



PRIVATELY INITIATED TEXT AMENDMENT AMENDMENT ROUND 22-B2

PLANNING COMMISSION PUBLIC HEARING JANUARY 14, 2022

I. General Data

Project Name:	Indian Trails Grove - Agricultural Reserve Exchange
Proposed Text Amendment:	<p>The privately proposed text amendment request would modify the Western Communities Residential Overlay (WCRO), Western Communities Residential (WCR) future land use designation, modify existing policies and establish new Agricultural Reserve (AGR) Tier policies to allow the processing of a future land use amendment on the site as described below:</p> <ul style="list-style-type: none"> • Revise the policies of the WCRO & WCR to allow for a 532-acre expansion of Water Resource/Agricultural uses and establish a bank of development potential for use in the County's AGR Tier; • Revise AGR Tier Sub-Objective 1.5.1 to allow for specific Agricultural Reserve Planned Unit Developments (AGR-PUDs) to utilize WCRO land to partially fulfill the 60/40 preserve requirements; • Establish a new Sub-Objective for an Overlay in AGR Tier in the "Hyder West" area to allow for new residential and institutional development west of SR7, using WCRO land as preserve area for AGR-PUDs; and • Revise the Map Series Special Planning Areas Map LU 3.1 to create a new overlay within the AGR for the Hyder West area.
Proposed FLUA Amendment:	If the text amendment is initiated, the applicant will proceed with a future land use amendment to modify the Indian Trails Grove Conceptual Plan and conditions of approval from Ordinance 2016-041.
Applicant/Owner:	GL Homes of Palm Beach Associates LTD; Palm Beach West Associates I, LLLP
Project Manager:	Bryan Davis, Principal Planner
Staff Recommendation:	Staff recommends to initiate the proposed text and map series amendments

II. Item Summary

Initiation Phase I: The item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered “Phase I”. If the amendment is initiated, staff will accept the associated future land use amendment, and return to the Board with amendments through the public hearing process as part of “Phase II”.

Staff Assessment: Staff supports the initiation of the proposed text amendment to provide an opportunity for the Board to consider and direct policy. Initiation of this amendment does not indicate staff support for the final developed policy language or the associated future land use amendment. Staff would prepare data and analysis, and present the final recommendation on the text and future land use amendment at subsequent public hearings.

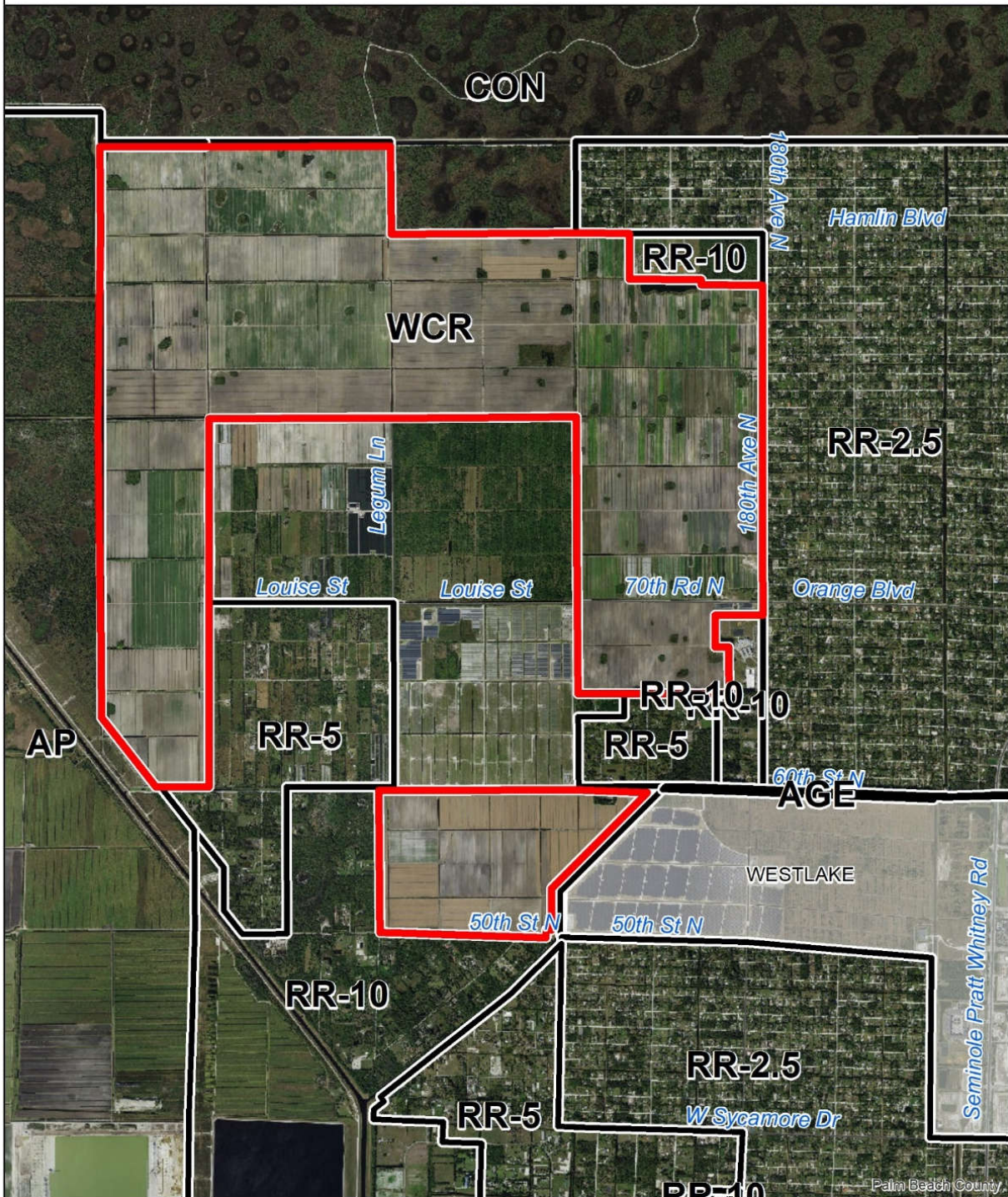
III. Meeting History

Local Planning Agency/Planning Commission (LPA/PLC):

