

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	Round 21-B	Intake Date	November 10, 2020
Application Name	Sunflower Light Industrial	Control No.	1999-30168
Acres	8.19 Acres	Concurrent Zoning application?	Yes
		Text Amend?	No
PCNs	00-42-43-27-05-067-0150		
Location	West side of State Road 7, approximately 0.27 miles south of Atlantic Avenue		
	Current	Proposed	
Tier	Agricultural Reserve	Agricultural Reserve	
Use	Wholesale Nursery & Landscape Services (Prospective)	Uses allowed within Light Industrial Zoning Code	
Zoning	Agricultural Reserve (AGR)	Light Industrial (IL)	
Future Land Use Designation	Agricultural Reserve (AGR)	Industrial (IND) - Light	
Underlying Future Land Use Designation	None	Agricultural Reserve (AGR)	
Conditions	None	None	
Density Bonus	None	None	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	Max. FAR for current designation .15	Max. FAR for proposed designation .45
Maximum Dwelling Units¹ (residential designations)	Not Applicable	Not Applicable
Maximum Beds (for CLF proposals)	Not Applicable	Not Applicable
Population Estimate	Not Applicable	Not Applicable
Maximum Square Feet^{2,4} (non-residential designations)	.15 FAR x 8.19 ac. = 53,513 SF	.45 FAR x 8.19 ac. = 160,540 SF

Proposed or Conditioned Potential 3, 4	3 Acres Retail Nursery 5.19 Acres Wholesale Nursery	NA
Max Trip Generator	Nursery (Garden Center) ITE #817 108.10 trips/acre Nursery (Wholesale) ITE #818 19.5 trips/acre	Light Industrial ITE #110 4.96 trips / 1000SF
Maximum Trip Generation	425 daily trips	716 daily trips
Net Daily Trips:	291 daily trips (maximum minus current)	
Net PH Trips:	92 AM, 65 PM (maximum)	

1. Maximum units per acre see Future Land Use Element;
2. Maximum FAR see FLUE. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;
4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (eg. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 2. Applicant Data

A. Agent Information

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

Name	Bradley D. Miller, AICP
Company Name	Urban Design Studio
Address	508 E. Boynton Beach Blvd.
City, State, Zip	Boynton Beach, FL 33435
Phone / Fax Number	561-736-8838
Email Address	avillalobos@udsflorida.com / bmiller@udsflorida.com

B. Applicant Information

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

Name	Douglas Fash
Company Name	15200 STATE ROAD 7, LLC
Address	15200 State Road 7
City, State, Zip	Delray Beach, FL 33446
Phone / Fax Number	561-719-6998
Email Address	dougf@sunflowerlandscaping.net
Interest	Property Owner

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 3. Site Data

A. Site Data

Built Features	<p>The current use on the subject site is Wholesale Nursery & Landscape Services. The built features existing on the subject site include a 1-story office building built in 1976 and a 1-story maintenance building built in 2000 per the Palm Beach County Property Appraiser records. Additionally, there is an office trailer located in the rear of the existing office building along with approximately 13 removable storage containers located throughout the southeast portion of the property.</p> <p>A Built Features Inventory Map is provided with this application as Attachment F.</p>
PCN	<p>The Parcel Control Number for the subject site is 00-42-43-27-05-067-0150.</p> <p>A Legal Description is provided with this application as Attachment A and a Survey is provided as Attachment P which confirms the site acreage at 8.185 acres (which we will be using 8.19 acres for application purposes).</p>
Street Address	15200 State Road 7
Frontage	The subject site provides for approximately 653.97 feet of frontage along State Road 7 (US 441) and 533.26' of depth.
Legal Access	The subject site has legal access from State Road 7 (US 441).
Contiguous under same ownership	The adjacent property immediately west of the subject site is under the same ownership, 15200 STATE ROAD 7, LLC. The PCN is 00-42-43-27-05-067-0100 . This site is a preserve parcel of an AGR-PUD project and is intended to be used for collocated wholesale nursery and landscape service business.
Acquisition details	15200 STATE ROAD 7, LLC purchased the subject site on September 17, 2004 from William & Laura Fash and Douglas Fash. A copy of the Warranty Deed (ORB 17590 Pg 1554) is provided with this application as Attachment A .
Size purchased	The subject site totals 8.19 acres. A copy of the Warranty Deed (ORB 17590 Pg 1554) is provided with this application as Attachment A .

B. Development History

Control Number	The Control Number for the subject site is 1999-30168.
Previous FLUA Amendments	There have not been any previous FLU Amendments on the subject site.
Concurrency	The property improvements currently have approvals through a Non-Residential Farm Building Application issued by the Building Department. Concurrency for the proposed use(s) for the site will be confirmed at time of zoning or site plan application.
Plat, Subdivision	The subject site is part of Palm Beach Farms Plat No. 3, according to the Plat thereof recorded in Plat Book 2, Page 45.

