



**FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT  
AMENDMENT ROUND 20-B2**

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**BCC ADOPTION PUBLIC HEARING, OCTOBER 22, 2020**

**A. Application Summary**

**I. General**

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<b>Project Name:</b>	<b>Reach Estate Office (LGA 2020-015)</b>
<b>FLUA Request:</b>	<b>RR-2.5 to CL-O/RR-2.5</b>
<b>Text Request:</b>	To allow an exception to the commercial location criteria in the Exurban Tier for properties adjacent to an existing commercial site subject to criteria.
<b>Acres:</b>	1.76 acres
<b>Location:</b>	Southwest corner of Orange Boulevard and Seminole Pratt-Whitney Road
<b>Project Manager:</b>	Lisa Amara, Principal Planner
<b>Applicant/Owner:</b>	Rene F. Aguiar
<b>Owner:</b>	Alexander Ahrenholz, Coteleur & Hearing
<b>Staff Recommendation:</b>	Staff recommends <b>approval</b> based upon the findings and conclusions contained within this report

**II. Assessment & Conclusion**

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The privately proposed text amendment would introduce a new policy to allow additional commercial office development in the Exurban Tier, also within the Acreage Neighborhood Planning Area in the Indian Trails Improvement District. The amendment proposes an exception to the Tier’s commercial location criteria for sites requesting Commercial Low-Office. The sites must be located ‘adjacent’ to sites that are approved for Commercial Low future land use, preserve vegetation, and be very low intensity. The intent of the amendment is to allow additional office uses in a manner that is compatible with the character of the rural area and offer a transition from the existing commercial plaza on Seminole Pratt-Whitney Road and Orange Boulevard.

The proposed future land use change is for a 1.76 acre parcel to change from the current Rural Residential, 1 unit per 2.5 acres (RR-2.5), to Commercial Low-Office, and to rezone the subject site to the Commercial Low Office zoning district to allow .05 FAR of professional office uses.

The text amendment will introduce an opportunity for small office uses built in a manner that is harmonious with residential uses to be built along Seminole Pratt Whitney Road on parcels adjacent to the area’s primary commercial plazas. Each of the eight additional qualifying sites must proceed through the future land use and zoning processes to request commercial office approvals. The amendment request is consistent with the objective of the Exurban Tier to protect the exurban character of the Tier, and consistent with the policy directing fostering the creation of central community places. The proposed future land use amendment is consistent with the new policy, includes conditions of approval to doubly ensure consistency with the new policy to limit uses and design, meets applicable Comprehensive Plan requirements including traffic, and is compatible with surrounding land uses.

### III. Hearing History

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**Local Planning Agency:** *Approval with Conditions*, motion by Lori Vinikoor, seconded by Dagmar Brahs, passed in a 13 to 0 vote at the July 10, 2020 public hearing. Under discussion, one Commission member commented that the amendment had the support of the Acreage Landowners Association although the site did not meet the specific detailed recommendations of The Acreage Neighborhood Plan. Under public comment, the property owner expressed support for the amendment and the community.

**Board of County Commissioners Transmittal Public Hearing:** *Transmit*, motion by Commissioner McKinlay, seconded by Vice Mayor Weinroth, passed in a 7 to 0 vote at the July 28, 2020 public hearing. Under discussion, the Board expressed support for the coordination and consensus on the proposed amendment. There was no public comment.

**State Review Agency Comments:** The State Land Planning Agency reviewed this amendment under Round 20-07ESR and issued a letter dated August 28, 2020 stating that the Agency had no comment on the proposed amendment. There were no negative comments received from state agencies regarding this amendment. The Treasure Coast Regional Planning Agency commented regarding a need for an overall plan within the area.

**Changes Between Transmittal and Adoption:** Subsequent to transmittal, the Planning and Zoning Divisions continued to discuss the proposed conditions of approval and text amendment. In order to ensure that the site was constructed in a manner consistent with the new policy, changes were made to the conditions and policy in order to provide for greater landscaping and to ensure buildings are not oriented towards Seminole Pratt Whitney Road. In addition, language was added directing ULDC revisions to implement the new policy as a type of “Exurban Office” subcategory of the Commercial Low Office zoning district, and to ensure that uses within this subcategory require Development Review Officer approval rather than being allowed to go straight to permit.

**Board of County Commissioners Adoption Public Hearing:** *Scheduled for October 22, 2020*

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B. Petition Summary

I. Site Data

Current Future Land Use	
Current FLU:	Rural Residential, 1 unit per 2.5 acres (RR-2.5)
Existing Land Use:	Vacant
Current Zoning:	Agricultural Residential (AR)
Current Dev. Potential Max:	Residential, 1 dwelling unit or non-residential uses allowed in AR

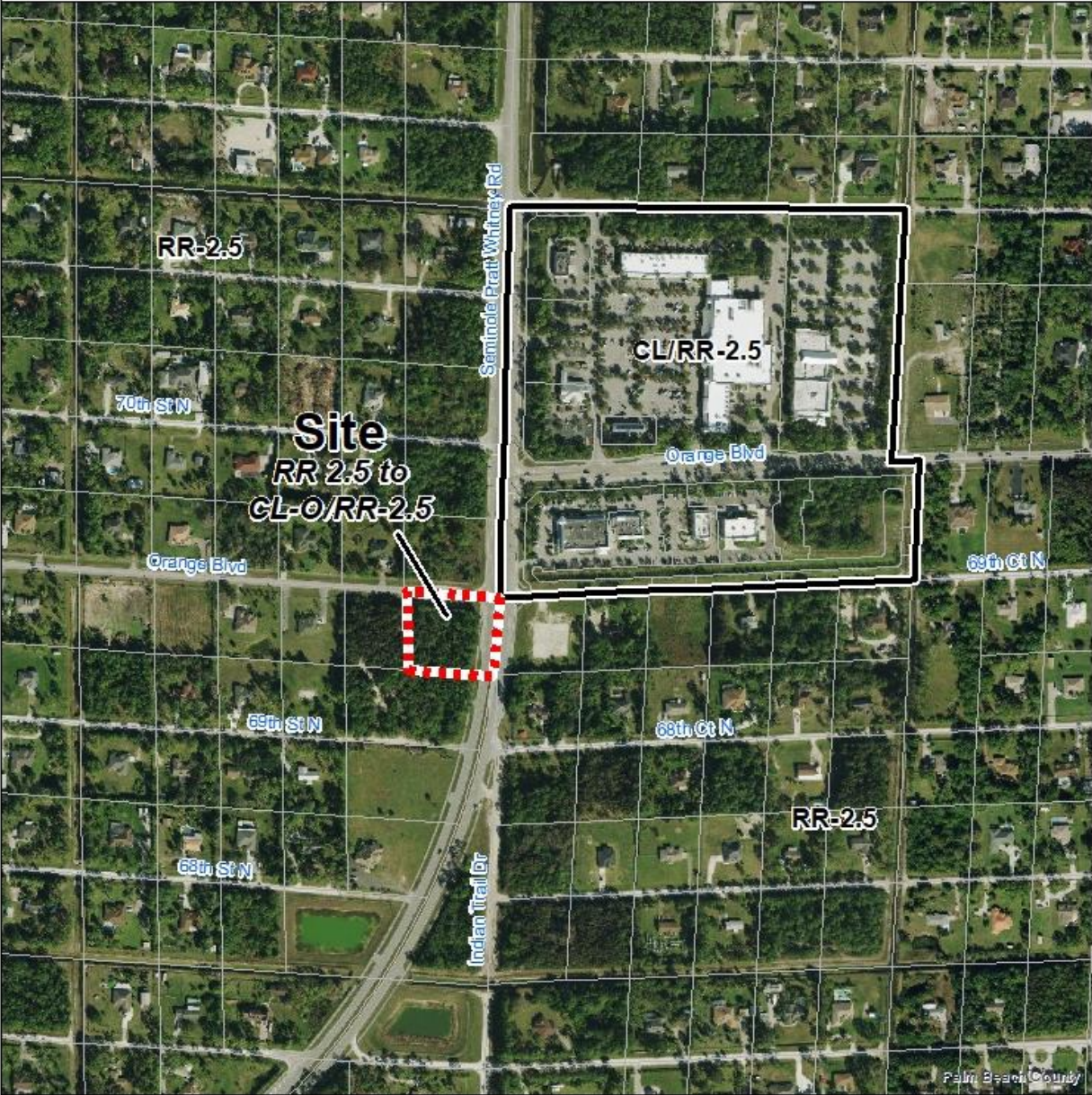
Proposed Future Land Use Change	
Proposed FLU:	Commercial Low-Office with underlying RR-2.5 (CL-O/RR-2.5)
Proposed Zoning:	Commercial Low Office (CLO)
Dev. Potential Max/Conditioned:	Commercial office, up to 3,833 s.f. (.05 FAR)

General Area Information for Site	
Tier/Tier Change:	Exurban Tier – No Change
Utility Service:	Palm Beach County Water Utilities Department
Overlay/Study:	The Acreage Neighborhood Plan
Annexation Area:	None
Comm. District:	Commissioner Melissa McKinlay, District 6



# Future Land Use Atlas Amendment

## Reach Estate (LGA 2020-015)



Site Data		Future Land Use Designations	
Size:	1.78 acres	RR-2.5	Rural Residential, 1 unit/2.5 acres
Existing Use:	Vacant	CL/RR-2.5	Commercial Low, underlying RR-2.5
Proposed Use:	Professional Office		
Current FLU:	Rural Residential, 1 unit/2.5 acres		
Proposed FLU:	Commercial Low-Office, underlying RR-2.5		

Date: 3/19/2020  
 Contact: PBC Planning  
 Filename: Amend20-B2/Site/20-15  
 Note: Map is not official, for presentation purposes only.