Board of County Commissioners (BCC):

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Western Communities - ITG



Date: 12/2/2021
 Contact: Planning
 Filename: N:\Div\Agr\ITG\211
 Note: Map is not official, for presentation purposes only



AGR Future Land Use

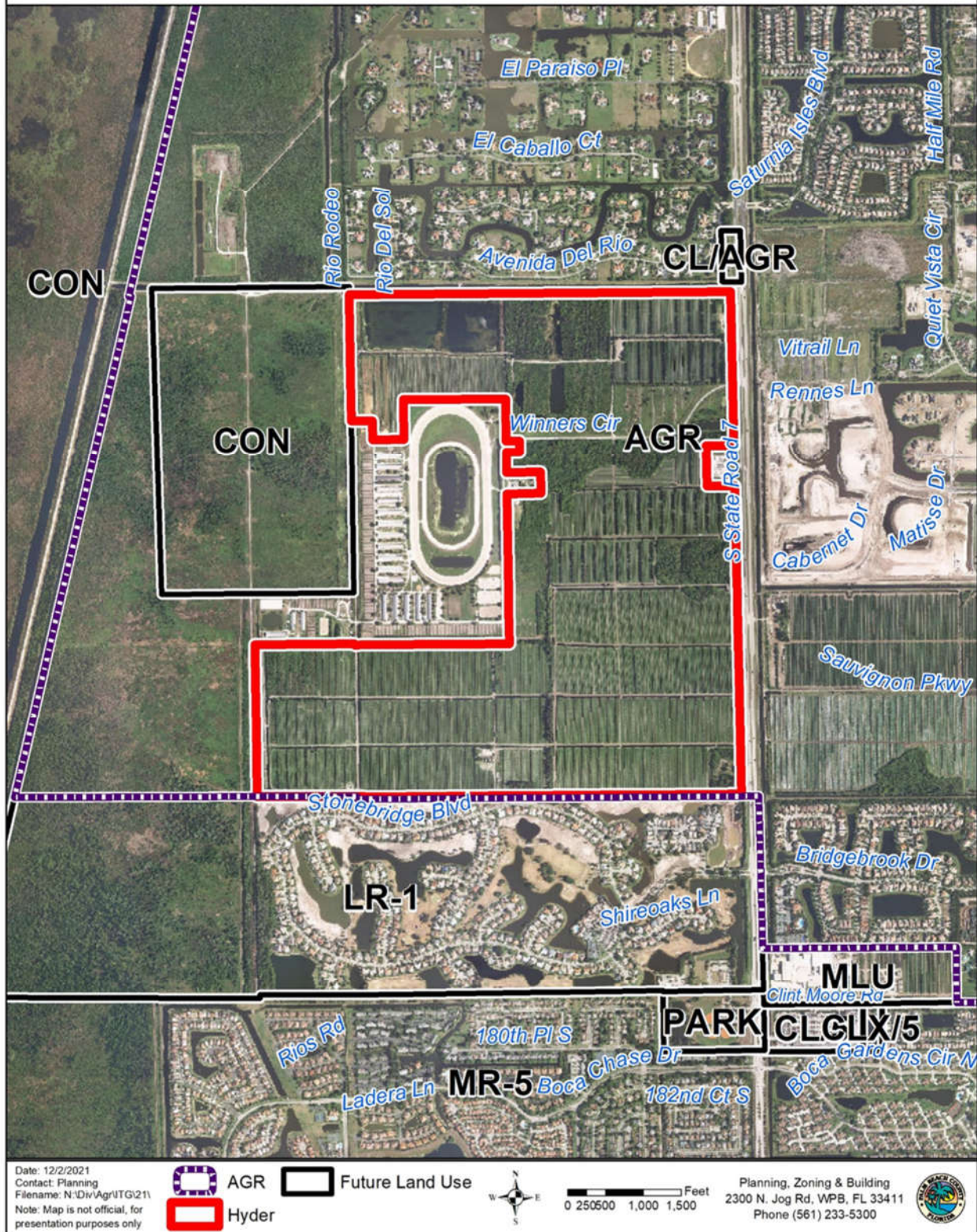


Feet
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Planning, Zoning & Building
 2300 N. Jog Rd, WPB, FL 33411
 Phone (561) 233-5300



Agricultural Reserve Tier - Hyder West



IV. Private Text Amendment Request

The intent of the privately proposed text amendment to the Comprehensive Plan and subsequent future land use amendment and rezoning is described below.

Proposed Text Amendment. The intent of the proposed amendment is to revise the Comprehensive Plan to allow land area located in the Western Communities Residential Overlay (WCRO) located in the Rural Tier to become preserve areas for planned developments in the Agricultural Reserve Tier. This change would allow up to approximately 1,600 acres of WCRO land to be used as Agricultural Reserve Planned Development (AGR-PUD) preserve areas. The units associated with this area at a density of .80 unit per acre will be available to be clustered in a development area within the Agricultural Reserve Tier.

The text amendment proposes to modify both the WCRO and Western Communities Residential (WCR) future land use designation policies to allow the processing of a future land use amendment on the associated subject site as described below.

- The changes include “banking” unbuilt units and land designated for Water Resources/Agriculture uses (as open space requirement), and allowing them to be utilized in the Agricultural Reserve as partial fulfillment of 60/40 AGR-PUD Preserve requirements in existing and proposed developments. This would free up 1,600 acres of land for a potential regional benefit for water resources purposes in northern/central Palm Beach County, and result in a 33% reduction in the overall units proposed for the Indian Trails Grove WCR-PUD.