Zoning Approvals & Requests		<p>No previous approval history on the subject site.</p> <p>In 1999, a Zoning Confirmation Letter was issued that vested the wholesale nursery (tree farm) use as permitted since established in 1990 when the use was a permitted use within AGR.</p> <p>In conjunction with this application, a concurrent rezoning application will be filed requesting a rezoning from AGR to IL.</p>			
Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 4. Consistency

A. Consistency – Provide responses in Attachment G as G.1 through G.5.

Justification Provide as G.1.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes.
Residential Density Increases Provide as G.2.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes.
Compatibility Provide as G.3.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes.
Comprehensive Plan Provide as G.4.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes.
Florida Statutes Provide as G.5.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes.

B. Surrounding Land Uses. Indicate the following for each surrounding property:

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

Adjacent Lands	Use	Future Land Use	Zoning
North	Vacant (no approval history)	Agricultural Reserve	Agricultural Reserve Control No. None
South	Vacant (no current approval)	Agricultural Reserve	Agricultural Reserve Control No. 2007-00003
East	SF Residential (known as Dakota) Sussman AGR-PUD 1 du/ac (743 units)	Agricultural Reserve	Agricultural Reserve Planned Unit Development Control No. 2000-00032
West	Vacant Preserve Parcel for Sussman AGR-PUD	Agricultural Reserve	Agricultural Reserve Planned Unit Development Control No. 2000-00032

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Nursery (Garden Center) ITE #817 108.10 trips/acre Nursery (Wholesale) ITE #818 19.5 trips/acre	Light Industrial ITE #110 4.96 trips / 1000SF
Maximum Trip Generation	425 daily trips	716 daily trips
Net Daily Trips:	291 daily trips	
Net PH Trips:	9 AM, 26 PM (maximum) 101 AM, 91PM (proposed)	
Significantly impacted roadway segments that fail Long Range	The proposed FLUA designation modification will not significantly impact any roadway segment that is projected to be operating above the adopted LOS on the year 2045 Transportation System Plan. Please refer to the Traffic Study provided with this Application as Attachment H .	
Significantly impacted roadway segments for Test 2	As shown within the Traffic Study provided with this Application as Attachment H , the radius of development information for purposes of Test 2 shall be 2 miles and the required Test 2 Fire Year Analysis data shows that all roadway links are insignificant.	
Traffic Consultant	Simmons & White, Inc.	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route 81 DLB X-TWN via Atlantic 2.635 miles	
Nearest Palm Tran Stop	Bus Stop Number: 6409 Oriole Plz @ Rods Rest Svc Rd. 2.65 miles	
Nearest Tri Rail Connection	Delray Beach Station Distance: 9.4 miles Accessible by Palm Tran Routes 2, 70, 81, 88	

C. Portable Water & Wastewater Information	
Potable Water & Wastewater Providers	Subject property is located within PBCWUD utility service area. PBCWUD has the capacity to provide the level of service required at the current land use of AGR and the proposed future land use of IND. An LOS letter from Palm Beach County is provided with this Application as Attachment I .
Nearest Water & Wastewater Facility, type/size	The nearest potable water main is a 42" watermain located within State Road 7 right-of-way adjacent to the subject property. The nearest sanitary sewer connection is a 6" forcemain located within the State Road 7 right-of-way adjacent to the subject property. Connection to the forcemain will require construction of a lift station. An LOS letter from Palm Beach County is provided with this Application as Attachment I .
D. Drainage Information	
The site is located within the boundaries of the LWDD and SFWM District C-15 Drainage Basin. Legal positive outfall if available via discharge to the LWDD E-1 Canal along the east side of State Road 7. A Drainage Statement is provided with this Application as Attachment J .	
E. Fire Rescue	
Nearest Station	Palm Beach County Fire-Rescue Station #54
Distance to Site	Located at 18501 S. State Road 7 approx. 3.50 miles from subject site
Response Time	Estimated response time to the subject site is 9 minutes 30 seconds. For fiscal year 2019, the average response time (call received to on scene) for this stations zone is 7:00.
Effect on Resp. Time	Changing the land use will have minimum impact on Fire Rescue. A letter from Fire Rescue is provided with this application as Attachment K .
F. Environmental	
Significant habitats or species	<p>This application proposes Future Land Use Atlas Amendment from AGR to IND (Light) future land use designation. The current use on the subject site is Wholesale Nursery & Landscape Services. The majority of the site is used for "nursery stock area", so the removal of trees (by change in use) will be necessary. There are no known occurents of significant species inhabiting the subject site.</p> <p>A Natural Features Inventory Map is provided with this application as Attachment L.</p>
Flood Zone*	The subject site is located within Flood Zone X. A Flood Plain Statement is provided with this application as Attachment J .
Wellfield Zone*	The subject site is not located within a Wellfield Zone. A map is provided with this application as Attachment M .

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

G. Historic Resources

There are no historic or architecturally significant resources on or within 500 feet of the subject site. A Historic Resource Letter is provided with this application as **Attachment N**.

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

This is not a residential property; not applicable to this application.

