COMPREHENSIVE PLAN AMENDMENT STAFF REPORT
AMENDMENT ROUND 23-A

BCC ADOPTION PUBLIC HEARING, FEBRUARY 23, 2023

A. Application Summary

I. General Data

Project Name:	**Trotting Center (LGA 2023-012)**
FLUA Summary:	**RR-10 to LR-2**
Text Summary:	To revise the Comprehensive Plan to establish an overlay within the Rural Tier to allow for a transitional density option of up to 2 units per acre subject to criteria.
Acres:	105.98 acres
Location:	Westside of State Road 7, approx. 0.4 miles south of Hypoluxo Road
Project Manager:	Stephanie Gregory, Principal Planner
Applicant:	Lynx at Lake Worth, LLC (Michael McCarty)
Owner:	Lynx at Lake Worth, LLC (Michael McCarty)
Agent:	Matthew Barnes, Wantman Group, Inc.
Staff Recommendation:	Staff recommends ***denial*** based upon the conclusions contained within this report

II. Assessment & Conclusion

The applicant proposes a future land use amendment on a 105.98 acre site from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2) for a maximum development potential of 211 units. The applicant intends to develop 166 single family homes (1.6 units per acre). The request also includes privately initiated text amendments and map series revisions to the Comprehensive Plan to establish the Trotting Center Overlay to allow 2 units per acre in the Rural Tier, subject to location and site design criteria.

The amendment is located within Heritage Farms, an area with primarily agricultural, rural residential and equestrian uses. The applicant is requesting through a concurrent text amendment, a density that is not currently available in the Rural Tier. Although the text amendment provides design features to further compatibility, the amendment would introduce an urban land use designation into an established rural area. As such, the amendment does not promote the goal of the Tier, including the preservation of rural lifestyle choices, does not further the County's Managed Growth Tier System and fails to provide a clear demarcation between Tiers.

Should the Board choose to adopt this amendment, staff recommends a condition limiting the site to 166 units with no further density increases permitted through density bonus programs. Consistent with past Board direction, staff is also recommending that 10 percent of the units be required as onsite workforce housing.

III. Hearing History

Local Planning Agency: ***Approval with modifications***, motion was made by Glenn Gromann, seconded by Barbara Roth passed in an 11 to 1 vote (with Edwin Ferguson dissenting) at the November 4, 2022 public hearing. The modification included revising Condition 2 to remove the staff proposed onsite WHP requirement and allow the units to be provided as offsite, for sale, or utilizing the in-lieu payment. The Commission expressed preference for the off-site, for sale option. An initial motion for approval with conditions made by Glenn Gromann and seconded by Rick Stopek was withdrawn. Under discussion, Commission members expressed support for low density on the site and discussed the appropriateness and feasibility of workforce housing units onsite. The Commission also expressed concerns that the in-lieu payment does not provide for the construction of WHP units. The Commission asked questions related to the potential of additional density increase requests in the Rural Tier, as well as the history of residential and commercial uses in the area. Two members of the public spoke stating that the residents have worked with the applicant to make the project more compatible but are concerned with future requests.

Board of County Commissioners Transmittal Public Hearing: ***Transmit with modifications,*** motion by Commissioner Baxter, seconded by Commissioner Marino, passed in a 6 to 1 vote (with Vice Mayor Sachs dissenting) at the November 28, 2022 public hearing. The motion included modifications to condition #2 to allow the WHP units to be provided offsite as shown in strikeout and underlined text in Exhibit 1. The Board discussed the appropriateness of workforce housing units onsite and asked questions regarding the densities allowed in the Urban/Suburban and Rural Tiers. A representative of the property owner to the north requested that same requirements of the text amendment also apply to their site and be included in the overlay. Two members of the public spoke in support citing the reduction in density and numerous meetings with the applicant to make the project compatible. One member of the public spoke in opposition citing the protection of the Rural Tier.

State Review Comments: The State Land Planning Agency reviewed this amendment under Round 21-05ESR and issued a letter dated January 11, 2023 stating that the Agency had no comment on the proposed amendment. The Treasure Coast Regional Planning Council (TCRPC) expressed concerns that "without a clearing planning strategy" the amendment could "set into motion a series of events that will result in the development of a more urban area, which is not the intent of the Rural Tier." The Council recommends that the County wait for the adoption of the Heritage Farms neighborhood plan before approving this amendment.

Changes subsequent to Transmittal: Subsequent to transmittal, the condition in Exhibit 1 requiring concurrent approval of zoning and future land use applications was removed as it is moot with the scheduling of the hearings on the same date. The deletion is shown in ~~double strikethrough~~. In addition, there were two revisions to the text amendment new policy 1.4.1-b in Exhibit 1-B to provide clarification. The changes are shown in <u>double underline</u> and ~~double strikethrough~~

Board of County Commissioners Adoption Public Hearing:

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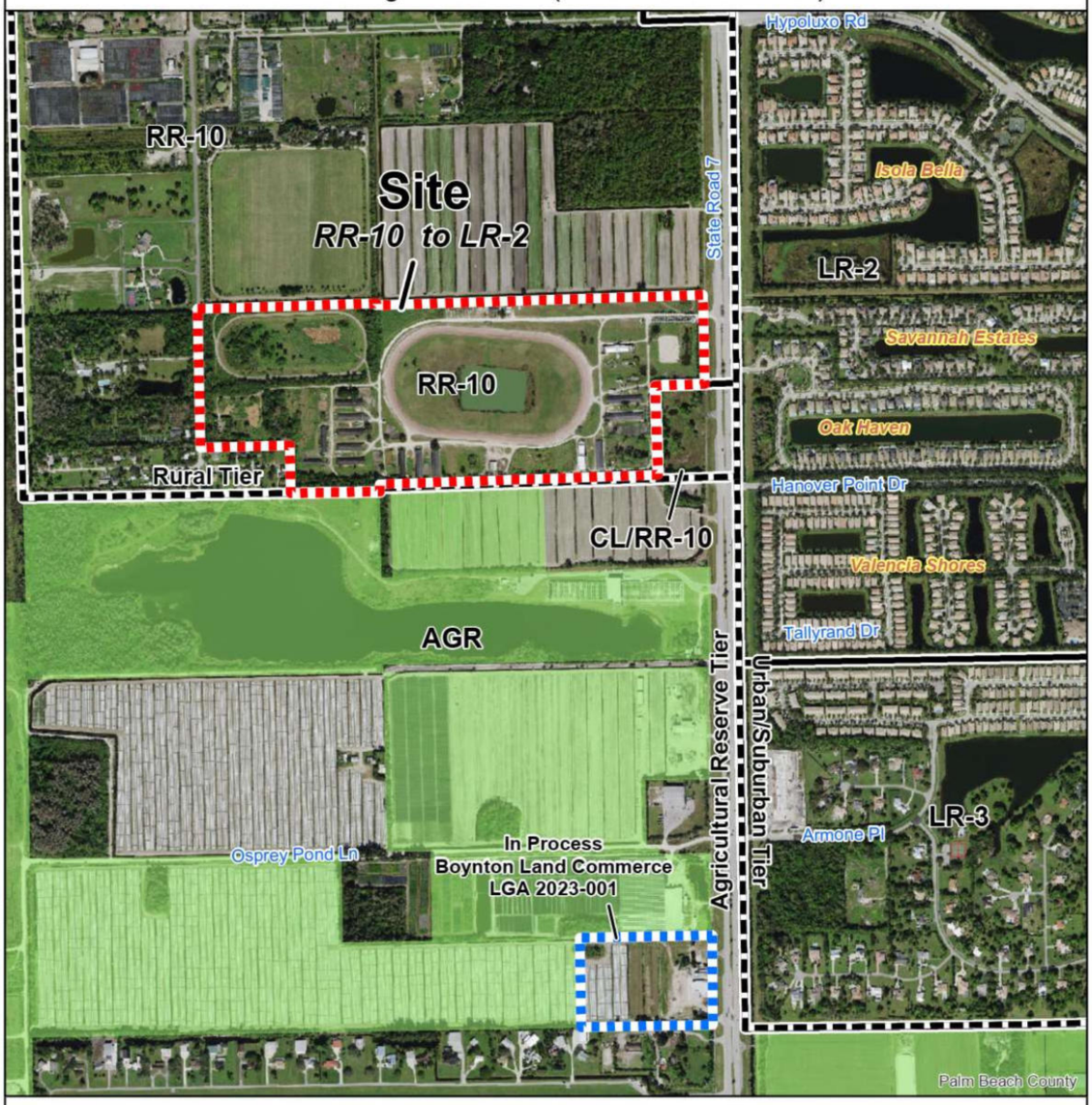
B. Petition Summary

I. Site Data

	Current Future Land Use
Current FLU:	Rural Residential, 1 unit per 10 acres (RR-10)
Existing Land Use:	Residential and Agricultural
Current Zoning:	Agricultural Residential (AR)
Current Dev. Potential Max:	Residential, up to 11 units
	Proposed Future Land Use Change
Proposed FLU:	Low Residential, 2 units per acre (LR-2)
Proposed Use:	Residential
Proposed Zoning:	Planned Unit Development (PUD)
Dev. Potential Max/Conditioned:	Residential, up to 211 units (conditioned at 166 units)
	General Area Information for Site
Tier:	Rural Tier – no change
Utility Service:	Palm Beach County Water Utilities Department
Overlay/Study:	West Boynton Area Community Plan (WBACP)
Comm. District:	Sara Baxter, District 6

Future Land Use Atlas Amendment

Trotting Center (LGA 2023-012)



Site Data

Size:	105.98 acres
Existing Use:	Residential and Agricultural
Proposed Use:	Residential
Current FLU:	RR-10
Proposed FLU:	LR-2

Future Land Use Designations

RR-10	Rural Residential, 1 unit/10 acres
LR-2	Low Residential, 2 units/acre
LR-3	Low Residential, 3 units/acre
AGR	Agricultural Reserve
CL/RR-10	Commercial Low, underlying RR-10

Date: 9/14/2022
Contact: PBC Planning
Filename: T:Planning/Amend/23-A/SiteSpecific
Note: Map is not official, for presentation purposes only.

Site
Amendments in Process
AGR Preserves

320 0 320 640 Feet

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

C. Introduction

I. Intent of the Amendment

The 105.98 acre subject site is located in the southern portion of the Rural Tier, north of the Agricultural Reserve Tier and west of the Urban/Suburban Tier. The site is located within Heritage Farms, an unrecorded subdivision comprising 172 parcels on just over 1,300 acres. Heritage Farms consists of a variety of agricultural uses such as nurseries, row crops, and equestrian uses as well as residential estates.

Background. The subject site, known as the South Florida Trotting Center, was approved in 1983 for an equestrian boarding and training center. The applicant states that the site currently contains horse stalls, groom quarters, exercise pools, turn corrals and various training tracks.

Future Land Use Amendment. The proposed future land use amendment is a request for a change from the Rural Residential, 1 unit per 10 acres (RR-10) future land use designation to Low Residential, 2 units per acre (LR-2). This increases the maximum residential development potential from 11 units to up to 211 units. The concurrent zoning application requests a total of 166 single family units and this amendment includes a condition limiting the site to 166 units with no further density increases permitted through density bonus programs.

Proposed Text Amendment. When this application was submitted in May 2022, the request included a tier change from the Rural to the Urban/Suburban Tier. Following discussions with residents of Heritage Farms, the applicant agreed to pursue a text amendment to create an overlay. This would allow the site to remain in the Rural Tier and a tier change would no longer be necessary to achieve the desired development goals. On September 22, 2022, the Board of County Commissioners (BCC) initiated the applicant's private text amendment and the request is concurrent with the FLUA application. The text amendment request also includes revisions to the Map Series of the Comprehensive Plan to depict the Trotting Center Overlay as a Limited Urban Service Area on Maps LU 1.1 and 2.1 as well as to identify the boundaries of the overlay on the Special Planning Areas Map LU 3.1.

Zoning Application. The associated zoning application (PDD-2022-1281) with Control Number 1983-17, is requesting to rezone the site from Agricultural Reserve (AGR) zoning to Planned Unit Development (PUD) in order to develop 166 single family homes. A companion zoning application (ABN-2022-1319) is requesting to abandon Resolutions 1984-1830 and 1983-612 which granted a special exception to allow for the horse training facility.