Additionally, the applicant proposes to amend the requirements for 60/40 AGR-PUDs to allow for preserves to be located outside of the AGR Tier. An overlay within the Tier is proposed, that would allow for two new AGR-PUDs with development areas and Institutional uses permitted west of State Road 7. The overlay would also require an amendment to the Comprehensive Plan’s Map Series Special Planning Areas Map LU 3.1.

Associated Future Land Use Atlas Amendment and Zoning Applications. If the text amendment is initiated, the applicant will submit a site specific amendment to revise the conditions of approval for the Indian Trails Grove development, in Ord. 2016-041 and adopted conceptual plan to reduce the existing 3,897 units and 350,000 square feet of non-residential uses currently approved for the Indian Trails Grove WCR-PUD, to 2,612 units and 235,000 square feet of non-residential uses. A corresponding modification of the adopted conceptual plan is also proposed, and results in a more compact development on the overall 4,871.57 acres. The site has a Western Communities Residential Planned Unit Development (WCR-PUD) zoning district, which was approved in 2019. The applicant indicated they will submit corresponding Zoning applications for development order amendments on the affected developments within the AGR and WCRO. Additionally, new applications for development orders are anticipated for the two new proposed AGR-PUDs at the existing Hyder West preserve locations.

V. Policy Background

A. Western Communities Residential Overlay and Western Communities Residential Future Land Use Designation

The 4,871.57 acre Indian Trails Grove site is located within 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. The property is within

the boundaries of the Cypress Grove Community Development District, and an inactive unit of the Indian Trail Improvement District (ITID), a special district created by the Legislature in 1957. It is located in the Rural Tier, and surrounded by lands in the Exurban, Rural, and Glades Tiers. The site is currently in agricultural row crop production. The uses surrounding the subject site include residential, agricultural, schools, parks, and conservation lands.

The site is located in the CWC area which 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. In 2005, the County adopted a Sector Plan for the CWC, which required developments to provide public benefits such as regional water management, open space, recreational and equestrian uses, and environmental mitigation, enhancement, and restoration. The Sector Plan was subsequently repealed, but the BCC has relied upon the concepts established in the CWC Sector Planning process in considering proposals since 2005, particularly the public benefits concept, compact development form, and introduction of non-residential uses. The Minto West Agricultural Enclave amendments to the Comprehensive Plan (LGA 2014-007, Ordinance 2015-030), subsequently incorporated as the Village of Westlake, includes many of these concepts.

In September 2016, the County approved the Indian Trails Grove (LGA 2016-017) privately proposed future land use and text amendments proposed by GL Homes. The amendment changed the future land use on the site from Rural Residential, 1 unit per 10 acres (RR-10) and Agricultural Production (AP) to Western Communities Residential (WCR). The approval increased the development potential from 359 residential units to 3,897 units and allowed 350,000 sq. ft. of non-residential uses on this site. The companion text amendment established the objectives and policies for the Western Communities Residential Overlay (WCRO) and the Western Communities Residential future land use designation. Also as part of the 2016 amendment, Indian Trails Grove is designated as a Limited Urban Service Area (LUSA), which allows both urban and rural levels of service. Subsequent revisions to the Unified Land Development Code to create the Western Communities Residential Planned Unit Development (WCR-PUD) zoning district were also adopted.

In 2018, a text and map series amendment (Indian Trails Grove WCR AGR, LGA 2018-008), was proposed by GL Homes to allow agricultural land within ITG to serve as preserve areas for Agricultural Reserve Planned Unit Developments (AGR-PUDs), including the relocation of 2,315 residential development rights from the ITG site to the associated AGR-PUDs in the Agricultural Reserve Tier. However, this proposal did not proceed to public hearings as the applicant withdrew the request prior to Planning Commission.

B. Agricultural Reserve Tier

The County's Agricultural Reserve Tier is approximately 22,000 acres in size, located west of the Florida Turnpike, east of the Arthur R. Marshall National Wildlife Refuge, north of Clint Moore Road, and generally south of the Village of Wellington, and Heritage Farms. Per the Comprehensive Plan, it is intended to allow limited low-density residential development and limited non-residential uses in order to "preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier." It is similarly designated as a LUSA.

The Agricultural Reserve Tier has long been recognized as an area of unique farmlands and wetlands, and the concept of an Agricultural Reserve has long been a fundamental tenet of the

County's long range comprehensive planning. The fundamental concept of the Tier has been to allow for limited development while fostering the preservation of agriculture. Beginning with the adoption of the 1980 Plan, the County has implemented policies and programs toward this end, such as limiting densities, designating the area as a sending area for the Transfer of Development Rights program to transfer units to the urban area, the 60/40 Agricultural Reserve Planned Unit Development (AGR-PUD) concept adopted in 1994, and the Bond referendum and Master Plan in the late 1990s. The County has adjusted policies over time, responding to changes in conditions, but has remained within the policy framework of limited development, and environmental and agricultural preservation.

The Comprehensive Plan allows several low density development options within the Agricultural Reserve Tier as summarized below:

- Residential subdivisions area are allowed at one dwelling unit per 5 acres
- Residential Planned Developments are allowed subject to a minimum acreage and a required minimum preserve area and the residential units to be clustered within the development area:
 - 60/40 AGR-PUDs require a 250-acre minimum with a 60% preserve area/ 40% development area, and must be located east of State Road 7
 - 80/20 AGR-PUDs require a 40-acre minimum with an 80% preserve area/ 20% development area, and are allowed west of SR7 but require contiguous preserve areas
- Residential development rights may be transferred to a designated receiving area outside the Ag Reserve, at a rate of 1 unit per acre

Nearly all of the existing and proposed planned residential developments approved since the completion of the Agricultural Reserve Master Plan have utilized the 60/40 PUD option.