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional		0.00339		
Beach		0.00035		
District		0.00138		

I. Libraries - Residential Only (Including CLF)

This is not a residential property; not applicable to this application.

Library Name			
Address			
City, State, Zip			
Distance			
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person		
Periodicals	5 subscriptions per 1,000 persons		
Info Technology	\$1.00 per person		
Professional staff	1 FTE per 7,500 persons		
All other staff	3.35 FTE per professional librarian		
Library facilities	0.34 sf per person		

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

This is not a residential property; not applicable to this application.

	Elementary	Middle	High
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Name			
Address			
City, State, Zip			
Distance			

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

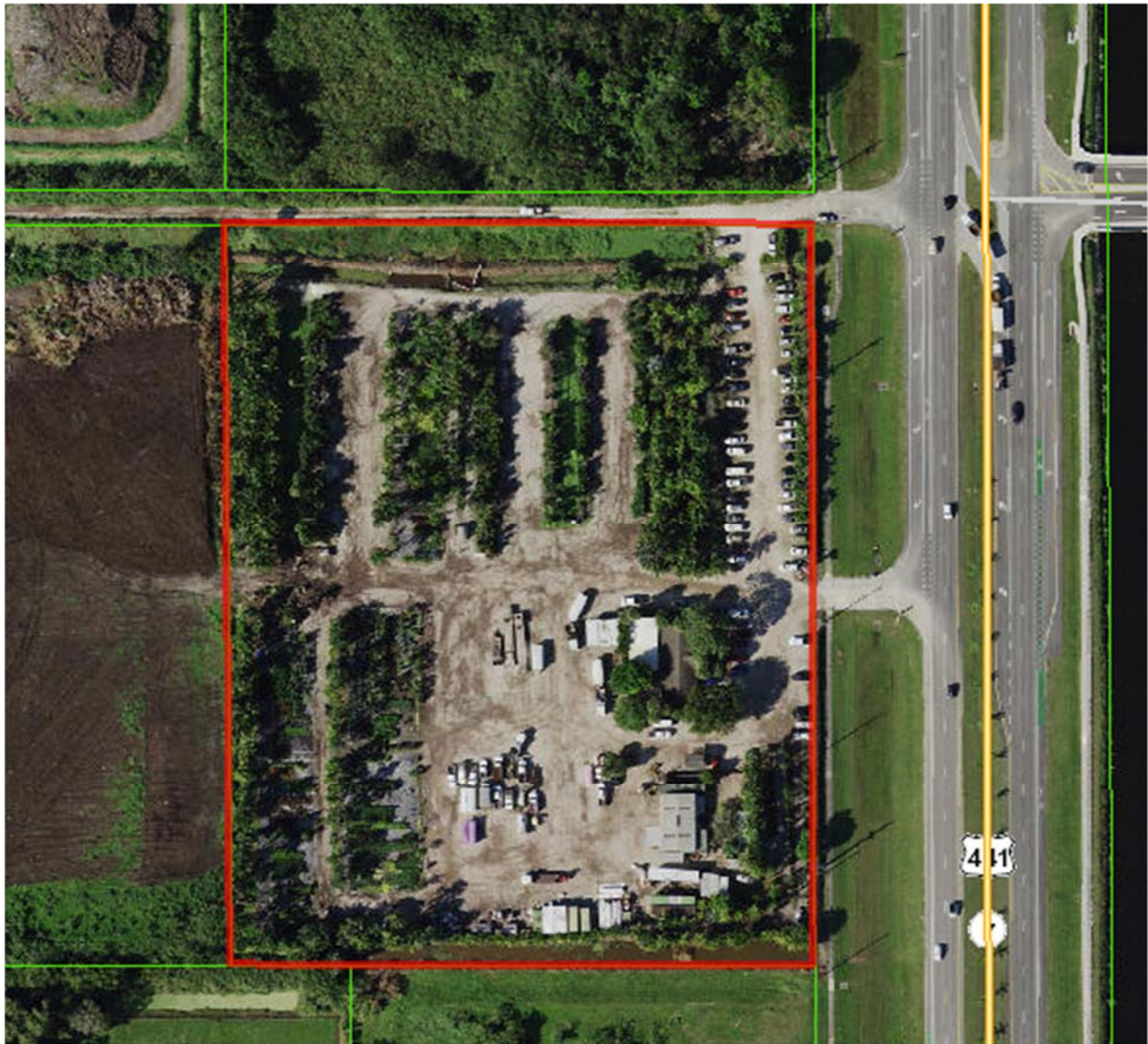
Part 6. Attachments

- A. **PCN's, Legal Description and Warranty Deed** (include Legal in PDF & Word)
- B. **Agent Consent Form**
- C. **Applicant's Ownership Affidavit**
- D. **Applicant's Notice Affidavit, Property Appraiser List, and Labels**
- E. **Disclosure of Ownership Interests**
- F. **Built Feature Inventory & Map**
- G. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- H. **Traffic Approval Letter & Traffic Study**
- I. **Water & Wastewater Provider LOS Letters**
- J. **Drainage Statement**
- K. **Fire Rescue Letter**
- L. **Natural Feature Inventory & Map**
- M. **Wellfield Zone**
- N. **Historic Resource Evaluation Letter**
- O. **Palm Beach County School District LOS Letter (Not Applicable)**
- P. **Survey**