II. Background/History

A. Rural Tier Background

In 1999, the County adopted the Managed Growth Tier system to recognize the County's diverse geographic regions and lifestyles by establishing tiers that have common densities/intensities and public service availability. The subject site is located within the Rural Tier, an area established to support five and ten acre residential lots, as well as agricultural operations and equestrian uses. The unincorporated portions of the Rural Tier consist of 44,670 acres. Heritage Farms along with the Homeland subdivision are within an isolated pocket of the Rural Tier. The Central Western Communities and Jupiter Farms consist of the remaining portions of the Rural Tier in the County.

The purpose of the Tier is described in the Comprehensive Plan as Objective 1.4 below:

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

The Comprehensive Plan recognizes that this Tier is "*beginning to experience development pressure for urban densities and non-residential intensities*." Therefore, policies were established to limit the maximum residential development potential to 1 unit per 5 acres and additional strategies were included to "*protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that further the goals of the Rural Tier*." The alternative styles of development are outlined in Future Land Use Element Policy 1.4-d, which requires a minimum of 5 acre lots unless developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. These two rural residential planned unit development options allow for an alternative to a subdivision plan "*to accommodate*

low-density residential development in conjunction with the protection and maintenance of rural, equestrian, agricultural communities." The traditional planned unit development, a development pattern which is primarily located only in the Urban/Suburban Tier, is only allowed in the Rural Tier with the Western Communities Residential (WCR) future land use designation.

B. Heritage Farms Background

The subject site is located within Heritage Farms, an unrecorded subdivision comprising 172 parcels on just over 1,300 acres. Heritage Farms is bordered to the north and east by the Urban/Suburban Tier and to the south and east by the Agricultural Reserve Tier. Heritage Farms was subdivided over a period of years beginning around 1958. Prior to the adoption of the 1989 Comprehensive Plan, parcels could develop at a density of up to one unit per 2.5 acres. The adoption of the 1989 Plan assigned parcels within Heritage Farms to Rural Residential, 1 unit per 10 acres (RR-10). Almost half of the lots are less than 5 acres in size, although these lots only account for 8% of the land area. There are 64 built dwelling units in the area under the RR-10 designation. The largest parcel is the South Florida National Cemetery, totaling 313.12 acres.

Heritage Farms Lot Analysis

Parcel Size	Parcels	%	Acres	%	Built Units
Less than 5 ac.	85	49%	103.35	8%	27
5 to 9.9 acres	57	33%	316.43	24%	21
10 to 24 acres	22	13%	241.53	19%	16
25 to 80 acres	7	4%	330.28	25%	0
313.12 acres	1	1%	313.29	24%	0
Totals	**172**	**100%**	**1,304.88**	**100%**	**64**

Source: PBC Planning Division, 2021 Existing Land Use, PBC Property Appraiser's Office

The majority of the land in the neighborhood is agricultural, residential or vacant residential. Agricultural uses include such uses as nurseries, cropland, and equestrian uses. Two communication tower sites are located at the northern end of the neighborhood, known as the hiatus area. As previously mentioned, the South Florida National Cemetery accounts for a significant portion of the acreage. Additionally, there are three commercially designated parcels located on State Road 7.

Heritage Farms Existing Land Uses

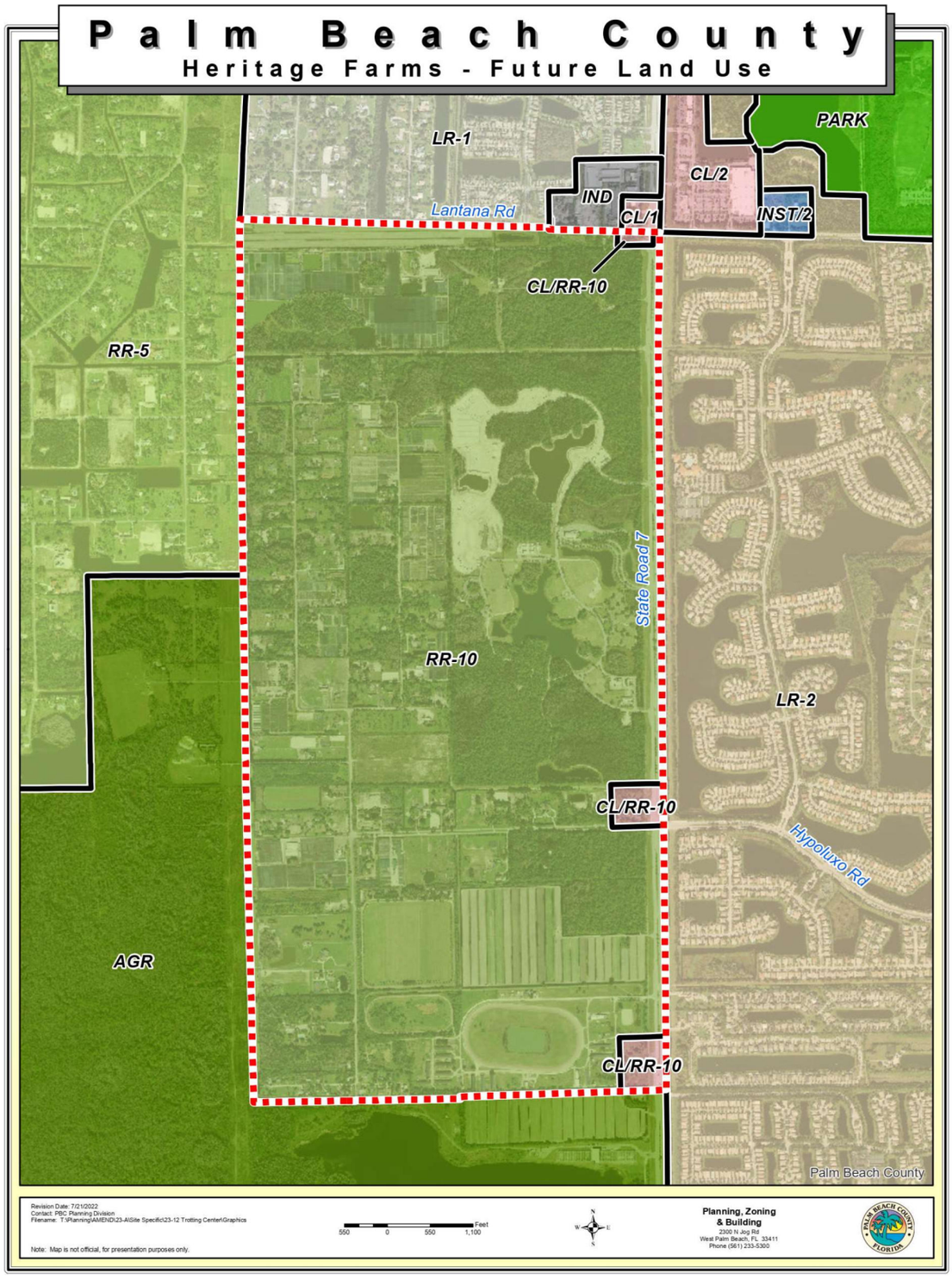
Existing Use	Parcels	Acres	Built Units
Ag/Equestrian	76	651.96	13
Recreation Camp	1	10.33	8
Residential	44	135.13	43
Vacant/Undeveloped	43	102.55	0
Utility (Towers)	4	75.43	0
National Cemetery	2	318.61	0
Other	2	10.87	0
Totals	**172**	**1,304.88**	**64**

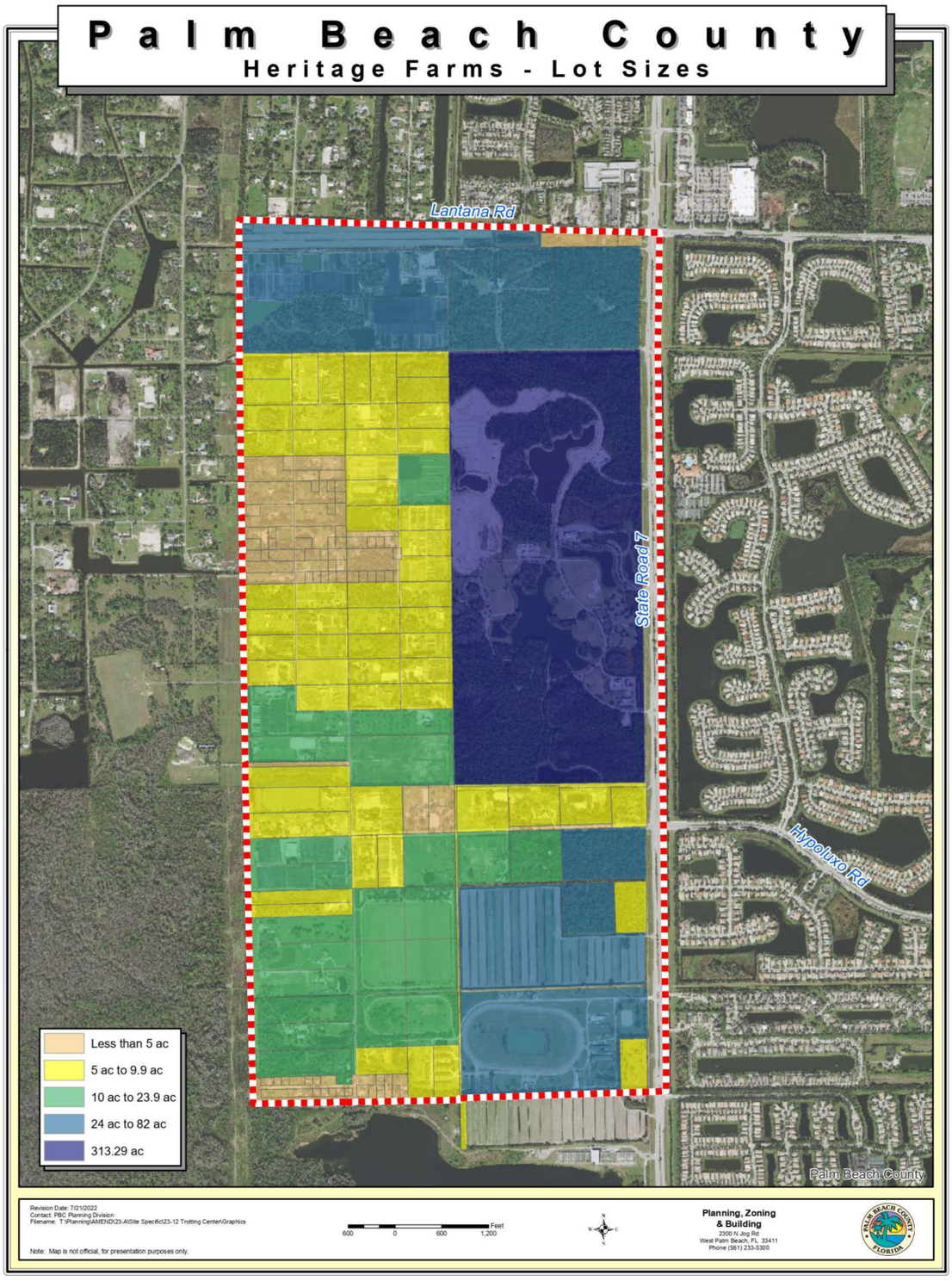
Source: PBC Planning Division, 2021 Existing Land Use, PBC Property Appraiser's Office

Residential Land Uses in Heritage Farms. All of the residentially designated parcels within the Heritage Farms area have a Rural Residential, 1 unit per 10 acres future land use designation. (see next two pages for future land use designation and lot sizes map). Since the adoption of the 1989 Comprehensive Plan, there has been one land use amendment adopted and subsequently repealed for increased density within Heritage Farms.

