR Zoning District.

- **West:** To the west of the subject property are the following parcels:
 - **Various PCN's:** Directly to the west of this portion of the subject property are six vacant/agricultural parcels. These parcels range in size from 5.01 acres to 26.65 acres, have a FLUA designation of either RR-10 and are within the AR Zoning District.

LUSA DESIGNATION

1. Justification

The proposed development will necessitate facilities to service the proposed 3,897 dwelling units, 300,000 square feet (s.f.) of retail uses and 50,000 s.f. of office uses, and many civic and recreational uses requiring services and should therefore be designated as a Limited Urban Service Area (LUSA). This will ensure that the proposed project is in compliance with Objective 3.5 in that services will be provided at levels of service (LOS) that meet or exceed the minimum standards as established elsewhere in the Comprehensive Plan. The significant relative advantage of designating the subject property as a LUSA is the potential for the proposed development to create a transition and a buffer to existing conservation lands while also creating the potential to address long-standing drainage issues in the area which are clearly environmental benefits. As such, the applicant has justified the designation of the subject property as a LUSA.

There are many public benefits derived by this project:

- A minimum of 1,000 acres of the subject site will remain in bona fide agricultural use;
- Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area;
- A minimum of 66.67 percent of the overall site shall remain in Required Open Space;
- A minimum of 50 percent of the overall site shall remain in Exterior Open Space. It is noted that the 1,000 acres of bona fide agriculture and 640 acres for the ITID are part of the Exterior Open Space;
- A minimum of 47 acres for commercial services will be provided within three commercial nodes to service the needs of the residents;
- A minimum of 125 acres for public and private civic sites, when only 97.4 acres are required (2% of 4,871 acres per Table 3.E.2.C. of the ULDC). Of the 125 acres, a minimum of 40 acres will be conveyed to the School District of Palm Beach County for use as future school sites, subject to the School District of Palm Beach County agreeing that should the site not be utilized for a future school site, the land would revert back to Palm Beach County. Of the 125 acres, another 5 acres is allocated for and will be dedicated to Palm

Beach County for a future Fire-Rescue station, which was identified by the provider as being needed in the geographic area;

- Improve 60th Street North from Seminole Pratt Whitney Road to the western most point on ingress/egress on the Cowan property; improve 190th Street North from 60th Street North to Hamlin Blvd.; improve Orange Blvd. from its present terminus at 180th Ave to 190th Street North; and, connect Hamlin Boulevard from 190th Street North to the present terminus of Hamlin Blvd. west of 180th Ave. North;
- Provide a minimum of 53 acres of on-site recreation for the residents when the code requires 24 acres (per Table 3.E.2.C. of the ULDC); Provide that any water management tract that counts towards Exterior Open Space shall: (1) be accessible to the general public via an 8 foot wide paved pedestrian pathway adjacent to some part of the water management tract; and (2) is usable by the general public for fishing and non-motorized boating activities; and, (3) the developers, its successors and assigns, shall ensure that any water management tract that counts towards Exterior Open Space shall remain open to the general public for those uses and that no future HOA Board can restrict or otherwise prohibit access to the general public;
- 11 miles of 8' wide paved pedestrian pathways open to the general public;
- 17.5 miles of equestrian trails open to the general public;
- Rural Parkways as follows: Rural Parkways as follows: (1) 180th Ave. North from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed in the parkway easement at the southern limits adjacent to Orange Blvd. (2) 190th Street North adjacent to the developable area of Indian Trails Grove PUD, a minimum of 50 feet wide easement in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed within the parkway easements at the intersection of 190th Street North and Hamlin Blvd. (3) Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be permitted on the eastern limits of this parkway easement. (4) Orange Blvd. from Hamlin Blvd. to 190th Street North, a minimum of 50 feet wide easement on the south side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. (5) 60th Street North from the eastern limits of the Indian Trails Grove PUD (Cowan parcel), a minimum of 50 feet wide easement adjacent to the south side of 60th Street North, in order to accommodate a multipurpose paved pedestrian pathway (from the eastern

limits of the PUD to the westernmost PUD entrance on the Cowan parcel) and equestrian trail (from the eastern limits of the PUD to the western limits of the PUD (Cowan parcel)) with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements; a project entry sign shall be permitted at the eastern end of this parkway easement.

- Perimeter buffers (to the extent not covered by a Rural Parkway), a minimum of 50 feet wide adjacent to the developable portion of the project;
- Provision of Palm Tran Bus Easements in the event service is provided in the future; and,
- In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

FLUA AMENDMENT CONSISTENCY & COMPATIBILITY

1. Justification

The applicant is requesting to amend the FLUA designation of the subject property from AP, in part, and RR-10, in part, to WCR, in whole. Per Policy 2.1-f of the FLUE of the PBC Plan an applicant must provide adequate justification for the proposed future land use.

The proposed FLUA amendment meets the required factors as follows:

- 1) Per Future Land Use Element Policy 2.1-f, the proposed use is suitable and appropriate for the subject site:

Applicant's Description: The proposed amendment would allow comparable residential density within the central western portion of PBC by converting properties currently used for agricultural purposes within an area which has seen continual development since the early 1960's. The proposed project will provide residences that will accommodate the future population of PBC and support the internal neighborhood commercial uses and the non-residential uses within the Minto West project. As shown in the aerials above the subject property was once wetlands as was the land area now known as The Acreage. Over time the subject property was converted into land used for agricultural purposes but conditions have and continue to change that warrant the request to amend the FLUA designation on the subject property to WCR. The subject site is one of the last remaining large scale agricultural production sites remaining from what is now construed as the Acreage. Once the 14,000+ lots within the Acreage were vested, remaining agricultural lands were left in an area that is predominately in residential use.

The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 350,000 s.f. of non-residential development as part of the overall development. Please refer to the

“Non-Residential Intensity Analysis” prepared by Warner Real Estate Advisors, Inc. in this attachment for reference. As the Central Western Communities grew, Palm Beach County began studying the area to determine how best the remaining large undeveloped parcels--including the 5,000-acre site of Indian Trails Grove--would fit into the community and remediate the land use imbalance caused by the overwhelming predominance of single-family residences in The Acreage. The objective was to ameliorate the existing pattern of development by providing more commercial opportunities, varied housing types, and a job base in conjunction with any residential development. The County first studied the area with the Midlands Study, which was completed in 1989. This was followed up by the Acreage Neighborhood Plan in 1995, the Loxahatchee Groves Neighborhood Plan in 1996, the Managed Growth Tier in 1999, and the Central Western Communities Sector Plan from 1999-2007, including the Central Western Communities Sector Plan Remedial Amendment prepared by Palm Beach County to address compliance issues with that sector plan, but which was withdrawn before going into effect. This prior planning work found ways to remediate the existing sprawl pattern while taking steps to ensure new development would be compatible with it.

The applicant has designed the Indian Trails Grove community utilizing principles contained in the Central Western Communities Sector Plan Remedial Amendment which were intended to remediate the existing sprawl pattern and complement the development pattern of the recently approved Minto West project. These design standards also are intended to make Indian Trails Grove compatible with the surrounding area of only 0.8 units per acre. The design principles required setting aside land that would not be used for development. With the applicant preserving over two-thirds of the site in open space, the area remaining for vertical development will be more compact with various commercial nodes, retail and office uses provided to service the proposed residential units. Land is allocated for use as civic sites, both public and private, schools, parks, a fire station, religious institutions, and such services as day care. Through the extensive trail systems and interconnectivity, the design of the community will encourage walkability. Over 40 percent of the community is within a one-half mile radius of a commercial node and over two-thirds of the residents will be within a one-quarter mile radius of an amenity (commercial, recreation, or civic site). Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area. These 640 acres will allow additional water to be removed from the MO Canal and stored on-site, which in turn will allow streets and home sites within the upper basin of The Acreage to drain quicker.

2) Per Future Land Use Element Policy 2.1-f, the basis for the requested change is based upon the following criteria:

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

Applicant's Description: Directly to the east of the subject property is the +/-3,788-acre Minto West project that was granted a FLUA Amendment approval through PBC Ordinance No. 2014-030 on October 29, 2014 to allow the Agricultural Enclave (AGE) FLUA designation. The approved scope of development is as follows:

- **Approved Residential:** 1.20 units per 1 acre or 4,546 units
- **Approved Non-Residential:**
 - 500,000 s.f. of retail;
 - 1,050,000 s.f. of light industrial and research and development;
 - 450,000 s.f. of commercial offices uses;
 - 200,000 s.f. of civic uses;
 - 150 room hotel; and
 - 3,000 student college.

The approvals granted for Minto West will provide for a variety of services and non-residential uses that could be supported by the additional residential uses on the subject property. Minto West is geographically different from Indian Trails Grove in that Minto West is bisected by Seminole Pratt Whitney Road, which is the main north/south roadway corridor servicing the Acreage. As the regional hub and thru being bisected by Seminole Pratt Whitney Road, Minto West is a more appropriate location to provide the regional based non-residential uses servicing the geographic area. Indian Trails Grove is better suited as a spoke off of the regional hub, providing those non-residential uses necessary to service the proposed residential units within the project and providing other civic and pedestrian amenities for the geographic area, in addition to those being proposed within Minto West, but in a size and magnitude so as to not compete with the regional nature of the Minto West nonresidential uses (again geographic location being the primary differential between the Minto West and Indian Trails Grove projects).

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

Applicant's Description: The approvals granted for the Sluggett Property, Lion Country Safari and Minto West (aka Callery-Judge Groves) reflect a change in the characteristics of the area that were within the CWC Sector Plan. All three of these changes were approved by the CWC Sector Plan and clearly demonstrate changes in land use and development potential for other properties in the general area of the subject site, at uses and intensities consistent with that requested via the subject amendment application.

- *New information or change in circumstances which affect the*

subject site

Applicant's Description: Please see the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc. found in this attachment in which population projections were analyzed to justify the need for the proposed residential and non-residential uses.

- *Inappropriateness of the adopted FLU designation*

Applicant's Description: As detailed above entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan and the subject property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Rural Residential Planned Development with a density of 1 unit per 1.25 acres (or 00.80 units per 1 acre). Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

As shown in the aerials above the subject property was once wetlands as was the land area now known as The Acreage. Over time the subject property was converted into land used for agricultural purposes but conditions have and continue to change that warrant the request to amend the FLUA designation on the subject property to WCR. The subject site is one of the last remaining large scale agricultural production sites remaining from what is now construed as the Acreage. Once the 14,000+ lots within the Acreage were vested, remaining agricultural lands were left in an area that is predominately in residential use.

The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 350,000 s.f. of non-residential development as part of the overall development. Please refer to the "Non-Residential Intensity Analysis" prepared by Warner Real Estate Advisors, Inc. in this attachment for reference. As the Central Western Communities grew, Palm Beach County began studying the area to determine how best the remaining large undeveloped parcels--including the 5,000-acre site of Indian Trails Grove--would fit into the community and remediate the land use imbalance caused by the overwhelming predominance of single-family residences in The Acreage. The

objective was to ameliorate the existing pattern of development by providing more commercial opportunities, varied housing types, and a job base in conjunction with any residential development. The County first studied the area with the Midlands Study, which was completed in 1989. This was followed up by the Acreage Neighborhood Plan in 1995, the Loxahatchee Groves Neighborhood Plan in 1996, the Managed Growth Tier in 1999, and the Central Western Communities Sector Plan from 1999-2007, including the Central Western Communities Sector Plan Remedial Amendment prepared by Palm Beach County to address compliance issues with that sector plan, but which was withdrawn before going into effect. This prior planning work found ways to remediate the existing sprawl pattern while taking steps to ensure new development would be compatible with it.

As detailed above, allowing the WCR FLUA designation on the subject property is justified because there has been a change in circumstances (correction in the single-use pattern) that affects the subject property.

2. Residential Density Increases

Per Future Land Use Policy 2.4-b the proposed FLUA amendment meets the required factors as follows:

- Demonstrate a need for the amendment.

Applicant's Description: The Indian Trails Grove project will contribute to the long-term sustainability of the central western communities by providing a form of development that is compatible with The Acreage, protects the J.W. Corbett Wildlife Management Area by providing an appropriate transition and separation, and providing central services as detailed above in the "LUSA Designation" section. More specifically the Indian Trails Grove project, (a) is proposed to be developed at 00.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area, (b) is not subject to the TDR program as the subject property is not currently or proposed to be within the Urban/Suburban Tier which is the only Tier in which receiving sites are allowed, (c) will be designed in a manner that creates the appropriate transition and separation between developed areas and the J.W. Corbett Wildlife Management Area thereby protecting it from any potential impact from the proposed development and, (d) will, as shown in Attachments H through O, be adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, and any future mass transit opportunities, etc.

- Demonstrate that the current land use is inappropriate.

Applicant's Description: As detailed above, entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan and the subject property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Planned Unit Development in the WCR FLUA designation with a density of 1 unit per 1.25 acres (or 00.80 units per 1 acre). Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

The site is at the western end of The Acreage; lands to the east either have been developed or are approved for development. The site is bordered on the north and west sides by State-owned land that will never be developed. The site had been in agricultural production since the early 1960s as a citrus farm. In the early 2000s, the citrus trees became diseased due to greening and eventually died. The applicant purchased the property as the citrus production was completed and greening devastated the property.

Instead of allowing the land to sit idle, the applicant took steps to convert the site into a row crop farm. This transformation entailed knocking down dead trees, root raking the property, burning the material, and then de-rocking the site. The property was filled with a cap rock, which had large veins running great distances throughout the property. (The ability for a row crop farmer to grow crops would be impaired if the rocks had remained because phosphorus levels would be too high and the plants would lack the required nutrients to thrive.) Once these activities were completed, the site had to be leveled. It took approximately five years to complete the majority of the conversion. Today, the property is leased to farmers who grow sugar cane, peppers, beans, squash, Chinese vegetables, and other crops. The applicant is committed to keeping a minimum of 1,000 acres in active agriculture. Until the drainage component of the plan is implemented to facilitate drainage in The Acreage, approximately 1,700 acres will remain in agriculture.

- Transfer of Development Rights, Workforce Housing, and Affordable Housing Program utilization.

Applicant's Description: As noted above, the TDR program is not

applicable to the subject site as the site is not a receiving area under the program. Since the subject property is not within the Urban/Suburban Tier then neither the provisions of the Workforce Housing Program (WHP) and Affordable Housing Program (AHP) would apply; however, the applicant is proposing to provide 10.0% of the total units in accordance with the WHP, consistent with that required of the Minto West project.

3. Comprehensive Plan, Florida Statutes and Compatibility:

Comprehensive Plan

- **County Directions**

- *Livable Communities.* Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.

1. **Applicant's Description:** The Indian Trails Grove project will promote the enhancement, creation and maintenance of a livable community the central western part of PBC through the following elements:

- a. **Balance of Land Uses:** The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 350,000 s.f. of non-residential development as part of the overall development. As The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (00.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the

developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;

- A total 300,000 square feet of retail and 50,000 square feet of office uses are provided to service the neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage.

b. Organized Open Space: The proposed project will have a variety of organized open space including, but not limited to, (1) a substantial amount of open space along the west property line (approximately 1,068 acres of water resources/agriculture and 640 acres of a conceptual impoundment expansion), (2) 50' to 150' open space buffers throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 42-acre addition to the existing County park, (6) a new 22.6-acre park, (7) approximately 17miles of equestrian trails and (8) approximately 53 acres of private recreation.

c. Preservation of Natural Features: The project will provide an appropriate transition and separation between the development and the conservation area to the north and west

d. Incorporation of Distinct Community Design Elements: The incorporation of approximately 17miles of public equestrian trails provides a unique design feature that provides a long-standing element for the central western communities.

e. Personal Security: Providing planned residential communities will enhance the already safe environment of the central western communities.

f. Provision of Services:

- i. Water/Wastewater:** As detailed in the service confirmation letter from the PBC Water Utilities Department (PBCWUD) dated November 2, 2015 it was confirmed that PBCWUD has the capacity to provide the required level of service for the project through the extension of existing facilities. These existing facilities include a 12" water main and 8" force main along Hamlin Boulevard at PBC Park "F" and a 30" water main and a 20" force main along Seminole

Pratt Whitney Road at 64th Place North. Furthermore, there was a Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book (ORB) 18924, Page (PG) 0357 on July 19, 2005. Copies of the agreement and the assignment are included in Attachment I.

- ii. **Drainage:** As detailed in the Statement of Legal Positive Outfall (Attachment J) prepared by GLH Engineering legal positive outfall will be provided via a 200' easement, recorded in Official Records Book 1428, Page 581 to the L-8 Canal which is an existing facility adjacent to the west side of the subject property.
- iii. **Fire:** As detailed in the service confirmation letter from the PBC Fire Rescue Department (Attachment K) it was confirmed that the nearest PBC Fire Rescue station, which is Station #22 located approximately 2.41 miles from the subject property, is unable to serve the new development on the subject property. As shown in the Master Plan found in Attachment Q the proposed project includes the provision of a civic parcel in the northeast corner that is proposed to accommodate new facilities for the Fire Rescue Department and the Sherriff's office. Therefore, the land will be dedicated to Palm Beach County by the applicant and the applicable fees (i.e., impact fees) paid by the applicant will provide adequate funding for the construction of these facilities.
- iv. **Traffic:** As detailed in the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White (Attachment H) the proposed development will utilize existing roadways (with planned future improvements) such as 60th Street and Seminole Pratt Whitney Road. While these roadways will require improvements the proposed project will connect to and enhance the existing roadway network in an efficient and cost-effective manner.

g. Education Opportunities: As shown in the Master Plan found in Attachment Q the proposed project includes the

provision of two civic parcels, one for a new middle school and one for a new elementary school.

- h. Employment Opportunities:** Beyond the substantial construction jobs that will be generated by the proposed project there will be a significant number of long-term employment opportunities created including, but not limited to, teaching positions at the proposed schools, retail jobs at the commercial centers, and the potential for administrative, clerical, and numerous other jobs within the office and light industrial components located within the project.
- i. Passive Recreation Opportunities:** The proposed project will have a variety of passive recreation areas including approximately 11.5 miles of pedestrian and bicycle pathways located within expansive perimeter buffers, a 42-acre addition to the existing County park located on Hamlin Blvd. at the northern limits of the project, a new 22.6-acre County park centrally located, and approximately 17 miles of equestrian trails traversing the perimeter of the project. In addition, the project includes approximately 53 acres of private recreation located throughout the site that will offer both active and passive recreational opportunities.

- o *Growth Management.* Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.

- 1. Applicant's Description:** The Indian Trails Grove project will contribute to the long-term sustainability of the central western communities by providing a form of development that is compatible with The Acreage, protects the J.W. Corbett Wildlife Management Area by providing an appropriate transition and providing central services as detailed above in the "LUSA Designation" section. More specifically the Indian Trails Grove project, (a) is proposed to be developed at 00.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area, (b) is not subject to the TDR program as the subject property is not currently or proposed to be within the Urban/Suburban Tier which is the only Tier in which receiving sites are allowed, (c) will be designed in a manner that creates the appropriate transition / separation between the proposed development area and the J.W. Corbett Wildlife Management Area thereby protecting it from any potential impact from the proposed

project, and, (d) will, as shown in Attachments H through O, be adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway network, water/wastewater, drainage facilities, and any future mass transit opportunities, etc.

- *Infill, Redevelopment and Revitalization.* Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.

1. Applicant's Description: The subject property is not within what would be classified as an "urban" area and, therefore, this direction is not applicable.

- *Land Use Compatibility.* Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.

b. **Applicant's Description:** The Indian Trails Grove project is proposed to be developed at 00.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area. The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (0.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;
- A total 300,000 square feet of retail and 50,000

square feet of office uses are provided to service the neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage.

- *Neighborhood Integrity.* Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.

1 Applicant's Description: The Indian Trails Grove project is adjacent to the western boundary of The Acreage. The proposed development is compatible with The Acreage by proposing a comparable density, not encroaching into the geographic boundaries of the neighborhood with development and respecting the social fabric. The proposed development plan provides for three intensities of residential development. The higher density pods are located adjacent to the proposed commercial parcels, and all the high density units are located within ¼ mile radius of said commercial parcels. Medium density pods are situated between the higher density pods and the low density pods. The lower density pods then radiate outward from the medium density pods towards the perimeter of the development site, thereby ensuring that the lower density areas (those areas of single family homes) are located proximate to the adjacent single family residential homes on the perimeter of the development to ensure compatibility of use.

- *Economic Diversity and Prosperity.* Promote the growth of industries that have relatively high wages and that can diversify the economic base.

1 Applicant's Description: The Indian Trails Grove project will provide residences that will support the proposed 350,000 s.f. of non-residential uses within the project and the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.

- *Housing Opportunity.* Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of very-low and low-income housing, Countywide, through the Workforce Housing Program.

1. Applicant's Description: The Indian Trails Grove project will provide 10.0 % of the total units as workforce housing and, as such, will contribute to the adequate distribution of varied housing opportunities.

- *Economic Activity Centers.* Encourage the development of Planned Industrial Developments primarily designed to accommodate and promote manufacturing industry and other value-added activities.

1. **Applicant's Description:** The Indian Trails Grove project includes 50,000 s.f. of commercial office uses which will be located within the centrally located commercial parcels and will be supported by the residences within the community. In addition, the additional 3,897 residential units will also support the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.
- *Research and Development Communities.* Support the location of regional economic development activities in the County, which promote science and/or technology uses and other significant employment opportunities and educational initiatives resulting in new technologies and manufacturing activities.
 1. **Applicant's Description:** The Indian Trails Grove project will provide residences that will be supportive of the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.
- *Level of Service Standards.* Establish specific, public facility level of service standards that are directly linked to the Capital Improvement Program, to accommodate an optimum level of public facility and service improvements needed as a result of growth.
 1. **Applicant's Description:** The Indian Trails Grove project will comply with all applicable level of service standards and, if necessary, will provide the necessary capital improvements to ensure that current level of service standards is maintained.
- *Linear Open Space and Park Systems.* Enhance the appearance of the County by providing an open space network that will become a visual and functional organizer of recreational activities, natural resources and other open space areas. This should include public lands, passive as well as active recreation areas, beaches and conservation areas.
 1. **Applicant's Description:** The Indian Trails Grove project provides a vast amount of open space which includes a variety of recreational uses and opportunities for the proposed residents and the general public. Included within the overall open space is approximately 1,068 acres of water resources/ agriculture, and 640 acres of a conceptual impoundment expansion located along the western limits of the project, 50' to 150' open space buffers throughout the community which include pedestrian pathways, a 42-acre addition to existing County park, a new 22.6-acre County park centrally located, approximately 17miles of equestrian trails, an approximately 53 acres of private recreation.
- *Environmental Integrity.* Encourage restoration and protection of viable, native ecosystems and endangered and threatened wildlife by limiting the impacts of growth on those systems; direct incompatible growth away from them; encourage environmentally sound land use planning and development and recognize the

carrying capacity and/or limits of stress upon these fragile areas.

1. **Applicant's Description:** The Indian Trails Grove project will be designed in a manner that creates the appropriate transition and separation between the proposed development and the J.W. Corbett Wildlife Management Area thereby protecting it from any potential impact from the project. This transition provides: (1) a minimum one-half mile separation from the developable area to the Corbett WMA area located to the north and east of S17/T42/R40; (2) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the north and west of S18/T42/R40; (3) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the west of S19/T42/R40; (4) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the west of S30/T42/R40; (5) a minimum one-half mile separation from the developable area to the Corbett/Moss area located on the west side of S31/T42/R40; (6) a minimum of 250 feet of separation from the developable area to the Corbett WMA area located to the north of S21/T42/R40; and, (7) a minimum of 250 feet of separation from the developable area to the Corbett WMA located to the northeast of S20/T42/R40. The 250- foot separation from the Corbett WMD/Moss Tract for Sections 21 and 20 is five times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC, which requires, "a reduction in building intensity near natural areas and preserve areas by the creation of a minimum 50 foot buffer zone." The one-half mile separation from the Corbett WMD/Moss Tract for Sections 17, 18, 19, 30, and 31 is fifty times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

Although there are no on-site natural features that warrant preservation, the amendment provides that a minimum of 66.67 percent of the site will be retained in Required Open Space. As noted above, more than 50 percent of the site will be retained in Exterior Open Space. This includes areas for water resources and agricultural production, and other perimeter open space uses such as lakes, greenway buffers and trails. This Exterior Open Space is in addition to the Interior Open Space areas located within the developable portion of the project. As a result of both the Exterior Open Space and Interior Open Space, only 1/3 of the overall site is eligible for use in Vertical Development Area.

By strategically locating more than 50 percent of the open

space on the perimeter of the site, the adjoining State-owned Moss property and Corbett WMA are protected from further encroachment of residential development.

- *Design.* Promote the concept of design to direct development, in rural and urban areas. Design is used to prepare and implement policies and plans that guide the physical development of the built environment and make such development functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals.

Applicant's Description: The design of the Indian Trails Grove project will be functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals. It will create a "pedestrian friendly" environment by providing walkable and connected communities through a continuous paved pedestrian and bicycle pathway. The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (00.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;
- A total 300,000 square feet of retail and 50,000 square feet of office uses are provided to service the neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage.

1.

- *A Strong Sense of Community.* Encourage citizen involvement,

neighborhood spirit, and local pride in the County, and a commitment to working constructively on community problems.

1. **Applicant's Description:** The proposed project, with its sensitivity to adjacent environmental areas, provision of approximately 17miles of equestrian trails/11.5 miles of paved pedestrian pathways, provision of public gathering areas in the proposed parks, civic and commercial sites, eventual reliance on a homeowner's association and the fact that it is proposed at a compatible density to adjacent residential areas will contribute to a strong sense of community.
- *Agricultural and Equestrian Industries.* Support and enhance agriculture and equestrian-based industries.
 1. **Applicant's Description:** The Indian Trails Grove project will preserve approximately 1,068 acres of active agriculture / water resource area while also providing approximately 17miles of equestrian trails for the public. As noted above, 1,000 acres will be retained in active agricultural production use.
- *Historic Preservation.* Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage. Retain the local sense of place by preserving and protecting historic places, buildings and structures.
 1. **Applicant's Description:** There are no known historical or archaeologically significant resources within the Indian Trails Grove project. See Attachment N for a Cultural Resources Assessment Report prepared by Robert S. Carr and for letters from the Florida Department of State in which the Department confirmed that no previously recorded cultural resources existed.
- *Climate Change.* Increase resilience through appropriate land use strategies for adaptation and mitigation of climate change impacts.
 1. **Applicant's Description:** The Indian Trails Grove will contribute to the better storage and/or distribution of stormwater in the general area thereby mitigating potential climate change impacts.
- *Externalities.* Recognize major negative externalities and attempt when economically feasible to place economic negative externalities away from neighborhoods.
 1. **Applicant's Description:** The proposed commercial, office, and light industrial uses within the Indian Trails Grove project will be designed in a manner where they are internalized to the greatest extent possible.

b. **FLUE Policy 1.4-a:**The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier by:

1. Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;

- i. Providing facilities and services consistent with the character of the area;
 - j. Preserving and enhancing natural resources; and,
 - k. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the rural community.
 - o **Applicant's Description:** The proposed project will:
 1. Preserve and enhance the rural landscape by providing additional cultural, recreational and open space resources (as detailed above);
 2. Provide facilities and services that are consistent with the nearby communities;
 3. Enhancing the natural resources to the west by providing an appropriate open space transition between the proposed development and the natural area; and
 4. Proposing a density (00.80 du/ac) that is compatible with the surrounding community.
 5. Preserve approximately 1,068 acres of active agriculture / water resource area while also providing approximately 17 miles of equestrian trails for the public. As noted above, approximately 1,068 acres will be retained in active agricultural production use.
- a. **FLUE Policy 1.4-h:** The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and collocating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

Applicant's Description: As shown on the attached Master Plan the proposed civic, recreation and commercial sites are either adjacent to existing civic sites or are clustered together within several locations throughout the project which provide for better accessibility while promoting a pedestrian friendly and walkable community. The development portion of the plan is compacted to less than 50 percent of the site, with the Vertical Development Area further limited to a maximum of 33.33 percent of the site.