Forms for Attachments B, C, D, and E are located on the web at:

<http://www.pbcgov.org/pzb/planning/Pages/Comprehensive-Plan-Amendment-Applications.aspx>

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Built Feature Inventory & Map

This application proposes Future Land Use Atlas Amendment from AGR to IND (Light) future land use designation. The current use on the subject site is Wholesale Nursery & Landscape Services. The built features existing on the subject site include a 1-story office building built in 1976 and a 1-story maintenance building built in 2000 per the Palm Beach County Property Appraiser records. Additionally, there is an office trailer located in the rear of the existing office building along with approximately 13 removable storage containers located throughout the southeast portion of the property.

SUNFLOWER LIGHT INDUSTRIAL



Attachment G - Consistency with Comprehensive Plan & Florida Statutes

Urban Planning and Design
Landscape Architecture
Communication Graphics

Intake: November 10, 2020

Round: 21-B

Request: Future Land Use Atlas ("FLUA") Amendment

APPLICATION REQUEST AND PROJECT SUMMARY:

The 8.19-acre subject property (PCN 00-42-43-27-05-067-0150) is located at 15200 State Road 7 which is on the west side of State Road 7, approximately 0.27 miles south of Atlantic Avenue in unincorporated Palm Beach County. Currently the subject site supports a FLUA designation of Agricultural Reserve (AGR) and is in the Agricultural Reserve (AGR) zoning district. The existing use on the site is a wholesale nursery and landscape services business.

The subject site has been one of many that have been cited by Code Enforcement for having existing landscape service uses without the proper approvals. The owner and applicant have been involved over the last several years with drafting and adoption of regulations to allow for collocated wholesale nursery and landscape service business uses. Through that process, it became clear that this site is different than most for that use considering its frontage and direct access on State Road 7 and its location relative to other existing non-residential uses with similar if not more intensive impacts to the north. Given those characteristics, the applicant evaluated the options and potential need for additional industrial land in this area of the County and thus decided to propose this land use amendment application for the Light Industrial designation. Adoption of the application will allow for the initial continued use for landscape service business and the potential for additional light industrial uses as the area further develops.

Accordingly, on behalf of 15200 State Road 7, LLC ("Applicant"), this application requests a Large Scale FLUA amendment from AGR to Industrial – Light ("IND"), with an underlying AGR, for the purpose of developing the site with permitted uses in the Light Industrial district.

A follow up application to the Palm Beach County Zoning Division for an Official Zoning Map Amendment from the AGR zoning district to the Light Industrial ("IL") zoning district will be submitted concurrently with this application.

BACKGROUND:

There is no previous zoning approval history on the subject site. In 1999, a Zoning Confirmation Letter was issued from the Zoning Department that vested the wholesale

nursery (tree farm) use as permitted since established in 1990 when the use was a permitted use by the ULDC within AGR district. The subject site has a Control Number of 1999-30168.

The existing site improvements have been approved for a Non-Residential Farm Building application by the Palm Beach County Building Department.

SITE LOCATION:

The subject site is located approximately ¼ mile south of W. Atlantic Avenue on the west side of State Road 7. The subject site is part of Palm Beach Farms Plat No. 3, according to the Plat thereof recorded in Plat Book 2, Page 45. The site is within the AGR Tier, has a land use designation of Ag Reserve (AGR) and is zoned Ag Reserve (AGR). The site has not sold its development rights.

SURROUNDING USES:

Below is a summary of surrounding properties:

Adjacent Lands	Current Use	Future Land Use	Zoning
North	Vacant (no approval history).	AGR	AGR Control No. None
South	Vacant (no current approval)	AGR	AGR Control No. 2007-00003
East	SF Residential Development Sussman AGR-PUD (known as Dakota) 1 du/ac 743 units	AGR	AGR/PUD Control No. 2000-00032
West	Vacant; designated preserve area for Sussman AGR-PUD.	AGR	AGR/PUD (Preserve Parcel) Control No. 2000-00032

In addition to the properties immediately abutting the property shown above, it should be noted that there are non-residential uses to the north of this site up to the intersection with W. Atlantic Avenue. These uses include a gas station/convenience store at the immediate southwest corner of W. Atlantic Avenue and State Road 7, a US Post Office, a propane fuel sales facility and the 30 acre Amerigrow Recycling which is a vegetative recycling facility with chipping, mulching and potting soil manufacturing.

JUSTIFICATION, CONSISTENCY & COMPATIBILITY:

G.1 – Justification: The Applicant is requesting to amend the FLUA designation for the subject property from AGR to IND. Per Policy 2.1.f of the Future Land Use Element of the Comprehensive Plan, the Applicant must provide adequate justification for the proposed future land use. To be considered adequate, the justification statement must demonstrate consistency with the following factors 1 and 2.