- **Lantana/SR 7 Residential (LGA 2006-010)**. In 2006, a 26.33 acre parcel was the subject of a tier change request from the Rural to Urban/Suburban Tier and a change in the future land use designation from RR-10 to Low Residential, 1 unit per acre (LR-1). The Board adopted the amendment via Ordinance 2006-029. Staff recommended denial stating that the "tier change may encourage adjacent properties in the area to seek similar requests and thereby promoting a piecemeal development pattern." Following adoption by the Board, the Department of Community Affairs (DCA) found the amendment to be "not in compliance" and filed a petition with the Division of Administrative Hearings (DOAH) to challenge the amendment. Four additional parties, including 1,000 Friends of Florida, filed a petition to intervene and joined the challenge (DOAH Case No: 06-004544GM). Subsequently, a settlement agreement was entered into by the County and DCA which acknowledges the County's submission of additional documentation and analysis in support of the challenged amendment, and would also require the adoption of

a Remedial Plan Amendment, which would amend the current Tier Boundary for the Urban/Suburban Tier, to include the Lantana Farm Associates, Inc. property as well as the two parcels to the east at the intersection of Lantana Road and State Road 7. The intent was to avoid piecemeal tier re-designations. DCA agreed to the proposed settlement agreement and finding of the Comprehensive Plan amendment to be "in compliance." The required Remedial Plan amendment to rescind Ord 2006-029 and change the three parcels south of Lantana Rd (including the subject site of LGA 2021-013) from the Rural to the Urban/Suburban Tier was adopted by the BCC on January 15, 2008 via Ordinance 2008-002. This ordinance also included a FLUA change for only the Lantana Farm Assoc. site from RR-10 to LR-1. Due to the settlement agreement, the DOAH hearing then continued with the parties realigned, Palm Beach County and DCA becoming joint respondents against petitioners Rosa Durando and 1,000 Friends of Florida. Following the hearing, the presiding administrative law judge entered a recommended order that DCA find the amendment not in compliance and the Secretary of DCA and the Administration Commission concurred. As directed by the Final Order, the Board adopted Ord 2009-003, which rescinded Ord 2008-002 and 2006-029 leaving all three sites to remain in the Rural Tier with a RR-10 future land use designation.





In 2001, the Board considered a County Initiated amendment for the entirety of the Rustic Ranches and Homeland subdivisions as well as 11 acres in Heritage Farms. These 11 acres consisted of several parcels located west of Park Lane Road along Barn Road. County staff proposed Rural Residential, 1 unit per 5 acres (RR-5) for these parcels to reflect the existing land use pattern. However, at the transmittal hearing of the amendment, the Board voted to transmit only the RR-5 FLU for Rustic Ranches and Homeland. Two members of the public spoke in opposition to the amendment in reference to the Heritage Farms subdivision.

More recently, in addition to the subject site, there is a second request for increased density:

- **7501 S SR7 LLC and Cypress Polo Properties**. On September 30, 2022, a Traffic Study was submitted in advance of an anticipated FLUA amendment for a proposed residential development directly north of the Trotting Center. The traffic study, which is required to be submitted for review by the Traffic Engineering Division prior to submittal of a FLUA application, indicates a request to change the FLU from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2) in order to develop 176 units on 96.91 acres of land. The applicant further indicates the FLU amendment to urban densities to be achieved through either a Tier Change or an Overlay similar to what is requested in the Trotting Center application. This application is anticipated to be submitted to the Planning Division on November 9, 2022.

Commercial Uses in Heritage Farms. As previously mentioned, the majority of the parcels within the Heritage Farms area have an RR-10 future land use designation, with the exception of 3 parcels with Commercial Low FLU designations, two of which were the subject of FLUA amendments adopted by the Board of County Commissioners:

- **Galleria MUPD.** This site is located at the southwestern corner of the Rural Tier, adjacent to the Trotting Center. The 5.27 acre parcel was designated as Commercial Low on the Future Land Use Atlas at adoption of the 1989 Comprehensive Plan. A zoning application was approved in October of 2008 for a rezoning (PDD 2008-0449) to Multiple Use Planned Development (MUPD) in order to develop 23,908 square feet of retail and professional office uses. However, the site remains vacant.
- **State Road 7 Funeral Home (LGA 2006-014)**. In 2006, the Board adopted an amendment to change the future land use designation on a 5.58 acre parcel on the northwest corner of State Road 7 and Heritage Farms Road from RR-10 to Commercial Low with an underlying RR-10 (CL/RR-10) in order to convert the existing Farm Credit Union building to a funeral home, known as Palm Beach National Chapel. Staff recommended denial of the amendment due to concerns with the midblock commercial at this location. The Department of Community Affairs found the amendment not in compliance. Subsequently the County and DCA entered into a stipulated settlement agreement and the County then adopted a remedial amendment in November of 2007 via Ordinance 2007-039. This site is conditioned in the adopting ordinance to be limited to permitted office uses or burial services and that any permanent structures on the site shall not exceed the footprint of the building existing on the site on the effective date of the amendment.
- **Lantana SR 7 (LGA 2021-013).** This site was the subject of a land use amendment four times (1996, 2000, 2018 and 2021) with each time the applicant requesting Commercial Low. Staff recommended denial all four times. In 2021, the Board adopted an amendment to change the future land use designation of a 1.03 acre site located at the northwestern corner of the Rural Tier from RR-10 to Commercial Low with an underlying RR-10 (CL/RR-10) allowing for a maximum potential of 4,487 square feet of commercial uses. The site is currently vacant.

Proposed 2009 Rural Protection Overlay. During the August 2008 BCC Adoption Public Hearing, a resident of the Heritage Farms area approached the Board of County Commissioners with a request that this area be recognized as a valuable area of agricultural production and buffer for the environmentally sensitive lands to the south west. At the time, the area was experiencing potential development pressures. The amendment was intended to support the County's Urban Suburban Tier/Urban Service Area Boundary as a clear line separating rural and urban land uses, and to support and protect agriculture. During public outreach regarding the Overlay, a significant number of residents expressed opposition citing concerns over the limitations that may be imposed on property owners' ability to request alternative future development of their property. Due to the large opposition, staff recommended that the amendment be withdrawn with the suggestion that the residents and property owners could return to the Board with a future amendment once consensus is achieved. The Planning Commission concurred unanimously with staff's recommendation to withdraw and the Board of County Commissioners on July 15, 2009 voted to withdraw the amendment.

Proposed 2022 Neighborhood Plan and Heritage Farms Rural Overlay. On May 4, 2022, the Board of County Commissioners initiated a neighborhood plan for the Heritage Farms community after a request from residents. Established in 1990, the Palm Beach County neighborhood planning program provides a mechanism for residents of an area to identify issues and express a consensus decision regarding the direction of their community for consideration by the Board of County Commissioners. While the neighborhood planning process is resident-driven, Planning Staff met and communicated with some residents from the neighborhood to provide information on the steps and processes necessary to formulate a plan. To date, a completed neighborhood plan has not been submitted, however a draft has been received. On August 25, 2022, the Board initiated an overlay for Heritage Farms after requests by residents concerned with the subject amendment. The overlay for Heritage Farms is being processed in a subsequent amendment round with tentative public hearing dates of January PLC and February BCC Transmittal.

C. West Boynton Area Community Plan

The southern half of Heritage Farms is located within the West Boynton Area Community Plan (WBACP), which is governed by the Coalition of Boynton West Residential Association (COBWRA). The WBACP was formally recognized by the County in 1995, and was formulated to promote the "future development goals and vision" of the community. The Plan states the Agricultural Reserve and the southern part of Heritage Farms are in sub area 2 of the WBACP. According to the WBACP, all recommendations apply to sub area 1, east of the Turnpike, unless

specifically noted. The WBACP describes Heritage Farms as having similar soil, water supply, and climate as the Agricultural Reserve. Although Recommendation 3 in the Plan states "Accept an agricultural future for the Agricultural Reserve", and to "accept the direction given by the BCC establishing as a primary goal an agricultural future for the Agricultural Reserve area…", staff could not identify any recommendations regarding Heritage Farms in the Plan.

III. Data and Analysis Summary

This section of the report provides a summary of the consistency of the amendment with the County's Comprehensive Plan. The chapters in Exhibit 2 detail 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 in the southern portion of the Rural Tier, on the west side of State Road 7. The west side portion of State Road 7 in this area consists primarily of residential, agricultural and equestrian uses. Other uses include institutional uses such as the veteran's cemetery, utility uses such as the two communication towers, and limited commercial uses such as the funeral home.

B. Appropriateness of the Amendment.

1. Density of 2 units/acre in the Rural Tier. The site is located within the southern portion of the Rural Tier where the maximum residential density permitted in the Tier is 1 unit per 5 acres. In addition, the Transfer of Development Rights (TDRs) and Workforce Housing bonus density programs are not available within the Rural Tier. Therefore, the applicant must utilize the FLUA amendment process to increase density on the subject site. Prior to 2012, a property owner seeking a density that exceeded the allowable density of the subject Tier would request a FLUA amendment along with a tier change. The creation of the privately initiated amendment process in 2012, now allows an alternative method to achieve the same result. Therefore, the applicant for the Trotting Center is proposing a privately initiated text amendment to establish an overlay as a mechanism to allow 2 units per acre for only the subject site within the Rural Tier.

Since the adoption of the 1989 Comprehensive Plan, the Board has adopted amendment requests for higher densities beyond the maximum allowable future land use designation of RR-5 (0.2 units per acre) in the Rural Tier on two occasions. These sites also utilized a privately initiated text amendment to increase density in the Tier, as the sites are not contiguous to the Urban/Suburban Tier and thus not eligible for a tier change. The two sites are described below:

- **Callery Judge (LGA 2008-011) and Minto West (LGA 2014-007).** In 2008, the Board adopted a FLUA and text amendment for the 3,735 acre site from RR-10 to Agricultural Enclave (AGE), a newly created future land use designation. The AGE future land use allowed for up to 0.8 units per acre. Subsequently, in 2014, the Board adopted revisions to the conditions of approval for the site to allow up to 1.20 units per acre. Staff recommended approval as the site met the statutory requirements for an Agricultural Enclave and addressed regional deficiencies through the provision of public benefits for residents of the Central Western Communities (CWC).

- **Indian Trails Grove (LGA 2016-017).** In 2016, the Board adopted a FLUA and text amendment for the 4,871.57 acre site from RR-10 to Western Communities Residential (WCR), a new future land use designation. This designation allows for up to 0.8 units per acre. Staff recommended approval as the density was consistent with density contemplated for the parcel under the repealed CWC Sector Plan, which was intended to yield a conceptual master plan addressing regional issues including land use, services, infrastructure, and environment plan for the region's future.

As demonstrated above, the subject site is requesting 2 units per acre (1.6 by condition of approval), a higher density than has been previously adopted in the Tier. In addition, these sites previously adopted for higher densities had a significant basis to justify the amendment by relying on past planning efforts as guidance for future development and addressed land use imbalances in the Central Western Communities. In addition, the clustering of the residential units

allowed for the preservation of considerable amounts of open space and the continuation of agricultural uses on the sites.

2. **Creation of New Overlay.** One of the goals of the Future Land Use Element, Strategic Planning, is that "*the Element establishes the Managed Growth Tiers and Overlays to identify unique geographic areas that warrant specific planning strategies*." Heritage Farms, as a whole, is a unique geographic area that warrants specific planning strategies to address increasing development pressures. However, piecemeal site-specific requests, such as what is proposed, do not provide any comprehensive strategic planning objectives for the area.

3. **Workforce Housing Requirements.** As mentioned above, the subject site is proposed to remain in the Rural Tier which is not subject to the mandatory workforce housing requirement for all housing developments with 10 units and greater. In recent years, staff sought direction from the Board of County Commissioners on the suitable minimum percentages of workforce housing to be required when density increases are being requested through the future land use amendment process. In 2018, the Board directed staff to recommend conditions of approval for density increases requiring a minimum of onsite WHP units - 10% for single family projects, 20% for townhomes, and 25% for multifamily developments.

   Although the mandatory workforce housing and bonus density program is limited to the Urban/Suburban Tier, the Unified Land Development Code (ULDC) in Article 5.G allows for the Board to require a workforce housing percentage through condition of approval in any Tier. For example, the Board adopted the two previously mentioned density increases within the Rural Tier, Minto West and Indian Trails Grove, with staff's recommendation that the projects provide 10% of the total units as onsite workforce housing. Therefore, should the Board consider approving this amendment, staff is proposing a condition that is consistent with previous amendments for density increases in the Rural Tier.