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



## C. Introduction

### I. Intent and Background

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The applicant is requesting a text and future land use amendment to the Comprehensive Plan to allow sites that currently do not meet the location requirements for commercial future land use to apply for commercial office subject to specific criteria. The applicant owns a 1.76 acre parcel located immediately west of the existing commercial node at Seminole Pratt-Whitney Road and Orange Boulevard. Since the site does not meet the frontage and access requirements governed by the Plan for new commercial uses, the site cannot currently apply for a commercial designation. The Planning Commission recommended initiation on January 10, 2020 and the Board of County Commissioners initiated the amendment on February 5, 2020.

- **Text Amendment.** Upon meeting with local representatives, including the Acreage Landowners Association and Indian Trails Improvement District, the applicant has developed a concept for a type of 'residential office' style development that would allow commercial office uses in the Commercial Low-Office (CL-O) future land use designation adjacent to sites that qualify for the Commercial Low designation. The applicant proposes limitations to the intensity and design of the office site to mirror a residential use. The request is not limited to the subject site, and would allow other properties that meet the proposed criteria to apply for commercial office in the future. The language requires the sites to be fronting Seminole Pratt Whitney Road, limits the floor area ratio (FAR) to .05, requires the preservation of a minimum of 25% of the vegetation, requires that the site is adjacent to the Commercial Low designation and non-residential uses, has direct access to a paved road, and is consistent with the rural character outlined in the Acreage Neighborhood Plan. The specific policy language is detailed in strike out and underline in Exhibit 1.
- **Future Land Use Atlas Amendment.** The text amendment would allow the processing of a future land use amendment on a 1.76 acre site that is currently is vacant and has no development approvals. The applicant is requesting for an amendment to the CL-O future land use designation and apply for a rezoning to CLO zoning to allow up to 3,833 square feet on the site (.05 FAR).

**Zoning Application:** The applicant has submitted a concurrent zoning application (Application No. Z-2020-00471, Control No. 2019-00094) to rezone the site to Commercial Low Office zoning for up to 3,833 s.f. A site plan is not required as part of a straight rezoning; however, due to the nature of this amendment a conceptual site plan was requested and provided by the applicant, and staff may require the adoption of a Conditional Overlay Zone to ensure that the conditions of approval are implemented.

### II. Data and Analysis Summary

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This section of the report summarizes the consistency of the amendment with the County's Comprehensive Plan. Exhibit 2 details the consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans.

- A. **Overview of the Area.** The subject site is located within the Exurban Tier in the Central Western Communities, also known as the Acreage Neighborhood Planning Area, a unique area of large lot, semi-rural style development. The lot pattern is nearly exclusively low density residential with 1.25 to 1.50 acre lots. The area is now bounded to the north by the suburban community known as Avenir within the City of Palm Beach Gardens and wraps around the new municipality of Westlake. The commercial criteria in the Comprehensive Plan allows very limited locations and intensity of commercial future land use in order to maintain the rural character of the area. The area includes the bulk of the developed land in Indian Trails Improvement District, and has an active homeowners group called the Acreage Landowners Association that played a key role in the creation of the Neighborhood Plan.
- B. **Appropriateness of the Amendment.** The Comprehensive Plan sets strict location criteria for sites that may apply for commercial future land uses in the Exurban Tier by Future Land Use Element Policy 1.3-f. The commercial properties to the northeast of the subject site meet the location criteria in this Policy for frontage and access on collector arterial roadways. However, the subject site does not qualify for commercial future land use since Orange Boulevard **west** of Seminole Pratt-Whitney Road is not identified as a collector road. This amendment proposes a new policy to allow Commercial Low Office

future land use subject to specific criteria. The sites that may apply for Commercial Low-Office under this policy must be located ‘adjacent’ to sites that are approved for Commercial Low future land use, preserve vegetation, and be very low intensity. The proposed language would allow any of the other properties adjacent to the existing commercial plaza (eight additional properties in similar size) to also apply for Commercial Low-Office since they would also meet the policy requirements. The proposed amendment limits the policy to sites that are ‘adjacent’ to commercial future land use. The term ‘adjacent’ is defined by the Introduction and Administration Element as: “A parcel of land that has all or part of a boundary in common with another parcel, including point to point, or is separated from such parcel by a roadway, easement, right-of-way, waterway, park or other minor geographical division.”

The applicant’s justification states that allowing the small parcels adjacent to the existing commercial plaza, and located on a major thoroughfare, to request commercial office would allow these sites to serve as transitional uses. The uses allowed by the Commercial Low-Office designation include financial institutions (excluding drive through), medical or dental office, professional office, veterinary clinic and live/work spaces. The applicant states that the proposed criteria would ensure that the development of these parcels would be compatible with the neighborhood while providing additional services to the residents and complete the existing commercial node in a manner that is in character with the rural community. Staff concurs that a new approach to allowing limited non-residential office development on a small scale and in character with the neighborhood as proposed by the applicant is appropriate.

- **Compatibility.** The proposed amendment will allow up to eight additional properties (totaling 15.10 acres) to apply for Commercial Low-Office future land use, but limits the intensity of the sites to a floor area similar to that of a home, and limits the site to only one lot’s depth from Seminole Pratt Whitney Road. These restrictions, combined with the other requirements of the policy for rural character and design, will ensure that the commercial office properties are built in a manner that is consistent and compatible with adjacent residents. The only uses allowed shall be office type uses, and no drive through uses are allowed.

**C. Assessment and Recommendation.** The text amendment will introduce an opportunity for small office uses built in a manner that is harmonious with residential uses to be built along Seminole Pratt Whitney Road on parcels adjacent to the area’s primary commercial plaza. Each of the eight additional qualifying sites must proceed through the future land use and zoning processes to request commercial office approvals. The amendment request is consistent with the objective of the Exurban Tier to protect the exurban character of the Tier, and consistent with Policy 1.3-h which directs the fostering of central community places. The proposed future land use amendment is consistent with the new policy, and includes conditions of approval to doubly ensure consistency with the new policy to limit uses and design. The proposed future land use amendment meet applicable Comprehensive Plan requirements including traffic requirements, and is compatible with surrounding land uses.

Therefore, staff recommends **approval with conditions**.