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

Response: The subject site has been used as a landscape service business with a wholesale nursery for over 30 years. The proposed industrial designation will allow the owners to continue with the landscape service business without the limitations of the recent adopted regulations for collocated uses with wholesale nursery. The property has frontage and direct access directly on State Road 7 which has been widened significantly in the 30 years and allows for traffic flow to and from the site without impact to surrounding properties. The properties to the north and south are undeveloped properties and can be properly buffered to allow for their future development. The property to the west is also undeveloped however under same ownership as the subject property and being planned for collocated wholesale nursery and landscape service which has recently been allowed by adoption of new regulations for AGR-PUD preserve parcels. In addition to the properties immediately abutting the site, it should be noted that the Amerigrow Recycling Facility is located to the northwest of the subject property and is an existing vegetative recycling operation with chipping and mulching, potting soil manufacturing activities on the 30 acre property. To the east of the Amerigrow Recycling Facility are commercial uses including the US Post Office facility, a gas station/convenience store and a propane sales facility. Likewise, to the southwest is the Tierra Delray community with large lot residential home sites. There is only a small portion of the subject property that abuts one of the residential lots and can be adequately buffered from any proposed use on the subject site. Accordingly, an industrial designation will not change the character of the site and allow for a use that has existed for over 30 years to continue and provide opportunity for business expansion under current regulations.

- 2) There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:
 - a) Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;
 - b) Changes in the access or characteristics of the general area and associated impacts on the subject site;
 - c) New information or change in circumstances which affect the subject site;
 - d) Inappropriateness of the adopted FLU designation; or
 - e) Whether the adopted FLU designation was assigned in error.

Response: The basis for the proposed amendment is primarily falling within items b) and c) above. As indicated, the landscape service business on the property has been in existence for over 30 years. In 1990, State Road 7 was a two-lane roadway which was a north/south connection from western Boca Raton to what is now Wellington. The western areas of Boca Raton over the last 30 years have developed tremendously with growth of residential, commercial, and civic uses. Likewise, Wellington incorporated in 1995 and has grown into its own City also predominately with residential, commercial and civic uses. The widening of State Road 7 corresponded with the growth of the western areas of Palm Beach County and promoted the nursery and landscape service needs and business that has been on this property since the early 1990's. Property was taken from the current owner for the expansion of the roadway and a driveway for direct access to State Road 7 was constructed as part of the widening and continues as access to the property today. The growth of the area and widening of State Road 7 has changed the character of the general area and has provided unrestricted access to this property to be suited for the proposed industrial use.

In addition to the above, over the last several years, the regulations related to wholesale nurseries and the landscape service industry have changed and become more restrictive. These regulations have created a change in circumstance to how this site has been used for more than 30 years as well as other similar businesses in the area. The adoption of the proposed industrial land use will allow the applicant to continue with their business on the site but could also allow for other similar landscape service businesses to utilize the site and stay in proximity to their properties for the wholesale nursery part of the operation. Accordingly, the code enforcement action and the adoption of new regulations for this industry has changed the circumstances for the area and has created a need for more industrial designation. This site is well suited to allow for the change in land use and allow for the opportunity of the uses within the industrial designation.

G.2 – Residential Density Increases: Not applicable to this application.

G.3- Compatibility with Surrounding and Adjacent Uses: The owners of the subject property have been using this site to operate their landscape service business for over 30 years. Although they have area for wholesale nursery on the site, it would have to be expanded to comply with current regulations. Accordingly, this property is situated well to allow for the proposed industrial land use to continue with the landscape service business without the limitations of the current regulations for collocated uses with wholesale nursery. The property has frontage and direct access directly on State Road 7 which has been widened significantly in the 30 years and allows for traffic flow to and from the site without impact to surrounding properties. The properties to the north and south are undeveloped properties and can be properly buffered to allow for their future development. The property to the west is also undeveloped however under same ownership as the subject property and being planned for collocated wholesale nursery and landscape service which has recently been allowed by adoption of new regulations for AGR-PUD preserve parcels. In addition to the properties immediately abutting the site, it should be noted that the Amerigrow Recycling Facility is located to the northwest of the subject property and is an existing vegetative recycling operation with chipping and mulching, potting soil manufacturing activities on the 30

acre property. To the east of the Amerigrow Recycling Facility are commercial uses including the US Post Office facility, a gas station/convenience store and a propane sales facility. Likewise, to the southwest is the Tierra Delray community with large lot residential home sites. There is only a small portion of the subject property that abuts one of the residential lots and can be adequately buffered from any proposed use on the subject site.

Given the character of the commercial and recycling uses that exist along the extension of W. Atlantic Avenue, the vacant parcels along State Road 7 to the north and south and having direct access to State Road 7 as an operating landscape service business for over 30 years, the proposed industrial designation will not change the character of the surrounding area and can be further planned for compatibility with the surrounding and adjacent uses and area.