This design, coupled with the location of shopping and employment opportunities at several locations within the site, will result in more than two-thirds of the residential units being located within one quarter-mile radius of commercial, civic, or recreation uses, with one-quarter mile to one-half mile being generally accepted as "walkable clusters".

The development plan provides for three intensities of residential development: High, Medium and Low. High density pods are located adjacent to all three commercial nodes, and all the High density units are located within a one-quarter mile radius of the commercial nodes. Medium density pods are situated between the commercial nodes/high density pods and the low density pods. The lower density pods then radiate outward from the medium density pods towards the perimeter of the development site, thereby ensuring that the lower density areas (those areas of single family homes) are located proximate to the adjacent single family residential homes on the perimeter of the development to ensure compatibility of use. This transition of density, from higher elements at the core to the lower elements at the perimeter, serves to establish a logical and orderly transition of density from the commercial nodes to the perimeter of the site. This transition of density allows for compaction of use and a logical and orderly development pattern as the higher density elements (townhomes and zero lot line units) are proximate to the core and the larger single family units are proximate to the perimeter of the site.

- b. **FLUE Policy 1.4-i:** Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional water resource management protection, and incorporation of greenway/linked open space initiatives.

- o **Applicant's Description:** The Indian Trails Grove project will be designed in a manner that creates the appropriate transition / separation between the proposed development area and the J.W. Corbett Wildlife Management Area. In addition, a vast amount of open space has been provided which include, but not be limited to, (1) approximately 1,068 acres of water resources/agriculture and 640 acres of a conceptual impoundment expansion within the open space parcel along the western limits of the project, (2) 50' to 150' open space buffers which include paved pedestrian pathways throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 42-acre addition to the existing County park, (6) a new 22.6-acre County park, (7) approximately 17miles of equestrian trails and (8) approximately 53acres of private recreation, all of which contribute to the greenway linked open space initiatives and the protection of the existing native ecosystem north and west of the site.

- c. **FLUE Objective 2.1:** This objective states that PBC shall designate on the FLUA sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth.

- o **Applicant's Description:** Allowing the requested FLUA designation to allow an increase in residential density will provide

additional housing opportunities for the expected growth in the population of PBC.

- d. **FLUE Policy 2.1-a:** Future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area and shall also not underutilize the existing or planned capacities of urban services.
 - o **Applicant's Description:** As shown in Attachments H through O the subject property is adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, and any future mass transit opportunities, etc. This is the case if the subject property is developed residentially or commercially.
- e. **FLUE Policy 2.1-b:** The County shall utilize a range of residential future land use categories to plan for growth and non-residential land use designations to support and serve the residential and tourist populations as described in the FLUA Regulation Section of this Element. The entitlement, minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in the FLUA Regulation Section.
 - o **Applicant's Description:** The allowance of the new WCR FLUA designation will provide an appropriate and compatible residential category in the central western communities that will support and serve the residential and tourist populations.
- f. **FLUE Policy 2.1-c:** The Comprehensive Plan shall use population projections and associated dwelling unit projections to guide public and private entities in planning for urban development and redevelopment. The projections shall also guide the location, timing and capacity of urban services and facilities, where other regulatory planning tools do not apply.
 - o **Applicant's Description:** Please see the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc. found in this attachment in which population projections were analyzed to justify the need for the proposed residential and non-residential uses.
- g. **FLUE Policy 2.1-d:** The future land use designation for individual parcels shall be limited to the designations identified by the applicable Tier in Table III.C. in the FLUA Regulation Section (unless otherwise specified within this Element) and shall be shown on the Official Future Land Use Atlas (FLUA) maintained by the Planning, Zoning and Building Department. The Atlas shall depict future land use designations for all parcels in unincorporated Palm Beach County, including underlying/alternative land uses, and the boundaries and ordinance numbers of all adopted FLUA amendments.

Applicant's Description: The proposed Comprehensive Plan Text

Amendments propose adding the WCR designation to Table III.C to ensure consistency with this policy.

- h. **FLUE Policy 2.1-f:** The following will detail how the impact of the proposed FLUA on the items listed:
- o The natural environment, including topography, soils and other natural resources;

Applicant's Description: Please see Attachment L for the Natural Feature Inventory & Map. The amendment directs future development to a specific geographic area in the Central Western Communities that will not have an adverse impact on natural resources and ecosystems. The design of Indian Trails Grove will protect adjacent natural resources and ecosystems. Those resources include the Moss Tract west of the site and the Corbett Wildlife Management Area (Corbett WMA) north and west of the site. To protect these natural resources and systems, the amendment provides 1,708 acres of contiguous open space (the 1,068 acres being part of the Exterior Open Space) on the western and northern perimeters of the site, buffering the Moss Tract and Corbett WMA from potential effects of future development and directs growth away from them.

As the result, this open space provides: (1) a minimum one-half mile separation from the developable area to the Corbett WMA area located to the north and east of S17/T42/R40; (2) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the north and west of S18/T42/R40; (3) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the west of S19/T42/R40; (4) a minimum one-half mile separation from the developable area the Corbett WMA/Moss Tract located to the west of S30/T42/R40; (5) a minimum one-half mile separation from the developable area to the Corbett/Moss area located on the west side of S31/T42/R40; (6) a minimum of 250 feet of separation from the developable area to the Corbett WMA area located to the north of S21/T42/R40; and, (7) a minimum of 250 feet of separation from the developable area to the Corbett WMA located to the northeast of S20/T42/R40. The 250-foot separation from the Corbett WMD/Moss Tract for Sections 21 and 20 is five times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC, which requires, "a reduction in building intensity near natural areas and preserve areas by the creation of a minimum 50 foot buffer zone." The one-half mile separation from the Corbett WMD/Moss Tract for Sections 17, 18, 19, 30, and 31 is fifty times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

Relative to the freestanding parcel located on the southern side of

the project (known as the Cowan property), it is noted that the Cowan property is located in an area surrounded by large-lot single-family home sites, existing agricultural operations and landscape nursery operations (to the north, west and south) and to the east by the City of West Palm Beach 'M' Canal and then the western limits of the Minto West project/native transect element. The Indian Trails Grove plan provides a minimum 250-foot separation from the developable area to the lands to the west, south, east, and a majority of the land to the north (less the civic and commercial nodes located south of the intersection of 60th Street and 190th Street) of the site. The maximum required buffer width of a PUD adjacent to an agricultural use pursuant to Table 7.F.9.B. of the ULDC is a 20' Type 3 Buffer. Within the AGR Tier, the maximum required buffer between the PUD development area and an adjacent agricultural property is 50 feet (3.E.2.F.4.d). The 250 feet provided is 12 times the minimum required by Table 7.F.9.B. of the ULDC and 5 times the minimum required for a PUD development parcel in the AGR Tier adjacent to an agricultural use.

The Indian Trails Grove plan directs development away from adjoining properties and existing natural resources and ecosystems by providing significant spatial separations to adjoining lands. These separations are a minimum five times that required under the current ULDC regulations, and, relative to the Corbett WMD/Moss Tract, in many places fifty times that required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

The applicant has designed the Indian Trails Grove community utilizing principles contained in the Central Western Communities Sector Plan Remedial Amendment which were intended to remediate the existing sprawl pattern and complement the development pattern of the recently approved Minto West project. These design standards also are intended to make Indian Trails Grove compatible with the surrounding area of only 0.8 units per acre. The design principles required setting aside land that would not be used for development. With the applicant preserving over two-thirds of the site in open space, the area remaining for vertical development will be more compact with various commercial retail and office nodes provided to service the proposed residential units. Land is allocated for use as civic sites, both public and private, schools, parks, a fire station, religious institutions, and such services as day care. Through the extensive trail systems and interconnectivity, the design of the community will encourage walkability. Over 40 percent of the community is within a one-half mile radius of a commercial node and over two-thirds of the residents will be within a one-quarter mile radius of an amenity (commercial, recreation, or civic site). Upon the written request by the ITID dated no later than January 31, 2018, a 640-acre parcel will be dedicated to the Indian Trail Improvement

District to alleviate the historic drainage problems in The Acreage. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area.

○ The availability of facilities and services;

▪ **Applicant's Description:** Below is more detailed information on each of those facilities and services:

- a. **Water/Wastewater:** As detailed in the service confirmation letter from the PBC Water Utilities Department (PBCWUD) dated November 2, 2015 it was confirmed that PBCWUD has the capacity to provide the required level of service for the proposed project through the extension of existing facilities. These existing facilities include a 12" water main and 8" force main along Hamlin Boulevard at PBC Park "F" and a 30" water main and a 20" force main along Seminole Pratt Whitney Road at 64th Place North. Furthermore, there was a Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book (ORB) 18924, Page (PG) 0357 on July 19, 2005. Copies of the agreement and the assignment are included in Attachment I.
- b. **Drainage:** As detailed in the Statement of Legal Positive Outfall (Attachment J) prepared by GLH Engineering legal positive outfall will be provided by the L-8 Canal which is an existing facility adjacent to the west side of the subject property.
- c. **Fire:** As detailed in the service confirmation letter from the PBC Fire Rescue Department (Attachment K) it was confirmed that the nearest PBC Fire Rescue station, which is Station #22 located approximately 2.41 miles from the subject property, is unable to serve the new development on the subject property. As shown in the Master Plan found in Attachment Q the proposed project includes the provision of a civic parcel in the northeast corner that is proposed to accommodate new facilities for the Fire Rescue Department and the Sherriff's office. Therefore, the land will be dedicated to Palm Beach County by the applicant and the applicable fees (i.e., impact fees) paid by the applicant will provide adequate funding for the construction of these facilities.
- d. **Traffic:** As detailed in the Land Use Plan Amendment Application Traffic Statement prepared by Simmons &

White (Attachment H) the proposed development will utilize existing roadways (with planned future improvements) such as 60th Street and Seminole Pratt Whitney Road. While these roadways will require improvements the proposed project will connect to and enhance the existing roadway network in an efficient and cost-effective manner.

- The adjacent and surrounding development;

Applicant's Description: As noted in the introduction, The Acreage is characterized by large-lot (minimum 1 unit per 1¼ acres) single-family homes on well and septic systems, serviced by a grid roadway network consisting of both paved and dirt roadways, swale drainage, limited non-residential development, limited civic, and limited neighborhood related active recreational opportunities. As The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (00.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- All residential units will be serviced by central potable water and sanitary sewer from the Palm Beach County Water Utilities Department (PBCWUD) which has the capacity and has already invested public infrastructure improvements in this area to accommodate growth plans that never materialized and that are currently under-utilized;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;
- All uses are serviced by paved roadways;
- A total 300,000 square feet of retail and 50,000 square feet of office uses are provided to service the

neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage; and,

- Meets or exceeds the ULDC requirements for a PUD for both recreation (minimum of 0.006 acres per unit) and public/private civic dedication (minimum of 2 percent of the total PUD).

○ The future land use balance;

- **Applicant's Description:** As stated previously, the proposed FLUA Amendment to WCR on the subject property will be consistent with all of the provisions of FLUE Policy 2.1-f. As such, amending the FLUA designation on the subject property will continue to provide a balanced future land use in the area as it will allow both residential and non-residential uses.

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

- **Applicant's Description:** The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 350,000 s.f. of non-residential development as part of the overall development. (See further discussion noted under Florida Statutes, Section 163.3177 continued below).

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

- **Applicant's Description:** While the subject property was within the limits of the CWC Sector Plan, that plan was rescinded by the BCC in 2007.

i. **FLUE 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.

- **Applicant's Description:** The proposed amendment would allow additional residential density and non-residential uses previously described within the central western portion of PBC by converting properties currently used for agricultural purposes within an area which has seen continual development since the early 1960's. The proposed project will provide residences that will accommodate the future population of PBC and support the internal neighborhood commercial and office uses in addition to the non-residential uses within the Minto West project.

- j. **FLUE Policy 2.1-h:**The County shall not approve site specific FLUA amendments that encourage piecemeal development.
 - o **Applicant's Description:** The proposed FLUA amendment will enhance and build on the balanced development pattern in the Central Western Communities as evidenced by other projects, such as the Minto West project. As such, the FLUA amendment on the subject property does not encourage piecemeal development.
- k. **FLUE Policy 2.1-i:**As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for interconnectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.
 - o **Applicant's Description:** The proposed FLUA amendment will not cut off any parcels from access to public right-of-way's.
- l. **FLUE Policy 2.1-k:**Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.
 - o **Applicant's Description:** As described in the Comprehensive Plan Text Amendment justification the applicant has proposed to create the Indian Trails Grove Overlay in order to address the proposed density, which is compatible with The Acreage and reflects the densities proposed in the CWC Sector Plan, and the varied uses surrounding the subject property. The overlay is better suited to the subject property than its current Rural Tier designation (or potential re-designation to the Exurban Tier) since it provides policies that address the unique attributes and potential benefits of the subject property while also not opening up other areas of the County that don't share these attributes/benefits.

Florida Statutes

- **Florida Statutes, Section 163.3177.(6).(a).9** provides that "[t]he future land use element and any amendments to the future land use element shall discourage the proliferation of urban sprawl." See additional details under the sub-sections below.
- **Florida Statutes, Section 163.3177.(6).(a).9.a:** 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.

- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6)(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (II) 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.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6)(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6)(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (IV) 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.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6)(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (V) 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.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6)(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

- (VI) Fails to maximize use of existing public facilities and services.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (VII) Fails to maximize use of future public facilities and services.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (VIII) 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.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (IX) Fails to provide a clear separation between rural and urban uses.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (XI) Fails to encourage a functional mix of uses.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.
- (XII) Results in poor accessibility among linked or related land uses.
 - **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6).(a).9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

(XIII) Results in the loss of significant amounts of functional open space.

- **Applicant's Description:** As described below, per Florida Statutes, Section 163.3177(6)(a)9.b., the applicant has detailed how the project discourages the proliferation of urban sprawl.

INTRODUCTION

Florida law requires that comprehensive plans and plan amendments discourage the proliferation of urban sprawl. § 163.3177(6)(a)9., F.S. By statutory definition, urban sprawl means “a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner and failing to provide a clear separation between urban and rural uses.” § 163.3164(51), F.S. Florida law further provides that a plan amendment that incorporates at least four of eight statutory criteria “shall be determined to discourage the proliferation of urban sprawl.” § 163.3177(6)(a)9.b., F.S. The Indian Trail Groves amendment to the Palm Beach County Comprehensive Plan satisfies all eight criteria, which will be explained in more detail below.

A sprawl analysis of proposed development in the Central Western Communities must begin with consideration of the planning context of that portion of Palm Beach County. The site is at the western edge of the Acreage, a residential community consisting of approximately 15,000 single-family lots. There are limited commercial opportunities in the area and many of the non-arterial roadways are dirt roads which turn into dead ends. The community was developed in a grid like pattern and is comprised entirely of single-family homes on a minimum of 1¼-acre lots.

Public facilities are a major concern. The vast majority of the homes are served by wells and septic tanks, and there are virtually no water bodies in the area to address drainage. As a result, the area is prone to flooding during heavy storms. In the early 1990s, the area was exempted from transportation concurrency, which meant that all homes built in the area no longer had to meet the County's traffic performance standards. This exemption resulted in many homes being built, notwithstanding the amount of traffic generated by new residents. With limited job opportunities in the area due to the paucity of nonresidential development, most workers must leave the area in the morning and return home at night. As a result, The Acreage appears to be a textbook example of urban sprawl.

As the Central Western Communities grew, Palm Beach County began studying the area to determine how best the remaining large undeveloped parcels--including the 5,000-acre site of Indian Trails Grove--would fit into the community and remediate the land use imbalance caused by the overwhelming predominance of single-family residences in The Acreage. The objective was to ameliorate the existing pattern of development by providing more commercial opportunities, varied housing types, and a job base in conjunction with any residential development. The County first studied the

area with the Midlands Study, which was completed in 1989. This was followed up by the Acreage Neighborhood Plan in 1995, the Loxahatchee Groves Neighborhood Plan in 1996, the Managed Growth Tier in 1999, and the Central Western Communities Sector Plan from 1999-2007, including the Central Western Communities Sector Plan Remedial Amendment prepared by Palm Beach County to address compliance issues with that sector plan, but which was withdrawn before going into effect. This prior planning work found ways to remediate the existing sprawl pattern while taking steps to ensure new development would be compatible with it.

The applicant has designed the Indian Trails Grove community utilizing principles contained in the Central Western Communities Sector Plan Remedial Amendment which were intended to remediate the existing sprawl pattern and complement the development pattern of the recently approved Minto West project. These design standards also are intended to make Indian Trails Grove compatible with the surrounding area of only 0.8 units per acre. The design principles required setting aside land that would not be used for development. With the applicant preserving over two-thirds of the site in open space, the area remaining for vertical development will be more compact with various commercial nodes, office, and light industrial uses provided to service the proposed residential units. Land is allocated for use as civic sites, both public and private, schools, parks, a fire station, religious institutions, and such services as day care. Through the extensive trail systems and interconnectivity, the design of the community will encourage walkability. Over 40 percent of the community is within a one-half mile radius of a commercial node and over two-thirds of the residents will be within a one-quarter mile radius of an amenity (commercial, recreation, or civic site). Upon the written request by the ITID dated no later than January 31, 2018, a 640-acre parcel will be dedicated to the Indian Trail Improvement District to alleviate the historic drainage problems in The Acreage, which in turn will allow streets and homesites within the upper basin of The Acreage to drain quicker. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area.

The site is at the western end of The Acreage; lands to the east either have been developed or are approved for development. The site is bordered on the north and west sides by State-owned land that will never be developed. The site had been in agricultural production since the early 1960s as a citrus farm. In the early 2000s, the citrus trees became diseased due to greening and eventually died. The applicant purchased the property as the citrus production was completed and greening devastated the property.

Instead of allowing the land to sit idle, the applicant took steps to convert the site into a row crop farm. This transformation entailed knocking down dead trees, root raking the property, burning the material, and then de-rocking the site. The property was filled with a cap rock, which had large veins running great distances throughout the property. (The ability for a row crop farmer to grow crops would be impaired if the rocks had remained because phosphorus levels would be too high and the plants would lack the required nutrients to thrive.) Once these activities were completed, the site had to be leveled. It took approximately five years to complete the majority of the conversion. Today, the property is leased to farmers who grow sugar cane, peppers, beans, squash,

Chinese vegetables, and other crops. The applicant is committed to keeping a minimum of 1,000 acres in active agriculture. Until the drainage component of the plan is implemented to facilitate drainage in The Acreage, approximately 1,708 acres will remain in agriculture.

The Indian Trails Grove plan amendment discourages the proliferation of urban sprawl because it satisfies all eight of the following criteria, as set forth in section 163.3177(6)(a)9.b., Florida Statutes.

1. 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.

The Indian Trails Grove site has been heavily disturbed since the early 1960s, when the site was initially cleared for a large citrus grove agricultural operation. The citrus grove operation included the removal of most of the site's natural vegetation (except for several isolated and small wetland areas), installation of drainage ditches, and the construction of several farm-related structures to manage and maintain the citrus grove operation. By 2005, the detrimental effects of citrus greening had devastated the citrus grove operation and the citrus grove had effectively ceased operation. Upon acquisition of the property in 2005, Palm Beach West Associates I, LLLP (current owner) started the conversion of the property from the prior citrus grove into active agricultural production. The initial impact relative to natural resources and ecosystems, therefore, occurred when the land was initially cleared and drained for the citrus grove operation in the early 1960s and is not the result of, nor adversely impacted by, the development proposed with this amendment. The site contains no significant habitat or other natural feature that warrants protection, according to the CPA Environmental Assessment prepared by WGI. All wetlands remaining on the site have been highly impacted by exotic and nuisance plant species and are isolated by the active farm fields. No state or federal listed plant or wildlife species have been identified. Therefore, the site is suitable for development.

Article 1 of the ULDC defines open space as, "land reserved for or shown on an approved plan, such as but not limited to: easements, preservation, conservation, wetlands, well site dedicated to PBCWUD, recreation, greenway, landscaping, landscape buffer, and water management tracts"). The amendment for Indian Trails Grove directs new vertical development to land areas constituting no more than 33.33 percent of the total site; meaning the developer is committing that a minimum of 66.67 percent of the total land area will remain in some form of open space (the minimum 66.67 percent of open space hereinafter referred as "Required Open Space"). The developer is also committing that a minimum of 50 percent of the total site will remain in some form of exterior open space. Exterior open space shall be limited to preservation, conservation, passive and/or active recreation, perimeter landscape buffers, rural parkways, pedestrian pathways, wetlands, bona fide agriculture, regional water management, fallow land, perimeter water management areas, public and/or private civic uses, and/or, equestrian uses (hereinafter referred to as "Exterior Open Space"). Perimeter water management areas shall only count as Exterior Open Space if the water management area is accessible to the general public from a publically accessible

buffer or open space tract that includes a minimum 8-foot wide paved pedestrian pathway that connects the perimeter of the site to the water management area, and the water management area is available for use by the general public for fishing and non-motorized boating activities. The residual open space areas (i.e. the areas within the 66.67 percent of Required Open Space, but not within the Exterior Open Space areas) constitute the land within the developable portion of the site that is utilized for open space uses (as defined in Article 1 of the ULDC above) (hereafter referred to as "Interior Open Space"). Said another way, the area eligible for vertical development within Indian Trails Grove is limited to a maximum of 33.33 percent of the overall site (hereinafter "Vertical Development Area"); 1,624 acres being the resulting Vertical Development Area.

The amendment directs future development to a specific geographic area in the Central Western Communities that will not have an adverse impact on natural resources and ecosystems. The design of Indian Trails Grove will protect adjacent natural resources and ecosystems. Those resources include the Moss Tract west of the site and the Corbett Wildlife Management Area (Corbett WMA) north and west of the site. To protect these natural resources and systems, the amendment provides 1,708 acres of contiguous open space (the 1,068 acres being part of the Exterior Open Space) on the western and northern perimeters of the site, buffering the Moss Tract and Corbett WMA from potential effects of future development and directs growth away from them.

As the result, this open space provides: (1) a minimum one-half mile separation from the developable area to the Corbett WMA area located to the north and east of S17/T42/R40; (2) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the north and west of S18/T42/R40; (3) a minimum one-half mile separation from the developable area to the Corbett WMA/Moss Tract located to the west of S19/T42/R40; (4) a minimum one-half mile separation from the developable area the Corbett WMA/Moss Tract located to the west of S30/T42/R40; (5) a minimum one-half mile separation from the developable area to the Corbett/Moss area located on the west side of S31/T42/R40; (6) a minimum of 250 feet of separation from the developable area to the Corbett WMA area located to the north of S21/T42/R40; and, (7) a minimum of 250 feet of separation from the developable area to the Corbett WMA located to the northeast of S20/T42/R40. The 250- foot separation from the Corbett WMD/Moss Tract for Sections 21 and 20 is five times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC, which requires, "a reduction in building intensity near natural areas and preserve areas by the creation of a minimum 50 foot buffer zone." The one-half mile separation from the Corbett WMD/Moss Tract for Sections 17, 18, 19, 30, and 31 is fifty times the minimum required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

Relative to the freestanding parcel located on the southern side of the project (known as the Cowan property), it is noted that the Cowan property is located in an area surrounded by large-lot single-family home sites, existing agricultural operations and landscape nursery operations (to the north, west and south) and to the east by the City of West Palm Beach 'M' Canal and then the western limits of the Minto West project/native transect element. The Indian Trails Grove plan provides a minimum 250-foot separation from the developable area to the lands to the west, south, east, and a

majority of the land to the north (less the civic and commercial nodes located south of the intersection of 60th Street and 190th Street) of the site. The maximum required buffer width of a PUD adjacent to an agricultural use pursuant to Table 7.F.9.B. of the ULDC is a 20' Type 3 Buffer. Within the AGR Tier, the maximum required buffer between the PUD development area and an adjacent agricultural property is 50 feet (3.E.2.F.4.d). The 250 feet provided is 12 times the minimum required by Table 7.F.9.B. of the ULDC and 5 times the minimum required for a PUD development parcel in the AGR Tier adjacent to an agricultural use.

The Indian Trails Grove plan directs development away from adjoining properties and existing natural resources and ecosystems by providing significant spatial separations to adjoining lands. These separations are a minimum five times that required under the current ULDC regulations, and, relative to the Corbett WMD/Moss Tract, in many places fifty times that required by Article 14, Chapter C, Section 13.A.2 of the ULDC.

2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

The amendment promotes the efficient and cost-effective provision or extension of public infrastructure and services. As noted in the introduction, The Acreage is characterized by large-lot (minimum 1 unit per 1¼ acres) single-family homes on well and septic systems, serviced by a grid roadway network consisting of both paved and dirt roadways, swale drainage, limited non-residential development, limited civic, and limited neighborhood related active recreational opportunities. As The Acreage comprises over 50,000 acres and approximately 15,000 vested home sites, the development plan as proposed in the amendment provides an alternative form of development that utilizes the same base density of the Acreage (0.8 du/ac.) in order to achieve compatibility, but:

- Compacts the development on less than 50 percent of the site, given that 50% of the total site area must remain in Exterior Open Space. With the addition of the Interior Open Space areas, the Vertical Development Area is limited to a maximum of 33.33 percent of the site;
- All residential units will be serviced by central potable water and sanitary sewer from the Palm Beach County Water Utilities Department (PBCWUD) which has the capacity and has already invested public infrastructure improvements in this area to accommodate growth plans that never materialized and that are currently under-utilized;
- Residential units are clustered with higher densities at the commercial core (consisting of townhomes and zero lot line units), then densities decrease as the developable area radiates outward such that the units on the perimeter of the site are single-family detached units (those single-family detached being the closest in proximity to surrounding uses), thus ensuring compatibility with The Acreage and surrounding communities;
- All uses are serviced by paved roadways;
- A total 300,000 square feet of retail and 50,000 square feet of office uses

are provided to service the neighborhood commercial needs of residents, providing for internal capture of roadway trips. The non-residential uses will help to offset the existing imbalance of land uses within The Acreage; and,

- Meets or exceeds the ULDC requirements for a PUD for both recreation (minimum of 0.006 acres per unit) and public/private civic dedication (minimum of 2 percent of the total PUD).