The Agricultural Reserve Tier is approaching fulfillment of the development pattern that was anticipated in the Master Plan. This realization of the vision of the Ag Reserve means that few developable parcels remain. Consistent with the Master Plan, much of the land area has been developed as 60/40 AGR-PUDs, with 60% of each project set aside as preserve area, and the units clustered to the development area of each project. GL Homes continues to be the most active developer in the Agricultural Reserve, accounting for a majority of the AGR-PUDs approved and developed.

The existing Hyder West preserves constitute approximately 680 acres of privately-owned land at the southwest corner of the AGR, located between the Stonebridge and Rio POCO developments on the west side of SR7. Most of the Hyder West land serves as preserve areas for existing and proposed AGR-PUDs.

The amendment would not affect the approximately 2,400 acres in the Agricultural Reserve purchased by the County with proceeds from the Bond.

C. Proposed Text Amendment

The privately proposed text amendment request in concept would modify the Western Communities Residential Overlay (WCRO), Western Communities Residential (WCR) future land use designation, modify existing policies and establish new Agricultural Reserve (AGR) Tier policies to allow the processing of a future land use amendment on the site as described below:

- Revise the policies of the WCRO & WCR to allow for a 532-acre expansion of Water Resource/Agricultural uses and establish a bank of development potential for use in the County's AGR Tier;
- Revise AGR Tier Sub-Objective 1.5.1 to allow for specific Agricultural Reserve Planned Unit Developments (AGR-PUDs) to utilize WCRO land to partially fulfill the 60/40 preserve requirements;
- Establish a new Sub-Objective for an Overlay in AGR Tier in the "Hyder West" area to allow for new residential and institutional development west of SR7, using WCRO land as preserve area for AGR-PUDs; and
- Revise the Map Series Special Planning Areas Map LU 3.1 to create a new overlay within the AGR for the Hyder West area.

D. Unified Land Development Code (ULDC) Implications

If approved, the text amendments would allow modification of the existing Indian Trails Grove approval. If the County amends the existing conditions for the Indian Trails Grove WCR site, then the site would be subject to all of the revised policies and regulations in the Plan, which would necessitate corresponding changes to the ULDC to implement the proposed text and Map Series amendment to the Plan, or the subsequent future land use amendment.

VI. Issues and Implications

The purpose of this Phase I report is to identify potential issues and implications of the concepts proposed in the text amendment, for the Board to consider when making the policy decision on whether to initiate the privately proposed text amendment. The policy considerations are discussed below.

Fundamentally, the proposed text amendment would link the WCRO within the Rural Tier, and allow density to be clustered from the existing Indian Trails Grove WCR-PUD to the Agricultural Reserve Tier, and allow the units to be included in AGR-PUDs. The increase of residential development and the reduction in preserve acreage would alter some established, fundamental policy concepts to preserve agriculture in exchange for allowing limited development within the Agricultural Reserve Tier. The text amendment would reduce the acreage available for agricultural preservation in the Tier, but replace it with additional preserve in another portion of the County. For the Agricultural Reserve, the fundamental policy concepts include the preservation of agriculture, the prohibition of institutional uses and 60/40 AGR-PUD development areas west of State Road 7. The proposed amendment also proposes to provide 250 workforce housing units within the Agricultural Reserve, which are not currently required within the Tier.

In the WCRO, the amendment would reduce the allowable number of units by 33% (1,285 units), expand the Water Resource/Agriculture area on the Conceptual Plan to 1,600 acres (up from 1,068 acres), and allow this acreage to serve as the preserve areas for multiple AGR-PUDs. This increased Water Resource/Agriculture acreage is the primary benefit identified by the applicant, and is proposed to be dedicated to the County in fee, rather than the recordation of a conservation easement. Furthermore, the dedication of 1,600 acres would be for the County to pursue other regional options for water purposes in north/central County, and may include regional water management, through impoundment, flow ways, or other means to hydrologically connect the CWC area with the proposed Mecca Farms reservoir, C-18 canal and the Loxahatchee Slough

and River. Alternatively, the proposed 1,600 acres at Indian Trails Grove could be used to ameliorate water quality issues within the L-8 and C-51 drainage basins. This regional benefit harkens back to the CWC Sector Plan concepts that would have addressed regional water management, open space, and environmental mitigation, enhancement, and restoration measures in the Rural Tier.

Due to the difference in density allowed in the WCR future land use designation (0.8 unit per acre) and the Ag Reserve designation (1 unit per acre), each acre of Agricultural Reserve preserve would be replaced by 1.25 acres of preserve in the WCRO, in an area less affected by residential encroachment. The multiple AGR-PUDs that would utilize land in the WCRO through this amendment would also result in preserve areas at the rate of 1.25 acres of WCRO land for every unit allocated to the Agricultural Reserve. Although the proposed amendment would provide some benefit in terms of increased preserves in the WCRO and reduced traffic impacts, the proposed amendment would proportionally reduce the public benefits for the Rural Tier that were required with the adoption of the original Indian Trails Grove amendment in 2016. The 640-acre impoundment area for the Indian Trails Improvement District (ITID), would be retained.

The public facilities impact analysis and full policy analysis for consistency with the Comprehensive Plan would proceed with the review of the proposed future land use amendment in Phase II if this text amendment is initiated by the Board. The traffic impacts of this request have not been established (as this is Phase I) and the applicant has not requested an exemption from the future land use amendment requirements in Future Land Use Element Policy 3.5-d.

VII. Staff Recommendation

The item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered “Phase I”. If the amendment is initiated, staff will accept the associated future land use amendment, and return to the Board with the two amendments through the public hearing process as part of “Phase II”.