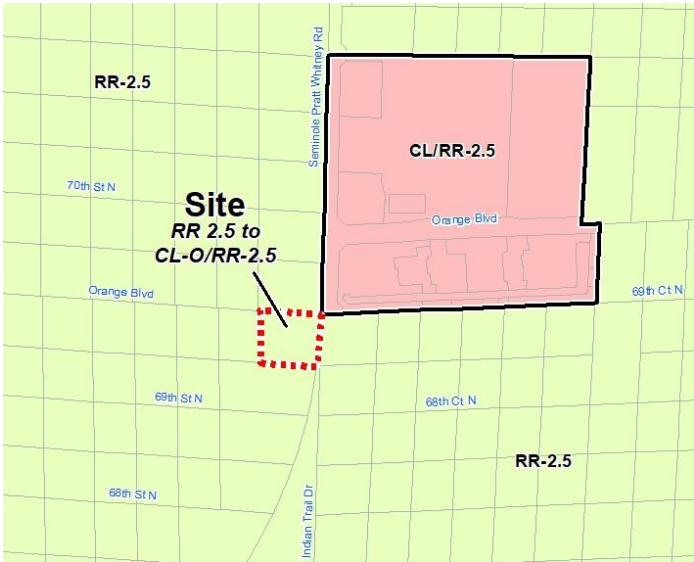
Exhibits	Page
1A. Future Land Use Map & Legal Description	E-1
1B. Applicant’s Proposed Text Amendment	E-3
2. Consistency with Comprehensive Plan	E-5
3. Applicant’s Justification/Consistency with Comprehensive Plan & Florida Statutes	E-17
4. Applicant’s Public Facility Impacts Table	E-19
5. Palm Beach County Traffic Division Letter	E-21
6. Water & Wastewater Provider LOS Letter	E-23
7. Applicant’s Disclosure of Ownership Interests	E-24
8. Urban Sprawl Analysis	E-28
9. Correspondence	E-30

Exhibit 1-A

Amendment No:	Reach Estate Office (LGA 2020-015)
FLUA Page No:	40
Amendment:	Rural Residential, 1 unit per 2.5 acres, (RR-2.5) to Commercial Low-Office with an underlying 1 unit per 2.5 acres (CL-O/RR-2.5)
Location:	Southwest corner of Seminole Pratt-Whitney Road and Orange Boulevard
Size:	1.76 acres
PCN:	00-40-42-36-00-000-1010

**Conditions:** Development of the site under the CL-O future land use designation shall be subject to the following conditions:

- 1. A maximum of 3,833 square feet (.05 FAR) including residential and non-residential uses;
- 2. Preserves a minimum of 25% of existing native vegetation;
- 3. Excludes drive through uses; and
- 4. Provides a minimum 50 foot building setback and a minimum 15 foot landscape buffer from adjacent residential lots; and enhanced landscaping and vegetative screening shall be provided on Seminole Pratt Whitney Rd.
- 5. The building front façade and primary entrance shall not face Seminole Pratt Whitney Rd.
- 6. Prior to submittal of the first building permit, the applicant shall provide a Preliminary Site Plan with estimated preliminary finished grades, and a Vegetation Disposition Chart for review and approval by the Planning Division and Environmental Resources Management Department.



Legal Description

TRACT M-16: COMMENCING AT THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 42 SOUTH, RANGE 40 EAST, SAID CORNER BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING, PROCEED WESTERLY ALONG THE NORTH SECTION LINE A DISTANCE OF 307.36 FEET TO A POINT; THENCE PROCEED SOUTHERLY PARALLEL TO THE WEST SECTION LINE A DISTANCE OF 252.9 FEET TO A POINT; THENCE PROCEED EASTERLY PARALLEL TO THE NORTH SECTION LINE TO A POINT LYING ON A CURVE CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF 77 DEGREES 46 MINUTES 34 SECONDS AND A RADIUS OF 2420.23 FEET, SAID CURVE BEING CERTERLINE OF A 120 FOOT DEDICATED ROAD EASEMENT; THENCE PROCEED NORTHEASTERLY ALONG THE ABOVE DESCRIBED CURVE TO THE NORTHEAST SECTION CORNER AND THE POINT OF BEGINNING; SUBJECT TO AN EASEMENT TO INDIAN TRAIL WATER CONTROL DISTRICT FOR ROAD AND DRAINAGE PURPOSES OVER THE NORTH 40 FEET AND THE EASTERLY 60 FEET.

CONTAINING 76,769.46 SQ. FT. OF 1.76 ACRE MORE OR LESS GROSS AREA  
51,428.36 SQ. FT. OR 1.18 ACRE NET EXCLUDING ROAD AND DRAINAGE EASEMENTS.

**Exhibit 1-B**  
**Proposed Text Amendment**

**A. Future Land Use Element, Reach Estate Office**

**REVISIONS:** To establish an ability for sites to apply for the Commercial Low-Office future land use designation on sites adjacent to existing commercial development, subject to limitations.

**1. NEW: Policy 1.3-j:** In order to allow transitional uses on Seminole Pratt Whitney Road adjacent to the commercial node at the intersection of Orange Boulevard, the County shall allow exceptions to location criteria for low-intensity office uses that have a residential design and appearance. The ULDC shall be revised to incorporate this new “Exurban Office” as a subcategory of Commercial Low Office Zoning, and shall establish a minimum of a DRO approval for all uses allowed within this zoning on sites utilizing this policy.

**1. Property Requirements.** Properties that do not meet the Exurban Tier Commercial Location Criteria in Policy 1.3-f may apply through the future land use amendment process for a Commercial Low-Office (CL-O) future land use designation subject to the following:

- a. Is an adjacent lot, as defined by the Introduction & Administration Element, to existing Commercial Low future land use;
- b. Has legal access to Orange Boulevard, 69th Court North, 70th Street North, 71st Street North, 71st Place North, or 72nd Road North; and
- c. Has a lot depth of no greater than 300 feet west of Seminole Pratt-Whitney Road.

**2. Design Requirements.** The development of the CL-O sites subject to this policy shall be residential in scale, be comprised of a single building, and designed with architectural and landscaping features that enhance the rural character and preserves and protects The Acreage’s unique rural lifestyle as recommended by the Acreage Neighborhood Plan, and shall comply with the following:

- a. Minimum 50-foot building setback from a residential property line;
- b. Minimum 15 foot landscape buffer along all property lines;
- c. Preserve a minimum 25% existing native vegetation on site;
- d. The building front façade and primary entrance shall not face Seminole Pratt Whitney Road, and enhanced landscaping and vegetative screening shall be provided on Seminole Pratt Whitney Road;
- e d. Maximum 0.05 FAR; and
- f e. Not include drive through uses.

**2. REVISE:**

**TABLE III.C.2**  
**Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories and Non-Residential Uses**

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
Commercial Low (Neighborhood Commercial)	CL-O	.35	<u>0.05 - .20 <sup>12</sup></u>	.20	.20 w/MUPD <sup>4</sup>	.20
	CL	.20 w/o PDD <sup>1,3</sup> .25 w/ PDD <sup>1,3</sup>	.10 1.0 w/ TMD	.10 1.0 w/ TMD	.10 <sup>5</sup> .20 w/MUPD <sup>4</sup> .40 w/ TMD <sup>4</sup>	.10

**Notes:**

- 1. to 11. Omitted for brevity*
- 12. Properties subject to Policy 1.3-j are limited to a maximum of 0.05 FAR.

**3. REVISED Policy 1.3-f:** The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as depicted on the Federal Functional Classification of Roads Map TE 3.1), unless it is shown that a vehicular cross connection can be established to an adjacent site with a Commercial Low non-residential future land use designation, or such development is planned as a Traditional Marketplace Development (TMD).