G.4 – Consistency with Policies in the Comprehensive Plan: The proposed FLUA amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan as follows:

- **Future Land Use Element (FLUE) Policy 2.1-f:** The following will detail how the impact of the proposed FLUA on the items listed:
 - 1) The natural environment, including topography, soils and other natural resources:
Response: Please see the Natural Feature Inventory & Map that is provided with this Application as Attachment L.
 - 2) The availability of facilities and services;
Response: The current use on the site provides for existing facilities. Provided within this application is detailed information confirming available facilities and services based on the FLUA change. Below is brief summary:
 - *Traffic:* Please see Attachment H for the LUA Amendment Traffic Analysis.
 - *Mass Transit:* The nearest Palm Tran bus routes is Route 81 and the closest Tri-Rail connection is the Delray Beach Tri-Rail Station, which can be accessed by Palm Tran Routes 2, 70, 81, 88.
 - *Potable Water & Wastewater:* will be provided by Palm Beach County Water Utilities Department.
 - *Drainage:* Legal positive outfall is available to the site via discharge to the LWDD E-1 Canal along the east side of State Road 7.
 - *Fire Rescue:* The nearest Fire Rescue Station is Station #54 Located at 18501 S. State Road 7 approx. 3.50 miles from subject site.
 - *Environmental:* There are no known occurments of significant species inhabiting the subject site. A natural feature inventory and map is provided with this application as Attachment L.
 - *Historical:* There are no historic or architecturally significant resources on or within 500 feet of the subject site. A Historic Resource Letter is provided with this application as Attachment N.

3) The adjacent and surrounding development;

Response: The owners of the subject property have been using this site to operate their landscape service business for over 30 years. Although they have area for wholesale nursery on the site, it would have to be expanded to comply with current regulations. Accordingly, this property is situated well to allow for the proposed industrial land use to continue with the landscape service business without the limitations of the current regulations for collocated uses with wholesale nursery. The property has frontage and direct access directly on State Road 7 which has been widened significantly in the 30 years and allows for traffic flow to and from the site without impact to surrounding properties. The properties to the north and south are undeveloped properties and can be properly buffered to allow for their future development. The property to the west is also undeveloped however under same ownership as the subject property and being planned for collocated wholesale nursery and landscape service which has recently been allowed by adoption of new regulations for AGR-PUD preserve parcels. In addition to the properties immediately abutting the site, it should be noted that the Amerigrow Recycling Facility is located to the northwest of the subject property and is an existing vegetative recycling operation with chipping and mulching, potting soil manufacturing activities on the 30 acre property. To the east of the Amerigrow Recycling Facility are commercial uses including the US Post Office facility, a gas station/convenience store and a propane sales facility. Likewise, to the southwest is the Tierra Delray community with large lot residential home sites. There is only a small portion of the subject property that abuts one of the residential lots and can be adequately buffered from any proposed use on the subject site.

Given the character of the commercial and recycling uses that exist along the extension of W. Atlantic Avenue, the vacant parcels along State Road 7 to the north and south and having direct access to State Road 7 as an operating landscape service business for over 30 years, the proposed industrial designation will not change the character of the surrounding area and can be further planned for compatibility with the surrounding and adjacent uses and area.

4) The future land use balance;

Response: As the western areas of Boca Raton and Delray Beach have grown, there has been limited areas of industrial designated properties, especially along the State Road 7 corridor which extends from Okeechobee Boulevard south through Boca Raton and into Broward and Dade Counties. With the expansion of the roadway, it was planned and has become a western thoroughfare that serves the growth of these western areas. However, through the Ag Reserve tier however, there is limited properties that will allow for industrial uses where there are opportunities for growth that can support the addition of industrial types of businesses. There is industrial land at the intersection of State Road 7 and W. Atlantic Avenue that is currently undeveloped but being planned, showing the industrial interest of the area. There was also property on the west side of State

Road 7 north of the intersection at Boynton Beach Boulevard that was granted approval of industrial land use in 2017 and is now being used and permitted for industrial business.

The subject property is in an area that starts with the uses at the intersection of State Road 7 and W. Atlantic Avenue including the gas station/convenience store, propane fuel sales and the post office. Added to that is the intense use of the Amerigrow Recycling facility with chipping and mulching and potting soil manufacturing type uses which are industrial in nature. The subject property is adjacent to those uses and then controlled by the existing residential uses to the south. Adding the industrial land use to this subject property will not be changing the character of the subject site and will be recognizing the existing uses to the north up to the intersection of State Road 7 and W. Atlantic Avenue. This land use designation will further balance the need for additional industrial land in the western areas of the Ag Reserve appropriately located with direct access to the largest roadway in this area, State Road 7.

- 5) The prevention of urban sprawl as defined by 163.3164(51). FS;

Response: As indicated above, this property is bounded by existing uses that will prevent urban sprawl.

- 6) Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and

Response: This site is not located within areas of a Community Plan or Special Study. It is located with the area of the Delray Alliance civic group which the applicant will coordinate with through the application process.