Staff supports the initiation of the proposed text amendment to provide opportunity for the Board to consider and direct policy. Initiation of this amendment does not indicate staff support for the final developed policy language or the associated future land use amendment. Staff would prepare data and analysis, and present the final recommendation on the text and future land use amendment at subsequent public hearings.

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Exhibit 1

Applicant's Proposed Text Amendment

- The creation of new West Hyder Overlay (WHO) within the AGR Tier that would allow specific existing AGR PUD preserve areas (inclusive of acreage and units) approved within the WHO Overlay to be re-allocated and satisfied within the Western Communities Reserve Overlay (WCRO), allow 60/40 AGR PUD development areas, inclusive of public and private civic uses, and preserve areas within the WHO Overlay; and, allow the required preserve area (inclusive of acreage and units) for any new 60/40 AGR PUD development areas approved within the WHO Overlay to be allocated and satisfied within the Western Communities Residential Overlay (WCRO).
- Amend objectives and policies related to the Western Communities Residential Overlay (WCRO) and Western Communities Residential (WCR) to allow 1,600 acres of the Indian Trails Grove Planned Unit Development to be utilized as a water resource/agriculture regional benefits bank to meet the required preserve acreage and density for PUDs approved within the WHO Overlay.
- Amend Sub Objective 1.5.1, Objective 1.11 and/or Sub-Objective 4.5 of the Future Land Use Element to identify the specific acreage/units/project name and control number of the Planned Unit Developments that are authorized to utilize the 1,600 acre water resources/agriculture regional benefits bank within the WCRO Overlay as required 60/40 PUD preservation area.
- Establish the transfer rate of units for the 1,600 acre water resource/agriculture regional benefits bank at .8 du/ac.
- Amend 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.
- Reduce the total number of approved units within Objective 1.11 WCRO Overlay, Policy 1.11-c from 3,897 to 2,612 (a reduction of 1,285 units).
- Amend WCR Policies to expand opportunities for providing workforce housing through on-site, off-site or exchange programs (and also specifically precluding cash out option).
- Restrict the maximum number of total residential units that can be built within the proposed WHO Overlay 60/40 PUD development areas at 1,250, of which 250 will be on-site workforce housing units.

Exhibit 2

Applicant's Justification

West Hyder Overlay/Indian Trails Grove
Text Amendment Initiation Application
Initial Submittal: December 28, 2021

ELEMENTS & POLICIES TO BE REVISED

- 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

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:

- (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 areas 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 PUDs approved within the WHO Overlay to be allocated and satisfied within the Western Communities Residential Overlay (WCRO).

Amend Objective 1.11 (Western Communities Residential Overlay (WCRO)) and Objective 4.5 (Western Communities Residential) of the Future Land Use Element to:

- (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 PUDs 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 areas approved within the proposed WHO Overlay.
- (3) Establish the transfer rate of units from the 1,600 acre water resource/agriculture regional benefits 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.

Amend other Objective and Policies of the Comprehensive Plan, as needed, to implement the above.

JUSTIFICATION

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 the new 60/40 PUDs within the WHO Overlay and allowing the required preserve (both acreage and units) for new AGR PUDs 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. 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 to benefit the Acreage community. Overall, the proposed text amendments would increase the amount of preservation land in Palm Beach County as well as add 1,600 acres of preserve land under the ownership and direct control of Palm Beach County. Additionally, overall, the proposed text amendments would result in a decrease in the number of units approved by 35 units (a reduction of 1,285 units at Indian Trails Grove and the addition of 1,250 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.

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. 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 in the Acreage area.

TEXT CHANGES

The proposed text changes generally include:

- The creation of new West Hyder Overlay (WHO) within the AGR Tier that would allow specific existing AGR PUD preserve areas (inclusive of acreage and units) approved within the WHO Overlay to be re-allocated and satisfied within the Western Communities Reserve Overlay (WCRO), allow 60/40 AGR PUD development areas, inclusive of public and private civic uses, and preserve areas within the WHO Overlay; and, allow the required preserve area (inclusive of acreage and units) for any new 60/40 AGR PUD development areas approved within the WHO Overlay to be allocated and satisfied within the Western Communities Residential Overlay (WCRO).
- Amend objectives and policies related to the Western Communities Residential Overlay (WCRO) and Western Communities Residential (WCR) to allow 1,600 acres of the Indian Trails Grove Planned Unit Development to be utilized as a water resource/agriculture regional benefits bank to meet the required preserve acreage and density for PUDs approved within the WHO Overlay.
- Amend Sub Objective 1.5.1, Objective 1.11 and/or Sub-Objective 4.5 of the Future Land Use Element to identify the specific acreage/units/project name and control number of the Planned Unit Developments that are authorized to utilize the 1,600 acre water resources/agriculture regional benefits bank within the WCRO Overlay as required 60/40 PUD preservation area .
- Establish the transfer rate of units for the 1,600 acre water resource/agriculture regional benefits bank at .8 du/ac.
- Amend 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.
- Reduce the total number of approved units within Objective 1.11 WCRO Overlay, Policy 1.11-c from 3,897 to 2,612 (a reduction of 1,285 units).
- Amend WCR Policies to expand opportunities for providing workforce housing through on-site, off-site or exchange programs (and also specifically precluding cash out option).
- Restrict the maximum number of total residential units that can be built within the proposed WHO Overlay 60/40 PUD development areas at 1,250, of which 250 will be on-site workforce housing units.

ULDC CHANGES

Proposed ULDC amendments will be modified to match proposed Comprehensive Plan text as needed.

Exhibit 3

Applicant's Disclosure of Ownership Interests

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 G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership, who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida 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
N. Maria Menendez, as the Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22nd day of December 2021, by N. Maria Menendez, as the Vice President of G.L. Acquisitions Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership, ☒ who is personally known to me or ☐ who has produced _____ as identification and who did take an oath.