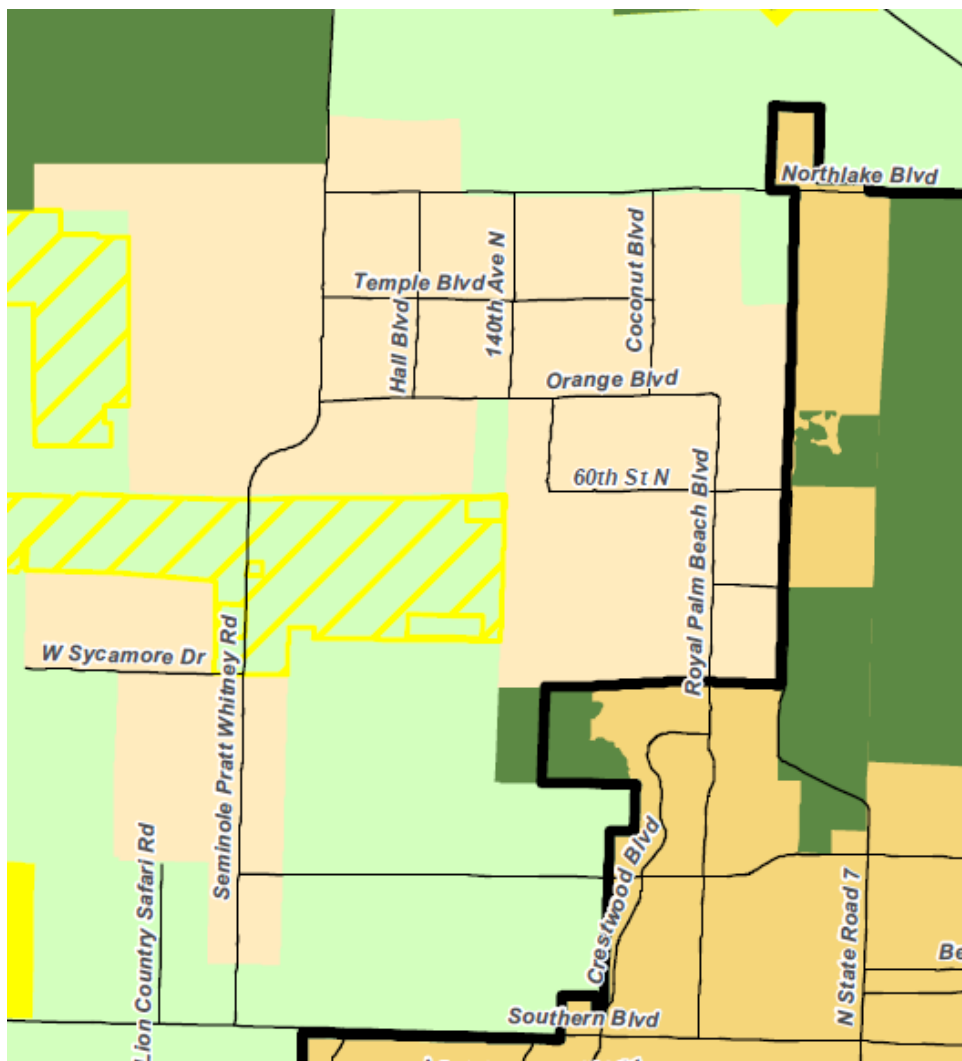
## Exhibit 2

### Consistency with Comprehensive Plan

This Exhibit examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

#### A. Exurban Tier Information and Background

The subject site is located within Exurban Tier in the area of the County known as the Central Western Communities as shown in the graphic below in beige. The Exurban Tier in this area is located within the boundaries of the Acreage Neighborhood Plan and the Indian Trails Improvement District. The residential densities allowed are limited to the rural residential future land use designations, and the predominant designation is Rural Residential, 1 unit per 2.5 acres (RR-2.5) although the vast majority of the lots are approximately 1.25 acres.



The Comprehensive Plan describes the Exurban Tier as follows:

*The Exurban Tier supports residential subdivisions, created prior to 1970 before the adoption of the Comprehensive Plan and its regulations. Historically, these areas have been considered rural due to a sparse development pattern, large heavily treed lots, presence of small agricultural operations including equestrian uses, and a desire for minimal services and regulation. However, growth has marked a change in the character from rural to more suburban and semi-rural, or exurban, as the existing and vested 1.25 acre lots develop with single family homes. The corresponding increase in population, which is anticipated in the Plan has caused an escalating increase in the demand for services. A recognition of the existing development pattern, demand for services and desire to maintain the rural character, warrants a specific set of strategies.*

The Objective for the Exurban Tier states:

**OBJECTIVE 1.3, Exurban Tier.** *Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area in antiquated subdivisions created prior to the adoption of the 1989 Comprehensive Plan with platted densities greater than 1 dwelling unit per 5 acres while protecting the exurban lifestyle. The Exurban Tier*

*shall include The Acreage and Palm Beach Country Estates Subdivisions and shall be provided with a mix of urban and rural services.*

## **1. Commercial Approvals in the Exurban Tier**

The commercial approvals in the Exurban Tier in the Acreage Neighborhood Plan are located within two commercial nodes as summarized below:

### **• Northlake Boulevard and Coconut Boulevard**

- **Shops at Indian Trails**, Control Number 2006-147, is a 30.19 acre site has a Commercial Low (CL) future land use with Multiple Use Planned Development (MUPD) zoning. The site is approved for 106,566 s.f. of commercial uses plus 16 fueling stations of gas sales for a total of .08 FAR. The site is unbuilt and at the southwest corner.
- **Coconut Palm Plaza**, Control Number 2001-075, is an 11.25 acre site currently approved for a post office. There is a future land use amendment currently in process requesting a change from Rural Residential, 1 unit per 20 acres, to CL to allow the rezoning to MUPD. The proposed site plan requests 49,005 s.f. of commercial uses plus a 20 fueling stations of gas sales for a total of .10 FAR. The site is unbuilt and at the southeast corner.

### **• Seminole Pratt-Whitney Boulevard and Orange Boulevard**

- **Pratt & Orange MUPD**, Control Number 1998-023, is a 22.04 acre site has CL future land use designation and MUPD zoning. The site is approved for 122,523 s.f., with 92,592 s.f. of commercial uses and 29,931 s.f. for a library, plus 8 fueling positions of gas sales for a total of .13 FAR. The site is currently built.
- **Seminole Orange Plaza**, Control Number 2006-012, is an 11.89 acre site has CL future land use and MUPD zoning. The site is approved for 47,124 s.f. of commercial uses with a .09 FAR. The site is currently mostly built.

## **B. Consistency with the Comprehensive Plan - General**

### **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, and 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), F.S.;*
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 provides a Justification Statement (Exhibit 3) which is summarized as follows:

- The applicant's justification states that allowing the small parcels adjacent to the existing commercial plaza, and located on a major thoroughfare, to request commercial office would allow these sites to serve as transitional uses.
- The uses allowed by the Commercial Low-Office designation include financial institutions (excluding drive through), medical or dental office, professional office, veterinary clinic and live/work spaces.
- The applicant states that the proposed criteria would ensure that the development of these parcels would be compatible with the neighborhood while providing additional services to the residents and round out the existing commercial node in a manner that is in character with the rural community.

**Staff Analysis:** 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 justification, there are several themes presented by this amendment that are discussed individually.

The current development potential for the subject site is a single family home or non-residential uses allowed in the RR-2.5 future land use designation with Agricultural Residential zoning. The proposed text and future land use amendment would allow up to 3,833 square feet (.05 FAR) of commercial low-office development.

Staff concurs that a new approach to allowing limited non-residential office development on a small scale as proposed by the applicant for the sites located adjacent to the Acreages' primary commercial node and Seminole Pratt Whitney Road is appropriate. Allowing small office development with a limit and design restrictions to replicate the look of a residential home, will allow these sites to serve limited office needs while ensuring that the character is maintained and the uses are compatible with the neighborhood. The proposed restriction to a single lot depth from Seminole Pratt Whitney Road will ensure that lots aren't assembled to a large scale that would change the character of the area and intrude into the neighborhood. This amendment would allow eight additional properties to apply for the CL-O designation; however, each site would need to apply for the designation and zoning approval on a case-by-case basis. The proposed site specific conditions of approval will ensure that the new Policy requirements are met throughout the development review process. Therefore, this amendment has met the requirements for an adequate justification to support the amendment.

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.*

**Direction 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.*

**Direction 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.*

**Staff Analysis:** The Comprehensive Plan policies for the Exurban Tier ensure that commercial development is limited to a handful of sites. The proposed text amendment introduces a very limited opportunity for commercial office development adjacent to the key commercial center in the Acreage located at the northeast corner of Seminole Pratt-Whitney Road and Orange Boulevard. The design features, location limitations, and limitations on uses allowed within the new commercial office proposed by the text amendment are consistent with the directives to ensure livable communities and ensure that growth is managed in a manner consistent with the Tier. The proposed future land use amendment is consistent with the proposed text amendment and will be designed in a manner that maintains the rural character of the corridor.

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 adjacent to the subject site that are not included in the proposed amendment whereby residual parcels would be created. Therefore, the proposed amendment would not constitute piecemeal development. This proposed amendment would not encourage piecemeal

development as defined in the Introduction and Administration Element of the Comprehensive Plan which describes ‘piecemeal’ as the development of “*small portions of a larger, undeveloped property is developed in a sequential manner, such that land use decisions are being made for individual sub-areas of the original parent tract independent from the whole.*” Therefore the amendment is inconsistent with this policy.

4. **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:** This amendment is not considered strip commercial development as it will be limited to office uses and does not meet the definition in the Comprehensive Plan’s Introduction and Administration Element.

5. **ULDC Implications - Policy 2.2.c:** *The County shall ensure its Unified Land Development Code is consistent with the appropriate elements of the Comprehensive Plan. This consistency shall, at a minimum:*

1. *Ensure that no development permits will be issued to a development whose impact may degrade adopted levels of service, pursuant to the Concurrency Management Program contained in the Capital Improvement Element;*
2. *Ensure future land uses are consistent with the Future Land Use Atlas;*
3. *Ensure compatibility with adjacent future land uses;*
4. *Protect residential areas from adverse impacts and undesirable effects from adjacent land uses;*
5. *Regulate subdivision of land;*
6. *Protect areas subject to seasonal or periodic flooding, as provided in the Utility and Conservation Elements;*
7. *Regulate stormwater management and drainage;*
8. *Protect potable water wellfields and aquifer recharge areas;*
9. *Protect open spaces and natural resources;*
10. *Protect historically significant properties, as provided in the Historic Preservation Element;*
11. *Provide efficient service delivery systems;*
12. *Regulate landscaping;*
13. *Regulate lighting; and,*
14. *Incorporate the Characteristics of Livable Communities listed in the Introduction of the Future Land Use Element.*

**Staff Analysis:** There are no changes required to the ULDC for this amendment. This amendment revises the location requirements for commercial future land use which exclusively resides in the Comprehensive Plan. However, the County may wish in the future to expand upon this amendment to create a zoning district unique to the new policy

## C. Consistency with Exurban Tier Requirements for the Specific FLU

Future Land Use Element (FLUE) 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.....*” The Comprehensive Plan contains several policies addressing future land uses in the Exurban Tier.