Recently, the County approved a large scale Traditional Town Development known as Minto West. Minto West is located proximate to this development (due east of Cowan). Like Minto West, this amendment seeks to remediate the existing land use imbalance in The Acreage and other portions of the Central Western communities through a mix of land uses and cost-effective public infrastructure and services, as follows:

Water and Wastewater: Water and wastewater lines already exist adjacent to or near the site, including a 12-inch water main and an 8-inch force main along Hamlin Boulevard at PBC Park “F” and a 30-inch water main and 20-inch force main along Seminole Pratt Whitney Road at 64th Place North. Treatment capacity exists at current water and wastewater treatment plants, as confirmed by PBCWUD by letter dated November 2, 2015. Adequate capacity exists to meet the required level of service for 3,897 residential units, 300,000 square feet of retail and 50,000 square feet of office use.

The cost of providing water and wastewater service to the site will be paid for entirely by the developer pursuant to the Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, LP/Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book 18924, Page 0357 on July 19, 2005. See Attachment I.

Additionally, Indian Trails Grove will create a loop of water mains that will create an opportunity for existing residents to get off individual wells and tap into the central potable water system.

Drainage: The L-8 canal adjacent to the site will provide legal positive outfall. No new drainage facilities will be needed to serve the site, except for on-site retention facilities to be constructed at the developer’s expense.

In addition, Indian Trails Grove will provide for a 640-acre expansion to the existing Indian Trails Improvement District Impoundment site. When completed, this impoundment expansion will alleviate existing flooding issues in the Acreage’s upper basin by providing up to 5,000 acre-feet of additional water storage capacity. Without the 640-acre expansion area, the opportunity to improve the drainage capacity of The Acreage’s upper basin is severely limited.

Public Schools: By letter dated August 12, 2015, the Palm Beach County School District has determined that the adjacent schools, plus those in adjacent concurrency service areas, have adequate capacity to accommodate projected enrollment from

Indian Trails Grove.

If additional school capacity is needed in the future, the Palm Beach County School District currently has a vacant site for a high school adjacent to Indian Trails Grove. In addition, the plan for Indian Trails Grove designates civic sites that are suitable for a future elementary school and a future middle school, if needed.

Parks: The 57-acre Samuel Friedland Park (a/k/a District Park “F”) is located adjacent to the site and includes ballfields, soccer fields and other facilities for active recreation. In addition, the amendment designates more than 40 acres adjacent to the District Park “F” for a future expansion to be undertaken by Palm Beach County. This 40-acre addition would provide access from District Park “F” to the Corbett WMA.

Transportation: The site is adjacent to existing roads of 180th Ave. North, Orange Blvd, 60th Street North, and Hamlin Blvd. that will serve Indian Trails Grove. Nevertheless, the amendment will ensure a development form and transportation options that reduce the need for expansion of existing roads in the Central Western Communities through 22 percent internal capture. Transportation options include the commitment for a trolley to provide service from homes in Indian Trails Grove to on-site non-residential uses. In addition, the trolley will take Indian Trails Grove residents to commercial areas within the Minto West project, in part reducing vehicular trips on external roads. The commitment to the trolley includes the following:

- 1) The trolley will commence operations upon the receipt of 1,000 Certificates of Occupancy within the development;
- 2) The trolley will be free to the residents of the development;
- 3) The trolley will provide services, at a minimum, from 7:00 AM to 10:00 PM, seven days a week;
- 4) The trolley will service and have stops along Carol Street, Indian Trails Blvd., 190th Street North, Orange Blvd. and the 60th Street North, at various locations;
- 5) The trolley will include stops at all three commercial nodes;
- 6) The trolley will include stops at the private recreation site located along 190th Street North;
- 7) The trolley will include as part of its route travel along 60th Street North to the non-residential elements of the Minto West development;
- 8) The trolley will continue service unless the service obligation is waived by the Board of County Commissioners due to low ridership;
- 9) The trolley will be maintained by the developer, its successors and assigns, at no cost and expense to Palm Beach County; and,
- 10) The developer, its successors and assigns, will keep a monitoring log of the ridership and provide to the County upon request.

The plan also includes an 11.5-mile system of 8 foot wide pedestrian/bicycle trails and 17 miles of equestrian trails to give residents non-vehicular transportation options/choices for visiting stores, parks, schools, and other venues within Indian Trails Grove. The 11.5-mile system of 8-foot wide pedestrian trails/bicycle trails and 17 miles of equestrian trails will be available for use by the general public and the developer will ensure that all future successors and assigns cannot preclude public accessibility to

these areas.

The amendment includes a commitment to provide on-site Palm Tran bus shelter easements at various locations within the community in the event that Palm Beach County decides in the future to extend bus service to the area.

The amendment will result in the following roadway improvements being made by the developer at no cost to the County:

- 1) Extension of 60th Street North from Seminole Pratt Whitney Road to the western most point on ingress/egress on the Cowan property;
- 2) Extension of 190th Street North from 60th Street North to Hamlin Blvd.;
- 3) Extension of Orange Blvd. from 180th Ave. North to 190th Street North; and,
- 4) Connection of Hamlin Boulevard from 190th Street North to the present terminus of Hamlin Blvd. west of 180th Ave. North.

These features of the plan are intended to reduce demand on the road capacity in the Central Western Communities. Where capacity enhancements are needed, the applicant will pay its proportionate share to mitigate off-site transportation impacts consistent with the Traffic Impact Statement prepared by Simmons & White. In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

To summarize the developer's commitments and the many public benefits derived by this project:

- A minimum of 1,000 acres of the subject site will remain in bona fide agricultural use;
- Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area;
- A minimum of 66.67 percent of the overall site shall remain in Required Open Space;
- A minimum of 50 percent of the overall site shall remain in Exterior Open Space. It is noted that the 1,000 acres of bona fide agriculture and 640 acres for the ITID are part of the Exterior Open Space;
- A minimum of 47 acres for commercial services will be provided within three commercial nodes to service the needs of the residents;
- A minimum of 125 acres for public and private civic sites, when only 97.4 acres are required (2% of 4,871 acres per Table 3.E.2.C. of the ULDC). Of the 125 acres, a minimum of 63 acres will be conveyed to the School District of Palm Beach County for use as future school sites, subject to the School District of Palm Beach County agreeing that should the site not be utilized for a future

school site, the land would revert back to Palm Beach County. Of the 125 acres, another 5 acres is allocated for and will be dedicated to Palm Beach County for a future Fire-Rescue station, which was identified by the provider as being needed in the geographic area;

- Improve 60th Street North from Seminole Pratt Whitney Road to the western most point on ingress/egress on the Cowan property; improve 190th Street North from 60th Street North to Hamlin Blvd.; improve Orange Blvd. from its present terminus at 180th Ave to 190th Street North; and, connect Hamlin Boulevard from 190th Street North to the present terminus of Hamlin Blvd. west of 180th Ave. North;
- Provide a minimum of 53 acres of on-site recreation for the residents when the code requires 23.4 acres (per Table 3.E.2.C. of the ULDC); Provide that any water management tract that counts towards Exterior Open Space shall: (1) be accessible to the general public via an 8 foot wide paved pedestrian pathway adjacent to some part of the water management tract; and (2) is usable by the general public for fishing and non-motorized boating activities; and, (3) the developers, its successors and assigns, shall ensure that any water management tract that counts towards Exterior Open Space shall remain open to the general public for those uses and that no future HOA Board can restrict or otherwise prohibit access to the general public;
- 11.5 miles of 8' wide paved pedestrian pathways open to the general public;
- 17 miles of equestrian trails open to the general public;
- Rural Parkways as follows: (1) 180th Ave. North from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. (2) 190th Street North adjacent to the developable area of Indian Trails Grove PUD, a minimum of 50 feet wide easement in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed within the parkway easements at the intersection of 190th Street North and Hamlin Blvd. (3) Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be permitted on the eastern limits of this parkway easement. (4) Orange Blvd. from Hamlin Blvd. to 190th Street North, a minimum of 50 feet wide easement on the south side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. (5) 60th Street North from the eastern limits of the Indian Trails Grove PUD (Cowan parcel), a minimum of 50 feet wide easement adjacent to the south side of 60th Street North, in order to accommodate a multipurpose paved pedestrian pathway (from the eastern limits of the PUD to the westernmost PUD entrance on the Cowan parcel) and equestrian trail (from the eastern limits of the PUD to the western limits of the PUD (Cowan parcel))

with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements; a project entry sign shall be permitted at the eastern end of this parkway easement.

- Perimeter buffers (to the extent not covered by a Rural Parkway), a minimum of 50 feet wide adjacent to the developable portion of the project;
- Provision of Palm Tran Bus Easements in the event service is provided in the future; and,
- In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

All the above improvements/dedications are being made at no cost to Palm Beach County to reduce the cost of the provision of infrastructure and therefore promote the efficient and cost-effective provision or extension of public infrastructure and services.

3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

Promotes walkable and connected communities. The amendment will create a “pedestrian-friendly environment” by providing walkable and connected communities through continuous 8-foot wide paved pedestrian/bicycle pathways and 5-foot wide paved sidewalks. More than 11.5 miles of 8-foot wide paved pedestrian/bicycle pathways sidewalks are provided, in combination with and connecting to 5-foot wide sidewalks on every local residential street, for walking and biking, provides connectivity from every home to every other home, and to all civic, recreational and commercial uses within the project. Furthermore, wherever communities are not bifurcated by a collector road, pathways are provided to connect communities without having to traverse the external pathway network. The 8-foot wide paved pedestrian pathways will not be gated or secured in any manner; they will be open to the general public. These pathways connect to the lands to the west of the site, such that residents and others can access the pedestrian pathway system for the entire community.

Provides for compact development. The development portion of the plan is compacted to less than 50 percent of the site, with the Vertical Development Area further limited to a maximum of 33.33 percent of the site.

This design, coupled with the location of shopping and employment opportunities at several locations within the site, will result in more than two-thirds of the residential units being located within one quarter-mile radius of commercial, civic, or recreation uses, with one-quarter mile to one-half mile being generally accepted as “walkable clusters”.

The development plan provides for three intensities of residential development: High, Medium and Low. High density pods are located adjacent to all three commercial nodes, and all the High density units are located within a one-quarter mile radius of the commercial nodes. Medium density pods are situated between the commercial

nodes/high density pods and the low density pods. The lower density pods then radiate outward from the medium density pods towards the perimeter of the development site, thereby ensuring that the lower density areas (those areas of single family homes) are located proximate to the adjacent single family residential homes on the perimeter of the development to ensure compatibility of use. This transition of density, from higher elements at the core to the lower elements at the perimeter, serves to establish a logical and orderly transition of density from the commercial nodes to the perimeter of the site. This transition of density allows for compaction of use and a logical and orderly development pattern as the higher density elements (townhomes and zero lot line units) are proximate to the core and the larger single family units are proximate to the perimeter of the site.

The minimum and maximum acreages and minimum and maximum net density of the High, Medium and Low density housing is reflected on Table 1 below, which corresponds to the same categories on the development plan.

Overall, the developer is making the following commitments relative to clustering of residential development to the non-residential elements of the development plan:

- 20 percent of the total units shall be located within one-quarter mile radius of the commercial nodes;
- 40 percent of the total units shall be located within one-half mile radius of the commercial nodes.
- Over two-thirds of the total units shall be located within one-quarter mile radius of commercial, recreational, or civic uses.

**Table 1: Land Use Mix
SITE DATA TABLE**

High Density Residential				
Unit Type	Land Area		Net Density DU/Acre	
	Min. Acres	Max. Acres	Min.	Max.
High Density 1 (ZLL & TH)	62	94	5.00	7.00
High Density 2 (ZLL)	65	98	3.00	5.00
Medium Density Residential				
Unit Type	Land Area		Net Density DU/Acre	
ZLL & SF	Min. Acres	Max. Acres	Min.	Max.
	346	519	2.00	4.00
Low Density Residential				
Unit Type	Land Area		Net Density DU/Acre	
SF	Min. Acres	Max. Acres	Min.	Max.
	942	1413	1.00	3.00
MAXIMUM NUMBER OF RESIDENTIAL UNITS - 3,897 (00.80 du/ac.) (High Density, Medium Density and Low Density Residential)				

Open Space		
	Min. %	Max. %
Total Required Open Space	66.67%	80.00 %
Exterior Open Space	50.00%	70.00 %
Civic Requirement		
	Min. %	Max. %
Total Civic	2.00%	4.00%
Commercial Requirement		
	Min. Acres	Max Acres
Total Commercial	47	56
Recreation Requirement		
(3,897 Residential Units)	Min. Acres	Max Acres
.006 acres per unit	24	65

Note: Exterior Open Space is included in Total Open Space.

Note: Commercial includes: 300,000 SF Retail and 50,000 SF Office. 47 acres being 2% of the developable area (total acreage less EXTERIOR open space).

Provides for a mix of uses at densities and intensities that will support a range of housing choices. The mix of commercial, civic, and recreation uses on the site will provide a basis for a range of housing choices. These will include townhomes, zero lot

line homes, and a minimum of 3 different lot sizes for single family homes ranging from 65' wide lots to over 100' wide lots. In addition, the applicant has committed that 10 percent (10%) of the on-site for-sale residential units will meet criteria for Workforce Housing Units (as defined in Article 5 of the ULDC) with limitations on sales prices/affordability ranges. The chart in the preceding section shows the allocation of housing types within the respective categories of High density, Medium density and Low density.

Provides for a multimodal transportation system, including pedestrian, bicycle, and transit, if available. Given the absence of public transportation in the Central Western Communities, Indian Trails Grove has been designed to provide as many transportation options as reasonably possible. These options include the commitment for a trolley to provide transportation service from homes in Indian Trails Grove to on-site non-residential development as well as commercial areas of the Minto West project, reducing vehicular trips on external roads. In addition, the plan includes an 11.5-mile system of pedestrian and bicycle trails and 17 miles of equestrian trails. The amendment also includes a commitment to provide on-site Palm Tran bus shelters in the event that Palm Beach County decides in the future to extend bus service to the area.

4. Promotes conservation of water and energy.

By concentrating the developable portion of the site to less than one-half of the overall, the master plan promotes conservation of water and energy through site design. The preservation of 1,000 acres for agricultural production and dedication of 640 acres for the Indian Trails Improvement District (ITID) along the western limits of the site, the resulting development pattern reduces the travel distance to the on-site centers and civic areas for shopping, work, and recreation, which reduces energy consumption. The clustering of units onto a smaller portion of the site, as opposed to a development pattern of 1 unit per 1 and one-quarter acres over the entirety of the site, results in a more compact development pattern. While the overall density of the development plan is the same density as The Acreage (0.8 du/acre), the development plan is designed to concentrate development on a smaller footprint of the site (again less than 50 percent) through the clustering of units, density range, allocation of non-residential uses throughout the development plan, and the transition of uses from the core to the perimeter. Through these measures, a more balanced development pattern is created than that which exists exterior to the site. The result promotes a more compact form of development that promotes conservation of water and energy that than which exists exterior to the site.

In addition, the amendment will promote conservation of water and energy through the following commitments for Indian Trails Grove:

Table 2: Energy and Water Conservation Commitments

Item	Category	Feature	FL Bldg. Code	GL Homes Provides	Benefit
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			Requires	Per Unit	
1	Energy Conservation	Leak Free Ducts	No Requirement	Leak Free Duct Test	Leaky duct systems typically add 20-40% to the heating and cooling costs on a monthly utility bill.
2	Energy Conservation	Thermostat	Manual Thermostat	Programmable Thermostat	Substantial energy savings are realized when the home is not occupied.
3	Energy Conservation	HVAC Equipment	14 SEER	16 SEER	Energy efficient central air conditioners use 8% less energy than conventional new models.
4	Energy Conservation	Refrigerator	No Requirement	Energy Star Refrigerator	Energy Star refrigerators are 9% more efficient than models meeting minimum federal standards.
5	Energy Conservation	Windows	Average SHGC=0.50	Low E Double Pane Insulated Windows (Average SHGC = 0.32)	As much as 25% of a home's energy can be lost through windows. A lower Solar Heat Gain Coefficient (SHGC) is more energy efficient.
6	Energy Conservation	Home Energy Monitor	No Requirement	Home Energy Monitor	Displays energy consumption in real time. The information encourages implementation of energy efficient practices and cost savings.
7	Energy Conservation	Car Charging Station	No Requirement	Car Charging Station	A car-charging station in each home garage will encourage the use of electric vehicles.
8	Energy Conservation	Attic Insulation	R-19	R-30	As much as 25% of a home's energy can be lost through the roof. Better insulation will reduce heat loss/gain in the home.
9	Energy Conservation	Waste Management	No Requirement	A construction waste management plan will be posted at the jobsite. Recycled waste reports will be received that specify weight of all	Recycled construction materials (e.g., wood, cardboard, metals, drywall, plastic, or concrete) can be recycled offsite, diverting waste from landfills. It conserves energy

				recycled materials.	because it takes less energy to manufacture products from recycled materials.
10	Water Conservation	Dishwasher	No Requirement	Energy Star Dishwasher	Energy Star dishwashers save, on average, 1,600 gallons over a lifetime.
11	Water Conservation	Lavatory Faucets	2.2 Gal/minute	1.5 Gal/minute	Saves the average family 700 gallons per year for each home.
12	Water Conservation	Toilets	1.6 Gal/flush	1.28 Gal/flush	Saves approximately 13,000 gallons per year for each home.
13	Water Conservation	Irrigation Water Source	No Requirement	Use recycled stormwater runoff within the community for irrigation. Pumps will draw from stormwater retention ponds.	35% of the water used in an average U.S. home is used for landscape irrigation.
14	Water Conservation	Irrigation Design	No Requirement	Irrigation system has two zones: Zone 1 for beds and Zone 2 for turf.	Uses 25-40% less water than conventional irrigation system.
15	Water Conservation	Irrigation Design	No Requirement	Drip irrigation installed in the landscape beds.	Drip irrigation provides water to plant roots. There is much less water lost to runoff, evaporation, and wind drift.
16	Water Conservation	Smart Irrigation Controllers	No Requirement	The irrigation system(s) is controlled by smart controller(s) - Evapotranspiration (ET) based irrigation controller with an integrated weather station or a soil moisture sensor based irrigation controller.	Experts estimate that as much as 50 percent of irrigation water is wasted due to overwatering caused by inefficiencies in irrigation methods and systems. Irrigation control technologies can significantly reduce overwatering by applying water only when plants need it.

Also, depending on the final design of the 640 acres by the ITID, the 640 acres could provide up to 5,000 acre feet of additional water storage capacity in the northern basin of the ITID.

5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

The Indian Trails Grove site contains active row-crop farming for such produce as sugar cane, tomatoes, green beans, peppers, squash, and Chinese vegetables. The amendment provides for a minimum of 1,000 acres of active agriculture to continue on-site after development, as part of the 1,708 acres of open space set aside on the western side of the site. It is noted that prior to acquisition of the site by the applicant, a majority of the site was a defunct citrus grove. The applicant undertook the efforts to convert the defunct citrus grove to active agricultural and is committing to keeping a minimum of 1,000 acres in active agricultural production. In addition, as part of the 1,708 acre set aside, 640 acres will be dedicated to the ITID. Until the 640 acres is dedicated, almost 1,700 acres will remain in active agriculture. It should be noted that farmland is typically privately owned and operated, and therefore does not constitute a type of use that should be construed as being accessible or usable by the general public, even though the use itself is an open space.

The clustering of development on less than 50 percent of the site also serves to preserve existing farmland. A development pattern similar to The Acreage (one home per one and one-quarter acres) would use the entirety of the site in a sprawl-like development pattern and result in the loss of 100 percent of the site for agricultural production. By clustering, a minimum of 1,000 acres will be retained in active farming while achieving other public benefits for the Central Western Communities.

6. Preserves open space and natural lands and provides for public open space and recreation needs.

Preserves open space and natural lands. Although there are no on-site natural features that warrant preservation, the amendment provides that a minimum of 66.67 percent of the site will be retained in Required Open Space. As noted above, more than 50 percent of the site will be retained in Exterior Open Space. This includes areas for water resources and agricultural production, and other perimeter open space uses such as lakes, greenway buffers and trails. This Exterior Open Space is in addition to the Interior Open Space areas located within the developable portion of the project. As a result of both the Exterior Open Space and Interior Open Space, only 1/3 of the overall site is eligible for use in Vertical Development Area.

By strategically locating more than 50 percent of the open space on the perimeter of the site, the adjoining State-owned Moss property and Corbett WMA are protected from further encroachment of residential development.

Provides for public open space and recreation needs. The amendment provides for ample lands for recreation and usable open space. These components of the master plan include a 42-acre parcel as an addition to the District Park "F"; a new 22-acre park site; 17 miles of equestrian trails; and 11.5 miles of pedestrian and bicycle pathways (not including sidewalks within residential areas). In addition, the plan provides for an expansive perimeter lake system that likewise will be open to the general public for uses

such as for fishing and non-motorized boating activities. While the developer, its successors and assigns, will own and be responsible for the ongoing maintenance of the perimeter lake system, the perimeter lake system will remain open to the general public and connection to same will be provided through the 8-foot paved pedestrian pathways and adjoining buffer areas, which also shall remain open to the general public. No gates will preclude public access to the paved pedestrian pathway system or equestrian trail system.

In addition to these facilities available to the general public, Indian Trails Grove will provide additional recreational facilities for the use of residents. These include clubhouses, tennis courts, swimming pools, fitness facilities, and playgrounds, which constitute over 53 acres of the project.

7. Creates a balance of land uses based upon the demands of the residential population to the nonresidential needs of an area.

The site will include 300,000 square feet of retail and 50,000 square feet of office use, located in three nodes—to provide shopping and employment options for residents of Indian Trails Grove. In addition, the extensive recreation and open space system included within the plan will ensure that residents will be able to meet all their recreational needs within Indian Trails Grove. Adjacent elementary and middle schools will serve residents, and additional school sites are provided on-site in case they are needed as the project builds out. Community services such as religious institutions and day-care also can be provided on-site through several private civic sites.

As noted in the Indian Trails Non Residential Intensity Analysis performed by Warner Real Estate Advisors, Inc., revised 11/2/2015:

- The Study Area will have a built out population of over 93,000 people (See Table 1 and Appendix A of the above referenced study);
- The study area currently has over 5.7 million sq. ft. of existing and approved commercial and industrial uses, excluding the 300,000 sq. ft. of commercial and 50,000 sq. ft. of office proposed in this application (See Table 2 and Appendix B of the above referenced study);
- Overall, Indian Trails Grove will also support additional supply of non-residential uses which, in part, will be provided by the adjoining and recently approved Minto West that contained over 2 million square feet of commercial, office and employment center uses. (See Table 3 of the above referenced study, provided below).

Indian Trails Grove Commercial is proposed to be three separate centers with a total of 300,000 square feet of retail and 50,000 square feet of office. The North Center is planned for 125,000 square feet of retail, the Central Center for 100,000 square feet of retail, and the South Center for 75,000 square feet of retail. The office and light industrial areas have not specifically been designated, and the light industrial area will most likely allow any of the Economic Development Center Uses allowed under the

ULDC.

Per the Urban Land Institute definitions¹, one of the centers could be considered a community center, and one a neighborhood center. The Central Center could be considered neighborhood or community, depending upon the tenants. However, for this analysis, the three centers were analyzed for aggregate use and not for their site-specific location, which is appropriate for a non-residential needs analysis.

Table 3 Supply and Demand Analysis

Study Area – Supply Demand Non Residential									
Land Use	SF Per Capita	Peak Population Study Area including ITG and MW	Study Area Demand	Supply Built	Supply FLU/Approved (including MW)	ITG New Supply	Total Supply	Surplus / Deficit	Supply Demand Ratio
Commercial Uses	47	93,385	4,389,116	1,198,984	1,295,285	300,000	2,794,269	(1,594,847)	63.7%
Commercial Office Uses	24	93,385	2,241,251	360,643	754,800	50,000	1,165,443	(1,075,808)	52.0%
Light Industrial R & D	35	93,385	3,268,491	30,412	1,050,000	-	1,080,412	(2,188,079)	33.1%
Civic Uses / College	20	93,385	1,867,709	445,917	620,443	-	1,066,360	(801,349)	57.1%
Note: No market factor has been applied.									

¹Per the Urban Land Institute, "A neighborhood center's typical size is about 60,000 square feet of gross leasable area, but in practice, it may range from 30,000 to 100,000 or more square feet." Neighborhood centers sell convenience goods, groceries and personal services to the immediate neighborhood community. The typical market area for a neighborhood center is a 10-minute drive time.

"A community center's typical size is about 150,000 square feet of gross leasable area, but in practice, it may range from 100,000 to 500,000 or more square feet. Centers that fit the general profile of a community center but contain more than 250,000 square feet are classified as super community centers." Community centers sell a wider range of products that includes apparel, building materials/hardware and appliances. The typical market area for a community retail center is a 20-minute drive time.

As noted above, the three commercial nodes as proposed are supported by substantive data and analysis as to demand and available supply. The proposed commercial nodes are designed to be complimentary to those uses proposed in the Minto West project while providing the convenience of location and services to the residents of the development. The clustered design of the plan ensures that 20 percent of the units are within one-quarter mile radius of one of the three commercial nodes and 40 percent of the units are within one-half mile radius of one of the three nodes, with one-quarter mile to one-half mile being generally accepted as "walkable" clusters. The design supports the synergy of the residential elements to the non-residential elements. Minto West is generally construed to be the regional hub in the emerging Central Western Communities, and Indian Trails Grove will be one spoke to the hub. The commercial elements of Indian Trails Grove will complement the Minto West regional uses, while providing the appropriate level of non-residential development to serve the proposed community on site. The location of Indian Trails Grove does not support the level of regional activity approved in Minto West, the data supporting that the 350,000 square feet proposed is appropriate for the level of development activity being sought with this application.

8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

The amendment will help to remediate the sprawl pattern in the Central Western Communities as typified by The Acreage, with its 1 unit / 1.25 acre gross density and a land use imbalance with over 15,000 residential lots (number of lots in The Acreage) and limited non-residential development to provide jobs and services that meet residents' daily needs.

By contrast, Indian Trails Grove provides a mix of uses with 350,000 square feet of retail and office to accompany the 3,897 residential units. This balance will provide a better jobs / housing ratio than older neighborhoods in this part of Palm Beach County. Additionally, Indian Trails Grove will promote a more balanced land use pattern through the provision of land areas dedicated for public and private civic uses in the form of parks, schools, religious institutions, day care, etc., and recreational areas.