Lucia Hernandez
Notary Public
(Print Notary Name)



NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 12/09/22

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

EXHIBIT "A"

PROPERTY

see attached 4 pages

HYDER WEST PUD
LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING WITHIN SECTION 36, TOWNSHIP 46 SOUTH, RANGE 41 EAST, BEING ALL OF TRACTS 2 THROUGH 8, INCLUSIVE, TRACTS 13 THROUGH 23, INCLUSIVE, TRACTS 26 THROUGH 47, INCLUSIVE AND A PORTION OF TRACTS 1, 9, 24 25 AND 48, TOGETHER WITH THE ABUTTING ROAD, DYKE AND DITCH RESERVATIONS, ALL LYING WITHIN BLOCK 69, ACCORDING TO THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; ALL OF SECTION 35, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

A PORTION OF THE SOUTH 1/2 OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE SOUTH 00°52'07" EAST, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 672.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST LINE, SOUTH 00°52'07" EAST, A DISTANCE OF 13.01 FEET; THENCE NORTH 89°36'38" EAST, ALONG THE NORTH LINE OF SAID TRACTS 13 THROUGH 16, A DISTANCE OF 2043.43 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 1974.84 FEET; THENCE NORTH 89°05'42" EAST, A DISTANCE OF 450.00 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 293.56 FEET; THENCE SOUTH 89°03'44" WEST, A DISTANCE OF 450.00 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 260.61 FEET; THENCE NORTH 89°05'42" EAST, A DISTANCE OF 175.00 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 160.64 FEET; THENCE NORTH 89°34'02" EAST, A DISTANCE OF 1984.88 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 162.07 FEET, A CENTRAL ANGLE OF 18°08'09"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 51.30 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE NORTH 89°25'01" EAST, A DISTANCE OF 800.29 FEET; THENCE SOUTH 01°06'44" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP, A DISTANCE OF 103.70 FEET; THENCE ALONG THE NORTH LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 3922, PAGE 1127 AND THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 11873, PAGE 1779, SAID PUBLIC RECORDS, SOUTH 88°55'00" WEST, A DISTANCE OF 366.34 FEET; THENCE ALONG THE BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 11873, PAGE 1779 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES, SOUTH 01°06'44" EAST, A DISTANCE OF 537.00 FEET; THENCE NORTH 88°55'00" EAST, A DISTANCE OF 366.34 FEET; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP FOR THE FOLLOWING FIVE (5) DESCRIBED COURSES SOUTH 01°06'44" EAST, A DISTANCE OF 1360.22 FEET; THENCE SOUTH 01°06'45" EAST, A DISTANCE OF 1362.50 FEET; THENCE SOUTH 01°48'05" EAST, A DISTANCE OF 30.01 FEET; THENCE SOUTH 01°28'29" EAST, A DISTANCE OF 1320.36 FEET; THENCE SOUTH 89°34'36" WEST, A DISTANCE OF 5.79 FEET; THENCE SOUTH 01°16'34" EAST, A DISTANCE OF 30.00 FEET; THENCE ALONG THE NORTH LINE OF STONEBRIDGE PLAT NO. 1, AS RECORDED IN PLAT BOOK 49, PAGES 112 THROUGH 119, AND ALONG THE NORTH LINE OF STONEBRIDGE PLAT NO. 2, AS RECORDED IN PLAT BOOK 53, PAGES 38 THROUGH 44, ALL OF SAID PUBLIC RECORDS FOR THE FOLLOWING THREE (3) DESCRIBED COURSES, SOUTH 89°34'36" WEST, A DISTANCE OF 5075.61 FEET; THENCE NORTH 00°52'07" WEST, A DISTANCE OF 37.26 FEET; THENCE SOUTH 89°50'37" WEST, ALONG THE SOUTH LINE OF THE

NORTHEAST ONE-QUARTER OF SAID SECTION 35, A DISTANCE OF 1318.72 FEET; THENCE NORTH 00°51'32" WEST, ALONG THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 35, A DISTANCE OF 2013.43 FEET; THENCE NORTH 89°36'12" EAST, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 35, A DISTANCE OF 1318.33 FEET TO THE POINT OF BEGINNING

CONTAINING 477.045 ACRES, MORE OR LESS.

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100

HYDER WEST CIVIC PUD
LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE NORTH 00°54'18" WEST, ALONG THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 2283.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE, NORTH 00°54'18" WEST, A DISTANCE OF 780.45 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 2050.84 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 55.00 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 2998.57 FEET; THENCE SOUTH 01°06'47" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP, A DISTANCE OF 214.31 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 01°06'44" EAST, A DISTANCE OF 853.25 FEET; THENCE SOUTH 89°25'01" WEST, A DISTANCE OF 800.29 FEET TO THE POINT OF NON-TANGENT INTERSECTION WITH A CURVE, CONCAVE NORTHERLY, HAVING A RADIAL BEARING OF NORTH 18°34'07" WEST, A RADIUS OF 162.07 FEET AND A CENTRAL ANGLE OF 18°08'09"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 51.30 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°34'02" WEST, A DISTANCE OF 1984.88 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 2.71 FEET; THENCE SOUTH 89°21'36" WEST, A DISTANCE OF 175.00 FEET; THENCE NORTH 00°54'17" WEST, A DISTANCE OF 557.34 FEET; THENCE SOUTH 89°39'27" WEST, A DISTANCE OF 1356.34 FEET; THENCE SOUTH 00°56'16" EAST, A DISTANCE OF 529.84 FEET; THENCE SOUTH 89°03'44" WEST, A DISTANCE OF 406.94 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 254.70 FEET; THENCE SOUTH 89°03'44" WEST, A DISTANCE OF 280.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 104.878 ACRES, MORE OR LESS.