### 1. FLUE OBJECTIVE 1.3 Exurban Tier

**Objective:** *Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area in antiquated subdivisions created prior to the adoption of the 1989 Comprehensive Plan with platted densities greater than 1 dwelling unit per 5 acres while protecting the exurban lifestyle. The Exurban Tier shall include The Acreage and Palm Beach Country Estates Subdivisions and shall be provided with a mix of urban and rural services.*

**FLUE Policy 1.3-a:** *The County shall protect and maintain the semi-rural residential, equestrian, and agricultural communities within the Exurban Tier by:*

1. *Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;*
2. *Allowing services and facilities 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 exurban community.*

**Staff Analysis:** The proposed text and future land use amendment will allow a very limited amount of commercial low-office development designed in a manner similar to a residential home. The proposal will result in a design and use that is consistent with the rural character of the corridor while allowing small office uses.

2. **FLUE Policy 1.3-f:** *The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as depicted on the Federal Functional Classification of Roads Map 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:** This policy provides locational requirements for new commercial future land use designations in the Exurban Tier. The site is located at the intersection of Seminole Pratt Whitney Road, which is depicted as an Urban Minor Arterial on the referenced Federal Functional Classification Map, and Orange Boulevard, which is not identified on the Map. The commercial intersection criteria in this policy was established in Amendment Round 05-1. At the time, only the intersection of Seminole Pratt Whitney Road and Southern Blvd/SR80 qualified for new commercial development in the Exurban and Rural Tiers according to this criteria. In Amendment Round 08-1, the Federal Functional Classification (FFC) table was replaced by the FFC Map adopted into the Comprehensive Plan. The new map established five new intersections where commercial uses may be allowed by this policy.

- Northlake Boulevard and 140th Avenue North
- Northlake Boulevard and Coconut Boulevard
- Royal Palm Beach Boulevard and 60th Street North
- Seminole Pratt Whitney Road and Northlake Boulevard
- Seminole Pratt Whitney Road and Okeechobee Boulevard

The subject site does not meet this location criteria, but will meet the proposed exception established by new Policy 1.3-j (see that policy discussion below).

3. **Policy 1.3-g:** *Non-residential development shall be designed in the form of a Traditional Marketplace, or the development shall comply with rural design standards to ensure protection of the character of the Tier and to minimize impacts on surrounding uses. Standards for Traditional Marketplace Development shall also be developed to reflect the scale and character of the Exurban Tier.*

**Staff Analysis:** The rural design criteria has been incorporated into the ULDC, and the subject site will be developed in a manner consistent with that policy and the new design requirements proposed by new Policy 1.3-g (see policy discussion below).

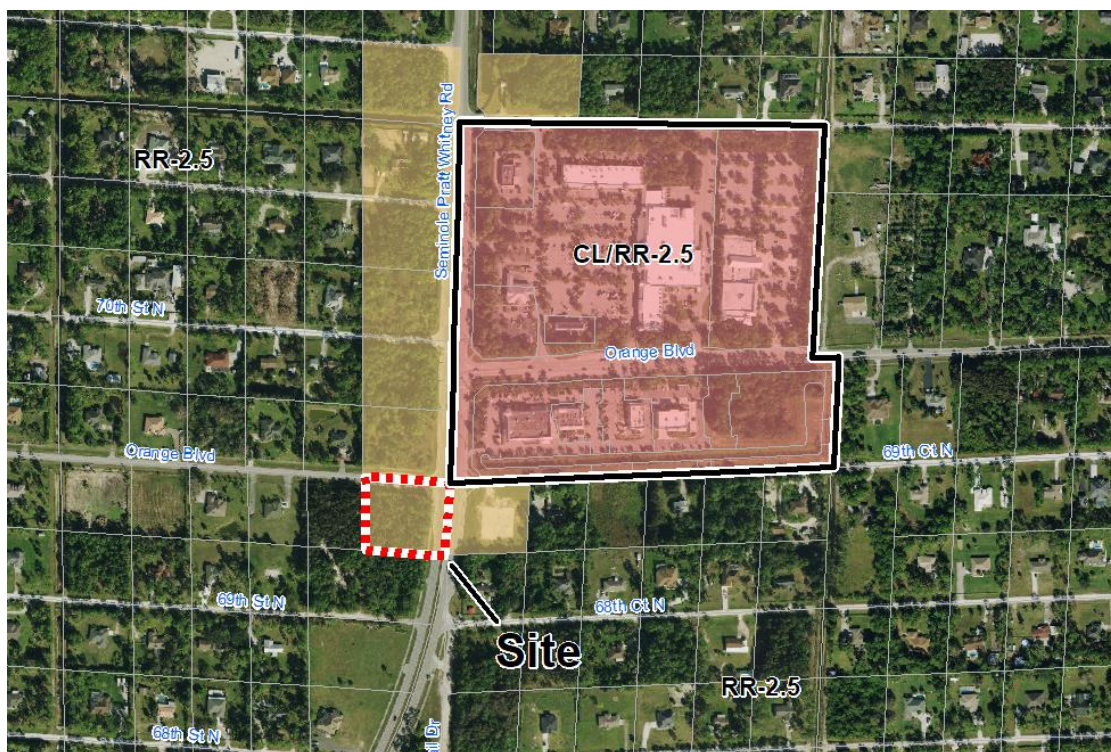
4. **Policy 1.3-h:** *The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and co-locating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Such uses may include, but 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 text amendment proposes to allow additional small commercial low-office uses adjacent to the commercial 'central community place' located due east of the subject site. Development of the subject site with any non-residential uses allowed under the RR-2.5 designation such as day care, places of worship, or the former post office, or the proposed commercial could contribute to this of "central community place". In addition, with the required design elements incorporated into the new policy, the building orientation, architectural treatment, and landscaping shall reflect the character of the rural community.

5. **Proposed New Policy 1.3-j:** In order to allow transitional uses on Seminole Pratt Whitney Road adjacent to the commercial node at the intersection of Orange Boulevard, the County shall allow exceptions to location criteria for low-intensity office uses that have a residential design and appearance.

1. **Property Requirements.** Properties that do not meet the Exurban Tier Commercial Location Criteria in Policy 1.3-f may apply through the future land use amendment process for a Commercial Low-Office (CL-O) future land use designation subject to the following:
  - a. Is an adjacent lot, as defined by the Introduction & Administration Element, to existing Commercial Low future land use;
  - b. Has legal access to Orange Boulevard, 69th Court North, 70th Street North, 71st Street North, 71st Place North, or 72nd Road North; and
  - c. Has a lot depth of no greater than 300 feet west of Seminole Pratt-Whitney Road.
2. **Design Requirements.** The development of the CL-O sites subject to this policy shall be residential in scale, be comprised of a single building, and designed with architectural and landscaping features that enhance the rural character and preserves and protects The Acreage's unique rural lifestyle as recommended by the Acreage Neighborhood Plan, and shall comply with the following:
  - a. Minimum 50-foot building setback from a residential property line;
  - b. Minimum 15 foot landscape buffer along all property lines;
  - c. Preserve a minimum 25% existing native vegetation on site;
  - d. Maximum 0.05 FAR; and
  - e. Not include drive through uses.

**Staff Analysis:** This is the new policy presented by this text amendment. The proposed amendment will foster additional commercial low-office uses in the Tier in a manner that will serve as a transitional use to existing residences, and will not intrude into the neighborhood beyond the lots fronting Seminole Pratt-Whitney Road. The limitation on floor area and design requirements will ensure that the office uses resemble residential homes, and have minimal impact on the area. The policy would allow the subject site and eight additional sites (15.1 acres) to be able to apply for Commercial Low-Office future land use and zoning. These sites are shown in the graphic below. Each site must apply through the future land use and zoning process individually. If all of the sites were approved for CL-O future land use and zoning, including the parcel owned by Indian Trail Improvement District located on the east side of Seminole Pratt Whitney Road, were approved for 0.05 FAR of commercial office, up to 36,300 s.f. could be built cumulatively.