C. Compatibility. The amendment is proposing a maximum density of two units per acre. Considering the active agriculture adjacent to the north and south and the residential development to the west, this amendment will result in compatibility issues with the surrounding uses. As stated previously, the proposed two units per acre yields a project that is much more dense than the surrounding sites, which have a Rural Residential, 1 unit per 10 acres (RR-10) future land use. However, the proposed overlay states that the purpose is to provide a transitional density residential option that is compatible with the low-density rural character of Heritage Farms. The overlay includes design features such as lot size transition from largest towards Park Lane Road and tapering to smaller lots adjacent to State Road 7. In addition, the text amendment would require 50 foot buffers along portions of the overlay boundary where there are existing single family homes.

D. Assessment and Recommendation.

The applicant proposes a future land use amendment on a 105.98 acre site from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2) for a maximum development potential of 211 units. The applicant intends to develop 166 single family homes (1.6 units per acre). The request also includes privately initiated text amendments and map series revisions to the Comprehensive Plan to establish the Trotting Center Overlay to allow 2 units per acre in the Rural Tier, subject to location and site design criteria.

The amendment is located within Heritage Farms, an area with primarily agricultural, rural residential and equestrian uses. The applicant is requesting through a concurrent text amendment, a density that is not currently available in the Rural Tier. Although the text amendment provides design features to further compatibility, the amendment would introduce an urban land use designation into an established rural area. As such, the amendment does not promote the goal of the Tier, including the preservation of rural lifestyle choices, does not further the County's Managed Growth Tier System and fails to provide a clear demarcation between Tiers.

Should the Board choose to adopt this amendment, staff recommends a condition limiting the site to 166 units with no further density increases permitted through density bonus programs. Consistent with past Board direction, staff is also recommending that 10 percent of the units be required as onsite workforce housing.

Exhibits		Page
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Exhibit 1-A

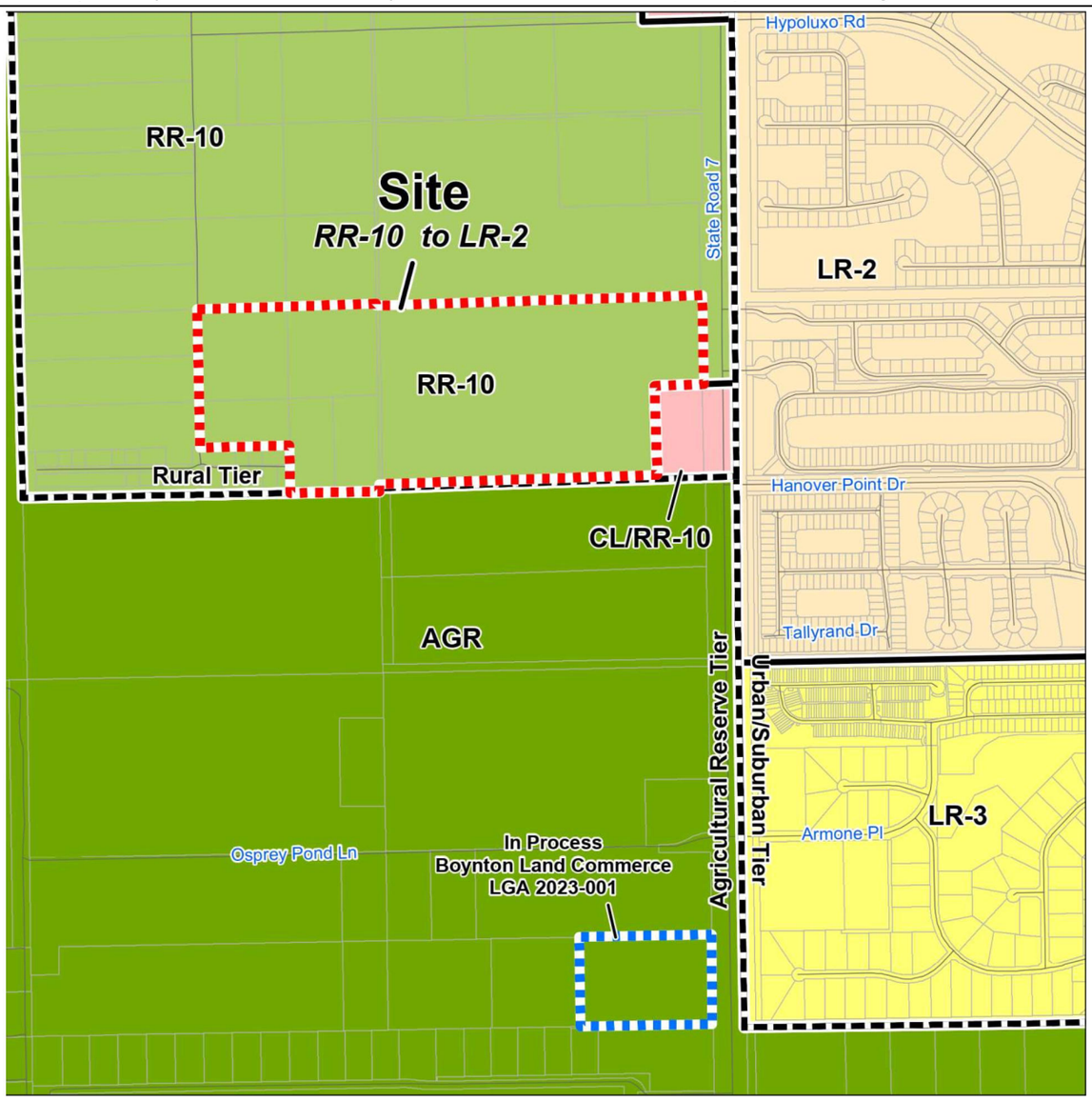
Amendment No:	**Trotting Center (LGA 2023-012)**
FLUA Page No:	84
Amendment:	From Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2) with conditions
Location:	Westside of State Road 7, approximately 0.4 miles south of Hypoluxo Road
Size:	105.98 acres
Property No:	00-42-43-27-05-044-0170; 00-41-45-12-00-000-7230; 00-41-45-12-00-000-7390; 00-41-45-12-00-000-7210; 00-41-45-12-00-000-7380; 00-41-45-12-00-000-3091

Conditions:

1. Residential dwelling units shall be limited to a maximum of 166 units with no further density increases permitted through density bonus programs.

2. The zoning development order shall require a minimum of 10% (17 units) of the total dwelling units to be provided as ~~onsite~~ <u>offsite</u> workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of ULDC.

~~3. The proposed future land use amendment and the proposed rezoning shall be considered for adoption by the Board of County Commissioners at the same public hearing.~~



Legal Description

PARCEL A:
PARCEL ONE: LOTS 17 TO 23, INCLUSIVE, BLOCK 44, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
LESS THAT PART OF LOT 17 CONVEYED FOR ROAD PURPOSES IN DEED BOOK 636, PAGE 96, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
ALSO LESS THAT PROPERTY CONTAINED IN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 4515, PAGE 1335, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF LOT 17, BLOCK 44, PALM BEACH FARMS COMPANY PLAT 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN WESTERLY ALONG THE NORTH LINE OF LOT 17, A DISTANCE OF 28.28 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7 AS NOW LAID OUT AND IN USE; THENCE CONTINUE WESTERLY ALONG SAID NORTH LINE OF LOT 17, A DISTANCE OF 165.00 FEET; THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH AND 240.00 FEET WEST OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 7, A DISTANCE OF 660.23 FEET TO THE SOUTH LINE OF SAID LOT 17; THENCE RUN EASTERLY ALONG SAID SOUTH LINE OF LOT 17 A DISTANCE OF 165.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7; THENCE NORTHERLY ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 A DISTANCE OF 660.23 FEET TO THE POINT OF BEGINNING.
PARCEL TWO:
THE SOUTH 677.10 FEET OF THE EAST 321 .66 FEET OF THE NORTH 1/2 (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.
PARCEL THREE:

THE WEST HALF (W 1/2) OF TRACT 82 OF THE UNRECORDED PLAT OF HERITAGE FARMS IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE WEST HALF (W 1/2) OF SAID SECTION 12, THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE SAID WEST HALF (W 1/2) A DISTANCE OF 3315.33 FEET, THENCE SOUTH 88° 55' 17" WEST A DISTANCE OF 331.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 88° 55' 17" WEST A DISTANCE OF 331.50 FEET; THENCE SOUTH 00° 20' 40" EAST A DISTANCE OF 706.40 FEET; THENCE NORTH 89° 46' 02" EAST A DISTANCE OF 331.0 FEET; THENCE NORTH 00° 18' 04" WEST A DISTANCE OF 711.29 FEET TO THE POINT OF BEGINNING; SUBJECT TO EASEMENT OVER THE EAST 35 FEET THEREOF.
ALSO, THE EAST HALF (E 1/2) OF TRACT 82 IN THE UNRECORDED PLAT OF HERITAGE FARMS IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHEAST CORNER OF THE WEST HALF (W 1/2) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF S 00° 15' 28" E ALONG THE EAST LINE OF THE SAID WEST HALF (W 1/2) A DISTANCE OF 3315.33 FEET TO THE POINT OF BEGINNING; THENCE S 88° 55' 17" W, 331.50 FEET; THENCE S 00° 18' 04" E, 711.29 FEET TO THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 12; THENCE N 89° 46' 02" E ALONG THE SAID SOUTH LINE A DISTANCE OF 331.00 FEET TO THE EAST LINE OF THE SAID WEST HALF (W 1/2); THENCE N 00° 15' 28" W ALONG THE SAID EAST LINE A DISTANCE OF 716.18 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 677.10 FEET OF THE EAST 321.66 FEET OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 12.
PARCEL B:
A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST BEING ALL OF TRACTS 74, 75, 76, 79, 80, 81 THE SOUTH 1/2 OF TRACT 65 AND A PORTION OF TRACT 73 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 03' 29" WEST A DISTANCE OF 1332.10 FEET; THENCE SOUTH 00° 25' 52" EAST A DISTANCE OF 169.54 FEET; THENCE SOUTH 89° 02' 48" WEST A DISTANCE OF 1331.59 FEET TO THE WEST LINE OF SAID SECTION 12; THENCE SOUTH 00° 36' 16" EAST ALONG SAID WEST LINE A DISTANCE OF 169.80 FEET; THENCE NORTH 89° 02' 07" EAST A DISTANCE OF 1331.08 FEET; THENCE SOUTH 00° 25' 52" EAST A DISTANCE OF 2034.42 FEET; THENCE NORTH 89° 20' 39" EAST A DISTANCE OF 662.50 FEET; THENCE

NORTH 00° 20' 40" WEST A DISTANCE OF 343.96 FEET; THENCE NORTH 88° 55' 17" EAST A DISTANCE OF 663.00 FEET TO THE SAID EAST LINE OF THE WEST 1/2 OF SECTION 12; THENCE NORTH 00° 15' 28" WEST ALONG SAID EAST LINE A DISTANCE OF 2031.36 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING: A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, BEING THE SOUTH 1/2 OF TRACT 65 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER 1/4 CORNER OF SAID SECTION 12, THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET (DEED) (1285.30 FEET SURVEY); THENCE SOUTH 89° 03' 29" WEST, A DISTANCE OF 1332.10 FEET; THENCE SOUTH 00° 25' 52" EAST, A DISTANCE OF 169.54 FEET TO THE POINT OF BEGINNING.THENCE SOUTH 89° 02' 48" WEST, A DISTANCE OF 1331.59 FEET TO THE WEST LINE OF SAID SECTION 12; THENCE SOUTH 00° 36' 16" EAST ALONG SAID WEST LINE, DISTANCE OF 169.80 FEET; THENCE NORTH 89° 02' 07" EAST, A DISTANCE OF 1331.08 FEET; THENCE NORTH 00° 25' 52" WEST, A DISTANCE OF 169.54 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE FOLLOWING: A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, BEING ALL OF TRACTS 76, 79 AND A PORTION OF TRACTS 75 AND 80 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH QUARTER CORNER (N 1/4) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE WEST ONE-HALF (W 1/2) OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 03' 29" WEST, A DISTANCE OF 1332.10 FEET; THENCE SOUTH 00° 25' 52" EAST, A DISTANCE OF 1304.45 FEET; THENCE SOUTH 89° 31' 54" EAST, A DISTANCE OF 1328.14 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 12; THENCE NORTH 00° 15' 26" WEST ALONG SAID NORTH-SOUTH 1/4 LINE, A DISTANCE OF 1315.47 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THOSE PORTIONS OF THAT 25 FOOT RIGHTOF WAY TO BE ABANDONED LYING WEST OF AND ADJACENT TO THOSE PORTIONS OF BLOCK 44 DESCRIBED ABOVE.