These various uses (civic and recreation) are organized into an urban form with other non-residential development, including neighborhood commercial nodes that will meet residents' daily needs, located within a short distance from a majority of homes. So it will be possible for a majority of residents (over two-thirds) to walk or ride a bike for one-quarter mile radius to a commercial node, civic or recreational amenity. The plan's design also will result in a range of housing choices, such as townhomes, zero-lot homes, and at least three different lot sizes for single-family detached dwellings.

Given the absence of public transportation in the Central Western Communities, Indian Trails Grove has been designed to provide as many transportation options as reasonably possible. These options include the commitment for a trolley to provide transportation service from homes in Indian Trails Grove to on-site non-residential development as well as commercial areas of the Minto West project, reducing vehicular trips on external roads. In addition, the plan includes an 11.5-mile system of pedestrian and bicycle trails and 17 miles of equestrian trails. The amendment also includes a commitment to provide on-site Palm Tran bus shelters in the event that Palm Beach County decides in the future to extend bus service to the area.

This plan will help to remediate serious infrastructure deficiencies from the existing development pattern in the Central Western Communities. For example, Indian Trails Grove is designed to provide for a 640-acre expansion to the existing Indian Trails Improvement District Impoundment site, which upon completion will alleviate existing flooding issues in the Acreage's upper basin by providing up to 5,000 acre-feet of additional water storage capacity.

CONCLUSION

The design and other commitments for Indian Trails Grove, as described above, demonstrate that the amendment will discourage the proliferation of urban sprawl based

on the criteria set forth in section 163.3177(6)(a)9.b., F.S. The design of the community reduces many of the sprawl characteristics and imbalances of the Acreage and will provide opportunities for current and future residents which are not currently being served by the area through the following public benefits:

- A minimum of 1,000 acres of the subject site will remain in bona fide agricultural use;
- Upon the date mutually agreed to in written agreement between ITID and the developer, a minimum 640-acre parcel will be dedicated to the Indian Trail Improvement District. The dedication shall stipulate that the use of the 640 acres is restricted for use by the ITID as a storm water retention/water management area;
- A minimum of 66.67 percent of the overall site shall remain in Required Open Space;
- A minimum of 50 percent of the overall site shall remain in Exterior Open Space. It is noted that the 1,000 acres of bona fide agriculture and 640 acres for the ITID are part of the Exterior Open Space;
- A minimum of 47 acres for commercial services will be provided within three commercial nodes to service the needs of the residents;
- A minimum of 125 acres for public and private civic sites, when only 97.4 acres are required (2% of 4,871 acres per Table 3.E.2.C. of the ULDC). Of the 125 acres, a minimum of 40 acres will be conveyed to the School District of Palm Beach County for use as future school sites, subject to the School District of Palm Beach County agreeing that should the site not be utilized for a future school site, the land would revert back to Palm Beach County. Of the 125 acres, another 5 acres is allocated for and will be dedicated to Palm Beach County for a future Fire-Rescue station, which was identified by the provider as being needed in the geographic area;
- Improve 60th Street North from Seminole Pratt Whitney Road to the western most point on ingress/egress on the Cowan property; improve 190th Street North from 60th Street North to Hamlin Blvd.; improve Orange Blvd. from its present terminus at 180th Ave to 190th Street North; and, connect Hamlin Boulevard from 190th Street North to the present terminus of Hamlin Blvd. west of 180th Ave. North;
- Provide a minimum of 53 acres of on-site recreation for the residents when the code requires 24 acres (per Table 3.E.2.C. of the ULDC); Provide that any water management tract that counts towards Exterior Open Space shall: (1) be accessible to the general public via an 8 foot wide paved pedestrian pathway adjacent to some part of the water management tract; and (2) is usable by the general public for fishing and non-motorized boating activities; and, (3) the developers, its successors and assigns, shall ensure that any water management tract that counts towards Exterior Open Space shall remain open to the general public for those uses and that no future HOA Board can restrict or otherwise prohibit access to the general public;
- 11 miles of 8' wide paved pedestrian pathways open to the general public;
- 17.5 miles of equestrian trails open to the general public;
- Rural Parkways as follows: Rural Parkways as follows: (1) 180th Ave. North

from the north property line of the Indian Trails Grove PUD to Orange Blvd., a minimum 80 foot easement on the west side in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed in the parkway easement at the southern limits adjacent to Orange Blvd. (2) 190th Street North adjacent to the developable area of Indian Trails Grove PUD, a minimum of 50 feet wide easement in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be allowed within the parkway easements at the intersection of 190th Street North and Hamlin Blvd. (3) Orange Blvd. from 180th Ave. North to 190th Street North, a minimum of 50 feet wide easement on the north side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway and equestrian trail landscaped with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements. A project entry sign shall be permitted on the eastern limits of this parkway easement. (4) Orange Blvd. from Hamlin Blvd. to 190th Street North, a minimum of 50 feet wide easement on the south side of Orange Blvd., in order to accommodate a multipurpose paved pedestrian pathway with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. (5) 60th Street North from the eastern limits of the Indian Trails Grove PUD (Cowan parcel), a minimum of 50 feet wide easement adjacent to the south side of 60th Street North, in order to accommodate a multipurpose paved pedestrian pathway (from the eastern limits of the PUD to the westernmost PUD entrance on the Cowan parcel) and equestrian trail (from the eastern limits of the PUD to the western limits of the PUD (Cowan parcel)) with at least 70% native vegetation, shall be required. No walls shall be allowed within the parkway easements; a project entry sign shall be permitted at the eastern end of this parkway easement.

- Perimeter buffers (to the extent not covered by a Rural Parkway), a minimum of 50 feet wide adjacent to the developable portion of the project;
- Provision of Palm Tran Bus Easements in the event service is provided in the future; and,
- In addition to the projects fair share proportionate share obligation, fund an additional \$5,000,000.00 payable pro rata as each residential unit is issued a Certification of Occupancy.

For the reasons enumerated above, the Indian Trails Grove amendment satisfies all eight criteria for discouraging urban sprawl.

COMPREHENSIVE PLAN TEXT AMENDMENTS

1. Requested Comprehensive Plan Text Amendments:

- Add new objective and policies to the Future Land Use Element (FLUE) to create the Indian Trails Grove Overlay;
- Revise the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Indian Trail Grove Overlay (ITGO);
- Revise the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;
- Revise the Special Planning Areas Map LU 3.1 to identify the location of the Indian Trails Grove Overlay;
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190th Street
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190th Street as an 80' right of way north from 60th Street North to Orange Blvd;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as a collector roadway from Seminole Pratt Whitney Road to 190th Street;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 190th Street as a collector roadway from 60th Street North to Orange Blvd; and
- Creation of a new residential Future Land Use Atlas (FLUA) designation titled Western Communities Residential Development (WCR) along with the establishment of the subject property within the LUSA. The WCR FLUA designation shall limit the maximum residential density of the Indian Trails Grove project to 00.80 dwelling units per acre.

2. **Justification:** The creation of the Indian Trails Grove Overlay, along with the necessary map amendments, will provide the regulatory framework to allow residential development (and accessory commercial development) on the subject property while also providing protective measures that will create a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. Next, the inclusion of 60th Street North on the Thoroughfare Right of Way Identification Map TE 14.1 and Functional Classification of Roads Map TE 3.1 will ensure that the subject property contains sufficient depth, width and frontage, or appropriate access thereto, a public street shown on the Thoroughfare Right of Way Identification Map per the Planned Unit Development (PUD) design objectives found in PBC Unified Land Development Code (ULDC) Article 3. E.1. C.1. Next, the request to exempt the Indian Trails Grove Overlay from Policy 3.5-d will provide the same flexibility provided to other large, unique projects in PBC including the Agricultural Enclave, the SR-7 Economic Development Overlay (EDO) and the Inland Logistics Center. Next, the allowance of the Indian Trails Grove Overlay to be

designated as a Limited Urban Service Area (LUSA), consistent with the same allowance for the Agricultural Enclave, will ensure that adequate facilities can be provided to the overlay. Lastly, the creation of a new rural residential Future Land Use Atlas (FLUA) designation titled WCR will allow for residential density on the subject property consistent with the densities provided in the CWC Sector Plan.

3. **Consistency:** These Comprehensive Plan Text Amendments will ensure that the proposed project is compatible with the character of existing and planned development, conserve open space, promote environmental sustainability and manage water resources. More specifically, the requested Comprehensive Plan Text Amendments are consistent with the intent, objective and policies of the Comprehensive Plan (verbatim language from Plan is italicized) as follows:

OBJECTIVE 1.1 Managed Growth Tier System

Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers to:

- 1. Ensure sufficient land, facilities and services are available to maintain a variety of housing and lifestyle choices, including urban, suburban, exurban, and rural living;*
- 2. Preserve, protect, and improve the quality of natural resources, environmentally sensitive lands and systems by guiding the location, type, intensity, and form of development;*
- 3. Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;*
- 4. Enhance existing communities to improve or maintain livability, character, mobility, and identity;*
- 5. Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;*
- 6. Protect agricultural land for farm uses, including equestrian uses;*
- 7. Strengthen and diversify the County's economic base to satisfy the demands of the population for employment growth, and provide opportunities for agricultural operations and employment centers; and,*
- 8. 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.*

Applicant's Consistency Statement: The proposed form of development, while compatible with the density of the surrounding communities, will provide different housing and lifestyle choices from what currently exists in the Rural Tier. Next, as indicated in proposed Policy 1.12-f below, development within the Indian Trails Grove Overlay will be required to provide 66.67% open space. 33.33% of the required open space is to (1) be set aside in the form of contiguous area and shall be limited to preservation, conservation, passive

recreation, wetlands, bona fide agriculture, regional water management, fallow land, and/or equestrian uses and (2) be clustered along the western edge of the Overlay. This open space will protect the natural resources and environmentally sensitive lands adjacent to the subject property by serving as a buffer between those resources and while also providing the opportunity to improve the quality of these resources through stormwater management. Next, as will be detailed in the concurrent FLUA Amendment application, the proposed development on the subject property does not encourage the proliferation of urban sprawl per Section 163.3177.(6).(a).9., Florida Statutes. Next, the Indian Trails Grove Overlay is adjacent to the western boundary of The Acreage. The proposed text amendments will ensure that development within this overlay is compatible with The Acreage by proposing a comparable density, not encroaching into the geographic boundaries of the neighborhood with development and respecting the social fabric. Next, as indicated in proposed Policy 1.12-f below, the required open space is allowed to include bona fide agriculture thus providing for the possible retention of agricultural operations within the overlay. Furthermore, the plan of development includes provisions for approximately 17 miles of equestrian trails that provide a unique design feature and a long-standing element for the central western communities.

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

Applicant's Consistency Statement: As will be detailed in the concurrent FLUA Amendment application the proposed FLUA designation of WCR, after analyzing the adjacent natural resources, wellfield zone locations, infrastructure, etc., will not exceed the natural or manmade constraints of the area.

Policy 2.1-b: *The County shall utilize a range of residential future land use categories to plan for growth and non-residential land use designations to support and serve the residential and tourist populations as described in the FLUA Regulation Section of this Element. The entitlement, minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in the FLUA Regulation Section.*

Applicant's Consistency Statement: The allowance of the new WCR FLUA designation will provide an appropriate and compatible residential category in the central western communities that will support and serve the residential and tourist populations.

Policy 2.1-c: *The Comprehensive Plan shall use population projections and*

associated dwelling unit projections to guide public and private entities in planning for urban development and redevelopment. The projections shall also guide the location, timing and capacity of urban services and facilities, where other regulatory planning tools do not apply.

Applicant's Consistency Statement: As will be detailed in the concurrent FLUA Amendment application population projections were analyzed to justify the need for the proposed residential and non-residential uses.

Policy 2.1-d: *The future land use designation for individual parcels shall be limited to the designations identified by the applicable Tier in Table III.C. in the FLUA Regulation Section (unless otherwise specified within this Element) and shall be shown on the Official Future Land Use Atlas (FLUA) maintained by the Planning, Zoning and Building Department. The Atlas shall depict future land use designations for all parcels in unincorporated Palm Beach County, including underlying/ alternative land uses, and the boundaries and ordinance numbers of all adopted FLUA amendments.*

Applicant's Consistency Statement: These proposed Comprehensive Plan Text Amendments propose adding the WCR FLUA designation to Table III.C to ensure consistency with this policy.

Policy 2.1-k: *Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.*

Applicant's Consistency Statement: The main intent of the proposed language for the Indian Trails Grove Overlay is to provide focused policies that address specific issues related to that portion of the central western communities. Associated map amendments are also being requested.

4. All of the above will be accomplished through the proposed text amendments.

Exhibit 8

Applicant's Housing Need Study--Land Based Analysis (7/9/15)

Please visit the County's Indian Trails Grove website for this Exhibit:

http://www.pbcgov.com/pzb/indian_trails/planning.htm

Exhibit 9

Applicant's Housing Need Study--Unit Based Analysis (7/9/15)

Please visit the County's Indian Trails Grove website for this Exhibit:

http://www.pbcgov.com/pzb/indian_trails/planning.htm

Exhibit 10
Applicant's Non-Residential Intensity Analysis (11/20/15)

Please visit the County's Indian Trails Grove website for this Exhibit:

http://www.pbcgov.com/pzb/indian_trails/planning.htm

Exhibit 11

Applicant's Public Facility Analysis Table

VIII. Public Facilities Information

A. Traffic Information			
Please see Attachment H for the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White.			
	Current FLU	Maximum	Conditioned or Concurrent
Max Trip Generation	3,650 tpd	46,077 tpd	Not applicable
Trip Increase Max.	42,427 tpd		
Trip Inc. Conditioned or Concurrent	Not applicable		
Significantly impacted roadway segments that fail Long Range	See Attachment H	See Attachment H	See Attachment H
Significantly impacted roadway segments for Test 2	See Attachment H	See Attachment H	See Attachment H
Traffic Consultant	Simmons & White, Inc. – Bryan G. Kelley, P.E. & Kyle Duncan, Vice President		
B. Mass Transit Information			
Nearest Palm Tran Route (s)	Palm Tran Route 40 runs along Southern Boulevard approximately 4.7 miles south of the subject property.		
Nearest Palm Tran Stop	The nearest stop is at the intersection of Southern Boulevard and Seminole Pratt Whitney Road which is 7+ miles from the subject property. The applicant expects that Palm Tran will have no comments similar to the Minto West project.		
Nearest Tri Rail Connection	Route 40 has a direct link to the Downtown West Palm Beach Tri-Rail Station.		
C. Portable Water & Wastewater Information			
Please see Attachment I for the Level of Service letter from the PBC Water Utilities Department dated November 2, 2015 and the Utility Statement prepared by GLH Engineering.			
Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department		

Nearest Water & Wastewater Facility, type/size	The nearest potable water mains and sewer mains are located in (1) Hamlin Boulevard at PBC Park "F" (12" water main and 8" force main) and (2) Seminole Pratt Whitney Road, at 64 th Place North, approximately 2 miles east of the subject property (30" water main and 20" force main)
D. Drainage Information	
The subject property is within the SFWMD L-8 Basin and is currently permitted under Permit No. 50-02564-S. Legal positive outfall will be provided by the L-8 Canal which is adjacent to the west side of the subject property. Please see Attachment J for Drainage Statement prepared by GLH Engineering.	
E. Fire Rescue	
Nearest Station	Palm Beach County Fire-Rescue Station #22
Distance to Site	Approximately 2.41 miles
Response Time	TBD
Effect on Resp. Time	Please see letter from the Fire-Rescue Department in Attachment K.
F. Environmental	
Significant habitats or species	The existing land use and vegetative associations are typical of an intensive agricultural operation. Virtually the entire property is under cultivation for various vegetable row crops such as lettuce, tomato, cabbage, and other varieties. Remnant freshwater systems are scattered throughout the assessment area from agricultural operations that commenced back in the 1950's and 1960's as was typical during this era. Most of these wetland areas have been significantly impacted by invasive exotic vegetation to the point that little native vegetation coverage remains and wildlife usage is extremely limited. Please see Attachment L for the Environmental Assessment prepared by the Wantman Group.
Flood Zone*	A majority of the property is located in Flood Zone "B" with a small portion (along the southwest side) being located in Flood Zone AO – Depth 1.0'. Please see Attachment M for Floodplain Statement prepared by GLH Engineering.
Wellfield Zone*	The subject property is located outside of the wellfield protection zones. Please see Attachment M for Wellfield Protection Zone Statement prepared by GL Homes.
<i>* If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.</i>	
G. Historic Resources	
Please see Attachment N for Historic Resource Evaluation Letter from the County Historic Preservation Officer/Archeologist.	

H. Parks and Recreation - Residential Only

Park Type	Name & Location	Level of Svc.(ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park, 7715 Forest Hill Boulevard, West Palm Beach, FL	0.00339	8,442 persons	28.62 acres
Beach	Phil Foster Park, 900 E. Blue Heron Boulevard, Riviera Beach, FL 33404	0.00035		2.95 acres
District	Samuel Friedland Park, 18500 Hamlin Boulevard, Loxahatchee, FL 33470	0.00138		11.65 acres

I. Libraries - Residential Only

Library Name	Acreage Branch			
Address	15801 Orange Boulevard			
City, State, Zip	Loxahatchee, FL 33470			
Distance	Approximately 2.2 miles			
Component	Level of Service	Population Change	Change in Demand	
Collection	2 holdings per person	8,442 persons	16,884 holdings	
Periodicals	5 subscriptions per 1,000 persons		42 subscriptions	
Info Technology	\$1.00 per person		\$8,442.00	
Professional staff	1 FTE per 7,500 persons		1.13 FTE	
All other staff	3.35 FTE per professional librarian		3.8 FTE	
Library facilities	0.34 sf per person		2,870 s.f.	

J. Public Schools - Residential Only

Please see Attachment O for the Level of Service request letter to the School District of PBC.

	Elementary	Middle	High
Name	Frontier	Osceola Creek	Seminole Ridge Comm.
Address	6701 180 th Ave. North	6775 180 th Avenue North	4601 Seminole Pratt Whitney Road
City, State, Zip	Loxahatchee, FL 33470	Loxahatchee, FL 33470	Loxahatchee, FL 33470
Distance	Adjacent	Adjacent	4.4 miles

Exhibit 12

Applicant's Traffic Study & Policy 3.5-d Letter

Please visit the County's Indian Trails Grove website for Applicant's Traffic Study:
http://www.pbcgov.com/pzb/indian_trails/planning.htm



**Department of Engineering
and Public Works**

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

Shelley Vana, Mayor
Mary Lou Berger, Vice Mayor
Hal R. Valeche
Paulette Burdick
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

September 28, 2015

Bryan G. Kelly, P.E.
Simmons & White, Inc.
2581 Metrocentre Blvd., Suite 3
West Palm Beach, Florida 33407

**RE: Round 16-B
Indian Trails Grove
Policy 3.5-d Review**

Dear Bryan:

Palm Beach County Traffic Division has reviewed the Traffic Statement for the proposed Future Land Use Amendment for the above referenced project revised July 16, 2015, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

Location:	West of 180 th Avenue North, between 94 th Street North and 50 th Street North	
PCN:	00-39-42-25-00-000-1000	00-40-42-17-00-000-7000
	00-40-42-18-00-000-7000	00-40-42-19-00-000-9000
	00-40-42-20-00-000-9000	00-40-42-21-00-000-9000
	00-40-42-22-00-000-1010	00-40-42-27-00-000-9000
	00-40-42-30-00-000-9000	00-40-42-31-00-000-9000
	00-40-42-34-00-000-1010	00-40-43-03-00-000-3020
	00-40-43-04-00-000-9010	
Size:	4,929.30 acres	
Existing FLU:	RR-10 3,650.76 acres; AP 1,278.54 acres	
Exist. Zoning:	AR & AP	
Exist. Use:	Vacant	
Exist. Potential:	365 Single Family Dwelling Units	
Proposed FLU:	RR-1.25	
Prop. Zoning:	RR-PUD	
Max Potential:	3,943 Single Family Dwelling Units	
Net Daily Trips:	42,427	
Net PH Trips (Prop):	2,833 (770/2,064) AM and 3,229 (2,013/1,216) PM	

Based on the review, the Traffic Division has determined the proposed amendment does not meet Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The following roads with the associated v/c ratios do not meet adopted levels of service:

Roadway	# of Lanes	V/C
Seminole Pratt Whitney Rd from Northlake Blvd to Orange Blvd	4LD	1.16
Seminole Pratt Whitney Rd from Orange Blvd to 60 th Street North	4LD	1.16
Seminole Pratt Whitney Rd from 60 th Street North to Persimmon Blvd	4LD	1.83
Seminole Pratt Whitney Rd from Persimmon Blvd to Sycamore Dr	4LD	1.75
Seminole Pratt Whitney Rd from Sycamore Dr to Okeechobee Blvd	4LD	1.77
Seminole Pratt Whitney Rd from Okeechobee Blvd to Southern Blvd	4LD	1.05
Persimmon Blvd from 140 th Ave North to Royal Palm Beach Blvd	2L	1.55
60 th Street North from 140 th Ave North to Royal Palm Beach Blvd	2L	1.30
Northlake Blvd from 140 th Ave North to Coconut Blvd	4LD	1.37
Northlake Blvd from 140 th Ave North to Ibis Blvd	4LD	1.45

Please contact the Traffic Division at (561) 684-4030 with any questions.

Sincerely,

Maria M. Tejera, P.E.
Senior Professional Engineer – Traffic Division

MMT:saf

ec: Addressee
Lisa Amara – Senior Planner, Planning Division
Steve Bohovsky – Technical Assistant III, Traffic Division

File: General – TPS Gen.
f:\traffic\development review\comp plan\16-blindian trails grove.docx

Exhibit 13

Applicant's Disclosure of Interest

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

DISCLOSURE OF OWNERSHIP INTERESTS - APPLICANT

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

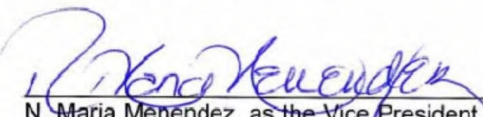
STATE OF FLORIDA
COUNTY OF BROWARD

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


1. Affiant is the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership (the "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for the real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and, to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.


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

The foregoing instrument was acknowledged before me this 30 day of June, 2015, by N. Maria Menendez, as the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership, ☒ who is personally known to me or ☐ who has produced _____ as identification and who did take an oath.


Notary Public



(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____

EXHIBIT "A"

PROPERTY

PARCEL 1:

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

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

TOGETHER WITH A STRIP OF LAND SITUATE IN SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 40 EAST AND PROCEED SOUTH 00° 44' 23" EAST, ALONG THE EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.05 FEET; THENCE NORTH 89° 16' 01" WEST LEAVING SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 2754.58 FEET; THENCE SOUTH 00° 44' 30" EAST, A DISTANCE OF 50.02 FEET; THENCE NORTH 89° 16' 01" WEST, A DISTANCE OF 3450.90 FEET; THENCE SOUTH 85° 14' 36" WEST, A DISTANCE OF 981.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF A 660 FOOT FLORIDA POWER & LIGHT COMPANY RIGHT OF WAY; THENCE NORTH 43° 15' 25" WEST ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 616.98 FEET; THENCE SOUTH 89° 16' 01" EAST LEAVING SAID NORTH RIGHT OF WAY, A DISTANCE OF 7605.78 FEET TO A POINT ON THE SAID EAST LINE OF RANGE 39 EAST; THENCE SOUTH 00° 43' 59" WEST ALONG SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

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

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

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

PARK

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

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

TOGETHER WITH

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

SCHOOL SITE

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

MIDDLE SCHOOL SITE

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

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

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

AND LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

HIGH SCHOOL SITE

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

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

PALM BEACH COUNTY PARCEL

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

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

TOGETHER WITH

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

PARCEL 2:

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; AND ALL THAT PART OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 3, SAID POINT BEING 2,632.90 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE RUNNING IN A NORTHEASTERLY DIRECTION A DISTANCE OF 3,610.56 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION, 2,530.47 FEET EAST OF THE NORTHWEST CORNER THEREOF.

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

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

CONTAINING A TOTAL OF 4929.304 ACRES MORE OR LESS.

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

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

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

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

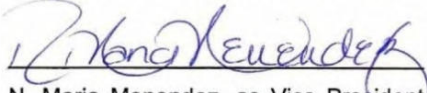
STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership, that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



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

The foregoing instrument was acknowledged before me this 30 day of June, 2015, by N. Maria Menendez, as Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership, [X] who is personally known to me or [] who has produced _____ as identification and who did take an oath.




Notary Public

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____

EXHIBIT "A"**PROPERTY****PARCEL 1:**

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

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

TOGETHER WITH A STRIP OF LAND SITUATE IN SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 40 EAST AND PROCEED SOUTH 00° 44' 23" EAST, ALONG THE EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.05 FEET; THENCE NORTH 89° 16' 01" WEST LEAVING SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 2754.58 FEET; THENCE SOUTH 00° 44' 30" EAST, A DISTANCE OF 50.02 FEET; THENCE NORTH 89° 16' 01" WEST, A DISTANCE OF 3450.90 FEET; THENCE SOUTH 85° 14' 36" WEST, A DISTANCE OF 981.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF A 660 FOOT FLORIDA POWER & LIGHT COMPANY RIGHT OF WAY; THENCE NORTH 43° 15' 25" WEST ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 616.98 FEET; THENCE SOUTH 89° 16' 01" EAST LEAVING SAID NORTH RIGHT OF WAY, A DISTANCE OF 7605.78 FEET TO A POINT ON THE SAID EAST LINE OF RANGE 39 EAST; THENCE SOUTH 00° 43' 59" WEST ALONG SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

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

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

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

PARK

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

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

TOGETHER WITH

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

SCHOOL SITE

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

MIDDLE SCHOOL SITE

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

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

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

AND LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

HIGH SCHOOL SITE

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

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

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

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

TOGETHER WITH

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

PARCEL 2:

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; AND ALL THAT PART OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 3, SAID POINT BEING 2,632.90 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE RUNNING IN A NORTHEASTERLY DIRECTION A DISTANCE OF 3,610.56 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION, 2,530.47 FEET EAST OF THE NORTHWEST CORNER THEREOF.

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

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

CONTAINING A TOTAL OF 4929.304 ACRES MORE OR LESS.

EXHIBIT "B"**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

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

DISCLOSURE OF OWNERSHIP INTERESTS - APPLICANT

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

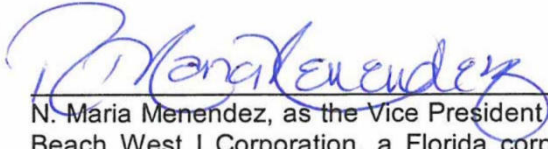
STATE OF FLORIDA
COUNTY OF BROWARD

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


1. Affiant is the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership (the "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for the real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and, to the best of Affiant's knowledge and belief, it is true, correct, and complete.

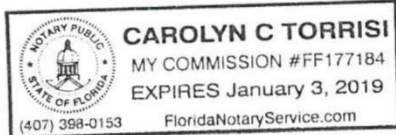
FURTHER AFFIANT SAYETH NAUGHT.