- 7) Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1

Response: There are no municipalities within the vicinity of the subject property.

- **FLUE Policy 2.2.4-a:** This policy states, “The County shall apply industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space, provide opportunities for the retention and expansion of industrial and employment based economic activities, and to promote economic development consistent with the County’s economic development directives. The County shall also encourage a broad range of employment opportunities and shall discourage FLUA amendments that result in the loss of industrially designated land.”

Response: As indicated above, there are changes in circumstances that promote this application for industrial land use on this property. The adoption of the industrial land use will allow for additional industrial uses that are limited in this area and can allow for continuation of businesses in the area that have been affected by recent code enforcement actions and changes of regulations.

- **FLUE Policy 2.2.4-c:** This policy states, “The Industrial future land use designation is intended to accommodate industrial uses which are defined as uses engaged in the manufacturing, assembly, processing, research and development, wholesale distribution, or storage of products, related uses and services, including Office of an Industrial nature (as defined by the Introduction and Administration Element).”
Response: Any proposed use for this property will need to comply with the regulations of the Unified Land Development Code and found consistent with this policy.
- **FLUE Policy 2.2.4-d:** This policy states, “Industrial uses shall be considered either Light or Heavy...by classification, *Light Industrial* development’s typical operation is not likely to cause undesirable effects, danger or disturbance to nearby areas and typically do not cause or result in the dissemination of dust, smoke, fumes, odor, noise, vibration light, or other potentially objectionable effects beyond the boundaries of the lot on which the land is conducted.”
Response: The use of this property is anticipated to be considered as “light industrial development” and not create undesirable effects, danger or disturbance to nearby areas. The uses can be controlled by buffering and design through the corresponding zoning process.
- **Objective 1.5 - The Agricultural Reserve Tier:** The objective of the AGR tier is to preserve the farmlands and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the AGR tier.
Response: The owners of the subject property have been using this site to operate their landscape service business for over 30 years. Although they have area for wholesale nursery on the site, it would have to be expanded to comply with current regulations. Accordingly, this application will not significantly change the character of the existing property and continue to provide services to support the area.

G.5 – Florida Statutes: Optional: *The applicant has the option of including written data and analysis to demonstrate consistency with Chapter 163.3177, F.S..*

CONCLUSION:

Based on the detailed information above, the requested FLUA Amendment from AGR to IND-Light is justified, consistent with the Comprehensive Plan and State of Florida laws, is compatible with surrounding area and uses and consistent with the growth of his area.

A zoning application is anticipated to be submitted at the appropriate time to correspond with the public hearing schedule of this land use amendment application.

On behalf of the Applicant, we respectfully request the staff review of this application and support to be presented to the Planning Commission. Should you have any questions regarding this application, please contact Ailish Villalobos or Bradley Miller at Urban Design Studio (Boynton Beach), 561-736-8838.



**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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Hal R. Valeche
Gregg K. Weiss
Mary Lou Berger
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

November 13, 2020

Simmons and White
2581 Metrocentre Blvd. West, Suite 3
West Palm Beach, Fl. 33407

RE: Sunflower Light Industrial
PCN: 00-42-43-27-05-067-0150
Service Availability Letter

Dear Mr. Floyd,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required at the current land use of Agricultural Reserve (AGR) and the future land use of Industrial (IND).

The nearest potable water main is a 42" watermain located within State Road 7 right of way adjacent to the subject property. The nearest sanitary sewer connection is a 6" forcemain located within State Road 7 right of way adjacent to the subject property. Connection to the forcemain will require the construction of a lift station.

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

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

Sincerely,

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

Jackie Michels, P.E.,
Plan Review Manager



November 2, 2020

Job No. 20-124

LAND USE PLAN AMENDMENT APPLICATION
STATEMENT OF LEGAL POSITIVE OUTFALL

Sunflower Light Industrial
8.19 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the west side of State Road 7 just south of Atlantic Avenue in Palm Beach County, Florida and contains approximately 8.19 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-067-0150. The subject property is currently designated as Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Industrial (IND).

SITE DRAINAGE

The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-15 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District E-1 Canal along the east side of State Road 7. Drainage design is to address the following:

1. On-site retention of the runoff from the 3 year, 1 hour rainfall event.
2. No runoff to leave the site except through an approved control structure up to the level produced by the 25 year, 3 day rainfall event.
3. Building floor revelations to be at or above the level produced by the 100 year 3 day rainfall event.
4. Parking lots to be protected from flooding during a 3 year, 24 hour event, or the 5 year, 24 hour event if exfiltration trench is used.

LUPA Statement of Legal Positive Outfall
Job No. 20-124 – Page 2

5. Allowable discharge to be in accordance with Lake Worth Drainage District and South Florida Water Management District Basin criteria.
6. Due to consideration to water quality.