### C. 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.

**Surrounding Land Uses:** Surrounding the subject site are the following:

- **West:** To the west of the site is a vacant parcel with Rural Residential, 1 unit per 2.5 acre future land use and Agricultural Residential (AR) Zoning.

- **North & East:** To the north of a site is are vacant sites with RR-2.5 future land use and AR zoning. This site would qualify to apply for CL-O future land use if this amendment is approved.
- **Northeast:** To the northeast of the site are two commercial plazas. Pratt & Orange MUPD, Control Number 1998-023, is a 22.04 acre site has CL future land use designation and MUPD zoning. The site is approved for 122,523 s.f., with 92,592 s.f of commercial uses and 29,931 s.f. for a library, plus 8 fueling positions of gas sales for a total of .13 FAR. Seminole Orange Plaza, Control Number 2006-012, is an 11.89 acre site has CL future land use and MUPD zoning. The site is approved for 47,124 s.f. of commercial uses with a .09 FAR.
- **South:** To the south of the site is a vacant site with RR-2.5 future land use and AR zoning that has zoning approval for a daycare.

**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 maintain 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.”*

**Applicant’s Comments:** The applicant states that the proposed text and future land use amendment will result in a small, neighborhood style office use that will blend into the character area with the appearance of a residential use.

**Staff Analysis:** The proposed amendment to a very low intensity, very limited office non-residential use designed in a manner with the appearance of a residential use will have minimal impacts on the corridor and adjacent parcels. The proposed use will serve as a transitional use between existing homes and the adjacent Seminole Pratt Whitney Road corridor. Subject to the restrictions in the policy for setback, native vegetation preserve, and limited uses and square footage, the proposed future land use amendment is compatible with adjacent residences.

#### **D. 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…….”*

**a. The Acreage Neighborhood Plan.** The subject site is located within the boundaries of the Acreage Neighborhood Planning Area which contains recommendations regarding commercial uses. The Neighborhood Plan was received by the Board of County Commissioners in 1996 and was an independently written, community sponsored statement which reflects the desires of the Acreage Community as they related to land use and other matters. The Neighborhood Plan was prepared with oversight from the Planning Division, and establishes the following goals, objectives and recommendations regarding commercial development:

**Objective.** *To provide criteria for the development of a commercial center(s) that provides design standards that account for the rural nature of the area, provides sufficient buffering, and makes use of the native vegetation.*

**L8.** *Should commercial uses locate within The Acreage Unified Planning Area, the building style and landscaping should be compatible with the surrounding residential community. The proposed commercial use shall be presented to The Acreage Landowners Association at a public hearing as an agenda item for discussion.*

**Staff Analysis:** The applicant has presented the proposed text and future land use amendment to the Acreage Landowners Association (ALA) and has secured a letter of support (see Exhibit 5). The ALA has been notified of the amendment by Planning staff during the course of the amendment process. The amendment, subject to the new Policy 1.3-j, shall be designed in a style and manner consistent and compatible with the surrounding residential community.

**L9.** *Should commercial uses locate within The Acreage Unified Planning Area, a minimum of one hundred (100) feet (inclusive of all easements) shall be used as a vegetative setback (buffer) from property zoned AR (Agricultural Residential) or Public Ownership (PO). Parking shall not be allowed within the 100 foot setback. Commercially zoned property shall be one lot and have a minimum of ten (10) acres and a maximum of forty (40) acres. An overall maximum of one hundred and twenty (120) acres of commercially zoned property shall be permitted within the entire Acreage Unified Planning Area. Commercial property shall be located at the intersection of two (2) County arterials (roads) as designated on the Palm Beach County Thoroughfare Right of Way Identification Map. The maximum buildable floor area of a parcel of property shall be ten percent (10%).*

**Staff Analysis:** The proposed amendment site does not meet the recommendations smaller than 10 acres and is not providing a 100 foot setback. However, the site is located at an intersection where the adjacent roadways (east of Seminole Pratt-Whitney Road) are County arterials, has a proposed floor area ratio of less than 10%, and will not result in an excess of over 120 acres of commercial in the Tier. The text amendment proposes a 50 foot setback and 15 foot vegetative buffer. The Acreage Landowners Association (ALA) has provided a letter of support (see Exhibit 5).

**L10** *Palm Beach County should protect the aquifer and residents, by prohibiting the permitting of petroleum facilities (i.e. fuel stations, auto/truck repair, junk/salvage yards, paint shops, etc...) within the Acreage Unified Planning Area. A limited number of fuel stations having no walk-in retail capacity and consisting of a maximum of four pump with one fuel dispenser per side for a maximum of eight dispensing nozzles total that include safeguard measures that meet or exceed state and federal standards on fuel dispenser and storage systems, such as state-of-the-art secondary containment systems, may be allowed on existing commercial sites subject to Acreage Land Owners Association approval.*

**Staff Analysis:** The proposed amendment will limit the future land use designation to Commercial Low-Office (CL-O) which does not allow petroleum facilities; therefore, this recommendation is not applicable.

**L13.** *The Acreage Community Plan endorses the current (January, 1995) commercial location criteria stated within the Land Use Element of the Palm Beach County Comprehensive Plan. The Acreage community supports the direction of the County's Comprehensive plan by prohibiting strip commercial development.*

**Staff Analysis:** Regarding L13, staff analysis regarding strip commercial development indicated that the proposed amendment would not result in or encourage strip commercial development.

## **E. Public Facilities and Services Impacts**

The proposed amendment was reviewed for up to 3,833 square feet of commercial office uses. Public facilities impacts are detailed in the table in Exhibit 4.

- 1. Facilities and Services – FLUE 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.*

**Staff Analysis:** The proposed amendment has been distributed to the County service departments for review and there are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Zoning (ULDC), Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Dept.), Environmental (Environmental Resource Management), Traffic (Engineering), Historic Resources (PBC Archeologist), Parks and Recreation, Health (PBC Dept. of Health), Community Services (Health & Human Services) and Fire Rescue, School District.

**2. 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):.....*

**Staff Analysis:** According to the County's Traffic Engineering Department (see letter dated April 29, 2020 in Exhibit 5) the amendment meets Policy 3.5-d. The Traffic letter concludes:

*"Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meet Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan with a voluntary condition to restrict the site at the proposed potential density shown above. Please note the proposed change will have no significant impact for both long range and Test 2 analyses."*

The Traffic Study was prepared by Adam Kerr, P.E., of Kimley-Horn and Associates, Inc. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:  
<http://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

**F. Florida Statutes (FS) Consistency**

1. **Consistency with Urban Sprawl Rule:** Section 163.3177(6)(a)9.a., F.S., establishes a series of primary indicators to assess whether a plan amendment does not discourage 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 Exhibit 8 indicates that the proposed amendment does not encourage the proliferation of urban sprawl. If urban sprawl was indicated by any of these factors, staff would review the proposed amendment against the new section added in 2011 (163.3177(6)(a)9.b) 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.

## **II. Public and Municipal Review**

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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 and Interested Party Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on Friday, June 19, 2020. In addition, The Planning Division notified Indian Trail Improvement District and the Acreage Land Owners of the scheduled hearings on the same date. Previous to this notification, the applicant had coordinated directly with the ALA and ITID on multiple occasions, securing the letters in support provided in Exhibit 8.
- B. Other Notice and Correspondence:** Public Notice by letter was mailed to the owners of properties within 1,000 feet of the perimeter of the site, and the eight property owners that may apply for CL-O if this amendment is approved, on June 22, 2020. Notice was also sent to ITID and ALA as discussed above.
- C. Informational Meeting:** The Planning Division hosted a web based informational meeting on July 1, 2020. A representative from ITID participated in the meeting and discussed the District's review of the request to date, and desire to continue working with the applicant and County to ensure that the site would develop as represented.

### **Exhibit 3**

#### **Applicant's Justification**

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#### REACH ESTATE PROPOSED TEXT AMENDMENT JUSTIFICATION STATEMENT October 16, 2019

##### Purpose

Policy 1.3-f sets the criteria for proposed Commercial Future Land uses within the exurban tier. The current restriction limits the development of commercial to 4 nodes within the acreage. This proposed policy will be an exception to this policy that allows for commercial low office uses on the West side of Seminole Pratt Whitney road, adjacent to the existing commercial node at Orange Blvd. This will provide the possibility of currently vacant parcels to develop as transition commercial uses to the western neighborhood.