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

The foregoing instrument was acknowledged before me this 20 day of August, 2015, by N. Maria Menendez, as the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership, [X] who is personally known to me or [] who has produced _____ as identification and who did ^{not} take an oath.


Notary Public

Carolyn C. Torrisi
(Print Notary Name)



NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 1/3/19

EXHIBIT "A"**PROPERTY****PARCEL 1:**

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

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

TOGETHER WITH A STRIP OF LAND SITUATE IN SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 40 EAST AND PROCEED SOUTH 00° 44' 23" EAST, ALONG THE EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.05 FEET; THENCE NORTH 89° 16' 01" WEST LEAVING SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 2754.58 FEET; THENCE SOUTH 00° 44' 30" EAST, A DISTANCE OF 50.02 FEET; THENCE NORTH 89° 16' 01" WEST, A DISTANCE OF 3450.90 FEET; THENCE SOUTH 85° 14' 36" WEST, A DISTANCE OF 981.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF A 660 FOOT FLORIDA POWER & LIGHT COMPANY RIGHT OF WAY; THENCE NORTH 43° 15' 25" WEST ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 616.98 FEET; THENCE SOUTH 89° 16' 01" EAST LEAVING SAID NORTH RIGHT OF WAY, A DISTANCE OF 7605.78 FEET TO A POINT ON THE SAID EAST LINE OF RANGE 39 EAST; THENCE SOUTH 00° 43' 59" WEST ALONG SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

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

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

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

PARK

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

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

TOGETHER WITH

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

SCHOOL SITE

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

MIDDLE SCHOOL SITE

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

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

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

AND LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

HIGH SCHOOL SITE

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

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

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

PALM BEACH COUNTY PARCEL

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

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

TOGETHER WITH

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

PARCEL 2:

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; AND ALL THAT PART OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 3, SAID POINT BEING 2,632.90 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE RUNNING IN A NORTHEASTERLY DIRECTION A DISTANCE OF 3,610.56 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION, 2,530.47 FEET EAST OF THE NORTHWEST CORNER THEREOF.

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

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

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

CONTAINING A TOTAL OF 4929.304 ACRES MORE OR LESS.

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

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

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

EXHIBIT "A"**PROPERTY****PARCEL 1:**

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

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

TOGETHER WITH A STRIP OF LAND SITUATE IN SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

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

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

PARK

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

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

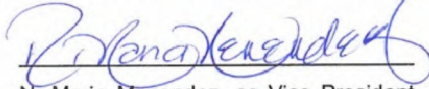
STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership, that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

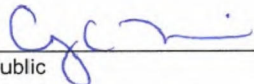
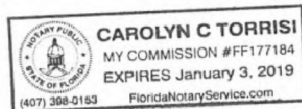
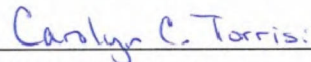
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



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

The foregoing instrument was acknowledged before me this 20 day of August, 2015, by N. Maria Menendez, as Vice President of Palm Beach West I Corporation, a Florida corporation, the general partner of Palm Beach West Associates I, LLLP, a Florida limited liability limited partnership, [X] who is personally known to me or [] who has produced _____ as identification and who did not take an oath.


Notary Public
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 1/3/19

EXHIBIT "A"**PROPERTY****PARCEL 1:**

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

TOGETHER WITH

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

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

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TOGETHER WITH

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CONTAINING A TOTAL OF 4929.304 ACRES MORE OR LESS.

EXHIBIT "B"**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

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

Exhibit 14 School District Letter



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

PLANNING AND INTERGOVERNMENTAL RELATIONS
3300 FOREST HILL BLVD., SUITE B-102
WEST PALM BEACH, FL 33414

PHONE: 561-434-8020 / FAX: 561-434-8815
WWW.PALMBEACHSCHOOLS.ORG/PLANNING

KRISTIN K. GARRISON, A.I.C.P.
DIRECTOR

MICHAEL J. BURKE
CHIEF OPERATING OFFICER

STEVEN G. BONINO
CHIEF OF SUPPORT OPERATIONS

July 23, 2015

Mr. Chris Barry, AICP
Urban Design Kilday Studios
610 Clematis, Suite CU02
West Palm Beach, FL 33401

RE: FUTURE LAND USE ATLAS AMENDMENT FOR INDIAN TRAILS GROVE

Dear Mr. Barry:

The Palm Beach County School District has reviewed the above referenced future land use map amendment (FLU). The FLU request is from Agricultural Production (AP) in part, and Rural Residential of 1 unit per 10 acres (RR-10) in part, to Rural Residential of 1 unit per 1.25 acres (RR-1.25) in whole.

As indicated in the application the subject property is 4,929.304 acres in size and is located in the unincorporated area of Palm Beach County. The subject site is located approximately 2 miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. The existing future land use permits a maximum of 365 units while the proposed future land use will allow a maximum of 3,943 units. The net increase is 3,578 units as a result of the requested FLU.

According to the School District's adopted student multipliers, there would be 1,038 potential students generated from the proposed land use change (537-elementary school, 215-middle school, 286-high school). The following table shows projected school enrollments for school year 2015/16 and 2019/20 as well as the projected utilizations with additional students generated from the subject property for the schools currently serving the property.

Schools	Capacity	Enrollment (15/16)	Enrollment (19/20)	New Students From the Subject Property	Utilization (15/16)	Utilization (19/20)
Frontier Elementary	900	551	520	537	121%	117%
Osceola Creek Middle	1075	607	651	215	77%	81%
Seminole Ridge High	2463	2321	2086	286	106%	96%

Note: Utilization = (Enrollment + New Students from the Subject Property) / Capacity

The School District of Palm Beach County, Florida
A Top-Rated District by the Florida Department of Education Since 2005
An Equal Education Opportunity Provider and Employer

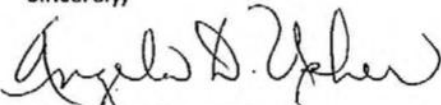
Since this is a future land use amendment request, utilization at adjacent schools were not reviewed. The table shows the elementary school utilization exceeding 100% in the school year 2015/2016 and the school year 2019/2020 and the high school in 2015/2016. The projections do not factor in as yet the impacts from approved developments. This will be done this upcoming year closer to their schedule for development.

This FLU amendment will require mitigation from the developer for public schools in some form in order to keep the schools from becoming overcrowded resulting from the direct impacts from the subject FLU. A preliminary meeting with the developer indicated land being dedicated to the School Board for public schools. School District staff would like an opportunity to further discuss mitigation prior to the Board of County Commissioners' public hearing on the subject FLU amendment.

Please also be advised that school age children may not be assigned to the public school closest to their residences. School Board policies regarding levels of service or other boundary policy decisions affect school boundaries.

If you have any questions regarding this letter, please feel free to contact me at (561) 882-1937.

Sincerely,



Angela D. Usher, AICP
Manager

cc: Lorenzo Aghemo, Palm Beach County Planning Department
Steve Bonino, School District of Palm Beach County
Kristin Garrison, School District of Palm Beach County
Jason Link, School District of Palm Beach County

The School District of Palm Beach County, Florida

A Top-Rated District by the Florida Department of Education Since 2005

An Equal Education Opportunity Provider and Employer

Exhibit 15

Water and Wastewater Provider Letter



**Water Utilities Department
Engineering**
P.O. Box 16097
West Palm Beach, FL 33413-6097
(561) 493-6000
Fax: (561) 493-6113
www.pbcwater.com

**Palm Beach County
Board of County
Commissioners**

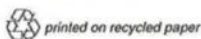
Shelley Vana, Mayor
Mary Lou Berger, Vice Mayor

Hal R. Valeche
Paulette Burdick
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"



June 19, 2015

Urban Design Kilday Studios
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401
Attn: Mr. Chris Barry

RE: Indian Trail Grove - Future Land Use Amendment - (4,929 acres
located west of Seminole Pratt Whitney Road, north of M-Canal)
Your letter dated 06-09-2015

Dear Mr. Barry,


This is to confirm that Palm Beach County Water Utilities Department (PBCWUD) is the potable water, wastewater and reclaimed water service provider for the referenced property. PBCWUD has the capacity to provide the required level of service at the current FLUA Designation as Agricultural Production (AP), in part, and Rural Residential, 1 unit per 10 acres (RR-10), in part.

Also, PBCWUD has the capacity to provide the required level of service at the proposed higher density FLUA designation as Rural Residential, 1 unit per 1.25 acres (RR-1.25), allowing for 3,943 residential units and 225,000 square feet of retail uses. The nearest PBCWUD owned water and sewer pipes are located as follow:

1. Hamlin Blvd at PBC Park "F" : 12" Water Main and 8" force Main
2. Seminole Pratt Whitney Road, at 64th Place North, approx. 2 miles east from subject property: 30" Water Main and 20" Force Main

Please note that no water or sewer services are being provided to the property by PBCWUD at this time. If you have any questions please call me at (561)493-6122.

Sincerely,


Adam Galicki
Manager of Technical Services

cc: Jim Stiles, Director WUD
Hassan Hadjimiry, P.E., Assistant Director WUD

AG/mb

Exhibit 16

Resolution from Town of Loxahatchee Groves

RESOLUTION NO. 2015-34

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, OPPOSING GL HOMES' REQUEST FOR A LAND USE CHANGE TO ITS 4,900 ACRE PARCEL OF LAND LOCATED WEST OF THE ACREAGE; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, GL Homes has submitted a request to Palm Beach County to change the land use of its 4,900 acre Indian Trail Groves Site west of The Acreage from its currently approved 0.1 units per acre to 0.8 units per acre (the "GL Homes Project"); and

WHEREAS, the GL Homes Project is estimated to add approximately 4,000 homes in an area that is currently underserved by roadways; and

WHEREAS, the GL Homes Project, if approved in its current form, may significantly impact the traffic within the Town of Loxahatchee Groves and in the surrounding communities; and

WHEREAS, the Town of Loxahatchee Groves believes that the traffic impacts associated with this development are so severe that the Board of County Commissioners for Palm Beach County should deny GL Homes' request for the land use change in order to protect the citizens of the Town and the surrounding communities.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:

SECTION 1: The Town Council hereby formally opposes GL Homes' request for a land use change from the currently approved 0.1 units per acre to 0.8 units per acre due to the significant traffic impacts that will be caused to the existing roadway system by this proposed development, and due to the fact that there are no cost-feasible solutions to maintain the existing roadway system at an acceptable level of service.

SECTION 2: The Town Council hereby stands together with the Village of Royal Palm Beach, the City of Palm Beach Gardens, the Village of Wellington, the City of West Palm Beach, and the Indian Trail Improvement District in opposition to the GL Homes' Project, and strongly urges the Board of County Commissioners for Palm Beach County to deny the requested land use change.

SECTION 3: If a land use change is to be granted, the Town Council supports the Central Palm Beach County Communities' request that the change only be from 0.1 units per acre to 0.2 units per acre, and that the GL Homes Project be developed with a corresponding balanced land use of non-residential uses.

SECTION 4: The Town Council hereby directs the Town Clerk to send this resolution to the Palm Beach League of Cities, and the Board of County Commissioners for Palm Beach County for their consideration and review.

SECTION 5: This resolution shall take effect immediately upon passage.

{00096807 | 1574-0702400 }

RECEIVED
OCT 15 2015
PLANNING DIVISION

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES,
FLORIDA, THIS 17th DAY OF October, 2015.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Heidi W. Underwood
TOWN CLERK

David Browning
Mayor David Browning

Ronald D. Jarriel
Vice Mayor Ron Jarriel

Tom Goltzene
Council Member Tom Goltzene

APPROVED AS TO LEGAL FORM:

[Signature]
Office of the Town Attorney

Ryan Liang
Council Member Ryan Liang

Jim Rockett
Council Member Jim Rockett

Exhibit 17
Resolution from Village of Royal Palm Beach

RESOLUTION NO. 15-45

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA OPPOSING GL HOMES' REQUEST FOR A LAND USE CHANGE TO ITS 4,900 ACRE PARCEL OF LAND LOCATED WEST OF THE ACREAGE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, GL Homes has submitted a request to Palm Beach County to change the land use of its 4,900 acre Indian Trail Groves Site west of The Acreage from its currently approved 0.1 units per acre to 0.8 units per acre (the "GL Homes Project"); and

WHEREAS, the GL Homes Project is estimated to add approximately 4,000 homes and 40,000 new vehicle trips in an area that is currently underserved by roadways; and

WHEREAS, the GL Homes Project, if approved in its current form, may significantly impact the traffic within the Village of Royal Palm Beach and in the surrounding communities; and

WHEREAS, the Village Council of the Village of Royal Palm Beach believes that the traffic impacts associated with this development are so severe that the Board of County Commissioners for Palm Beach County should deny GL Homes' request for the land use change in order to protect the citizens of the Village and the surrounding communities.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

SECTION 1: The Village Council hereby formally opposes GL Homes' request for a land use change from the currently approved 0.1 units per acre to 0.8 units per acre due to the significant traffic impacts that will be caused to the existing roadway system by this proposed development, and due to the fact that there are no cost-feasible solutions to maintain the existing roadway system at an acceptable level of service.

SECTION 2: The Village Council hereby stands together with the Town of Loxahatchee Groves, in opposition to the GL Homes Project, and strongly urges the Board of County Commissioners for Palm Beach County to deny the requested land use change.

SECTION 3: If a land use change is to be granted, the Village Council supports a request that the change only be from 0.1 units per acre to 0.2 units per acre, and that the GL Homes Project be developed with a corresponding balanced land use of non-residential uses.

SECTION 4: The Village Council hereby directs the Village Clerk to send this resolution to the Board of County Commissioners for Palm Beach County for their consideration and review.

SECTION 5: This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 19th day of November, 2015.

VILLAGE OF ROYAL PALM BEACH


MATTY MATTIOLI, MAYOR

ATTEST:


DIANE DISANTO, VILLAGE CLERK

(SEAL)

Exhibit 18
Resolution from City of West Palm Beach



December 9, 2015

Board of County Commissioners
Palm Beach County
301 N. Olive Ave
West Palm Beach, FL 33401

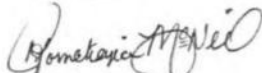
SUBJECT: Resolution 345-15

Dear Board of County Commissioners:

Enclosed is a copy of Resolution No. 345-15, which was adopted by the West Palm Beach City Commission on December 7, 2015. It is being forwarded to you as directed in Section 2 of the resolution. The resolution is expressing the City's opposition to the Comprehensive Plan Amendment for Indian Trails Grove (LGA 2015-017).

If you have any questions, please do not hesitate to contact us.

Sincerely,


Jomekeyia McNeil
Deputy Clerk

Enclosure

401 CLEMATIS STREET
P.O. BOX 3366
WEST PALM BEACH, FL 33402
561.822.1210

RESOLUTION NO. 345-15

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, EXPRESSING THE CITY'S OPPOSITION TO THE COMPREHENSIVE PLAN AMENDMENT FOR INDIAN TRAILS GROVE (LGA 2015-017); PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Palm Beach West Associates I, LLLP, is the owner/developer of land included in a rezoning and waiver request application for the property to be known as the Indian Trails Grove to a Planned Unit Development to allow a rezoning from the Agricultural Production and the Agriculture Residential Zoning District to a Planned Unit Development Zoning District and to allow 65% of the local streets within the PUD to terminate in a cul-de-sac; and

WHEREAS, concurrent with the rezoning and waiver application are Unified Land Development Code Text Amendments to acknowledge the RR-1.25 land use plan category and permit RR-1.25 land use category; and

WHEREAS, the subject parcel is generally located west of 180th Avenue North, which is approximately 2 miles west of Seminole Pratt Whitney Road. The limits of the project extend from approximately 94th Street North to the north and to 50th Street North to the south. The subject property consists of approximately 4,929.304 acres; and

WHEREAS, the request is to change the future land use designation from Agricultural Production and Rural Residential, 1 unit per 10 acres to Rural Residential, 1 unit per 1.25 acres; and

WHEREAS, the Land Use Plan Amendment Application Traffic Statement analysis states "several of the links within the project's radius of development influence do not meet the applicable level of services standards as outlined in the Palm Beach County Comprehensive Plan; and

WHEREAS, the Palm Beach County Traffic Division has also found that the above referenced project, revised July 16, 2015, does not meet Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan; and

WHEREAS the project is opposed by governmental and regulatory entities in the Western Communities for many reasons including traffic impacts, negative effects on water quality and destruction of a rural-life; and

WHEREAS, the long established concept of greater density to the east and less density to the west is strongly supported by the City.

Exhibit 19

Drainage Correspondence from Jay Foy to Ken Todd

Bryan Davis

From: Ken Todd
Sent: Friday, February 05, 2016 2:15 PM
To: Bryan Davis
Subject: FW: GL Homes 640 Acre Impoundment
Attachments: 2016_0205-GL Draft PBC Drainage Language_SJE.docx

fyi

From: Jay Foy [mailto:jfoystormj@gmail.com]
Sent: Friday, February 05, 2016 9:55 AM
To: Ken Todd
Cc: Jim Shallman; Mary Viator; Frank Palen; Ruth Clements; Greg Shafer; Marty Perry; Dodi Glas; Joe Capra
Subject: GL Homes 640 Acre Impoundment

Ken,

Per your request at our meeting of 2/3/16 see the attached draft. This obviously only addresses the issues you requested. ITID will want the 640 acres in fee simple title and we would like to have the first right of refusal to other possible regional users. We understand there will be a clause to revert the property back to GL should the area not be used for regional drainage. Please note this is my engineers input and should be fully vetted with others including the attorneys.

As I took the time to give a brief synopsis of the background I have taken the opportunity to share this with other ITID personnel so they may have a better understanding of the drainage issues. The attached may be too technical for a planning document, but I believe it to be accurate and contain the background information to generally understand the drainage needs of ITID's M-1 Basin. I obviously have not included all the studies, permitting, and legal background that could be cited if a complete thesis were written.

I hope this helps and feel free to call with any questions as usual.

Jay

Draft PBC language:

Potential to address regional flooding, providing 640 acres, approximately 5,000 acre/feet of storage adjacent to the ITID M-O Impoundment basin; should this option to provide regional drainage not be used, the land would remain in open space as agricultural uses.

Possible revised language:

Potential to address regional flooding: the applicant has included a 640 acre area adjacent to Indian Trail Improvement District's (ITID's) M-1 Impoundment in their M-1 Basin. This land will revert back to the owner should the land not be used for flood control and remain as open space with agricultural uses. This 640 acre impoundment could provide for approximately 5,000 acre feet of flood attenuation storage if permitted as conceptualized.

Background:

ITID's M-1 Basin is recognized as not having sufficient on peak allowable discharge. Although ITID has the conveyance capacity to discharge almost 2"/day from the M-1 Basin, due to regulatory constraints the District's allowable discharge is restricted to 274 cfs or about 1/4"/day when downstream conditions in the West Palm Beach Canal (C-51) are high and/or the L-8 Canal is overcapacity. The need for additional on peak discharge has been recognized for over 2 decades and many internal improvements have been completed to obtain the current capability to discharge almost 2"/day. However the regulatory conditional discharge remains a problem. Either the on peak allowable discharge must be increased or storage capacity to retain the excess stormwater runoff until the regional system can accept it is needed (or a combination of both) to resolve the existing deficiency in the ITID M-1 Basin drainage system.

ITID has adopted a specific Level of Service (LOS) for drainage in the M-1 Basin:

"The surface water elevations in the ITID canals shall be equal to or less than 17.5' NGVD in the Lower Basin and 18.0' NGVD in the Upper Basin three days after the 10 Year 3 Day Storm"

This storm is 10" of rainfall, and the elevations cited above are well within the banks of the canal system. This does not mean all the land is dry, but the canals will accept any runoff that is conveyed to them at these water elevations.

Additional regional conveyance and/or stormwater storage could solve the above cited issues or ITID must solve them with facilities they control. Through mathematical modeling efforts by ITID funded by ITID in the 1990's with a report published 3/1/02 and further modeling by ITID funded by SFWMD with a report published in October 2007, it is well established that ITID needs 1"/day on peak discharge to obtain their adopted LOS. As ITID's existing system can adequately protect the M-1 Basin for storms up to 6" to 7" of rain (according to antecedent or previous rainfall) it was determined that an additional 5000 Acre Feet of storage is needed during the restricted discharge events.

One effort to obtain additional regional storage was a condition in PBC's resolutions R-2002-009 and R-2002-1472. These conditions of approval on Palm Beach Aggregates cited "The applicant is required to reserve at least one (1) billion gallons of storage for Indian Trail Improvement District to use for flood control...". This 1,000,000,000 gallons is equivalent to 3070 Acre Feet and was a minimum requirement. Due to SFWMD purchasing this PBA storage, the condition was deleted in R-2003-0324.

Many study efforts by SFWMD have included the need for ITID's 1"/day discharge. One such citation is included in the North Palm Beach County Plan Programmatic Implementation Report Performance Measure #16 of 5/5/04 for flood control which cites 1"/day is needed. This was also cited later in the Oct 2007 SFWMD funded study as requiring 1100 cfs. This 1100 cfs over the critical 3 days of a storm event (the last day of the storm and the following 2 days when discharges are limited to 1/4"/day) equates to 4909 Acre feet above the existing capacity. In other words: the needed additional volumetric capacity is 1100 cfs less the existing 274 cfs or 826 cfs. This 826 cfs for 3 days is 4914 Acre Feet of additional storage needed.

In short, the results of the Oct 2007 study indicate that the entire M-1 Upper Basin or almost 11,000 acres does not meet the defined LOS and in the Lower Basin 2240 acres of the 7209 acres do not meet the adopted LOS. This same study illustrates with 1100 cfs there are only 2240 acres total that do not meet the adopted LOS but these 2240 acres are only missing the LOS by 7 hours. It is concluded that the 1100 cfs is in substantial conformance with the adopted LOS. It must be noted that the adopted LOS is for the 10 Year 3 Day storm of 10" and does not address such storms as Isaac which dumped over 17" of rain across ITID's M-1 Basin.

Exhibit 20
Correspondence

**INDIAN TRAIL IMPROVEMENT DISTRICT
13476 61ST STREET NORTH
WEST PALM BEACH, FL 33412-1915
Office: 561-793-0874
Fax: 561-793-3716**

Established 1957

www.indiantrail.com

September 20, 2016

Hon. Mary L. Berger, Mayor
Palm Beach County Board of County Commissioners
301 North Olive Avenue
West Palm Beach, Florida 33401

Re: Application of Palm Beach West Associates 1, LLLP
("PBW/GL Homes") for Development Approval of
Proposed Indian Trails Grove Planned Unit Development –
Requested Conditions of Development Approval

Dear Mayor Berger:

At its Meeting of September 14, 2016, the Board of Supervisors of Indian Trail Improvement District ("ITID") directed that this letter be provided to you, the County Commission and County staff involved in reviewing and recommending approval of the Application for Development Approval ("ADA") for Indian Trails Grove Planned Unit Development ("ITG PUD").

Comprehensive Plan amendments for ITG PUD are currently scheduled to be considered for adoption by the County Commission on September 22, 2016. This property lies entirely within ITID's legislative boundaries. If approved, development of ITG PUD will directly and indirectly impact the public works of the District -- particularly its roadway and drainage systems.

The developer, PBW/GL Homes, has approached ITID with suggestions to mitigate the PUD's impacts on ITID's roads and drainage system. The attached correspondence between PBW/GL Homes and ITID confirms that this dialogue between the District and the developer has begun, and we expect discussions to continue.

PBW/GL Homes has expressed its intent to enter into legally binding agreements with ITID that will address project impacts on ITID's public works. However, no such agreements are currently in place. PBW/GL Homes has made similar written representations directly to Palm Beach County. They are found in the Justification Statements submitted to support the developer's request to change the property's land use and zoning.

PBW/GL Homes has made the following commitments to mitigate the impacts of ITG PUD on the Works of the District:

- **To form an active unit of development within ITID.** ("Units of development" are mechanisms for assessing landowners to pay to construct and maintain public infrastructure, comparable to a County Municipal Services Benefit Unit ["MSBU"]).
- **To convey to ITID a 640-acre parcel in fee** without cost to ITID to be used as a stormwater reservoir.
- **To contribute financially to improve ITID roads west of Seminole Pratt Whitney (SPW) Road** (specifically, Hamlin Boulevard, Orange Boulevard and 180th Avenue North). These are not County roads; they were built and are currently maintained exclusively by special benefit assessments paid by ITID's landowners. The developer has assumed these ITID roads can and will accommodate their project's traffic. The District Engineer has determined that, for safety reasons alone, this increase in traffic on ITID roads requires significant physical upgrades. The developer has verbally agreed *in principle* to contribute its "fair share" to these required improvements, but they are not presently bound to do so, and no firm commitments will be in place prior to scheduled approval of PBW/GL Homes' ADA.

For this reason, ITID requests Palm Beach County include in its development orders reasonable conditions of approval that, at a minimum, reflect the above referenced commitments to ITID. The development order should also require a binding agreement between ITID and the developer to be executed by a reasonable, but clearly determinable, date.

We also request that additional conditions be included in the final Development Order, as follows:

(1) Prohibiting use of ITID roads for construction vehicle access. Such traffic can enter the property from the south using 60th Street North, a County thoroughfare.

(2) Indicating a future connection of 180th Avenue North from Orange Boulevard south across the M Canal to 60th Street North. This connection, which does not presently exist, would relieve traffic congestion to and from the ITG PUD, as well as address traffic congestion on ITID roads leading to and from the two public schools located at the terminus of Orange Boulevard at 180th Avenue North.

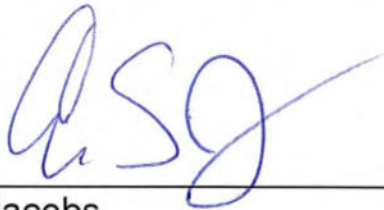
(3) The condition of approval prohibiting GL Homes, its affiliates or successors in interest from discussing, supporting annexing into or incorporating as a municipality is too broadly drafted. It is obviously intended to prohibit the GL property from being annexed into the City of Westlake or forming his own independent municipality. ITID agrees with both of these goals, but Acreage landowners on their own initiative are independently considering incorporation. All unincorporated lands within the legislative boundaries of ITID should have an opportunity to consider joining together as a municipality to their mutual benefit. This would include the 37,000 residents of the Acreage and existing and future landowners in Indian Trails Grove PUD. The City of Westlake is not within ITID's legislative boundaries, and the covenant as revised would continue to apply. Incorporation of the Acreage will comply with the density, intensity and other requirements of general Florida law regarding municipal incorporation. A suggested revision of the condition is attached as Exhibit "A".

The need for additional conditions may be identified to ameliorate the project's impacts on ITID's Works and on the Acreage Community as it proceeds to zoning-level review.

Thank you in advance for your courtesy. If you have any questions regarding the District's concerns in this matter, please feel free to contact District Manager G. James Shallman at 561-793-0874.