Hyder West Preserve

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE NORTH 00°54'18" WEST, ALONG THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 3064.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE, NORTH 00°54'18" WEST, A DISTANCE OF 876.45 FEET; THENCE NORTH 89°28'25" EAST ALONG A LINE 125.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTH ONE- HALF OF SAID SECTION 25, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-36 1/2 CANAL, AS RECORDED IN DEED BOOK 1111, PAGE 155, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 5040.45 FEET; THENCE SOUTH 01°43'56" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP, A DISTANCE OF 570.04 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 01°06'47" EAST, A DISTANCE OF 297.92 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 2998.57 FEET; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 55.00 FEET; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 2050.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 100.433 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 - 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 by means of [X] physical presence or [] online notarization, this 27th day of December 2021, 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 take an oath.



Notary Public

Lucia Hernandez

(Print Notary Name)



NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 12/09/22

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

EXHIBIT "A"

PROPERTY

see attached 3 pages

Indian Trails Grove (Overall)

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, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO EXCEPTING THEREFROM, PARCEL 8, A PARCEL OF LAND VESTED IN FLORIDA POWER & LIGHT COMPANY BY THE STIPULATED FINAL JUDGMENT AS TO PARCEL 8, RECORDED IN OFFICIAL RECORDS BOOK 30909, PAGE 650, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL 8 LYING WITHIN THE SOUTH 50.00 FEET OF SAID SECTION 4.

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, SAID PALM BEACH COUNTY.

CONTAINING A TOTAL OF 4,866.102 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 4

Correspondence

Alliance of Delray Residential Associations, Inc.

10290 West Atlantic Avenue #480504
Delray Beach, FL 33448
Phone: 561.495.4694
www.allianceofdelray.com



- *Serving more than 100 Communities between the Everglades and the Ocean in south Palm Beach County.*
- *Working Toward Sustainable Development*
- *Applying Resilience Thinking to Our Natural Resources*

December 30, 2021

Palm Beach County Board of County Commissioners
301 North Olive Avenue
West Palm Beach, Florida 33401

Re: FOLLOW UP TO Indian Trails Grove Agricultural Reserve December 15, 2021 Agenda Item

Dear Commissioners:

This correspondence is written pursuant to the December 15, 2021 Board of County Commissioners (BCC) agenda item related to the Indian Trails Grove (ITG) and the Agricultural Reserve (AGR).

It is of utmost importance that you are aware that the proposed land to be "swapped" is located immediately adjacent to preserve land and that did not appear to be related to the public or to the Commissioners during the discussion. The Alliance is concerned that the result of the "swap" would be an island of four contiguous preserve parcels to wit PCN 00-41-46-25-02-000-0010, PCN 00-42-43-27-05-069-0091, PCN 00-41-46-35-00-000-1040, & PCN 00-41-46-25-02-000-0020, totaling 169.1684 acres sandwiched between the proposed development and South Florida Water Management District lands.

- What would be the dispensation for these preserve parcels (which are a component of the Oaks PUD)? It would appear that the BCC should decide the future for this 169.1684 island of land now. If these swaths of land come back to the BCC following the initial "swap" proposal with a request for "swapping" preserve within the AGR (which under current Code would be allowed) and adding to any approved PUD from the ITG/AGR decision, the area will be looking at an undetermined amount of density increase above the 1250 units proposed depending on how many Workforce Housing Units and Market rate units would be approved. This appears to be another potential burden on the environmentally sensitive lands and water control structures in south Palm Beach County. The public should be apprised of the unintended consequences that the ITG/AGR proposal would bring.
- Further, the Alliance's testimony and evidence provided at the BCC's Zoning meeting clearly demonstrate that the residents of the AGR and south Palm Beach County already pay taxes for flood protection and water supply. By relinquishing preserve lands within the AGR, the south County taxpayers would essentially be paying the bill for services that benefit others and this is clearly a non-equitable arrangement.

Please see attached with the delineation of the preserve that exists adjacent to the proposed development. Also attached is the Alliance's December 12, 2021 letter raising concerns for the ITG/AGR proposal. Thank you for your attention to this most serious matter.

Sincerely,

Lori Vinikoor

Dr. Lori Vinikoor, President

OFFICERS AND DIRECTORS OF THE ALLIANCE:

Lori Vinikoor, President

Amie Katz, Executive Vice President, Norma Arnold, Vice President Allen Hamlin, Vice President
Ken Markowitz, Vice President Carol Klausner, Secretary Deborah Borenstein, Treasurer