##### Justification Statement

This proposed text amendment to the Palm Beach County Comprehensive Plan concerns parcels of land along Seminole Pratt Whitney Road within the Acreage. The wording for the proposed policy is meant to allow very low-scale commercial uses adjacent to other commercial uses at the current node of Orange Blvd and Seminole Pratt Whitney road. The development of these sites at this intensity will allow for a transitional land use to the single-family homes to the west. The comprehensive plan currently limits only neighborhood commercial uses such as a daycare, place of worship or assembly institutional within the AR zoning district.

There are 9 parcels that will be affected by this proposed policy. Currently, 8 out of 9 of the sites are vacant. With the only one developed into a Single-Family home The current future land use of all possibly affected parcels is RR-2.5. With this policy established, those parcels would be allowed to apply for a future land use amendment to become Commercial Low-Office on a case by case basis. This policy will allow the current development potential of the sites to remain or provide the possibility of developing commercial office uses currently allowed in the Unified Land Development code. These would include financial institutions, medical or dental office, professional office, veterinary clinic and live/work spaces. All possible development uses are compatible with the neighborhood and will provide additional services to the residents of the acreage and allow better developability of the commercial node.

##### Consistency

Policy 1.3 states all of the objectives and policies related to development of the Exurban tier. This proposed amendment is specifically consistent with the below policies:

1.3-a promotes the need for services, scale intensity and character of the area. The small-scale development allowed in the proposed policy with the maintenance of natural areas is consistent with this section.

1.3-c- Minimum density requirements should not be established. This policy if providing a maximum density requirement.

1.3-f- All new commercial criteria for development. The proposed policy will be an exception to this policy requirements.

1.3-g- non-residential properties shall comply with rural design standards. The small scale, location near other commercial uses and preservation of native habitat complies with the established rural standards.

1.3-h- Promotes central community places and consistent architectural character. This proposed policy will add to the existing commercial area and continue the architectural character of the tier across Seminole Pratt Whitney Road.

**Exhibit 4**  
**Applicant's Public Facility Impacts Table**

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Single-Family Detached	General Office (14,549 sf); Proposed 3,637 sf
Maximum Trip Generation	10 trips/dwelling unit	
Net Daily Trips:	138 (maximum minus current) 43 (proposed minus current)	
Net PH Trips:	35 AM, 14 PM (maximum) 5 AM, __7__ PM (proposed)	
Significantly impacted roadway segments that fail Long Range	No	No
Significantly impacted roadway segments for Test 2	No	No
Traffic Consultant	Kimley Horn, Adam Kerr	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route 40, via SR-80, 6.345 miles	
Nearest Palm Tran Stop	Southern Blvd stop, 6.440 miles	
Nearest Tri Rail Connection	17.8 Miles to Mangonia Park Station	
C. Portable Water & Wastewater Information		
Potable Water & Wastewater Providers	Application Attachment I is provided stating that Palm Beach County Water Utilities Department does have adequate capacity available for this site as a commercial future land use.	
Nearest Water & Wastewater Facility, type/size	The nearest potable water connection and sanitary sewer line can be found along Seminole Pratt Whitney Road, adjacent to the subject property. A lift station and force main are required for connection to both.	
D. Drainage Information		
1. Drainage statement prepared by Jeff H. Iravani, Inc. Consulting Engineers 2. Property is located in the L-8 Drainage Basin 3. Project shall provide on-site detention for runoff from 2.5” of rainfall or 1”. Pavement grades shall be above the peak stage of a 5-yr-24hr storm. Finished floor elevation of the buildings shall be above the peak stage of a 100yr-72hr storm. Perimeter elevation shall be above the peak stage of a 25yr-72hr storm. Positive outfall from the site shall be discharged to the north along Orange Blvd.		
E. Fire Rescue		
Nearest Station	The subject property is serviced by Fire Rescue Station #22 located at 16650 Town Center Parkway South.	
Distance to Site	The subject property is located 2.25 miles from Fire Rescue Station #22.	
Response Time	Estimated response time to the subject property is 7 minutes.	

<b>Effect on Resp. Time</b>	See Application Attachment K, Fire Rescue Letter  Changing the land use of this property will have little impact on response time.
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	See Application Attachment L There is both native and exotic habitat. There are no environmentally significant features present. Mitigation will be provided by the Environmental Resources Department.
<b>Flood Zone*</b>	The site is not located within a flood zone.
<b>Wellfield Zone*</b>	See Application Attachment M The site is not located in a wellfield protection zone.
<b>G. Historic Resources</b>	
See Application Attachment N for Historic Resources Letter.  There are no historic/architecturally significant structures or resources on or within 500 feet of the property. There are no archaeologically significant resources located on or within 500 feet of the property.	

Exhibit 5

Palm Beach County Traffic Division Letter



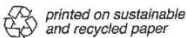
Department of Engineering  
and Public Works  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com

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Commissioners

Dave Kerner, Mayor  
Robert S. Weinroth, Vice Mayor  
Hal R. Valeche  
Gregg K. Weiss  
Mary Lou Berger  
Melissa McKinlay  
Mack Bernard

County Administrator  
Verdenia C. Baker

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Affirmative Action Employer"



April 29, 2020

Adam B. Kerr, P.E.  
Kimley-Horn and Associates, Inc.  
Transportation Engineer  
1920 Wekiva Way, Suite 200  
West Palm Beach, FL 33411

RE: Reach Estate  
FLUA Amendment Policy 3.5-d Review  
Round 2020-20-B2

Dear Mr. Kerr:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Analysis for the proposed Future Land Use Amendment for the above referenced project, revised March 13, 2020, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

<b>Location:</b>	SW corner of Orange Boulevard and Seminole Pratt Whitney Road	
<b>PCN:</b>	00-40-42-36-00-000-1010	
<b>Acres:</b>	1.76 acres	
	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>FLU:</b>	Rural Residential, 1 dwelling unit per 2.5 acres (RR-2.5)/ Rural Residential, 1 dwelling unit per 2.5 acres (RR-2.5)	Commercial Low Office (CL-O)/ Rural Residential, 1 dwelling unit per 2.5 acres (RR-2.5)
<b>Zoning:</b>	Agricultural Residential (AR)	Commercial Low Office (CL-O)
<b>Density/ Intensity:</b>	1 dwelling units per 2.5 acres	0.20 FAR
<b>Maximum Potential:</b>	Single Family Detached = 1 DU	General Office = 15,333 SF
<b>Proposed Potential:</b>	None	General Office = 3,833 SF (Voluntary Restriction)
<b>Net Daily Trips:</b>	145 (maximum – current) 46 (proposed – current)	
<b>Net PH Trips:</b>	36 (31/5)AM, 16 (3/13) PM (maximum) 6 (5/1) AM, 8 (3/5) PM (proposed)	
<i>* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.</i>		



Adam B. Kerr, P.E.  
April 29, 2020  
Page 2

Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment **meet** Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan with a voluntary condition to restrict the site at the **proposed potential** density shown above. Please note the proposed change will have no significant impact for both long range and Test 2 analyses.

Please contact me at 561-684-4030 or email to [DSimeus@pbcgov.org](mailto:DSimeus@pbcgov.org) with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to be "DS", is written above the typed name.

Dominique Simeus, P.E.  
Professional Engineer  
Traffic Division

DS/rb

cc: Addressee  
Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division  
Steve Bohovsky – Technical Assistant III, Traffic Division  
Lisa Amara – Senior Planner, Planning Division  
Khurshid Mohyuddin – Principal Planner, Planning Division  
Jorge Perez – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review  
N:\TRAFFIC\Development Review\Comp Plan\20-B2\Reach Estate.docx

**Exhibit 6**  
**Water & Wastewater Provider LOS Letter**

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**Water Utilities Department  
Engineering**

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



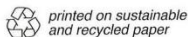
**Palm Beach County  
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Melissa McKinlay  
Mack Bernard

**County Administrator**

Verdenia C. Baker

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February 24, 2020

Cotleur & Hearing  
1934 Commerce Lane Suite 1  
Jupiter, FL 33458

Attn: Monica Aspacher

RE: Southwest corner of Orange Blvd. & Seminole Pratt Whitney Road  
PCN 00-40-42-36-00-000-1010  
Service Availability Letter

Dear Monica,

This is to confirm that Palm Beach County Water Utilities Department (PBCWUD) is the potable water and wastewater service provider for the referenced property. Potable water and sanitary sewer services are available to accommodate the current FLU designation of RR and the proposed FLU designation of Commercial Office subject to a capacity reservation agreement with PBCWUD.

The closest potable water connection is a 16" watermain located within Seminole Pratt Whitney Road and the nearest sanitary sewer connection is an 8" forcemain located within Seminole Pratt Whitney Road adjacent to the subject property. A lift station and forcemain are required for the sanitary sewer connection.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. Utility extensions and improvements maybe required to serve the additional property.