ALSO DESCRIBED AS

BEING A PORTION OF LOTS 17 THROUGH 20, INCLUSIVE, BLOCK 44 AND ALL OF LOTS 21, 22 AND 23, BLOCK 44 AND A PORTION OF THAT 25 FOOT RIGHT-WAY LYING WEST OF BLOCK 44, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, TOGETHER WITH ALL OF TRACTS 74, 81, 82 AND A PORTION OF TRACTS 73, 75 AND 80 OF THE UNRECORDED PLAT OF HERITAGE FARMS, TOGETHER WITH A PORTION OF THE 25-FOOT WIDE LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 1585, PAGE 505 , ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ON A GRID BEARING OF N23°02'56"W, A DISTANCE OF 1538.97 FEET TO THE SOUTHEAST CORNER OF SAID LOT 23, BLOCK 44 AND THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF A 30-FOOT WIDE ROADWAY, AS SHOWN ON SAID PALM BEACH FARMS COMPANY PLAT NO. 3, AND THE WESTERLY PROLONGATION THEREOF, S88°06'42"W, A DISTANCE OF 2,037.86 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 21, BLOCK 44; THENCE N01°03'36"W ALONG SAID WEST LINE, A DISTANCE OF 24.53 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THAT ABANDONED RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORD BOOK 6014, PAGE 1243 OF SAID PUBLIC RECORDS; THENCE S88°58'39"W ALONG SAID SOUTH LINE, A DISTANCE OF 25.00 TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAID 25 FOOT RIGHT-OF-WAY LYING WEST OF BLOCK 44; THENCE S01°03'36"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 80.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF 80-FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL S-8 EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 5415, PAGE 1834 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH LINE, S88°58'39"W, A DISTANCE OF 661.79 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID 80-FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL S-8 EASEMENT AND TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 82 OF HERITAGE FARMS UNRECORDED PLAT; THENCE ALONG SAID WEST LINES, N01°08'48"W, A DISTANCE OF 362.07 FEET; THENCE S88°32'31"W, A DISTANCE OF 662.50 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SECTION 12; THENCE ALONG SAID WEST LINE, N01°14'00"W, A DISTANCE OF 1,069.05 FEET; THENCE N88°43'46"E, A DISTANCE OF 1,328.07 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 80 AND TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF SAID SECTION 12; THENCE ALONG EAST LINE OF SAID TRACTS 80 AND 81 AND SAID EAST LINE OF WEST HALF OF

SECTION 12, S01°03'36"E, A DISTANCE OF 52.75 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID NORTH LINE OF SAID LOT 20, BLOCK 44; THENCE N88°10'36"E ALONG SAID NORTH LINE AND THE NORTH LINE OF SAID LOTS 19, 18, AND 17 BLOCK 44, A DISTANCE OF 2,396.40 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF US 441 (STATE ROAD 7), AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 9310-2525, SHEETS 9 AND 10, DATED SEPTEMBER 22, 1993 AND AS RECORDED IN OFFICIAL RECORD BOOK 4515, PAGE 1335 OF SAID PUBLIC RECORDS; THENCE S00°39'06"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 620.26 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID LOT 17, BLOCK 44; THENCE S88°07'52"W ALONG SAID SOUTH LINE, A DISTANCE OF 364.66 FEET TO THE NORTHEAST CORNER OF SAID LOT 23, BLOCK 44; THENCE S01°58'10"E ALONG THE EAST LINE OF SAID LOT 23, BLOCK 44, A DISTANCE OF 661.12 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,616,363 SQUARE FEET/105.9771 ACRES, MORE OR LESS.

Exhibit 1-B

Proposed Text and Map Series Amendments

A. Future Land Use Element, Rural Tier Revisions

REVISIONS: To revise the Rural Tier policies and provisions. The revisions are shown below with added text underlined and deleted text shown in ~~strikethrough~~.

1. REVISED OBJECTIVE 1.4 Rural Tier

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

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

2. REVISED Policy 1.4-d: Any parcel of land in the Rural Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless: each parcel created is consistent with the minimum lot size required by its respective future land use designation or is developed as one of the following:

1. Rural Residential (RR) Cluster; ~~or~~
2. Variable-Lot-Size development; ~~or as a~~
3. Planned Unit Development developed under the Western Communities Residential (WCR) Future Land Use Category or within the Trotting Center Overlay.

Parcels may be subdivided for the purpose of enlarging other parcels in the subdivision. The overall number of units of the reconfigured lots may not exceed the original number of units calculated for the lots being reconfigured.

B. Future Land Use Element, Trotting Center Overlay

REVISIONS: To establish a new objective and policies relating to the Trotting Center Overlay. The revisions are shown below with added text underlined.

1. NEW Objective 1.4.1: Trotting Center Overlay

Objective: The purpose of the Trotting Center Overlay is to preserve the low-density rural character of the area, by allowing transitional residential densities that are compatible with the rural lifestyle in Heritage Farms and promote the use of agriculture in those areas that are proximate to and have access from State Road 7 and are located east of Park Lane and south of the LWDD Canal L-19 W.

2. NEW Policy 1.4.1-a: Boundaries. The boundaries of the Trotting Center Overlay are within the Rural Tier, generally State Road 7 on the east, the LWDD Canal L-19 W on the north, Park Lane Road on the west and the Agricultural Reserve Tier on the south. The specific boundaries of the Trotting Center Overlay are depicted on the special Planning Areas Map, LU 3.1.

3. **NEW Policy 1.4.1-b:** Transitional Density Option. In order to provide a transition from the Urban Suburban Tier, the County shall allow residential development within the Trotting Center Overlay at transitional densities, subject to the following criteria:

1. **Approval Process.** A Future Land Use Atlas amendment shall be accompanied by a concurrent zoning application and master plan in order to demonstrate that the proposal meets the requirements of this policy;
2. **Acreage.** The site shall be a minimum of 100 contiguous acres;
3. **Density.** The maximum density is 2 units per acre with no further density increases permitted through density bonus programs, such as the Transfer of Development Rights Program, the Workforce Housing Program or the Affordable Housing Program. The maximum density shall be identified in the adopting ordinance;
4. **Workforce Housing.** Pursuant to Housing Element Policies 1.5-g and 1.5-i and ULDC Article 5, Chapter G, Sections 1 and 2, the Workforce Housing Program and Affordable Housing Program are not applicable in the Trotting Center Overlay;
5. **Location.** The site must be located contiguous to the Urban/Suburban Tier (contiguous includes being directly across a right-of-way) with frontage and access only onto State Road 7 and be located east of Park Lane and south of the LWDD Canal L-19 W;
6. **Design Features.** The lot sizes shall transition with the smallest lots located closest toward State Road 7 and the largest lots located towards the western property line. A minimum 20% of the ~~residential development area~~ planned unit development within the Overlay shall be comprised of lots (including the associated roadways serving these lots) that are a minimum of 0.5 acres in size;
7. **Expanded Buffers.** Residential planned development within the Overlay shall provide increased buffers for property lines coterminous with the boundaries of the Overlay as provided below:
   a. A minimum 50- foot buffer along the western property line;
   b. A minimum 50-foot buffer along the southern property line abutting single-family properties that predate the adoption of the Overlay;
   c. A minimum 30-foot buffer for any other southern property line; and
   d. A minimum buffer pursuant to ULDC regulations along the northern property line.
8. **Native Vegetation.** ~~A minimum of~~ 100% of the landscaping within the perimeter buffers shall be native vegetation;
9. **Access.** Access to development within the Trotting Center Overlay is limited to State Road 7; and
10. **Urban Services.** All development within the Trotting Center Overlay shall connect to County water and sewer services located within the State Road 7 right-of-way.

C. Future Land Use Element, Limited Urban Service Areas

REVISIONS: To add the Trotting Center Overlay to the list of identified Limited Urban Service Areas. The revisions are shown below with added text underlined and deleted text shown in ~~strikethrough~~.

1. **REVISED Policy 3.3-a:** The Limited Urban Service Area: The following are designated as Limited Urban Service Areas:

1. the area described as the United Technology - Pratt and Whitney Overlay;
2. the area defined as the General Aviation Facility/ North County Airport;
3. the Agricultural Reserve; and
4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
5. the area east of the SFWMD L-8 Canal and 138.31 acres with Economic Development Center future land use designation west of the SFWMD L-8 Canal within the Glades Area Protection Overlay;
6. an Agricultural Enclave pursuant to Policy 2.2.5-d; ~~and~~
7. the Western Communities Residential Overlay~~.~~; and
8. the Trotting Center Overlay.

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

REVISIONS: To add a note to the table to establish an allowable density for the Overlay. The revisions are shown below with added text underlined and deleted text shown in ~~strikethrough~~.

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

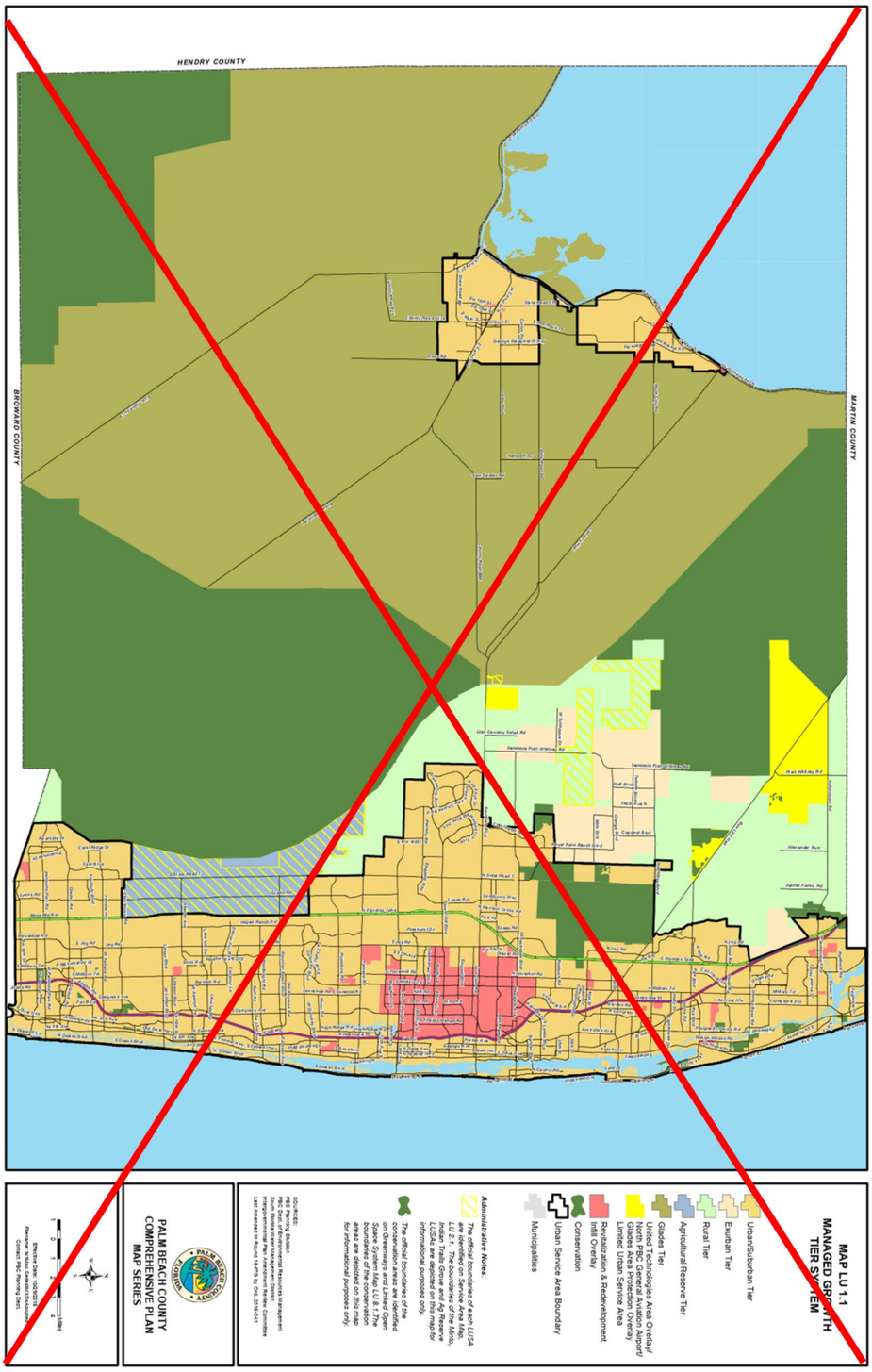
Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA[1]
Rural Residential	RR-20, RR-10	---	X	X	---	---
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
Western Communities Residential	WCR	---	---	X	---	---
Urban Residential	LR, MR, HR	X	---	---	---	---