Sincerely yours,

INDIAN TRAIL IMPROVEMENT DISTRICT



Carol Jacobs
President

Enclosures

cc. PBC Commission

Palm Beach County Board of County Commissioners

Hon. Hal Valeché, Vice Mayor, Commissioner, District 1

Hon. Pauline Burdick, Commissioner, District 3

Hon. Shelley Vana, Commissioner, District 3

Hon. Steve Abrams, Commissioner, District 4

Hon. Melissa McKinlay, Commissioner, District 6

Hon. Priscilla Taylor, Commissioner, District 7

Verdenia Baker, County Administrator

Bob Banks, Esq., Assistant County Attorney

Lorenzo Aghemo, PBC Planning Director

Bryan M. Davis, CNU/A, PBC Urban Designer/Principal Planner

Jon MacGillis, ASLA, Zoning Director

George Webb, P.E., County Engineer

ITID Board of Supervisors

G. James Shallman, District Manager

Jay G. Foy, P.E., District Engineer

Mary M. Viator, Esq., District Legal Counsel

F. Martin Perry, Esq., District Special Counsel

Mr. Larry Portnoy, GL Homes

EXTRACT OF STAFF REPORT

Item: 3.A.1



COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 16-C/16-ITG

BCC ADOPTION HEARING, SEPTEMBER 22, 2016

IX. Conclusions and Recommendation (Staff Report, p. 41)

Based on the findings presented in this report, County staff recommends **approval with conditions** of the proposed amendment.

Conditions: (Staff Report, p. E-2); **REVISION REQUESTED BY INDIAN TRAIL IMPROVEMENT DISTRICT**

8. Within 60 days of the effective date of the comprehensive plan amendments regarding the Indian Trails Grove site, the developer shall provide the County Attorney an executed restrictive covenant, approved by the County Attorney, which shall be recorded in the public records prohibiting the property owned by the developer, affiliated entities, and any and all successors and assigns, within the area covered by the Western Communities Residential Overlay, from voluntarily annexing into a municipality, signing annexation petitions or otherwise consenting to annexation, seeking to incorporate as a municipality, or consenting to participating in or financially contributing to efforts to incorporate a municipality until the threshold established in Chapter 720.307 F.S. (2016, as amended from time to time) is achieved; **provided,**

however, that this covenant shall not apply to any landowner within the legislative boundaries of Indian Trail Improvement District. The developer shall provide the County with a certified copy of the executed and recorded restrictive covenant prior to certification of any development order. In the event the developer seeks certification of any development order application prior to recording the covenant, the developer shall provide to the County Attorney the executed covenant in recordable form, with the appropriate filing fee, to be held in escrow by the County Attorney and recorded after the effective date of the comprehensive plan amendments.

**INDIAN TRAIL IMPROVEMENT DISTRICT
13476 61ST STREET NORTH
WEST PALM BEACH, FL 33412-1915
Office: 561-793-0874
Fax: 561-793-3716**

Established 1957

www.indiantrail.com

September 20, 2016

Hon. Mary L. Berger, Mayor
Palm Beach County Board of County Commissioners
301 North Olive Avenue
West Palm Beach, Florida 33401

Re: Application of Palm Beach West Associates 1, LLLP
("PBW/GL Homes") for Development Approval of
Proposed Indian Trails Grove Planned Unit Development –
Objection to Proposed Addition of Three ITID Roads to
PBC Thoroughfare plan

Dear Mayor Berger:

Indian Trail Improvement District (ITID) objects to amendment of the Palm Beach County Thoroughfare Right-of-Way Identification Map TE-14.1 ("Thoroughfare Plan") to add three ITID roads. This action is included in a package of Comprehensive Plan Amendments associated with County approval of GL Homes' Indian Trails Grove Planned Unit Development (ITG PUD), adoption of which is scheduled to be considered on Thursday, September 22, 2016. The three ITID roads, identified in the attached extract of the County Staff Report (see "Exhibit "A"), are:

- Hamlin Boulevard from Seminole Pratt Whitney Road to 190th Avenue North.
- Orange Boulevard from Seminole Pratt Whitney Road to 180th Avenue North.
- 180th Avenue North between Orange and Hamlin Boulevards

ITID objects to this decision for the following reasons:

- ITID is a unit of special purpose local government operating pursuant to the requirements of Chapter 298, Florida Statutes,

**Indian Trail Improvement District Board of Supervisors
Carol Jacobs ▪ Jennifer Hager ▪ Gary Dunkley ▪ Ralph Bair ▪ Michelle Damone**

Chapter 2002-330, Laws of Florida, and other general and special law. The identified roads are the property of ITID. Their construction and maintenance are ITID's exclusive financial responsibility using annual non-ad valorem special assessments paid by landowners in the District. The County's goals adding these ITID roads to the Thoroughfare Plan have not been explained to ITID or the Acreage community and the implications should be fully understood by all.

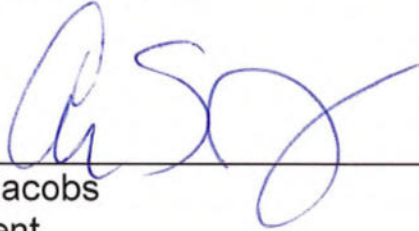
- No notice of the intended action was provided to the District in advance of publication of the ITG PUD Staff Report as it was revised for the September 22 Adoption Hearing. It was discovered inadvertently while reading the Staff Report for the Adoption Hearing. ITID would prefer to cooperate with the County in planning for adequate roadway capacity to serve our common community.
- The Staff Report indicates that addition of these ITID roads to the Thoroughfare Plan was made in response to comments received from FDOT as part of State review of the ITG PUD Comprehensive Plan Amendment. The letter from FDOT does not make any express statement to this effect.
- The proposal was apparently initiated by County Staff, not GL Homes. The Staff Report does not suggest that this action is required to address GL's petition at this time. Action on these three Thoroughfare Plan amendments can therefore be easily separated from the County's review of GL's petition and postponed for future discussion.

Because of inadequacy of the notice, the ITID Board of Supervisors was not able to consider this issue formally at its meeting of September 14, 2016. However, this letter of objection represents the consensus of the Board.

We strongly urge the Palm Beach County Commission to defer action on the addition of these ITID roads to the Thoroughfare Plan and to refer the matter to County Staff with direction to initiate discussion with the District.

INDIAN TRAIL IMPROVEMENT DISTRICT

Sincerely yours,



Carol Jacobs
President

Enclosure

cc. PBC Commission

Palm Beach County Board of County Commissioners
Hon. Hal Valeché, Vice Mayor, Commissioner, District 1
Hon. Pauline Burdick, Commissioner, District 3
Hon. Shelley Vana, Commissioner, District 3
Hon. Steve Abrams, Commissioner, District 4
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ITID Board of Supervisors
G. James Shallman, District Manager
Jay G. Foy, P.E., District Engineer
Mary M. Viator, Esq., District Legal Counsel
F. Martin Perry, Esq., District Special Counsel
Mr. Larry Portnoy, GL Homes

EXHIBIT "A"

EXTRACT OF STAFF REPORT

Item: 3.A



**COMPREHENSIVE PLAN AMENDMENT STAFF REPORT
AMENDMENT ROUND 16-C/16-ITG**

BCC ADOPTION HEARING, SEPTEMBER 22, 2016

IX. Conclusions and Recommendation (Staff Report, p. 41)

Based on the findings presented in this report, County staff recommends **approval with conditions** of the proposed amendment.

Conditions: (Staff Report, p. E-23)

Exhibit 21

Response to State Review Comments

The County received State Agency Review comments from the Department of Economic Opportunity, Florida Fish and Wildlife Conservation Commission, Florida Department of Transportation, Florida Department of Education and the Treasure Coast Regional Planning Council. The letters issued by each agency are attached to this exhibit. The agency comments are summarized below with the staff response. Changes made to the amendment text, maps and/or conditions are summarized below and depicted in double underline, double strike out in Exhibit 1 and 2. Additional explanation as well as Data and Analysis for these amendments are found in Exhibit 4.

- A. Department of Economic Opportunity (DEO).** The DEO issued a letter dated May 18, 2016 stating that the agency had “identified no comment related to important state resources and facilities within the Department’s authorized scope of review that will be adversely impacted by the amendment if adopted.” However, the letter identified three technical assistance comments consistent with Section 163.3168(3), F.S. that are “technical in nature and designed to ensure consistency with the provisions of Chapter 163, F.S.” and that the comments will not form the basis of a challenge. The letter is provided on page “Exhibit 21 – Pg 1” and summarized below with staff response.

The Florida Department of Economic Opportunity (DEO) reviewed the amendment and provided three technical assistance comments to the County. Generally, the comments pertained to the Rural Tier, providing an intensity standard for the Western Communities Residential future land use designation, and infrastructure requirements. Staff has provided additional analysis within the staff report and revised several policies to address the DEO comments.

- B. Florida Department of Transportation (FDOT):** The FDOT issued a letter dated June 3, 2016. The letter is provided on page “Exhibit 21 – Pg 4” and summarized below with staff response.

FDOT Findings: The findings included addressing cumulative impacts to the Strategic Intermodal System (SIS), existing deficiencies in the system, not including the Avenir development in Palm Beach Gardens in the long range traffic study submitted with the amendment, and the ability of the future transportation system to accommodate long term needs.

Staff response:

1. There is no inconsistency with the Transportation Element. The County implements a separate County-wide traffic concurrency system which addresses operations of all major facilities and thoroughfares (including the SIS) at the actual time of real impacts, provides for improvements and proportionate fair share payment per state statutes, and is consistent with Transportation Element Policy 1.3-i to maintain programs to meet Level of Service (LOS). Additionally, a traffic impact statement (concurrency study) was submitted on May 26, 2016 as part of the Zoning process, and is available. The project meets the County’s Traffic Performance Standards through proportionate share payments.

2. Many of the long term deficiencies and identified needs in the transportation system can be addressed effectively by providing additional lane and intersection capacity. The project includes provisions for specific improvements to the road network.
3. The Avenir project, in Palm Beach Gardens, was not included in the long range traffic study as it had not yet been approved at the time of submittal of the application. Note that Policy 3.5-d, which addresses long range traffic, does not allow for any mitigation or improvements, but is addressed during traffic concurrency and through proportionate share. Furthermore, long range traffic is considered as part of a local requirement, which is being waived as part of the amendment. However, the impacts of Avenir are included and taken into account in the concurrency process for the Indian Trails Grove project.
4. The County is proposing additional amendments to the Thoroughfare Identification Map (TIM) in the Plan to include additional roads as thoroughfares to better reflect the functionality of the future road network based on this amendment. The County at this time is processing a privately initiated FLUA amendment and corresponding text and map series amendments to the Plan, and as such the amendments are specific to the changes warranted by the project and do not establish new over-arching policies for the region as a whole. A larger, regional traffic discussion with FDOT is needed to address the cumulative impacts on the road network. There will be some impacts to facilities created by this project, however they will be addressed through existing statutory requirements. The TIM amendment thoroughfares are as follows:
 - Add 60th Street North as a 100-foot right-of-way from Seminole Pratt-Whitney Road to 190th Street North; and
 - Modify 60th Street North from an 80-foot to a 100-foot right-of-way from Seminole Pratt-Whitney Road to 140th Avenue North; and
 - 190th Street North as a 100-foot right-of-way from 60th Street North to Hamlin Boulevard (originally proposed as an 80-foot right-of-way from 60th to Orange).

FDOT Recommendation: FDOT also made recommendations on the proposed amendment. The County considered their recommendations in the processing of this amendment and commits to working cooperatively with FDOT to address regional road network needs now and in the future.

- C. Treasure Coast Regional Planning Council (TCRPC):** The TCRPC issued a memorandum dated May 20, 2016 identifying potential regional and extrajurisdictional impacts, as the proposed project does not further and/or is inconsistent with encouraged regional goals, strategies, and policies regarding redevelopment, public facilities, transportation and energy, the economy, and housing as identified in the Strategic Regional Policy Plan (SRPP). However, the memorandum does not include any recommendations other than to work with the municipalities who expressed concerns over the amendment. The memorandum is provided on page “Exhibit 21 – Pg 9” and summarized below with staff response.

The analysis by TCRPC indicated that the Indian Trails Grove project does not further redevelopment goals and policies of the SRPP, nor does it foster reinvestment in the County's urban areas. Furthermore, many of the stated policies cited in the SRPP are policies that encourage or discourage particular development patterns and development locations. The County considered the Strategic Regional Policy Plan in its review of the proposed amendment. However, the County has long sought to address the land use

imbalance, infrastructural deficiencies, and provide a diversity of housing options in Central Western Communities, to improve the quality of life and available amenities for existing and future residents in the area, consistent with the County Directions in the Comprehensive Plan. The Indian Trails Grove project is but one component in this larger effort.

- D. Florida Fish and Wildlife Conservation Commission (FWC):** The FWC has issued a letter dated May 20, 2016. The letter is provided on page “Exhibit 21 – Pg 15” and summarized below with staff response.

FWC comments were favorable regarding the Conceptual Plan design in how it appropriately responded to the JW Corbett Wildlife Management Area (JWCWMA). Remaining comments pertained to issues of potentially attracting wildlife to an area otherwise currently devoid of it, and to informing and educating future residents of the proposed project of potential nuisances (noise from hunting, and the need to conduct prescribed burns within JWCWMA)). These issues, while notable, are better addressed through zoning development order conditions of approval. Furthermore, the FWC committed to helping the County and the applicant further to address these comments as the project progresses.

- E. Florida Department of Education (DOE):** The DOE issued informal comments via E-mail. The E-mail is provided on page “Exhibit 21 – Pg 15” and summarized below with staff response.

DOE indicated no objection to the amendment, but encouraged the applicant and County to allow for flexibility in the specific school uses on the designated school sites. The County included a condition of approval in that would allow the sites to be used for schools and recreational facilities, giving the School District some flexibility in determining their long term needs for the area. It is only if the school district determines they do not need a site that it would be turned over to the County.

Review Agencies that did not provide comments:

- Florida Department of Agriculture and Consumer Services
- Florida Department of Environmental Protection
- Florida Department of State
- South Florida Water Management District

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

May 18, 2016

The Honorable Mary Lou Berger
Mayor, Palm Beach County
301 North Olive Avenue, Suite 1201
West Palm Beach, Florida 33401

Dear Mayor Berger:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Palm Beach County (Amendment No. 16-3ESR), which was received on February 8, 2016. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

We have, however, identified three technical assistance comments consistent with Section 163.3168(3), F.S. They are technical in nature and designed to ensure consistency with the provisions of Chapter 163, F.S. The comments will not form the basis of a challenge:

Technical Assistance Comment 1: The proposed development plan does not consist of a considered, well-planned development strategy, and instead seeks to change established, purposeful policies that would limit the development potential and minimize the impacts of development. The proposed amendments are internally inconsistent with several of the policies and planning strategies present in the Palm Beach County Comprehensive Plan regarding limiting growth within the Rural Tier:

- **Objective 1.4 Rural Tier** – The general section within the Rural Tier states that the strategies within the Rural Tier are established to protect and enhance rural settlements that support agricultural and equestrian uses. The section also states that “due to the declining availability of land and the increase in population in the Urban and Exurban Tiers, the Rural Tier is beginning to experience pressure for urban densities and nonresidential intensities normally associated with a more urban area.” The proposed land use change would create a development pattern that is inconsistent with the density and intensity standards for the Rural Tier.
- **Policy 1.4a** states that the County shall protect and maintain the rural tier by, in part, ensuring development is compatible with the scale, mass, intensity of use, height, and character of the rural community. The density proposed, either gross or clustered, is

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inconsistent with the stated density for the Rural Area, which is 1 unit per five acres to one unit per 20 acres.

- Future Land Use **Policy 3.4-a** states that “the Rural Service Area shall include those areas of the County where the extension of urban levels of service is neither foreseen during the long range planning horizon nor warranted by the development patterns of densities of intensities allowed. The official boundaries of the Rural Service Area shall be depicted on the Service Areas Map in the Map Series.” **Objective 3.3** of the Future Land Use Element outlines the criteria under which a Limited Urban Service Area (LUSA) may be established. Designation depends, in part, on “the ability of the proposed facilities to meet policy goals coupled with a demonstration of significant relative advantages of the area of the proposed LUSA over possible sites within the Urban Service Area.” The proposed amendments do not provide such demonstration.
- In addition, the justification provided for the proposed amendment states that the proposed development will “correct, to some extent, the single-use pattern in the area.” However, using the per-capita non-residential demand generation rates provided, the proposed development does not satisfy the demand for non-residential development generated by its own residential units, thereby exacerbating the insufficient non-residential development within the area.

Technical Assistance Comment 2: Section 163.3177(1), F.S. requires meaningful and predictable standards within the Comprehensive Plan. The proposed Western Communities Residential future land use category does not contain an intensity standard for non-residential development, but instead allows proposed Conceptual Plans to define the standard on a case-by-case basis. This creates a fluid standard that is neither meaningful nor predictable, resulting in adverse fiscal impacts for the local government.

Technical Assistance Comment 3: The infrastructure requirements to be provided by the developer in proposed new Policy 1.12-e do not adequately specify what will be provided. Specifically:

- Part two states that the developer will provide on-site central water and wastewater service and an off-site loop main. This language is not sufficient to ensure that the developer will be providing enough mains throughout the development, providing sufficient capacity in water and wastewater service, sufficient pumps to deliver the water and wastewater service, or ensuring enough water service to maintain adequate fire flow. The language should be revised to consider these basic level of service considerations.
- Part eight indicates the developer will provide an additional \$5 million in addition to the project’s “fair share proportionate share” contribution. It is unclear what this money is to be used for. The language should be revised to provide more information regarding what the money is being used for.

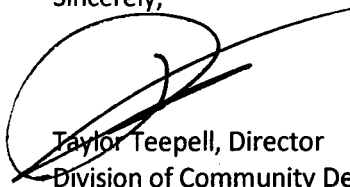
The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments,

we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Erin Schaefer, at (850) 717-8498, or by email at Erin.Schaefer@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Taylor Teepell', is written over a circular stamp or seal.

Taylor Teepell, Director
Division of Community Development

TT/es

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: Lorenzo Aghemo, Planning Director, Palm Beach County
Michael J. Busha, AICP, Executive Director, Treasure Coast Regional Planning Council



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

June 3, 2016

Mr. Lorenzo Aghemo, Planning Director
Palm Beach County Planning Division, Vista Center
2300 N. Jog Road, 2nd Floor
West Palm Beach, FL 33411

Dear Mr. Aghemo:

**SUBJECT: Proposed Palm Beach County Comprehensive Plan Amendment
DEO #16-3ESR Indian Trails Grove**

The Department has reviewed the proposed amendments to the Palm Beach County Comprehensive Plan for 4,871.57 acres of property, generally known as Indian Trails Grove, located west of Seminole Pratt Whitney Road and south of the extension of Northlake Boulevard. The amendments change the Future Land Use Atlas (FLUA) from Rural Residential 1 unit per 10 acres (RR-10) on 3,592.16 acres and Agricultural Production (AP) on 1,279.41 acres to Western Communities Residential (WCR), which results in a land use increase in the residential density from 0.1 dwelling units/acre (359 units) to 0.80 dwelling units/acre (3,897 units); and a maximum of 350,000 square feet of Non-Residential uses.

In accordance with ss. 163.3184(3)(b), Florida Statutes, the focus of our review was on major transportation issues, including adverse impacts to transportation facilities of state importance. These facilities include the Strategic Intermodal System (SIS) and significant regional resources and facilities identified in the Strategic Regional Policy Plan by the Treasure Coast Regional Planning Council. These facilities are vital to the economic vitality, job growth, and quality of life of the county, region and state. Local governments with transportation concurrency are required under ss. 163.3180(5)(h)1.a., Florida Statutes, to consult with the Department when proposed amendments affect facilities on the SIS.

Through the Department's review of the long term adequacy of transportation facilities to meet established acceptable levels of service, as required by ss. 163.3177(3)(a)3., and 163.3177(6)(a)8., Florida Statutes, adverse impacts were identified as a result of the net increase in project trips to SIS facilities (State Road 80 and State Road 710) and to significant regional facilities such as State Road 7, Seminole Pratt Whitney Road, Northlake Boulevard, and Okeechobee Boulevard. The demand on these facilities shows the need for additional roadway capacity to meet level of service as depicted in Table 1 (attached).

The comprehensive plan changes result in a net daily trip generation increase of 42,427 daily trips. Text amendments will designate the site as a Limited Urban Service Area and exempt the Indian Trails Grove Overlay from County Policy 3.5-D, which allows the FLUA to proceed to transmittal and adoption even though roadway segments are projected to fail in the long term planning horizon (Year 2040) with the proposed amendment. The Department's analysis takes into account the approved trips from the Minto West (Westlake), Avenir, and Indian Trails Grove developments. The list of projects identified in Table 1 represents unplanned and unfunded needs that are not included in the Palm Beach Metropolitan Planning Organization (MPO) Cost Feasible Adopted 2040 Long Range Transportation Plan (LRTP) or the Department's 2040 SIS Multimodal Unfunded Needs Plan.

Formal Findings

1. It appears that the County's staff report does not address internal consistency with County Transportation Element Policy 1.3-I, for which, "*the County will maintain policies and programs which ensure that the overall transportation system meets the County's level of service criteria in order to provide viable alternatives to the Florida Intrastate Highway System & the Strategic Intermodal System, and to protect their interregional and intrastate functions.*" No policies and programs were identified as part of this amendment to address cumulative adverse impacts to the SIS.
2. The amendment does not include a plan for how the County will correct existing facility deficiencies and meet the identified needs of the projected transportation system based on data, analysis, and associated principles and strategies as required by ss.163.3177(6)(b)1.e., Florida Statutes.
3. The traffic analysis submitted with the amendments for Indian Trails Grove (Table 7) does not include the project trips from the recently adopted Avenir development comprehensive plan amendments. The Avenir project alone will generate over 58,000 daily trips on the area roadway network and was adopted prior to the transmittal of the Indian Trails Grove amendments.
4. The Department's analysis results, shown on Table 1, clearly shows that even with planned cost feasible projects, there will not be sufficient roadway capacity to meet the needs of approved development. It is unclear how the future transportation system will be able to accommodate the long term needs created by the succession of recent land use density and intensity increases in the Central Western Palm Beach County area being considered.

Recommendations

The Department provides the following recommendations to eliminate, reduce or mitigate adverse impacts to SIS and significant regional facilities.

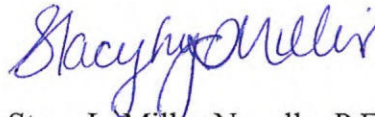
1. Coordination needs to occur between FDOT, Palm Beach County and the Palm Beach MPO to plan, prioritize, and ensure funds are available to deliver transportation

improvements needed to serve anticipated growth. It is not clear how approximately 34 miles of additional lane capacity (over \$260 million) will be funded. It is also not clear how the needed capacity can be phased with development to avoid severe impacts to SIS and significant regional facilities.

2. The County should discuss with the MPO and the Department, when and how needed SIS and State Highway System improvements can be funded and included as cost feasible in the LRTP. This coordination is important to facilitate the implementation of traffic capacity and operational improvements and transit service improvements on SIS facilities to more closely coincide with the timing of development impacts.
3. The necessary improvements to maintain the adopted LOS standards should be identified and included in the County's Capital Improvement Element, the County's Thoroughfare Right of Way Identification Map, and the MPO's LRTP cost feasible component. The Capital Improvement Element and the LRTP should identify funding sources to address network deficiencies.
4. The County should identify the future roadway network connections and plan for improving the roadway network (additional lanes, new roadways, expanded intersections, etc.) needed to serve land uses with the proposed amendment at the adopted level of service standards. In addition, a coordinated multi-agency plan should be developed for the advancement of transit, Park and Ride opportunities, and Advanced Traffic Management System (ATMS) to mitigate vehicle trips from the land use plan amendments in the Central Western Pam Beach County area.
5. The County needs to continue to be engaged as a stakeholder in the development and implementation of the SR-80 Corridor Action Plan and help identify necessary actions to be taken by the Department, local governments, and other stakeholders to protect and enhance the corridor and identify improvements necessary to bring SR-80 to SIS standards.
6. Add language to the Comprehensive Plan to recognize the responsibility of the County to assess cumulative impacts to the SIS and ensure timely, adequate, and appropriate mitigation for FLUA changes that will create net trip increases impacting SIS facilities that already exceed or are projected to exceed adopted LOS standards for those facilities.
7. The County is encouraged to update its comprehensive plan to incorporate cost feasible projects from the LRTP and to address the statutory provisions governing the multimodal transportation element requirements in s. 163.3177, F.S., as modified by the Community Planning Act (2011).
8. The Department concurs with the developer's transportation commitments as outlined on pages E-72 and E-73 of the FLUA & Text Amendment Staff Report as these are necessary to provide access to the development. However, these commitments will not adequately address impacts to the regional roadway network.

The Department has serious concerns regarding how the proposed amendment will adversely impact transportation resources and facilities of state importance including SR 80, SR 710 and SR 7. The Department also has significant concerns regarding proportionate share contributions and how they are being applied to address regional transportation deficiencies caused by new development approvals. We urge the County to effectively leverage proportionate share contributions to address critical needs on regional transportation resources and facilities of state importance. We are committed to working with the County, MPO and developer in pursuing mobility solutions. If you have any comments or questions about this letter, please contact Ms. Lisa Dykstra at (954) 777-4360.