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  
Plan Review Manager

## Disclosure of Ownership Interests

FORM # 09

**[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION  
FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]**

BEFORE ME, the undersigned authority, this day personally appeared Rene F. Aguiar, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [ ] individual or [✓]trustee \_\_\_\_\_ [position - e.g., president, partner, trustee] of Rene F. Aguiar Trust Agreement [name and type of entity - e.g., ABC Corporation, XYZ 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: 15327 Orange Blvd.  
Loxahatchee, FL 33470  
\_\_\_\_\_
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,

Rene F. Aguiar

Rene F. Aguiar, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2019, by Rene F. Aguiar, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification and who did take an oath.



Wendy B. Moses  
Notary Public

Wendy B. Moses  
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 8/24/2021

## EXHIBIT "A"

## PROPERTY

TRACT M-16: COMMENCING AT THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 42 SOUTH, RANGE 40 EAST, SAID CORNER BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING, PROCEED WESTERLY ALONG THE NORTH SECTION LINE A DISTANCE OF 307.36 FEET TO A POINT; THENCE PROCEED SOUTHERLY PARALLEL TO THE WEST SECTION LINE A DISTANCE OF 252.9 FEET TO A POINT; THENCE PROCEED EASTERLY PARALLEL TO THE NORTH SECTION LINE TO A POINT LYING ON A CURVE CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF 77 DEGREES 46 MINUTES 34 SECONDS AND A RADIUS OF 2420.23 FEET, SAID CURVE BEING CENTERLINE OF A 120 FOOT DEDICATED ROAD EASEMENT; THENCE PROCEED NORTHEASTERLY ALONG THE ABOVE DESCRIBED CURVE TO THE NORTHEAST SECTION CORNER AND THE POINT OF BEGINNING; SUBJECT TO AN EASEMENT TO INDIAN TRAIL WATER CONTROL DISTRICT FOR ROAD AND DRAINAGE PURPOSES OVER THE NORTH 40 FEET AND THE EASTERLY 60 FEET.

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.

Name	Address
Rene F Aguiar	15327 Orange Blvd, Loxahatchee, FL

## Exhibit 8

### Urban Sprawl Analysis

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
<b>Criteria Related to Land Use Patterns</b>		
Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.	This 1.76 acre site does not promote, allow or designate a substantial area of the County to develop as low-intensity, low-density, or single-use development or uses.	No
Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.	This amendment does not designate urban development emanating from existing urban development.	No
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.	No
Fails to encourage functional mix of uses.	This amendment would not fail to encourage a functional mix of uses as the area as it would introduce a new use to the area.	No
Results in poor accessibility among linked or related land uses.	The proposed amendment does not result in poor accessibility among related land uses as the site is adjacent to existing commercial uses.	No
Results in the loss of significant amounts of functional open space.	The proposed amendment on this site will not result in the loss of significant amounts of functional open space.	No
<b>Criteria related to sites located outside or at the edge of the Urban Service Area</b>		
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 amendment does not promote, allow, or designate a significant amount of urban development to occur in rural areas at substantial distances from existing urban areas.	No
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 property does contain wetlands and a portion will be preserved during the zoning process.	No
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.	The amendment will not impact adjacent agricultural areas.	No
Fails to provide a clear separation between rural and urban uses.	This amendment would not fail to provide a clear separation between rural and urban uses.	No
<b>Criteria Related to Public Facilities</b>		
Fails to maximize use of existing public facilities and services.	Public facilities and services are available to the site.	No
Fails to maximize use of future public facilities and services.	The subject site could maximize the use of future public facilities available in the area as demonstrated in the department review of the amendment.	No
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.	There are no adverse impacts to public facilities and services as indicated by service providers through department review.	No
<b>Overall Assessment:</b> As demonstrated above, the proposed amendment does not meet any of the indicators of urban sprawl, and would not contribute to urban sprawl in the County.		

## Exhibit 9

### Correspondence

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7040-25 Seminole Pratt Whitney Road, Box #60  
Loxahatchee, FL 33470  
P: (305) 975-4392

Ramsay J. Bukeley, Executive Director  
Planning, Zoning, and Building  
Central Office Vista Center  
2300 N Jog Rd.  
West Palm Beach, FL 33411-2741

Date: 09/25/2019

Dear Mr. Bulkeley,

The Acreage Landowners Association board is in favor of the proposal that was brought before us by Reach Estate LLC. The board does not oppose the amendment to Policy 1.3-f and preserve 25% of existing vegetation on site. These commercial uses will maintain the rural character of The Acreage with a residential appearance per the architectural guidelines of the ULDC and The Acreage Neighborhood Plan.

Please contact us if you have any questions.

Sincerely,

9/25/2019

Bob Morgan  
Vice President  
Acreage Landowners Association

**INDIAN TRAIL IMPROVEMENT DISTRICT  
13476 61<sup>ST</sup> STREET NORTH  
WEST PALM BEACH, FL 33412-1915  
Office: 561-793-0874  
Fax: 561-793-3716**

**Established 1957**

**[www.indiantrail.com](http://www.indiantrail.com)**

Ramsay J. Bulkeley, Executive Director  
Planning, Zoning & Building  
Central Office Vista Center  
2300 N Jog Road  
West Palm Beach, FL 33411-2741

Date September 1, 2019

Dear Mr. Bulkeley,

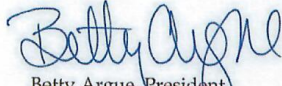
At the August 21, 2019 Regular Meeting of the Board of Supervisors, EXP Realty presented a plan to amend the text for Policy 1.3-f along Seminole Pratt Whitney Road in unincorporated Palm Beach County. The original proposed text is as follows:

*"Additional commercial-low land uses may be provided adjacent to non-residential uses along Seminole Pratt Whitney Road, provided they maintain a 0.1 FAR and preserve 25% of existing vegetation on site. These commercial uses will maintain the rural character of the Acreage with a residential appearance per the architectural guidelines of the ULDC and the Acreage Neighborhood Plan."*

The Board of Supervisors does not oppose an amendment to Policy 1.3-f with the following stipulation. The property owner agrees to maintain a 0.05 Floor Area Ratio and preserve 25% of existing trees and vegetation. The Board of Supervisors has asked that the property owner include the 25% preservation of trees and vegetation be contained within a deed restriction.

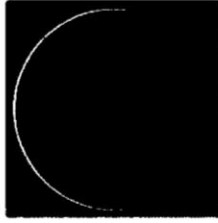
If you have any questions, please feel free to contact the District.

Sincerely,

  
Betty Argue, President  
Board of Supervisors

CC: Commissioner Melissa McKinlay  
Indian Trail Board of Supervisors

**Indian Trail Improvement District Board of Supervisors  
Betty Argue • Jennifer Hager • Tim Sayre • Joni Martin • Michael Johnson**



**Acreage Landowners Association, Inc.**  
**7040-25 Seminole Pratt Whitney Road, Box #60**  
**Loxahatchee, FL 33470**  
**P: (305) 975-4392**

June 3<sup>rd</sup>, 2020

To: Alex Ahrenholz – Coteleur & Hearing  
Chad Hanna – Reach Estate Properties

Good day Mr. Ahrenholz & Mr. Hanna,

The Acreage Landowners board is in favor of the Reach Estate LLC proposal. The Board does not oppose the amendment to Policy 1.3-f of the Palm Beach County Comprehensive Plan, as presented.

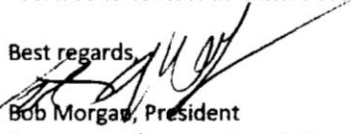
These commercial low office uses will maintain the rural character of The Acreage provided they follow the existing architectural guidelines for the exurban tier within the ULDC. They will be limited to 5% floor area ratio to create a small-scale transitional commercial low office use, with a minimum 25% preservation of existing trees and vegetation on site.

We understand that properties with this designation cannot meet every recommendation of the Acreage Neighborhood Plan, specifically the 100-foot setback and 10 acre minimum requirement, but it will provide the general intent of the plan with the additional tree preservation requirement and limited building area being part of the amendment. We expect that properties with this designation will have a setback minimum of 50 feet from neighboring residential lots, with a minimum of a 15-foot landscaped incompatibility buffer with Florida native and friendly vegetation.

This amendment will provide an appropriate use of property adjacent to the existing commercial node to transition to residential uses.

Feel free to contact us if there are any questions.

Best regards,

  
Bob Morgan, President  
Acreage Landowners Association

cc: Richard Heint  
Dixie Thiery  
Perry Williams  
Betty Argue/ ITID