Text omitted for brevity

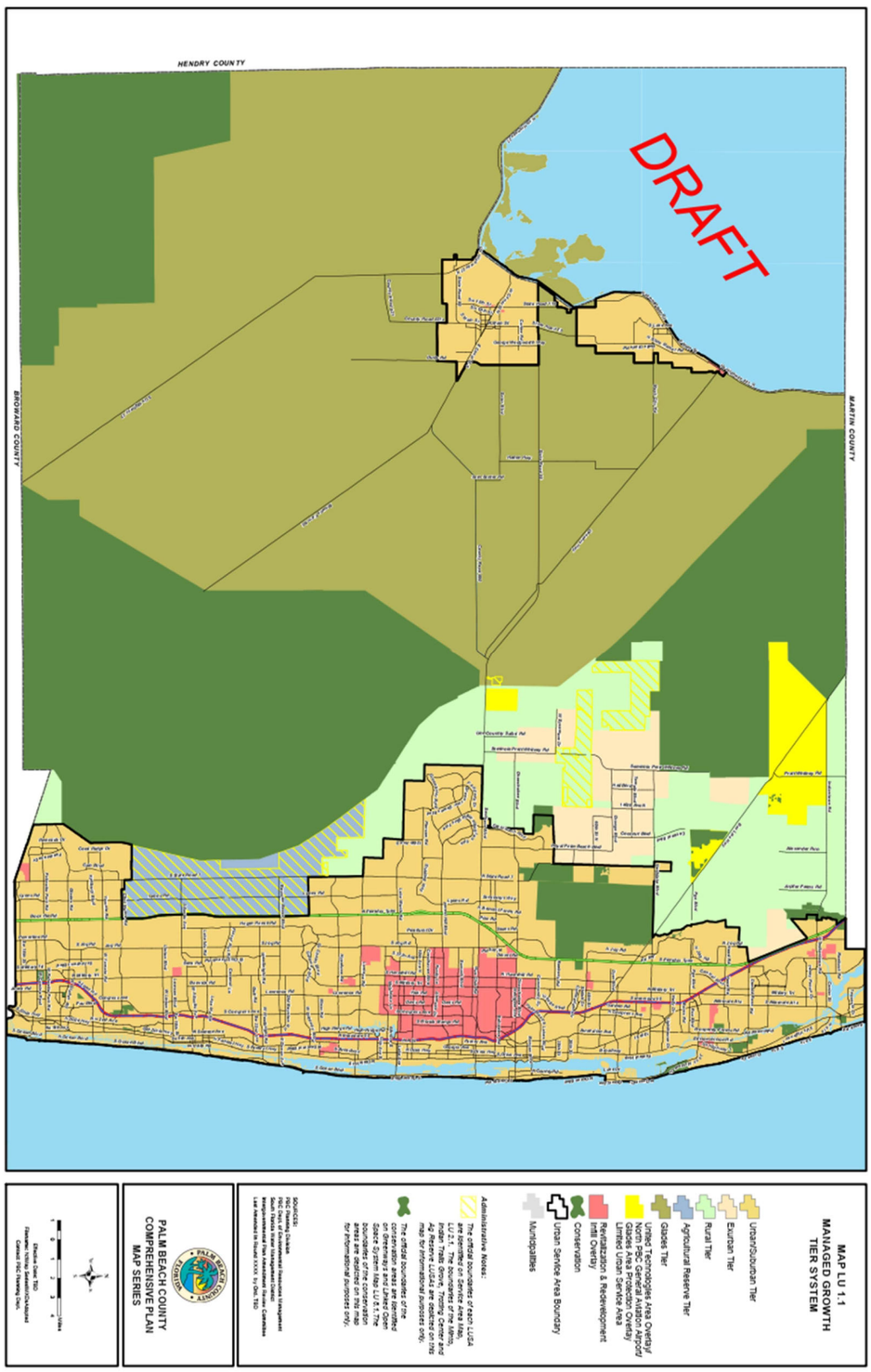
4. Within the Trotting Center Overlay, the LR-2 future land use designation is allowed for sites that meet Objective 1.4.1 and criteria in Policy 1.4.1-b.

E. Map Series, Managed Growth Tier System Map LU 1.1, Trotting Center Overlay

REVISIONS: To depict the Trotting Center Overlay as a Limited Service Area. Map to be **deleted**.

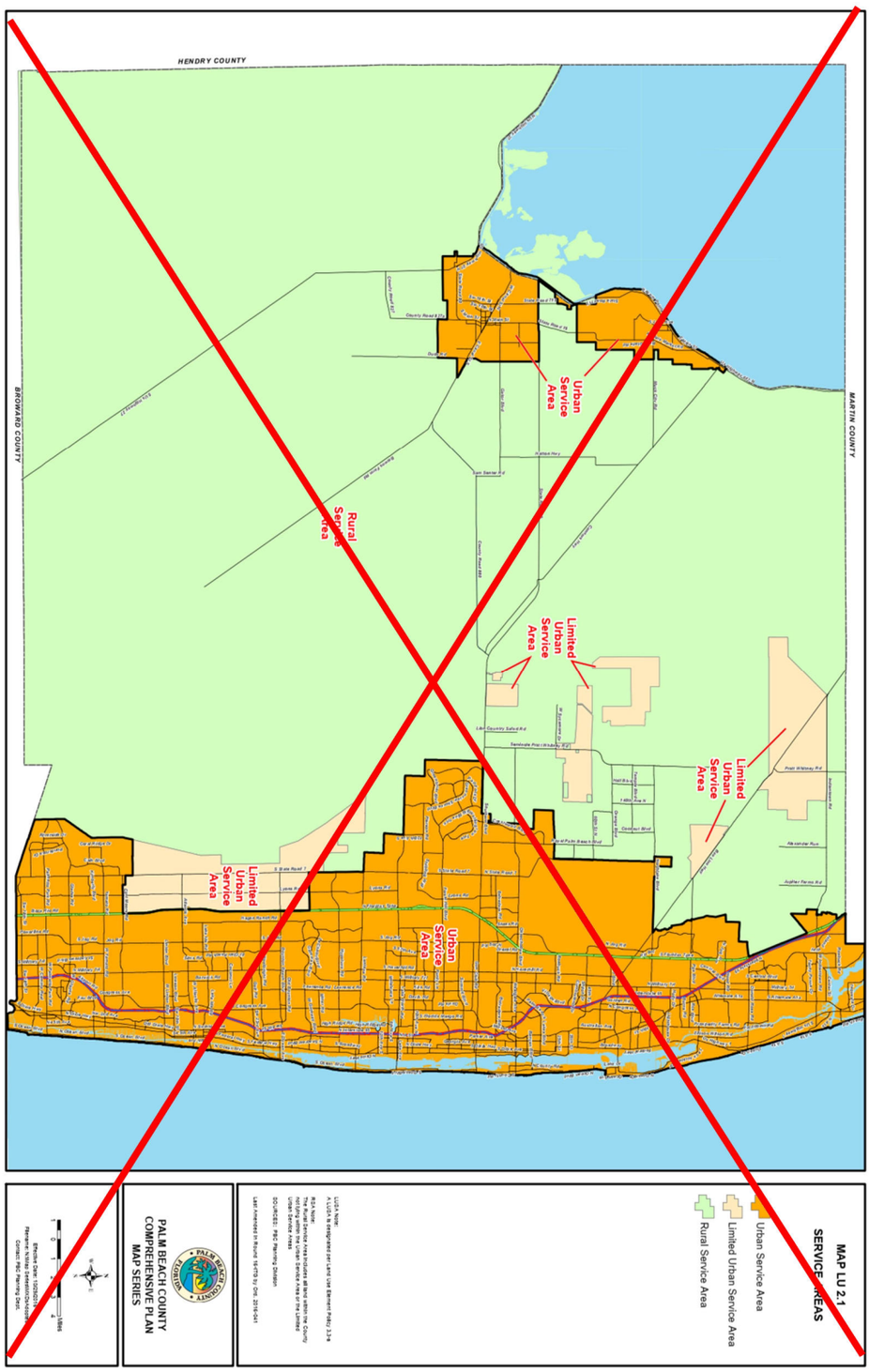


REVISIONS: To depict the Trotting Center Overlay as a Limited Service Area. Map to be **added**.

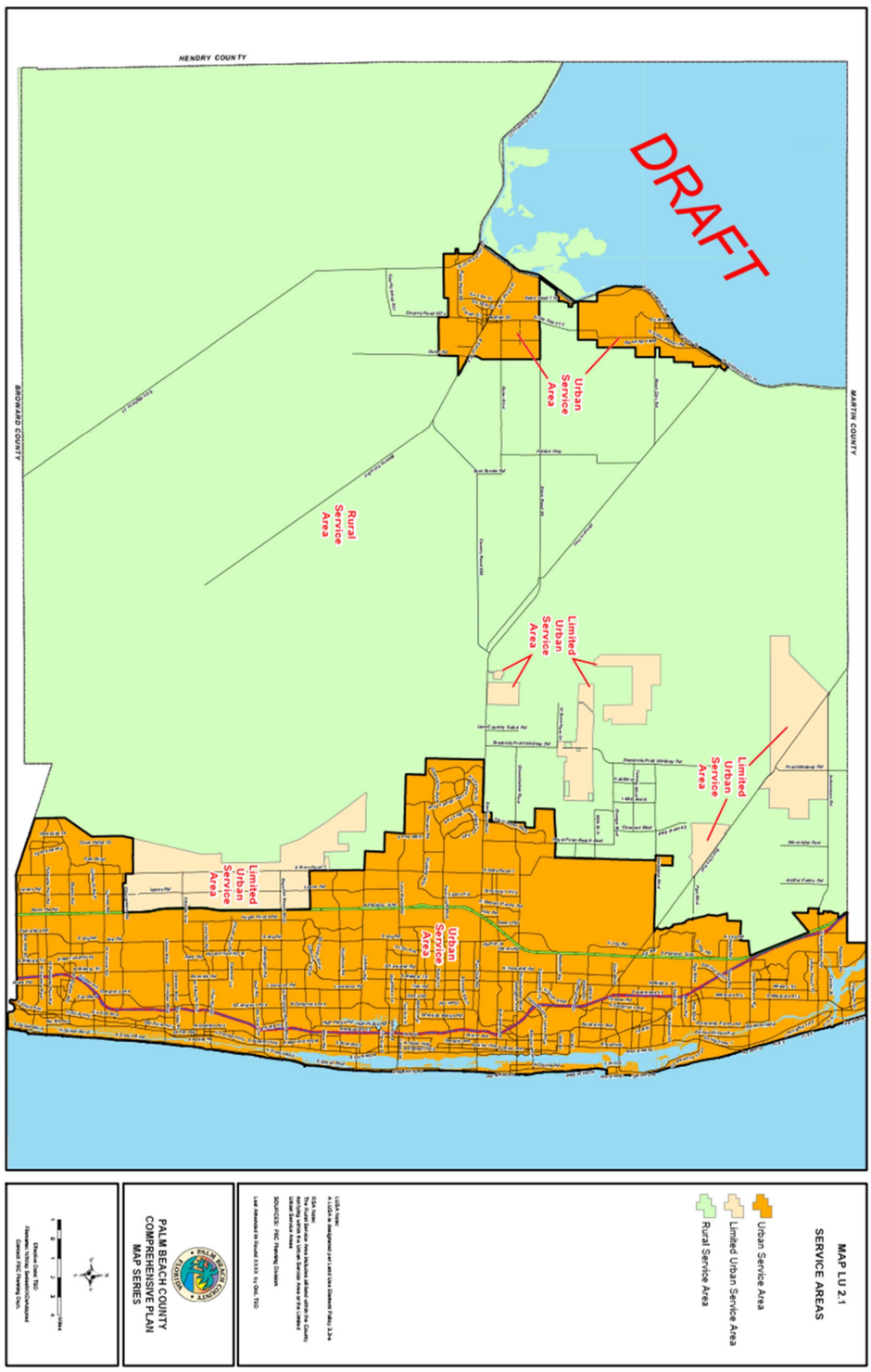


F. Map Series, Service Area Map LU 2.1, Trotting Center Overlay

REVISIONS: To depict the Trotting Center Overlay as a Limited Service Area. **Map to be deleted.**