Robert F. Rennebaum, P.E.
FL Reg. No. 41168



November 2, 2020

Job No. 20-124

LAND USE PLAN AMENDMENT APPLICATION
FLOOD PLAIN STATEMENT

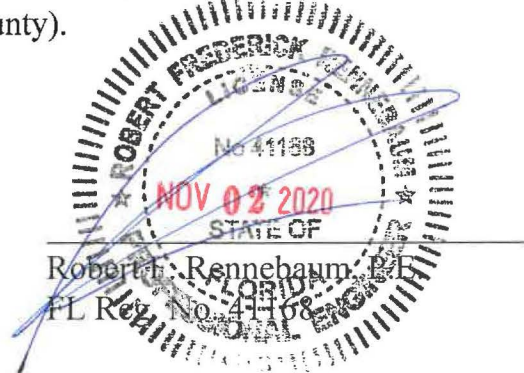
Sunflower Light Industrial
8.19 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the west side of State Road 7 just south of Atlantic Avenue in Palm Beach County, Florida and contains approximately 8.19 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-067-0150. The subject property is currently designated as Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Industrial (IND).

FLOOD ZONE

The above referenced project is located in Flood Zone X as shown on the FEMA Flood Rate Insurance Map Panel 100B of 245 (Palm Beach County).



al: x:/docs/trafficanddrainage/lupafps.20124



Fire Rescue

Chief Reginald K. Duren
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com



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County Administrator

Verdenia C. Baker

October 2, 2020

Urban Design Studio
Ailish Villalobos
508 E Boynton Beach Blvd
Boynton Beach, FL 33435

Re: Sunflower Light Industrial

Dear Ailish Villalobos:

Per your request for response time information to the subject property located at 15200 State Road 7. This property is served currently by Palm Beach County Fire-Rescue station #54, which is located at 18501 S. State Road 7. The subject property is approximately 3.50 miles from the station. The estimated response time to the subject property is 9 minutes 30 seconds. For fiscal year 2019, the average response time (call received to on scene) for this stations zone is 7:00.

Changing the land use of this property will have some impact on Fire Rescue.

If you have any further questions, please feel free to contact me at 561-616-6909.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Allan".

Cheryl Allan, Planner
Palm Beach County Fire-Rescue



Natural Feature Inventory & Map

This application proposes Future Land Use Atlas Amendment from AGR to IND (Light) future land use designation. The current use on the subject site is Wholesale Nursery & Landscape Services, as you will see in the graphic above (along with the Survey provided with this application as Attachment P), the majority of the site is used for “nursery stock area”, so the removal of trees (by change in use) will be necessary.

There are no known occurrences of significant species inhabiting the subject site.



November 2, 2020
Job No. 20-124

LAND USE PLAN AMENDMENT APPLICATION
WELLFIELD PROTECTION ZONE STATEMENT

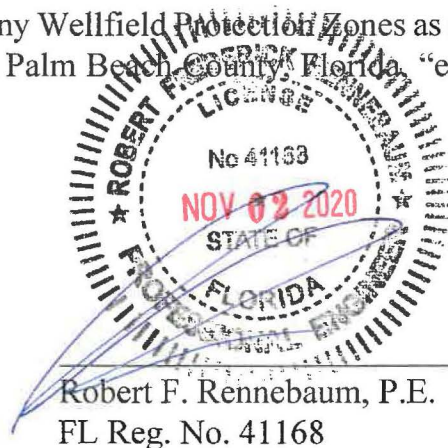
Sunflower Light Industrial
8.19 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the west side of State Road 7 just south of Atlantic Avenue in Palm Beach County, Florida and contains approximately 8.19 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-067-0150. The subject property is currently designated as Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Industrial (IND).

WELLFIELD PROTECTION ZONE

The above referenced project is not located within any Wellfield Protection Zones as shown on the "Wellfield Protection Zones of Influence in Palm Beach County, Florida," exhibit, adopted June 12, 2015.



Robert F. Rennebaum, P.E.
FL Reg. No. 41168

al: x:/docs/trafficanddrainage/lupawellfield.20124



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
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"An Equal Opportunity
Affirmative Action Employer"



October 1, 2020

Ailish Villalobos
Urban Design Studios
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

RE: Historical and Archaeological Resource Review for: Sunflower Light Industrial, address: 15200 State Road 7, PCN: 00-42-43-27-05-067-0150.

Dear Ms. Villalobos,

This correspondence is in response to your request for a review of the above referenced property in regards to the identification of any cultural resources (historical and archaeological resources) located on or within 500 feet of the property.

Staff's review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no historic or architecturally significant resources on or within 500 feet of the above referenced property.

Staff review of the County's map of known archaeological sites has identified no known archaeological resources located on or within 500 feet of the above referenced property.

However, should any artifacts or skeletal remains be encountered during construction, per Florida Statute 872, construction must stop around the remains and the local sheriff and medical examiner be contacted.

Should you have any questions or comments, please contact me at (561) 233-5331.

Sincerely,

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

cc: Patricia Behn, Planning Director, PBC Planning Division
Bryan Davis, Principal Planner, CNU-A, PBC Planning Division

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