Sincerely,



Stacy L. Miller-Novello, P.E.
Director of Transportation Development
District Four

SM:lh

Attachment (Table 1)

cc: Verdenia C. Baker, Palm Beach County
Steven Braun, FDOT District Four
Michael Busha, TCRPC
Mayor Susan Haynie, Palm Beach MPO Chair
Gerry O'Reilly, FDOT District Four
Dana Reiding, FDOT Central Office
Richard Shine, FDOT Central Office
James Stansbury, FDEO
Nick Uhren, Palm Beach MPO
George Webb, Palm Beach County

Table 1

Indian Trails Grove Impact Summary

Roadway	From	To	2040 Cost Feasible Plan Number of Lanes	Additional Lanes Needed	Total Number of Lanes	Length	Estimated Cost of Additional Lanes (Millions)
Okeechobee Blvd	140th Ave N	Crestwood Blvd	4	2	6	1.59	8.4
Okeechobee Blvd	Crestwood Blvd	Royal Palm Beach Blvd	6	2	8	0.66	6.3
Okeechobee Blvd	Royal Palm Beach Blvd	Wildcat Way	6	2	8	1.04	8.5
SR 80/Southern Blvd	Seminole Pratt Whitney Rd	Binks Forest Drive	6	2	8	1.151	7.4
SR 80/Southern Blvd	Binks Forest Drive	Big Blue Trace	6	2	8	2.002	13.2
SR 80/Southern Blvd	Big Blue Trace	Forest Hill/Crestwood	6	2	8	0.723	6.2
SR 80/Southern Blvd	Forest Hill/Crestwood	Cypress Head	6	2	8	0.675	5.2
SR 80/Southern Blvd	Cypress Head	Royal Palm Beach Blvd	6	2	8	0.37	3.6
SR 80/Southern Blvd	Royal Palm Beach Blvd	Lamstein Ln	8	2	10	0.661	5.4
SR 80/Southern Blvd	Lamstein Ln	SR-7	8	2	10	1.058	8.4
SR 80/Southern Blvd	SR 7	Sansbury's Way	8	2	10	1.124	9.2
SR 80/Southern Blvd	Sansbury's Way	Pike Rd	8	2	10	1.041	8.7
SR-7	Pioneer Rd	Southern Blvd	8	2	10	0.618	7.6
SR-7	Southern Blvd	Belvedere Rd	8	2	10	0.51	7.7
SR-7	Okeechobee Blvd	Orange Grove Blvd	4	2	6	2.92	16.2
Northlake Blvd	Seminole Pratt Whitney Rd	140th Ave N	4	2	6	2.02	11.2
Northlake Blvd	140th Ave N	Coconut Blvd	4	2	6	1.45	9.3
Northlake Blvd	Coconut Blvd	Ibis Rd	4	6	10	1.99	18.1
Northlake Blvd	Ibis Rd	SR-7	4	8	12	0.49	7.0
Northlake Blvd	SR-7	Beeline Hwy	4	8	12	2.74	29.8
Seminole Pratt Whitney Road	SR 80	Okeechobee Blvd	4	2	6	1.61	8.9
Seminole Pratt Whitney Road	Okeechobee Blvd	Sycamore Dr E	4	4	8	2.11	19.2
Seminole Pratt Whitney Road	Sycamore Dr E	60th Street N	4	4	8	1.9	17.3
Seminole Pratt Whitney Road	60th Street N	Orange Blvd	4	2	6	1.38	7.7
Seminole Pratt Whitney Road	Orange Blvd	Northlake Blvd	4	2	6	2.21	12.3
Estimated Cost Summary				Total		34.043	262.8

Note: The impacts include Indian Trail Grove and Avenir Comprehensive Plan Amendments. Minto West Comprehensive Plan Amendment is not included since it has been in the 2040 SERPM cost feasible model.

June 3, 2016

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TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 10

From: Staff

Date: May 20, 2016 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Palm Beach County Comprehensive Plan
Amendment No. 16-3ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from Palm Beach County contains a proposed change to the Future Land Use (FLU) Atlas; text changes to the Introduction and Administration, Future Land Use and Transportation elements; and changes to the Map Series of the comprehensive plan. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendment

The proposed amendment is to change the FLU Atlas designation on 4,871.57 acres from Rural Residential, 1 unit per 10 acres (RR10) on 3,592.16 acres and Agricultural Production (AP) on 1,279.41 acres to Western Communities Residential (WCR), and make related text changes in several elements of the comprehensive plan. The subject property is known as Indian Trails Grove (ITG). The proposed change would result in an increase in the maximum number of dwelling units on the property from 359 to 3,897, a net increase of 3,538 units, which is a 986 percent increase. The proposed amendment also would allow 350,000 square feet (SF) of non-residential uses (300,000 SF commercial retail and 50,000 SF office) to be developed on the property.

The ITG property was cleared for citrus production in the 1960s, but has been transitioned to row crop production in recent years. It is located west of 180th Avenue North and south of Hamlin Boulevard. The site is located within an area of the county known as the Central Western Communities, a 57,000-acre area predominated by low density residential development and large tracts of undeveloped agricultural lands. It is located within the county's Rural Tier of its Managed Growth Tier System. Adjacent properties include the J.W. Corbett Wildlife Management Area to the north; the Acreage residential community to the east; the Minto West property and South Florida Water Management District (SFWMD) M-Canal to the southeast; property designated Rural Residential to the south; a Florida Power and Light Company transmission line and SFWMD L-8 Canal to the southwest; and property designated Agricultural Production to the west.

The proposed amendment also includes revisions to the Introduction and Administration, Future Land Use and Transportation elements and Map Series as follows:

Introduction and Administration Element

- Add a new definition for the WCR FLU designation.

Future Land Use Element

- Revise Objective 1.4, Rural Tier, and Policy 1.4-d to address the Indian Trails Grove Overlay (ITGO) and WCR in the Rural Tier.
- Add new Objective 1.12, ITGO, and eight new policies related to the ITGO.
- Revise Table 2.2.1-g.1, Residential Future Land Use Designation Maximum Density, to include a density of 0.80 dwelling units per gross acre as the maximum density for the WCR FLU category.
- Revise Table 2.2.1-j.1, Residential Future Land Use – Zoning Consistency, to include the WCR FLU category.
- Revise Policy 3.3-a, to establish the ITGO as a Limited Urban Service Area.
- Revise Policy 3.5-d to provide the ITGO an exemption from requirements in the county's long range transportation policy.
- Add new Objective 4.5, Western Communities Residential, and six new policies related to the WCR FLU category.
- Revise Table III.C, Future Land Use Designations by Tier, to include the WCR FLU category.

Transportation Element

- Revise Policy 1.4-q to establish rural parkways in the ITGO.

Map Series

- Revise Map LU 1.1, Managed Growth Tier System Map, to depict the ITGO as a Limited Urban Service Area.
- Revise Map LU 2.1, Service Area Map, to depict the ITGO as a Limited Urban Service Area.
- Revise Map LU 3.1, Special Planning Areas Map, to identify the ITGO as a Special Planning Area.

- Revise Map TE 14.1, Thoroughfare Right of Way Identification Map, to add 60th Street North as an 80-foot right-of-way from Seminole Pratt Whitney Road to 190th Street North; to add 190th Street North as an 80-foot right-of-way from 60th Street North to Orange Boulevard; to depict the locations of Rural Parkways and add appropriate references to the notes.

The applicant for the proposed amendment has provided a conceptual plan (Exhibit 11) to be adopted as part of the proposed amendment. The conceptual plan identifies the general locations of land uses and establishes design components. The conceptual plan illustrates:

- Three nodes of commercial/retail and office;
- Areas of low, medium and high density residential;
- Areas of civic/institutional and recreational uses, including parks, a fire-rescue site, and school sites;
- 1,068 acres for water resources/agriculture on the west side of the project;
- 640 acres for expansion of an existing impoundment on the west side of the project; and
- Other features including rural parkways, trails, sidewalks and points of connectivity.

The applicant has indicated the ITG project would provide several public benefits, including the following:

- Provision for 10 percent of all units to be provided on-site as workforce housing;
- Creation of a mixed-use community design to address regional land use imbalance and potential to reduce vehicle miles travelled;
- Provision of 64 acres of parks and recreation uses, 17 miles of perimeter trails for pedestrians, cyclists, and equestrians, 11 miles of pedestrian and bike pathways within the project;
- Civic site dedications for a fire station and school sites;
- Retention of over 1,100 acres of open space for agricultural uses; and
- Potential to address regional flooding through increased water storage by the provision of a 640-acre area for an impoundment adjacent to the Indian Trail Improvement District's M-1 Impoundment.

The application materials indicate the ITG property is located within the SFWMD's L-8 basin and legal positive outfall will be provided by the L-8 canal, which is adjacent to the west side of the subject property. Also, the property is within the boundaries of the Cypress Grove Community Development District (CGCDD), which is a special district created by the Governor and Cabinet sitting as the Florida Land and Water Adjudicatory Commission in 1993. The CGCDD has the authority to provide public infrastructure and services, and to operate district facilities. Additionally, the property is an inactive unit of the Indian Trail Improvement District (ITID), which is a special district created by the Florida Legislature in 1957. The applicant has indicated that the proposed development would employ the CGCDD to provide the drainage infrastructure within the project, and the property would become an active unit of ITID. The applicant has proposed to make available 640 acres for an impoundment at the northwestern corner of the proposed project. This could provide up to 5,000 acre/feet of additional storage capacity for the ITID.

The county staff report indicated that the proposed amendment is generally consistent with provisions of the county's comprehensive plan. Potable water, wastewater, and reclaimed water service will be provided by the Palm Beach County Water Utilities Department, who has indicated they have the necessary capacity to provide the required level of service (LOS) at the proposed density and intensity. The non-residential square footage at a neighborhood and community scale would in part address a long-standing land use imbalance in the Central Western Communities area. The proposed project provides for localized neighborhood and community needs, rather than attempting to address the larger regional imbalance and setting up a potential competition with the recently approved Minto West property.

The county staff report noted the proposed amendment would be compatible with surrounding land uses, because the proposed density is equivalent to the density in the Exurban Tier. Also, the applicant is proposing extensive buffers of 250 feet to 1/2 mile in width to environmentally sensitive lands in the Glades Tier, including J.W. Corbett Wildlife Management Area. Proposed are buffers and separations. In addition, the rural landscape will be enhanced through the incorporation of significant pedestrian and equestrian trails, and use of the rural parkway concept along many of the collector roads that form the boundary of the parcel.

However, the county staff report indicated the proposed amendment includes an exemption from Policy 3.5-d to address impacts to roadway levels of service for many facilities within central western Palm Beach County. Policy 3.5-d was adopted by the county in part to determine whether or not there would be significant potential impacts upon the transportation network based on an analysis using the Metropolitan Planning Organization's long range transportation model. The proposed amendment is projected to generate approximately 42,427 additional daily trips on the regional road network. The long range Policy 3.5-d study showed that the proposed land use amendment does not comply with the policy. The county identified 10 segments that did not meet the adopted levels of service. The county staff report indicated many of the long-term deficiencies indicated in the 3.5-d study can be effectively addressed by providing more lane and intersection capacity than what was expected in the long range model road network. The proposed amendment includes the exemption, because these impacts can be addressed through specific improvements to the roadway network.

Regional Impacts

SRPP Regional Redevelopment Goal 5.1. prioritizes the redevelopment, revitalization and infill of existing neighborhoods and districts; **Regional Strategy 5.1.1** is to identify and improve distressed and underutilized neighborhoods and districts; and **Regional Policy 5.1.1.2** encourages redevelopment of existing urban areas to discourage sprawl. ITG does not further these fundamental regional priorities which promote a "fix what we have, finish what we started" approach to growth and development of the region. There is concern the ITG proposal will further reduce the county's capacity to address several square miles of unincorporated neighborhoods and districts in significant need of redevelopment and infrastructure improvements, especially between Florida's Turnpike and I-95 along the Congress Avenue and Military Trail corridors.

Regional Public Facilities Strategy 8.1.1 is to provide levels of public services necessary to achieve a high quality of life, cost effectively, and **Regional Policies 8.1.1.2, 8.1.1.3 and 8.1.1.4** encourage development and redevelopment of areas where adequate public facilities exist before allocating funds to support new facilities in undeveloped areas. The ITG proposal is inconsistent with these key regional growth and development strategies and policies. No public services or access to this property exist today. The project is expected to generate 42,000 external car trips per day. All access to this property will be from three neighborhood streets, which serve the surrounding rural residential communities. Palm Beach County is having difficulty maintaining the integrity of its current countywide infrastructure investments and contains dozens of distressed neighborhoods and districts where public services and facilities already exist, but need updating. Rather than opening up more undeveloped land and providing new urban services, the county may be better served by focusing future public infrastructure investments to support redevelopment and prevent further decline of these older, more urban areas.

Traffic generated from the ITG proposal will exceed LOS standards on the following segments of the regional and local roadway network:

- Seminole Pratt Whitney Road from Northlake Boulevard to Orange Boulevard
- Seminole Pratt Whitney Road from Orange Boulevard to 60th Street North
- Seminole Pratt Whitney Road from 60th Street North to Persimmon Boulevard
- Seminole Pratt Whitney Road from Persimmon Boulevard to Sycamore Drive
- Seminole Pratt Whitney Road from Sycamore Drive to Okeechobee Boulevard
- Seminole Pratt Whitney Road from Okeechobee Boulevard to Southern Boulevard
- Persimmon Boulevard from 140th Avenue North to Royal Palm Beach Boulevard
- 60th Street North from 140th Avenue North to Royal Palm Beach Boulevard
- Northlake Boulevard from 140th Avenue North to Coconut Boulevard
- Northlake Boulevard from 140th Avenue North to Ibis Boulevard

Part of the ITG proposal is to request a text amendment to Palm Beach County's comprehensive plan granting several LOS exemptions or waivers for the roadways listed above. **Regional Transportation and Energy Policies 7.1.3.1, 7.1.4.4 and 9.1.1.1** are to encourage patterns of development and redevelopment that reduce dependency on the automobile and the use of fossil fuels; maximize public transportation alternatives; minimize the use of the region's arterial and collector network; and support requests for lower levels of service in higher density areas, downtowns and along designated public transportation corridors. Under Council's SRPP, the ITG proposal is not consistent with these fundamental regional transportation and energy priorities and would not qualify for LOS or transportation concurrency exceptions.

Regional Economic Development Goals 3.1, 3.2 and 3.4 encourage patterns of development and public investment to: 1) improve economic and redevelopment opportunities for distressed communities; and 2) support a sufficient agricultural land base to increase the sustainability, expansion and diversification of agricultural activities throughout the region. More specifically, **Regional Economic Development Policies 3.4.1.2, 3.4.2.1 and 3.4.2.7** are to discourage suburban sprawl and encourage sustainable economic development by giving high priority to working with the private sector and coordinating land use planning that will increase public

investment and assistance to foster infill, redevelopment and refurbishing of infrastructure in existing urban areas. The ITG proposal is inconsistent with these regional economic development priorities. It does not foster reinvestment in the county's distressed urban areas. The ITG proposal also extends public services and suburban development far out into existing agricultural lands that will create a large agricultural enclave, containing several square miles surrounded by development. This pattern of development will likely create the basis for conversion of all remaining agricultural lands in the area to suburban development.

Regional Housing Goals 2.3 and 2.5 encourages stabilization and revitalization of existing neighborhoods and future growth that does not result in isolated patterns of development. The main reason for this is to encourage an ample mix of affordable rental and for-sale housing opportunities in close proximity to established employment centers, public services, and existing transportation and public transit corridors that provide good access to jobs. This is an important aspect of reducing the transportation cost burden of accessing employment and other services on the individuals and families who can least afford it. The ITG proposal includes a commitment that 10 percent of on-site, for-sale units will be provided as workforce housing based on the county's affordability standards. The isolated nature of this project and speculation that a job base will develop in close proximity over time dilutes the value of this location as affordable housing stock for the county. The additional time and transportation costs that may result will offset any savings to individuals and families purchasing these units at a lower price point.

Extrajurisdictional Impacts

The proposed amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse on September 29, 2015. The amendment package from the county contained resolutions from the Town of Loxahatchee Groves (Exhibit 12), Village of Royal Palm Beach (Exhibit 13), and City of West Palm Beach (Exhibit 14) opposing the comprehensive plan amendment. The resolutions from Loxahatchee Groves and Royal Palm Beach indicate the proposed amendment may significantly impact traffic within their jurisdictions and surrounding communities. They indicate there are no cost-feasible solutions to maintain the existing roadway system at an acceptable LOS. Both municipalities recommend denial of the proposed amendment, but state if a land use change is to be granted, they would request that the change would only be from 0.1 units per acre to 0.2 units per acre, and the project be developed with a corresponding balanced land use of non-residential uses. The resolution from the City of West Palm Beach notes that the traffic analysis states several links within the project's radius of development influence do not meet the applicable LOS standards as outlined in the Palm Beach County comprehensive plan. The city's resolution expresses concerns related to traffic impacts, negative effects on water quality, and destruction of the quality of rural life. If the county chooses to approve the proposed amendment, it should work with the Town of Loxahatchee Groves, Village of Royal Palm Beach, and City of West Palm Beach to adequately address their concerns and identified extrajurisdictional impacts.

Recommendation

Council should approve this report and authorize its transmittal to Palm Beach County and the Florida Department of Economic Opportunity.

Attachments

May 20, 2016

Lisa Amara
Senior Planner
Palm Beach County Planning Division
2300 North Jog Road
West Palm Beach, FL 33411
lamara@pbcgov.org

Re: Palm Beach County Comprehensive Plan Amendment (CPA) 16-3 ESR (Indian Trails Grove Large Scale Map Amendment)

Dear Ms. Amara:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced comprehensive plan amendment package and provides the following recommendations for your consideration in accordance with Chapter 163, Florida Statutes. While we have no objections to the amendment, we offer the following information as technical assistance during your review.

Proposed Amendments

The Indian Trails Grove Large Scale Map Amendment is a privately initiated comprehensive plan amendment that would provide map and text amendments to change 4,872 acres from Rural Residential and Agricultural Production to Western Communities Residential and establish the Indian Trails Grove Overlay. This change would allow for an increase in the maximum residential density from 359 units to 3,897 units and would include up to 350,000 square feet of non-residential uses. The site is bordered on the north and west by the J.W. Corbett Wildlife Management Area (WMA), to the east by the Acreage single-family neighborhood, and to the south by various farms and single-family residences in Palm Beach County. The current land uses on the site include active agriculture, other surface waters (203 acres of ditches and retention ponds), and wetlands (115 acres). The small and isolated wetlands onsite are low quality and dominated by invasive vegetation.

Potentially Affected Resources

An environmental assessment was prepared by Wantman Group, Inc., on behalf of the applicant and submitted to the County. The report is based on a site visit in March of 2015 and indicates that no listed wildlife species were observed on-site.

In addition to the information included in the environmental assessment, a geographic information system (GIS) analysis conducted by FWC staff found that the project site contains, is adjacent to, or occurs near:

- Within one or more wood stork (*Mycteria americana*, FT) nesting colony core foraging area (CFA). The CFA constitutes an 18.6-mile radius around the nesting colony.
- U.S. Fish and Wildlife Service (USFWS) consultation areas for:
 - Everglade snail kite (*Rostrhamus sociabilis plumbeus*, Federally Endangered [FE])
 - Red-cockaded woodpecker (*Picoides borealis*, FE)
 - Audubon's crested caracara (*Polyborus plancus audubonii*, Federally Threatened [FT])
 - Florida bonneted bat (*Eumops floridanus*, FE)
- Potential habitat for state- and federally listed species:
 - Eastern indigo snake (*Drymarchon corais couperi*, FT)
 - Gopher tortoise (*Gopherus polyphemus*, State Threatened [ST])
 - Florida sandhill crane (*Grus canadensis pratensis*, ST)
- Existing or proposed conservation lands:
 - J.W. Corbett Wildlife Management Area
- Potential habitat for the Florida black bear (*Ursus americanus floridanus*) – South Bear Management Unit

Comments and Recommendations

J.W. Corbett WMA, located immediately north and west of the area encompassed by the proposed amendment, is an important facility in this part of Florida. The high-quality habitats found within Florida's wildlife management area system ensure abundant wildlife, help protect water sources that supply drinking water for the state's growing population and create outstanding places to enjoy outdoor recreation. Management techniques, including mechanical treatments and prescribed fire, are necessary tools for maintaining the ecosystem integrity within the J.W. Corbett WMA. Recreational opportunities such as hunting, fishing, camping, hiking, and wildlife viewing opportunities are an important part of this facility, as it is one of the only public hunting areas in this portion of the state. Because of the importance of this state facility to fish and wildlife resources, including the use of such resources for recreational purposes, we offer the following technical assistance to the County and the applicant to ensure this amendment complies with FWC's responsibilities under Chapter 163, F.S.

Site Design

The proposed site design acknowledges the nearby conservation lands in the J.W. Corbett WMA located immediate north of the acreages identified in the proposal. Because of the proximity to these conservation lands, the proposed development would be clustered on less than 50 percent of the total area, and would be located in the southern or eastern portions of the project site, away from WMA lands. Most of the site perimeter is set aside for continued agricultural uses, lakes, or other water management areas, including over 1,800 acres in the northwestern and western portions of the site that border the

WMA. The site design also includes a lake and other water resources that will allow for fishing and non-motorized boat use. While the existing land uses support little or no habitat for listed species or other wildlife, the proposed site design includes features that may improve habitat for fish and wildlife. The proposed water management features are likely to attract wildlife after construction, including wildlife currently found in the WMA that may move into the area as it becomes more suitable for essential behaviors like forging or nesting. FWC staff supports the design considerations mentioned above and will continue to work with the applicant to incorporate wildlife-friendly features during the future planning and development phases of this project.

Prescribed Fire

FWC staff actively manages the J.W. Corbett WMA utilizing mechanical treatments to the uplands, along with prescribed burns. Any development on this site should include provisions for a community declaration that would ensure the ability to perform prescribed burns on fire-dependent plant communities within the WMA. Future residents should also be informed that prescribed burning is an acceptable practice for land management and they should be provided educational materials on what residents can expect during prescribed burns. Information regarding prescribed burning can be found at <http://myfwc.com/wildlifehabitats/prescribed-fire/inside-look/>.

Hunting and Recreation

A significant portion of the site is bordered by the J.W. Corbett WMA. While there is only a small portion of the proposed development that will have residential uses adjacent to the WMA, the applicant and future residents should be aware of the hunting activities that occur on the WMA and educational materials should be provided to future residents of the proposed development. The portion of the WMA nearest to proposed residential uses already has more restrictive hunting methods than other sections of the WMA at the request of local hunting organizations and based on the proximity of residential neighborhoods. Further information on hunting in the J.W. Corbett WMA can be found on our website at <http://myfwc.com/hunting/wma-brochures/s/corbett/>. Other educational materials describing the wildlife and recreational opportunities within the WMA can be found at <http://myfwc.com/viewing/recreation/wmas/lead/jw-corbett/>.

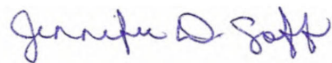
Florida Black Bear

FWC has very recent records of Florida black bears utilizing J.W. Corbett WMA and the Florida black bear has the potential to occur within and around the project area. While black bears that live in remote areas tend to shy away from people, they are adaptable and will take advantage of human-provided food sources. Once bears become accustomed to finding food around people, their natural wariness is reduced to the point that there can be an increased risk to public safety or private property. There are measures that can be taken to reduce the potential for negative human-bear interactions, such as using bear-resistant garbage containers and keeping the site free of food waste. While we realize that occurrences of black bears in this portion of Palm Beach County are rare, proactive planning to prevent potential human-wildlife interactions will benefit the residents of the proposed community and reduce the costs associated with remediating a waste management issue in the future. We recommend measures to prevent attracting bears

into the neighborhood be included into a community declaration and that future planning for development include considerations for bear-resistant waste management practices. FWC staff is available to assist with residential planning to incorporate the above features and additional information about Florida black bears can be found on our website at <http://www.myfwc.com/wildlifehabitats/managed/bear>.

FWC staff remains available to provide technical assistance to the County and the applicant as this project moves forward. We appreciate the opportunity to participate in the review of these amendments. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Jason Hight at (850) 413-6966 or by email at Jason.Hight@MyFWC.com.

Sincerely,



Jennifer D. Goff
Land Use Planning Program Administrator
Office of Conservation Planning Services

jdg/jlh
ENV 2-3-3
Palm Beach County 16-3ESR_30808_052016

cc: Ray Eubanks, DEO, DCP@externalagencycomments@deo.myflorida.com
Anita Franklin, DEO Senior Plan Processor, anita.franklin@deo.myflorida.com
Chris Barry, Urban Design Kilday Studios, cbarry@udkstudios.com
Kevin Ratterree, Palm Beach West Associates, kevin.ratterree@glhomes.com

ATTACHMENT V

STATUS OF CONDITIONS AND PROPOSED MODIFICATIONS

Below is a status of conditions for the Conditions of Approval contained in Ordinance No. 2016-041. The Applicant is proposing the following modifications or deletions. Final language to be determined upon review and acceptance of Traffic Reports submitted.

1. Development of the site is limited to a maximum gross density of 0.8 dwelling units/acre (3,897 units maximum); no additional density bonuses are permitted;

Status: Request to modify to read:

Development of the site is limited to a maximum gross density of 0.8 dwelling units/acre (~~3,897~~ 2,612 units maximum); no additional density bonuses are permitted;

2. Development of the site must conform with the site data table and the conceptual plan;

Status: Ongoing, A request for Development Order Amendment is being requested concurrently to this FLUA request (ZV/ABN/DOA/W-2022-00155) to amend the development program for the Indian Trails Grove PUD.

3. Commercial development on the site is limited to a maximum 300,000 square feet and office development is limited to a maximum of 50,000 square feet;

Status: Request to modify to read:

Commercial development to the site is limited to a maximum ~~300,000~~ 200,000 square feet and office development is limited to a maximum of ~~50,000~~ 33,500 square feet;

4. Prior to the issuance of the 2,598th residential building permit, a minimum of 233,000 square feet of commercial uses shall receive a certificate of occupancy/certificate of completion;

Status: Request to modify to read:

Prior to the issuance of the ~~2,598th~~ 1,741th residential building permit, a minimum of ~~233,000~~ 155,511 square feet of commercial uses shall receive a certificate of occupancy/certificate of completion;

5. Recordation of the first plat required within three years of any development order approval, subject to time extensions as allowed by the ULDC, or otherwise permitted pursuant to State Law and County Policy;

Status: Ongoing.

6. Prior to the recordation of the first plat for the development, the developer shall record a conservation easement for the 1,068 acres of land identified as Water Resources/Agriculture on the Conceptual Plan, in favor of Palm Beach County, subject to the approval of the County Attorney;

Status: Request to modify to read:

Prior to the recordation of the first plat for the development, the developer shall record a conservation easement for the 1,068 448 acres of land identified as Water Resources/Agriculture on the Conceptual Plan, in favor of Palm Beach County, subject to the approval of the County Attorney;

7. A deed conveying the Impoundment Expansion area of 640 acres to the Indian Trail Improvement District (ITID), as shown on the conceptual plan, shall be executed by the property owner and placed in escrow prior to the recordation of the first plat, or April 1, 2018, whichever occurs first. The terms of the release from escrow and recordation of the deed shall be pursuant to the terms of an agreement by and between the applicant, its successors and assigns, and the ITID. Upon written notice to the County by ITID, that the 640 acre Impoundment Expansion area will not be utilized by the District, then the land shall be deeded to the County for storm water retention/water management purposes; the timing and conveyance of such dedication and any other conditions pertaining to the conveyance (to Palm Beach County rather than ITID) shall be established in the zoning development order issued by the BCC;

Status: Completed. See submitted Letter from GL Homes to PBC Planning, providing for compliance through the March 29, 2018 'Agreement for Donation of Real Property' executed between the applicant and Indian Trail Improvement District. Pursuant to stated agreement, deed executed by Donor was placed in escrow prior to compliance date of April 1, 2018.