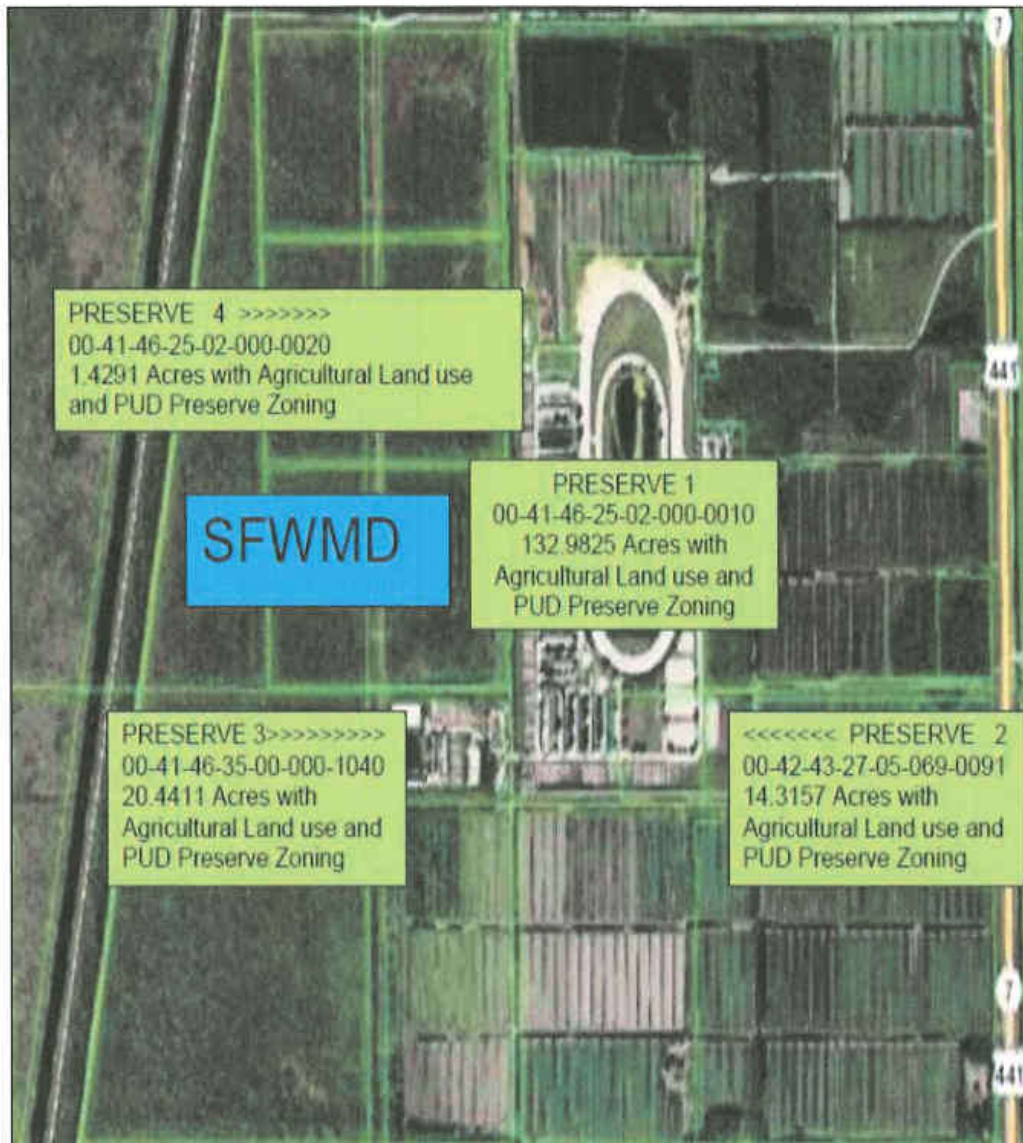
Directors: Rob Cuskaden Paul Finkelstein Susan Zuckerman

Assistants to the President: Rose DeSanto John Gentilhes Rhoda Greifer Joel Vinikoor

Robert Schulbaum, Chairman of the Board

Legal Counsel: Joshua Gerstin

ITG/AGR Proposal:
Four Preserve Parcels immediately west of proposed development:



Alliance of Delray Residential Associations, Inc.

10290 West Atlantic Avenue #480504
Delray Beach, FL 33448
Phone: 561.495.4694
www.allianceofdelray.com



- *Serving more than 100 Communities between the Everglades and the Ocean in south Palm Beach County.*
- *Working Toward Sustainable Development*
- *Applying Resilience Thinking to Our Natural Resources*

December 12, 2021

Palm Beach County Board of County Commissioners
301 North Olive Avenue
West Palm Beach, Florida 33401

Re: Indian Trails Grove Agricultural Reserve December 15, 2021 Agenda Item

Dear Commissioners:

In a letter dated September 13, 2021 the Alliance of Delray clearly stated its support for examining changes to the Comprehensive Plan of the Agricultural Reserve. Suggestions included the possibility of smaller Planned Unit Developments and an increased density if a workforce housing component was included. These suggestions were intended to be exercised east of State Road 7/441 and would provide some relief to farmers who considered themselves disenfranchised.

The Indian Trails Grove (ITG)/Agricultural Reserve (AGR) proposal was not considered in these comments and suggestions since there was no application submitted at the time the Agricultural Reserve Workshop was held. Therefore, the Alliance is now providing its concerns regarding the ITG/AGR proposal.

1. Using the Agricultural Reserve as a solution for County water management issues: this is not a good argument. Some monies from the original bond issue were used for water projects in northern Palm Beach County but the precious lands of the Agricultural Reserve should not be traded for projects in northern Palm Beach County since the microclimate and soils are not congruent.
2. Public Civic Sites: there are two alternative viable and better sites for any County office. The West Boca Branch Library is located on a 20.63 acre parcel about a mile south of the subject site. Any necessary County office could be located there. Further, an 8.37 acre site at the northeast corner of Atlantic Avenue and the Florida Turnpike is also available for County offices. The proposed civic site is unnecessary.
3. 100 acre passive park proposal: the Alliance has been working closely with Parks and Recreation on procuring a longer-term lease on the West Delray Regional Park and improving the infrastructure within the park. Although it would be fine for yet another park in the west Delray area, there is a need to concentrate on what already exists which is the 313 acres of recreational land located about a mile north of the subject property.
4. 250 Workforce Housing Units: with the current transmitted application (Reserve at Atlantic), evaluation, investigation, and analysis by Staff, the Agricultural Reserve should attain its sufficient share of Workforce Housing Units along the main corridors and east of State Road 7/441 so that the parcels west of 441, so close to environmentally sensitive lands, should not be violated.
5. Market Rate Project: with the many moving parts over the years (re-distribution of preserve parcels), at one point, there will surely be some market rate units that can be developed in this area. The Alliance suggests that no changes in the 80/20 PUD (which is currently allowed west of State Road 7/441) be enacted at this time.

Thank you all for your continued commitment to serving the residents of Palm Beach County.

Sincerely,

Lori Vinikoor

Dr. Lori Vinikoor, President

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