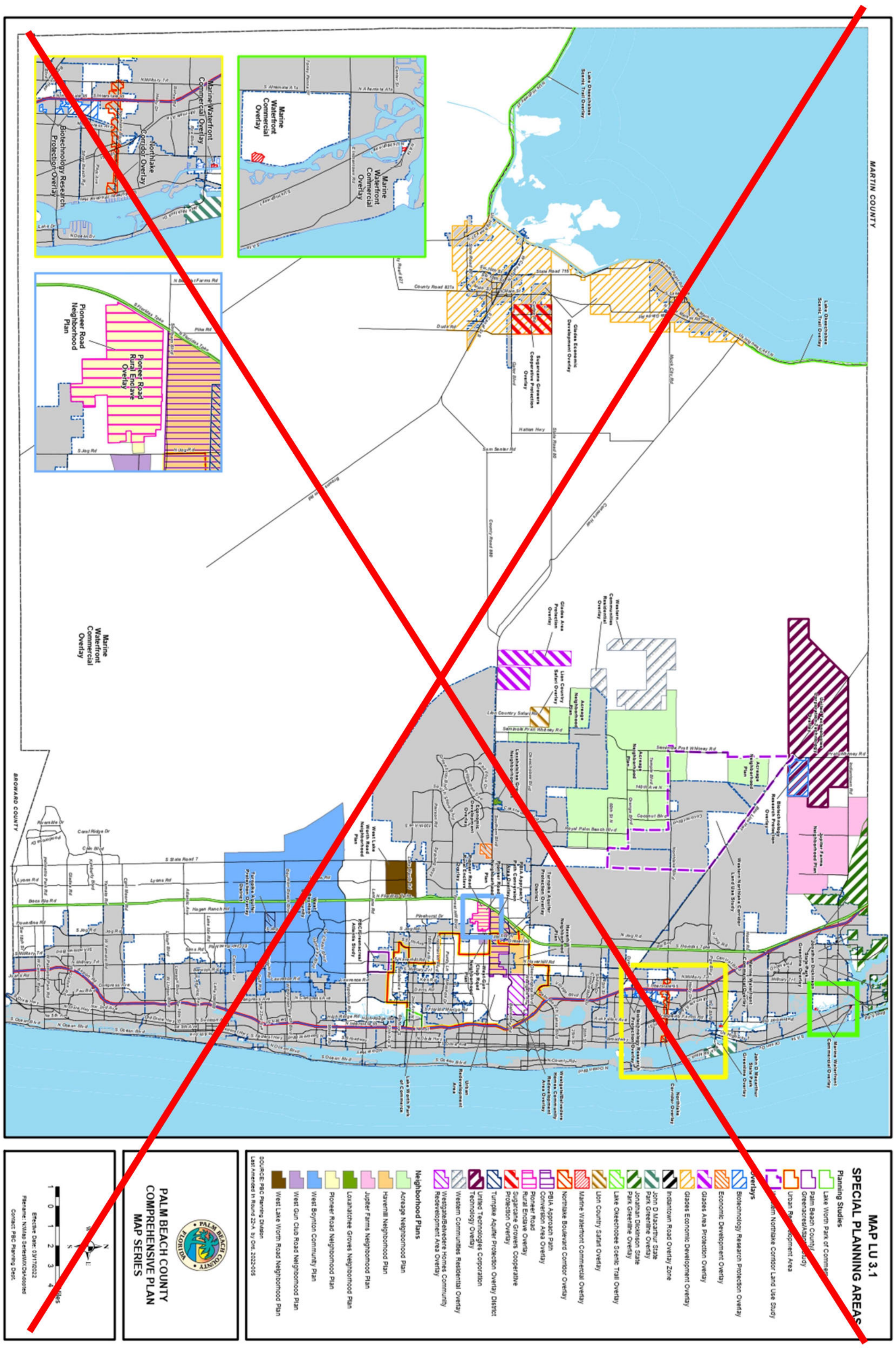


REVISIONS: To depict the Trotting Center Overlay as a Limited Service Area. **Map to be added.**



G. Map Series, Special Planning Areas Map LU 3.1, Trotting Center Overlay

REVISIONS: To identify the Trotting Center Overlay on the Special Planning Areas map. **Map to be deleted.**



REVISIONS: To identify the Trotting Center Overlay on the Special Planning Areas map. **Map to be added.**

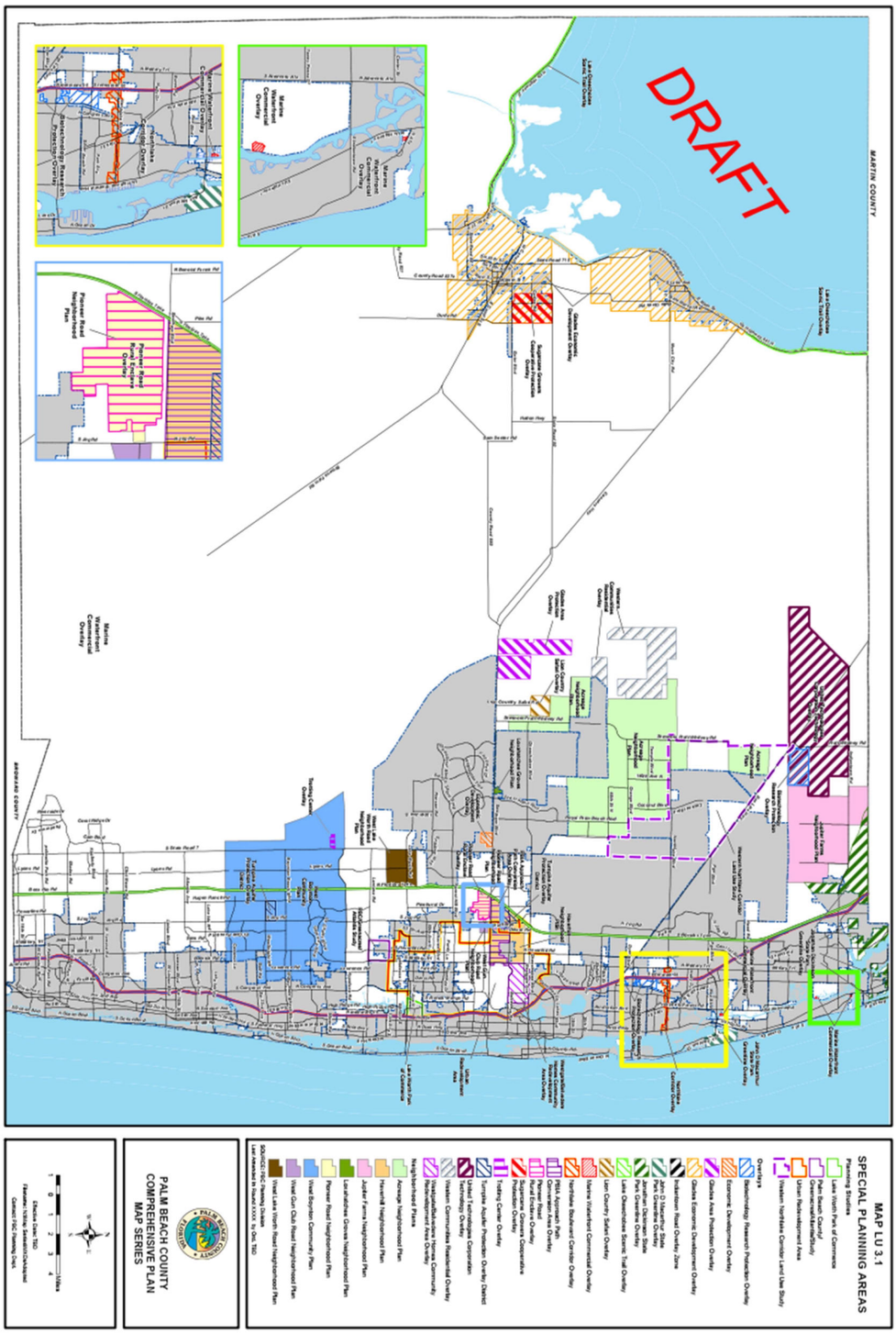


Exhibit 2

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. 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, 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.;* (See Consistency with Florida Statutes)
6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and* (see Neighborhood Plans and Overlays Section)
7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.* (See Public and Municipal Review Section)

The applicant provides a Justification Statement (Exhibit 3) which states that the amendment is justified on the basis of changes in the characteristics of the area that have occurred since the adoption of the County's Comprehensive Plan. The applicant provides further justification to support the request and is summarized as follows:

- With regard to the site-specific FLUA amendment, the applicant states, "*while the FLU designations of the subject parcels were appropriately assigned at the inception of the Plan, the designation of RR-10 can now be considered to be outdated and incompatible amidst the well-developed 441/SR 7 corridor*." In addition, regarding the request for LR-2 "is not incompatible with the surrounding context of the subject site. All of the properties directly to the east of the subject site are developed at two units per acre."
- With regard to the text amendment, the applicant indicates that the proposed Overlay "*will accommodate a residential use and density that is consistent and compatible with the surrounding development while also preserving and protecting the rural lifestyle in the area of Heritage Farms that lies outside of the Overlay by providing larger buffers with native landscaping for those portions of the Overlay that abut existing single-family homes and transitioning density within the Overlay – with larger lots located at the western end of the Overlay*."

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 regards to justification, there are several themes presented by this amendment that are discussed individually.

Staff does not concur with the applicant's assessment that the current RR-10 future land use designation is "outdated." The County's Managed Growth Tier System was established in 1999 to prevent sprawl, ensure the viability of suburban and urban communities, ensure efficiency service delivery and protect rural and exurban lifestyle, agricultural land uses and environmentally sensitive lands. Tiers were defined to delineate areas that have similar densities and lifestyles. As part of each Evaluation and Appraisal Review, which occurs every seven years, adjustments to the Tier System are considered by staff. Privately Initiated tier changes are rare, and the Comprehensive Plan has very specific criteria that shall be met for the approval of changes in tier boundaries including contiguity requirements and the completion of a study to determine the appropriate tier for the site and surrounding areas to avoid piecemeal re-designations. Although the proposed amendment does not include a tier change request, the allowance of two units per acre which is a future land use currently only allowed in the Urban/Suburban Tier,

does not provide a clear demarcation of the Tiers and thus does not further the objectives of the Managed Growth Tier System.

In addition, the applicant states that the character of the area has changed evidenced by built residential developments on the east side of State Road 7. However, these developments at 2 units per acre, located within the Urban/Suburban Tier, were always anticipated by the Comprehensive Plan. As demonstrated in the Heritage Farms Background summary, there have been very limited land use changes, including two new Commercial Low sites since the adoption of the 1989 Comprehensive Plan. These two amendments constitute a total of 6.61 acres out of 1,300 acres.