8. Within 60 days of the effective date of the comprehensive plan amendments regarding the Indian Trails Grove site, the developer shall provide the County Attorney an executed restrictive covenant, approved by the County Attorney, which shall be recorded in the public records prohibiting the property owned by the developer, affiliated entities, and any and all successors and assigns, within the area covered by the Western Communities Residential Overlay, from voluntarily annexing into a municipality, signing annexation petitions or otherwise consenting to annexation, seeking to incorporate as a municipality, or consenting to participating in or financially contributing to efforts to incorporate a municipality until the threshold established in Chapter 720.307 F.S. (2016, as amended from time to time) is achieved. The developer shall provide the County with a certified copy of the executed and recorded restrictive covenant prior to certification of any development order. In the event the developer seeks certification of any development order application prior to recording the covenant, the developer shall provide to the County Attorney the executed covenant in recordable form, with the appropriate filing fee, to be held in escrow by the County Attorney and recorded after the effective date of the comprehensive plan amendments.

Status: Completed. See submitted Declaration of Restrictive Covenants recoded via ORB 30581 PG 0532, and further amended and recorded via ORB 32729 PG 1023.

9. The Zoning development order shall include the provision of at least 10% of the residential units, a total of 390 units, shall be provided as workforce housing, subject to the following requirements:
 - a. The property owner shall provide these units on site, and between 60-120% of the Average Median Income ranges for the County, in three ranges (60-80%, 81-100% and 101-120%);

- b. Prior to the issuance of the first residential building permit, a master covenant for all 390 workforce housing units shall be recorded;
- c. Prior to the issuance of the certificate of occupancy for each designated workforce housing unit, a deed restriction for each units shall be recorded containing all relevant information implementing the workforce housing conditions, specified in this ordinance and any subsequent zoning approval;
- d. Upon the recordation of sale for each workforce housing unit, a copy of the deed restriction shall be provided to the Planning Director and the Department of Economic Sustainability (DES) (or its successor);
- e. The deed for each workforce housing unit sold shall include restrictions requiring:
 - i. that all identified units be sold or resold only to qualified households in the applicable targeted income range at an attainable housing cost for each of the targeted income ranges;
 - ii. that these restrictions remain in effect for 15 years recurring from the date of the certificate of occupancy for each unit; and
 - iii. that in the event a unit is resold before the 15-year period concludes, a new 15 year period shall take effect on the date of the resale;
- f. Prior to final site plan approval for each subdivision plan per pod, the total number of workforce housing units provided shall be identified within that pod;
- g. A release of obligation to construct workforce housing units consistent with the ULDC provisions shall be included in the zoning development order;
- h. Beginning in October 2020, an annual report shall be submitted to DES and the Planning Director denoting compliance with the workforce housing requirements adopted with the amendment and any future development order. Should no units receive a certificate of occupancy prior to October 2020, the reporting requirement shall begin one year after the issuance of the first certificate of occupancy, and continue each year thereafter;
- i. Prior to the issuance of the 663rd building permit, 39 workforce housing units (all located in Parcel A) shall be issued a certificate of occupancy;
- j. Prior to the issuance of the 1797th building permit, 195 workforce housing units shall be issued a certificate of occupancy;
- k. Prior to the issuance of the 2,499th building permit, 292 workforce housing units shall be issued a certificate of occupancy;
- l. Prior to the issuance of the 3,358th building permit, all 390 workforce housing units shall be issued a certificate of occupancy;

Status: Request to modify to read:

The Zoning development order shall include the provision of at least 10% of the residential units, a total of ~~390~~ 261 units, shall be provided as workforce housing, subject to the following requirements:

- a. The property owner shall provide these units on site and between 60-120% of the Average Median Income ranges for the County, in three ranges (60-80%, 81-100% and 101-120%);
- b. Prior to the issuance of the first residential building permit, a master covenant for all ~~390~~ 261 workforce housing units shall be recorded;
- c. Prior to the issuance of the certificate of occupancy for each designated workforce housing unit a deed restriction for each unit shall be recorded containing all relevant information implementing the workforce housing conditions, specified in this ordinance and any subsequent zoning approval;
- d. Upon the recordation of sale for each workforce housing unit, a copy of the deed restriction shall be provided to the Planning Director and the Department of Economic Sustainability (DES) (or its successor);
- e. The deed for each workforce housing unit sold shall include restrictions requiring:
 - i. that all identified units be sold or resold only to qualified households in the applicable targeted income range at an attainable housing cost for each of the targeted income ranges;
 - ii. that these restrictions remain in effect for 15 years recurring from the date of the certificate of occupancy for each unit; and
 - iii. that in the event a unit is resold before the 15-year period concludes, a new 15-year period shall take effect on the date of the resale;
- f. Prior to final site plan approval for each subdivision plan per pod, the total number of workforce housing units provided shall be identified within that pod;
- g. A release of obligation to construct workforce housing units consistent with the ULDC provisions shall be included in the zoning development order;
- h. Beginning in October 2020, an annual report shall be submitted to DES and the Planning Director denoting compliance with the workforce housing requirements adopted with the amendment and any future development order. Should no units receive a certificate of occupancy prior to October 2020, the reporting requirement shall begin one year after the issuance of the first certificate of occupancy, and continue each year thereafter;
- i. Prior to the issuance of the ~~663rd~~ 444th building permit, ~~39~~ 26 workforce housing units (all located in Parcel A) shall be issued a certificate of occupancy;
- j. Prior to the issuance of the ~~1797th~~ 1,202nd building permit, ~~495~~ 157 workforce housing units shall be issued a certificate of occupancy;

k. Prior to the issuance of the ~~2,499th~~ 1,671st building permit, ~~292~~ 196 workforce housing units shall be issued a certificate of occupancy;

l. Prior to the issuance of the ~~3,358th~~ 2,246th building permit, all ~~390~~ 261 workforce housing units shall be issued a certificate of occupancy;

Condition numbering 10 – 18 omitted from original Ordinance

19. The Zoning development order and proportionate fair share agreement shall include timing mechanisms and proportionate share dollar amounts for the construction of all identified Thoroughfare Identification map roads, relative to the timing of construction and roadway impacts, and shall be to the satisfaction of the County Engineer;

Status: Ongoing.

20. Regarding 60th Street North:

a. Prior to issuance of the first residential permit, the developer shall improve and construct as a 2-lane section to County thoroughfare standards 60th St. N. from the existing east/west pavement west of Seminole Pratt-Whitney Rd. to 190th St. N., inclusive of a new bridge crossing over the M-Canal at the ultimate 4-lane section;

Status: Ongoing, Applicant is requesting a review and modification as appropriate based on Traffic Report and preliminary master plan submitted.

b. Prior to issuance of the 1,663rd residential permit, should the additional right-of-way for 60th St. N. from Seminole Pratt-Whitney Rd. to the western limits of the City of Westlake not have been dedicated to the County by Minto, the developer shall fund acquisition of said right-of-way;

Status: Ongoing, Applicant is requesting a review and modification as appropriate based on Traffic Report and preliminary master plan submitted.

c. Prior to issuance of the 2,320th residential permit, the developer shall improve and construct a 4-lane section to County thoroughfare standards 60th St. N. from Seminole Pratt Whitney Rd. to 190th St. N.;

Status: Ongoing, Applicant is requesting a review and modification as appropriate based on Traffic Report and preliminary master plan submitted.

21. To facilitate road improvements in the area, the developer shall pay the County \$1.25 million prior to the issuance of the first building permit; additional payments of \$1.25 million shall be made to the County prior to the issuances of the 974th, 1,948th, and 2,922nd building permits; these payments shall be subject to the cost adjustment clause in the proportionate fair share agreement to account for changes in road development costs over time;

Status: Request to modify to read:

To facilitate road improvements in the area, the developer shall pay the County \$1.25 million prior to the issuance of the first building permit; additional payments of \$1.25 million shall be made to the County prior to the issuances of the ~~974th~~ 653rd, ~~1,948th~~ 1,306th, and ~~2,922nd~~ 1,959th building permits; these payments shall be subject to the cost adjustment clause in the proportionate fair share agreement to account for changes in road development costs over time;

22. The land depicted on the conceptual plan as the 42-acre park expansion shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC;

Status: Request to modify to read:

The land depicted on the conceptual plan as the 42 43-acre park expansion shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC;

Status: Ongoing

23. The land depicted on the conceptual plan as the 5-acre fire/police/utility location shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; as an alternative to placing Fire/Rescue Services on the 5-acre site, the County may request, and the developer shall provide a 2.5-acre site to the County for a future Fire/Rescue Station at the non-residential node at the northwest corner of 190th Street North and Indian Trails Blvd.; in the event the County accepts another site for Fire/Rescue purposes outside of the Indian Trail Groves within a two mile radius of the 5-acre location identified on the conceptual plan, the developer is relieved of the fire station dedication option within the non-residential node at 190th Street N. and Indian Trails Blvd.;

Status: Request to modify to read:

The land depicted on the conceptual plan as the 5-acre fire/police/utility location shall be conveyed to Palm Beach County; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; ~~as an alternative to placing Fire/Rescue Services on the 5-acre site, the County may request, and the developer shall provide a 2.5-acre site to the County for a future Fire/Rescue Station at the non-residential node at the northwest corner of 190th Street North and Indian Trails Blvd.; in the event the County accepts another site for Fire/Rescue purposes outside of the Indian Trail Groves within a two mile radius of the 5-acre location identified on the conceptual plan, the developer is relieved of the fire station dedication option within the non-residential node at 190th Street N. and Indian Trails Blvd.;~~

24. The land depicted on the conceptual plan as the 25-acre proposed middle school, 22.6-acre proposed park, and 15.5 acre proposed elementary school shall be conveyed to the Palm Beach County School District; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; in the event the School District does not utilize the sites for related schools and recreational facilities, ownership of

any remaining unbuilt sites shall be conveyed to Palm Beach County at the County's sole discretion;

Status: Request to modify to read:

The land depicted on the conceptual plan as the ~~25-acre proposed middle school, 22.6-acre proposed park, and 15.5-acre proposed elementary school~~ 40-acre school site shall be conveyed to the Palm Beach County School District; the timing of the conveyance and any other conditions shall be established in the zoning development order issued by the BCC; in the event the School District does not utilize the sites for related schools and recreational facilities, ownership of any remaining unbuilt sites shall be conveyed to Palm Beach County at the County's sole discretion;

25. Rural Parkway easements shall be located along the south side of 60th Street North, both sides of Orange Blvd., the west side of 180th, and the east and west sides of 190th within the project boundaries, for the purposes of buffering and providing pedestrian, bicycle and equestrian trail connections within the development, and adjacent to the thoroughfare road network. These rural parkway easements shall:
- a. be a minimum of 50 feet in width, except for 180th which shall be a minimum 80 feet in width;
 - b. include 8-foot-wide multi-purpose pathways and 10-foot wide equestrian trails as indicated, which shall be accessible to the public;
 - c. obtain conceptual approval for signage located in the rural parkway that is context sensitive to the Rural Tier and subject to Planning Director approval, prior to final master plan approval;
 - d. obtain conceptual approval for all rural parkway planting plans prior to final master plan approval;
 - e. all rural parkway easements shall be recorded in the public record prior to the recordation of the first plat;
 - f. commence construction of each rural parkway segment prior to the first building permit in the adjacent pod, and shall be further detailed in the zoning development order;
 - g. complete construction of each rural parkway segment prior to the first certificate of occupancy in the adjacent pod, as further detailed in the zoning development order; and
 - h. include a minimum of 70% native plant material in each rural parkway planting plan, and the following minimum quantities of each type of vegetation, notwithstanding any ULDC buffer requirements:
 1. canopy trees, 1 per 1,000 square feet of rural parkway easement;
 2. flowering trees, 1 per 4,000 square feet of rural parkway easement;
 3. palms, 1 per 1,600 square feet of rural parkway easement;
 4. pines, 1 per 2,000 square feet of rural parkway easement;
 5. large shrubs, 1 per 400 square feet of rural parkway easement;

6. medium shrubs, 1 per 300 square feet of rural parkway easement;
7. small shrubs, 1 per 200 square feet of rural parkway easement;
8. turf grass and/or other ground cover as applicable for areas not planted with landscape material.

Status: Ongoing.

26. Prior to the issuance of the first residential building permit, the property owner will convey the 1,600 acres labeled on the Conceptual Plan as the "WRC Exchange Parcel/Palm Beach County Conveyance (1,600 acres)" to Palm Beach County.

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ATTACHMENT X

GL Homes Indian Trails Grove Water Resource Project

GL Homes is proposing:

- Dedication of 1,600 acres to Palm Beach County
- Design, Permit and Construction of a water resources project to benefit the region

Land Proposal

The proposed 1,600-acre Indian Trails Grove (ITG) dedication is located within the Cypress Groves Community Development District (CGCDD). It is shown as the blue area in Figure 1.

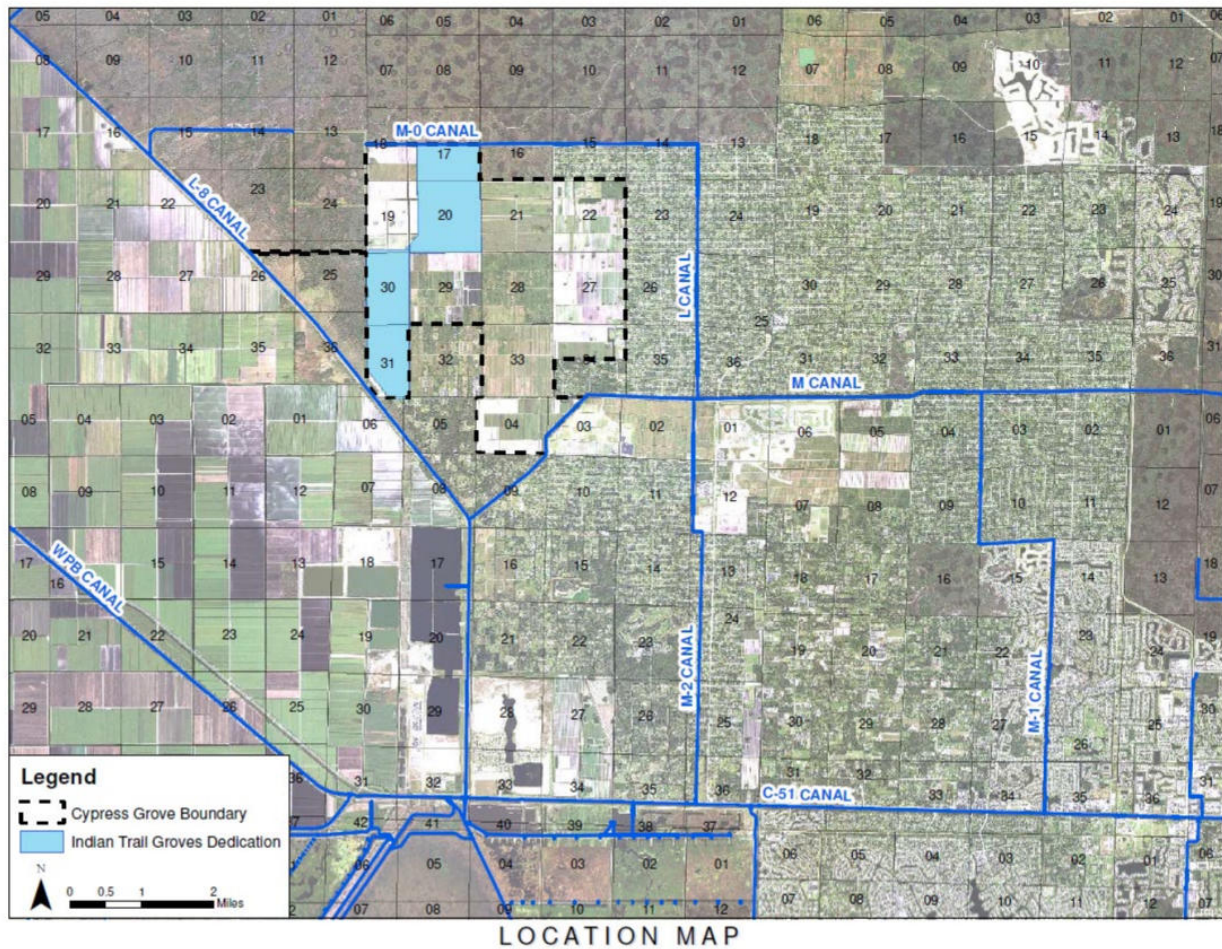


Figure 1

The northern portion of the dedication (Sections 17 and 20) is the location for the proposed water resources project (discussed below). The southern portion (Sections 30 and 31) is currently in agricultural production and is proposed to remain in agriculture for the following reasons:

- The southern portion has over 3 feet of elevation change from north to south, which makes the design and construction of a water resources reservoir and treatment facility difficult, because the design would require breaking the property into smaller reservoir cells to maximize storage potential.
- The adjacent properties to the southeast in the Santa Rosa Groves area are already prone to flooding and any above ground reservoir would potentially exacerbate their existing drainage problems.

The lease payments from the dedicated southern portion will help offset the anticipated operations and maintenance costs of the proposed water resource project and keep current agricultural land in continued agricultural production.

ITG Water Resource Project Proposal

The proposed water resource project includes the construction of an approximate 740-acre above ground reservoir that would provide approximately 3,000 acre-feet of storage and water quality treatment. The project will also include construction of new pump stations and gravity outfalls to increase the County's flexibility in managing water resources in the area. The location of the proposed reservoir is shown on Figure 2. It will have a normal high water depth of approximately 4 feet.

1. Proposed Water Routing

Excess stormwater runoff will be pumped from the SFWMD L-8 Canal into the CGCDD main inflow/outflow canal using two new 15,000 GPM pumps constructed by GL Homes in existing Pump Station PS1. Proposed pump station PS2 will move water into the Sections 17 and 20 reservoir using two new 15,000 GPM pumps. Water retention in the reservoir will provide water quality treatment and removal of nutrients. Generally, the source water from the L-8 Canal contains approximately 120-150 parts per billion (ppb) Total Phosphorus (TP) and the reservoir will reduce that to approximately 45-60 ppb TP. The water in the reservoir can then be moved in a variety of different directions (Figure 2), which will benefit the water resources of the region:

- Route 1 – treated water can gravity discharge into the Indian Trail Improvement District's (ITID) M-O Canal by a new gravity control structure (S1), constructed by GL Homes. Treated water would then travel east through the ITID canal system and discharge into the M-Canal via two new 15,000 gpm pumps (PS3), that G.L. Homes would construct on ITID's L-Canal. The M-Canal is used to recharge the

Grassy Waters Preserve, the City of West Palm Beach's water supply system and provide water to the Loxahatchee River.

- Route 2 – as in Route 1, treated water can gravity discharge into the ITID's M-O canal by a new gravity control structure (S1), constructed by GL Homes. Treated water would then travel west into the ITID M-1 Impoundment, where it could then be pumped into the Moss Property North or the L-8 Canal.
- Route 3 – Treated water can gravity discharge back into the CGCDD internal canal system using the proposed gravity outfall (S2), constructed by GL Homes and be discharged back into the L-8 Canal using CGCDD south gravity outfall. The water returning to the L-8 Canal would have better quality due to the retention in the reservoir.

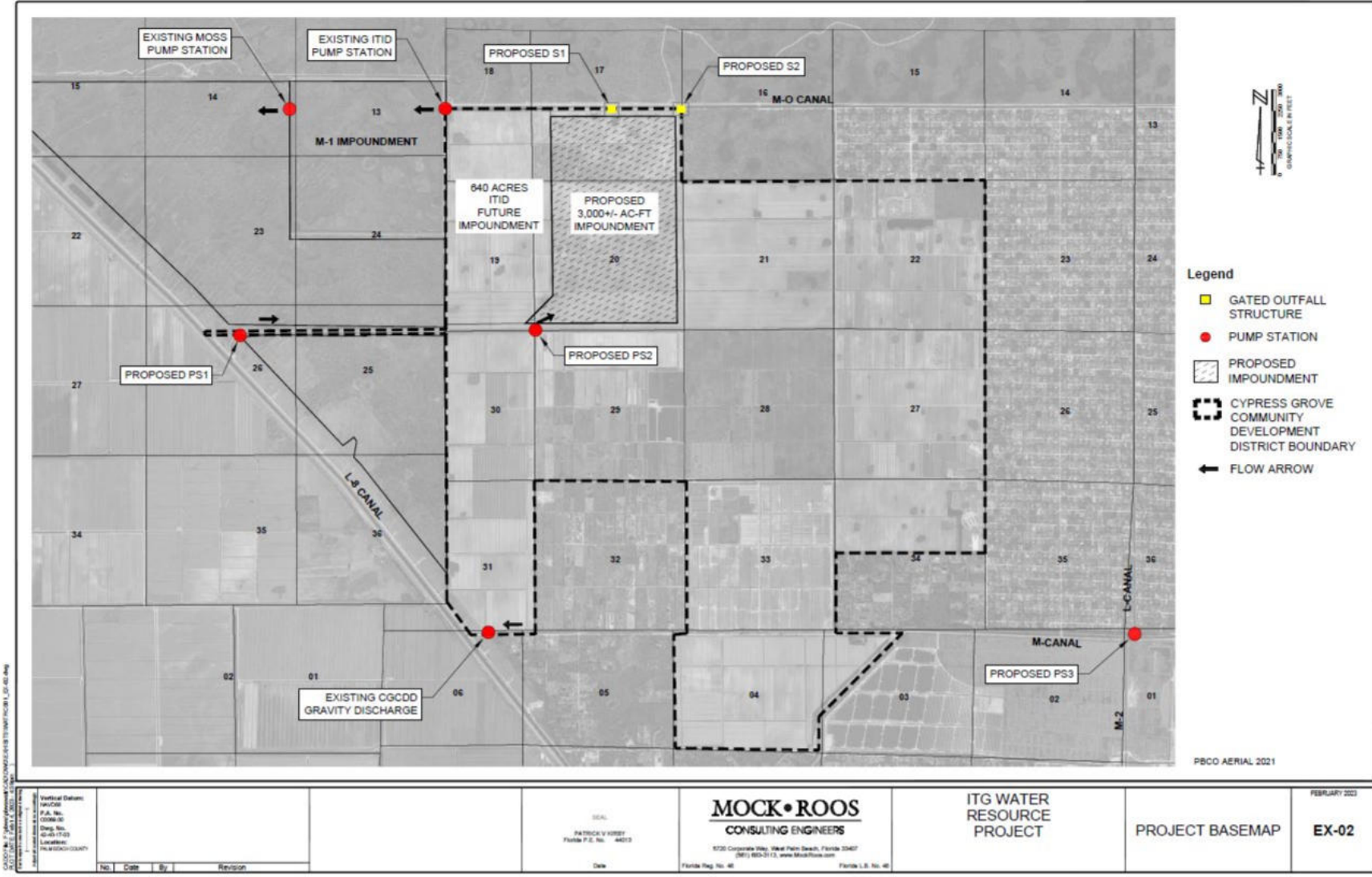


Figure 2

ITG Water Resources Project Benefits

The benefits the ITG Water Resource Project will bring to the region include:

- Improves Lake Worth Lagoon by capturing fresh water discharges that would have otherwise damaged the lagoon ecosystem.
- Stores and cleans water that goes to Grassy Waters Preserve, the City of West Palm Beach Water Treatment Plant and the Loxahatchee River.
- Provides a critical regional connection of the L-8 to the M-O Canal. This partially completes Flowway 2 of the Loxahatchee River Watershed Restoration Plan proposed by Palm Beach County.
- Improves the water quality of the discharges going to the Lake Worth Lagoon – if discharged back into the L-8 Canal after treatment and storage
- Provides Indian Trail Improvement District with better flood protection by removing the reservoir property from ITID's contributing area.
- Potential to benefit ITID by providing dry season water for fire suppression and wet season discharge to the M-Canal.

ITG Water Resource Project Status

Construction Documents – Design drawings are approximately 80% complete. Geotechnical report information is needed to design/specify the embankment construction and soil stabilization requirements. Availability of suitable electric service to the site is pending a response from FPL. Design decisions are needed by the ultimate owners/operators in order to further design details and develop technical specifications. The drawings currently include:

- ITG Water Resource Reservoir - an approximate 740-acre above ground reservoir in Township 42, Range 40, Sections 17 and 20 that will provide approximately 3,000 acre-feet of water storage and water quality treatment.
- Pump Station PS1 – two new 15,000 GPM electric pumps located at the existing CGCDD pump station. It will move water from the L-8 Canal into the CGCDD internal canal system.
- Pump Station PS2 – two new 15,000 GPM electric pumps. It will move water from the CGCDD internal canal system into the ITG Water Resource Reservoir.
- Pump Station PS3 – two new 15,000 GPM electric pumps. It will move water from the Indian Trail Improvement District (ITID) L- Canal into the M-Canal.
- Gravity outfall S1 will discharge from the ITG Reservoir into the ITID M-O Canal.
- Gravity outfall S2 will discharge from the ITG Reservoir into the CGCDD internal canal system.

- One gated control structure to allow the movement of water from the City of West Palm Beach M-Canal to the Indian Trail Improvement District L-Canal

Geotechnical – Geotechnical field work has been completed. Laboratory analysis is underway and the draft geotechnical engineering report is expected by the end of January. The report will include information on site permeability, embankment design recommendations, seepage analysis, stability and settlement analyses, erosion protection requirements, structure foundation recommendations, and a wave run-up evaluation (to confirm embankment height).

Electrical – Initial electrical requirements have been provided to FPL to determine whether the required service can be provided and what the cost will be. This item is pending a response from FPL.

Survey – A preliminary survey has been completed. Cross sections were obtained at the locations of the proposed structures and the inverts of the existing culverts conveying water through the CGCDD main canal.

Environmental – Preliminary drawings depicting the location of the proposed improvements were provided to EW Consultants, so they could consider any environmental issues.

Permitting – A pre-application meeting with the South Florida Water Management District was held on February 8, 2023 where the project design and operations were discussed.

Coordination – Multiple meetings have been held with ITID, WPB, CGCDD and PBC to discuss the project and to review and receive comments on the preliminary plans.

Memorandum of Understanding - A draft Memorandum of Understanding (MOU) was developed that includes the following draft concepts (currently under review by the Parties to the MOU):

- The Draft Memorandum of Understanding (“MOU”) includes Palm Beach County (“County”), the City of West Palm Beach (“City”), the Indian Trail Improvement District (“ITID”), and the Cypress Groves Community Development District (“CGCDD”) collectively referred to as the “Parties.”
- The County estimates the annual budget for Operations, Maintenance, Repair, Replacement and Rehabilitation (“OMRR&R”) of the project.
- The County assigns a pro-rata share of the estimated budget to each Party based on benefits received.
- Parties that receive benefits pay their estimated pro-rata amount to CGCDD (the account holder) by the beginning of each fiscal year. CGCDD will provide all accounting services.

- The Parties that have expenses for OMRR&R submit monthly invoices to CGCDD throughout the year for payment.
- CGCDD pays the Parties' invoices monthly.
- The Parties meet quarterly to discuss costs and benefits for first 2 years.
- If one Party member defaults and the default cannot be cured within thirty (30) days and the defaulting Party is diligently pursuing a cure of the default, the Parties may agree to an extension of the cure period for an additional agreed upon time.
- In the event the MOU terminates, it is agreed that at a minimum the County and CGCDD shall execute a separate MOU to operate the facilities within the CGCDD.