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.*

Direction 4. Land Use Compatibility. *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

Staff Analysis: The County's Managed Growth Tier System is the primary vehicle by which the County Directions are realized. As previously mentioned, the Tier System identifies distinct geographic areas which together, offer lifestyle choices for all residents, and allow for sustainable communities. The associated Comprehensive Plan policies and land development regulations to implement each Tier also reflect the County Directions. The proposed amendment does not further **Direction 1, Livable Communities** and **Direction 2, Growth Management** as the request seeks to allow a future land use designation that greatly exceeds the current maximum density and is not available in the Rural Tier but is only available in the Urban/Suburban Tier. The proposed amendment would fail to provide a clear demarcation between Tiers. **Direction 4, Land Use Compatibility**, is discussed in the Compatibility section of this report.

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.

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

Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.

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

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

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

Staff Analysis: The text amendment proposes to retain the site within the Rural Tier. Density within the Rural Tier is limited to a maximum of 1 unit per 5 acres and sites within this Tier are unable to utilize the density bonus increases provided by the Workforce Housing Program as the provisions apply only in the Urban/Suburban Tier. In addition, density increases through the Transfer of Development Rights (TDR) program are not available in the Tier as the program is only applicable within the Urban/Suburban Tier in order to promote infill and redevelopment initiatives. Therefore, the amendment is consistent with this policy.

6. Overlays - Policy 2.1-k: Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.

Staff Analysis: As previously mentioned in Section III, Data and Analysis, Heritage Farms, as a whole, is a unique geographic area that warrants specific planning strategies to address increasing development pressures. However, piecemeal site-specific requests, such as what is proposed, do not provide any comprehensive strategic planning objectives for the area.

B. Consistency with Rural Tier Requirements

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

OBJECTIVE 1.4 Rural Tier

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

Objective: *Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area, recognizing the existence of both large undeveloped tracts as well as areas*

containing densities equal to or less than 1 dwelling unit per 5 acres established prior to the adoption of the 1989 Comprehensive Plan located in proximity to environmentally sensitive natural areas while protecting the Rural Tier lifestyle. The Rural Tier shall be afforded rural levels of service, except in special planning areas such as, but not limited to, the Western Communities Residential Overlay (WCRO).

Staff Analysis: The concurrent text amendment proposes to provide an exception to this Policy by allowing the Overlay to exceed the maximum permitted density of the Tier and to allow urban levels of service.

2. **Policy 1.4-a:** *The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier by:*

1. *Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;*
2. *Providing facilities and services consistent with the character of the area;*
3. *Preserving and enhancing natural resources; and,*
4. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the rural community.*

Staff Analysis: With regards to the text amendment, there are aspects of the proposed language which further this policy, including the site development criteria that includes expanded buffers with 100 percent native landscaping and vegetation, would help to enhance and complement the existing natural resources and rural character of the existing community. In addition, the requirement for lot size transition assists in furthering compatibility. However, this amendment would convert an existing equestrian use and Rural Residential future land use into a suburban style residential development of 166 units.

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

Staff Analysis: The Comprehensive Plan recognizes that this Tier is "*beginning to experience development pressure for urban densities and non-residential intensities*." Therefore, policies were established to limit the maximum residential development potential to 1 unit per 5 acres and additional strategies were included to "*protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that further the goals of the Rural Tier*." The alternative styles of development are outlined in Future Land Use Element Policy 1.4-d, which requires a minimum of 5 acre lots unless developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. These two rural residential planned unit development options allow for an alternative to a subdivision plan "*to accommodate low-density residential development in conjunction with the protection and maintenance of rural, equestrian, agricultural communities*." The traditional planned unit development, a development pattern which is primarily located only in the Urban/Suburban Tier, is only allowed in the Rural Tier with the Western Communities Residential (WCR) future land use designation. The proposed text amendment is requesting to modify this policy to also allow a Planned Unit Development (PUD) in the Rural Tier on the subject site.

4. **Proposed Text Amendment – Trotting Center Overlay.** The specific proposed text changes are shown in Exhibit 1-B in strike out and underline. In addition to the policy changes referenced above, the proposed private text amendment requests the following changes:

Revised Objective 1.4, Rural Tier to provide an exception by allowing the site to exceed the maximum permitted density of the Tier and to allow urban levels of service.

Revised Policy 1.4-d, to revise to clarify that the parcels within the Trotting Center Overlay are allowed to develop as a Planned Unit Development (PUD).

New Objective 1.13, Trotting Center Overlay to establish a new objective within the Future Land Use Element for the Overlay. The Objective establishes a framework to allow

for a transitional low-density development that is compatible with surrounding rural lifestyle and agricultural uses.

New Policy 1.13-a, to add a new policy establishing the boundaries of the Overlay to be limited to the 105.98 acre Trotting Center site only through its depiction of Map Series Map 3.1, Special Planning Areas.

New Policy 1.13-b, to allow for a new transitional density option of up to 2 units per acre within the Overlay subject to criteria.

Revised Policy 3.3-a, to add the Trotting Center Overlay to the list of areas designated as a Limited Urban Service Area.

Revised Table III.C. Future Land Use Designation by Tier, to add a note to establish a maximum allowable density of Low Residential, 2 units per acre (LR-2) for the Overlay.

Revised Map Series, Managed Growth Tier System Map LU 1.1 and Service Area Map LU 2.1, to depict the Trotting Center Overlay as a Limited Urban Service Area (LUSA).

Revised Map Series, Special Planning Areas Map LU 3.1, to identify the boundaries of the Trotting Center Overlay.

Staff Analysis: The applicant's proposed policy changes would allow the Low Residential, 2 units per acre designation in the Rural Tier for the Trotting Center site. Each of the components of the proposed policy is discussed below.

Density. The text amendment provides a density increase mechanism to allow up to 2 units per acre on the subject site. A summary of staff's findings related to the proposed density is further explained in Section III, Data and Analysis Summary.

Site Location and Design Criteria. The applicant proposes language to allow a transitional density option that meets the following criteria:

- Minimum of 100 contiguous acres;
- Maximum density of two units per acre;
- Access only to State Road 7;
- Allows for the development of the site to be a Planned Unit Development (PUD);
- Lot size transition from largest towards Park Lane Road and tapering to smaller lots adjacent to State Road 7;
- No additional density increases through the use of Transfer of Development Rights or the Workforce Housing Bonus Density Program; and
- Requires 50 foot buffers along portions of the overlay boundary where there are existing single family homes.

These location and site design criteria assist in containing the transitional density option to the subject site only while allowing for the transition of lot sizes and expanded buffers to assist with compatibility of the surrounding area.

Designation as LUSA. These revisions are necessary to provide urban levels of service to a 166 single-family home development.

C. Consistency with Limited Urban Service Area (LUSA) Policies

1. Objective 3.3 Limited Urban Service Areas (LUSAs)--*Palm Beach County shall allow for a mix of urban and rural levels of service in the Limited Urban Service Area. Designation of an area as a LUSA shall be based upon consideration of the following factors:*

- *The need for the proposed facilities;*
- *The ability of the proposed facilities to meet policy goals coupled with a demonstration of significant relative advantages of the area of the proposed LUSA over possible sites within the Urban Service Area; and*
- *The extent to which the designation would allow for significant public benefits, such as major economic development or environmental benefits.*

Staff Analysis: The Comprehensive Plan does not have a mechanism for addressing urban service delivery within the Rural Tier. Therefore, the proposed Overlay will confine urban levels of service to the subject site through a Limited Urban Service Area (LUSA) designation allowing for the provision of water and wastewater service. The infrastructure required to provide these services to the amendment site is already in place, which would enable the cost-effective provision of these services, and make better use of the existing infrastructure. According to a letter from the PBC Water Utilities Department dated May 4,

2022 (see Exhibit 6), the nearest point of connection for potable water is a 16 inch water main approximately 450 feet away. The nearest point of connection to sanitary sewer is a 12 inch forcemain that is 1,700 feet from the site. Offsite improvements and a lift station will be required.

2. ***Policy 3.3-a:*** *The Limited Urban Service Area: The following are designated as Limited Urban Service Areas:*

1. *the area described as the United Technology - Pratt and Whitney Overlay;*
2. *the area defined as the General Aviation Facility/ North County Airport;*
3. *the Agricultural Reserve; and*
4. *areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;*
5. *the area east of the SFWMD L-8 Canal and 138.31 acres with Economic Development Center future land use designation west of the SFWMD L-8 Canal within the Glades Area Protection Overlay;*
6. *an Agricultural Enclave pursuant to Policy 2.2.5-d; and*
7. *the Western Communities Residential Overlay.*

Staff Analysis: The concurrent text amendment proposes to add the Trotting Center Overlay to the identified list of LUSAs, allowing for the provision of urban services, including water and wastewater as discussed above. This policy amendment is accompanied by corresponding revisions to the Comprehensive Plan Map Series to depict the LUSAs accordingly.

D. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use. The applicant lists the surrounding uses and future land use designations and provides a compatibility analysis in Exhibit 3.

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

- **North** – Directly north of the subject site are agricultural and residential uses that are located in the Rural Tier with a future land use designation of Rural Residential, 1 unit per 10 acres (RR-10).

- **East** – Directly adjacent to the subject site, within the Rural Tier, is a parcel known as Galleria MUPD. The 5.27 acre parcel was designated as Commercial Low on the Future Land Use Atlas at adoption of the 1989 Comprehensive Plan. A zoning application was approved in October of 2008 for a rezoning (PDD 2008-0449) to Multiple Use Planned Development (MUPD) in order to develop 23,908 square feet of retail and professional office uses. However, the site remains vacant. East beyond State Road 7 is the Urban/Suburban Tier with built planned unit developments such as Savannah Estates, Isola Bella, Oak Haven and Valencia Shores. These PUDs all have a future land use designation of Low Residential, 1 unit per acre (LR-1).

- **South** – South of the subject site is the Agricultural Reserve Tier with primarily agricultural uses, including preserve areas. The 35 acre site directly south of the subject site is partly a preserve area, known as Lipton Preserve. The 117 acre Walker Preserve south of that site has been utilized as a hydroponic farm since 2017.

- **West** – West of the subject site beyond Park Lane Road, with the Rural Tier, are residential uses on ¼ acre to 10 acre lots. In 2001, the Board considered a County Initiated amendment in 2001 for the entirety of the Rustic Ranches and Homeland subdivisions as well as 11 acres in Heritage Farms. These 11 acres consisted of several parcels located west of Park Lane Road along Barn Road. County staff proposed Rural Residential, 1 unit per 5 acres (RR-5) for these parcels to reflect the existing land use pattern. However, at the transmittal hearing of the amendment, the Board voted to transmit only the RR-5 FLU for Rustic Ranches and Homeland. The hearing history in the staff report states that two members of the public spoke in opposition to the amendment in reference to the Heritage Farms subdivision.

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."*

Staff Analysis: The applicant indicates that the proposed Low Residential, 2 units per acre (LR-2) future land use designation is consistent and compatible with the surrounding development pattern. The amendment to the LR-2 designation is proposing a maximum of 211 units. The concurrent site plan proposes 166 units (1.6 units/acre). Considering the active agriculture adjacent to the north and south and the residential development to the west, this amendment may result in compatibility issues with the surrounding uses. As stated previously, the proposed 1.6 units per acre yields a project that is much more dense than the surrounding sites, which have a Rural Residential, 1 unit per 10 acres (RR-10) future land use. However, the proposed overlay states that the purpose is to provide a transitional density residential option that is compatible to the low-density rural character of Heritage Farms. The overlay includes design features such as lot size transition from largest towards Park Lane Road and tapering to smaller lots adjacent to State Road 7. In addition, the text amendment would require 50 foot buffers along portions of the overlay boundary where there are existing single family homes.

E. 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 currently located within an overlay. However, the applicant is proposing an overlay for the site, which if adopted by the Board will be depicted on the Special Planning Areas Map in the Map Series.

2. Neighborhood Plans and Studies – FLUE Policy 4.1-c states *"The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval……"*

Staff Analysis: The property is not located within a neighborhood plan. However, the Board initiated a neighborhood plan for the Heritage Farms area on May 4, 2022.

F. Public Facilities and Services Impacts

The proposed amendment was reviewed at the maximum development allowed under the Low Residential, 2 units per acre (LR-2) designation of 211 dwelling units. 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 the 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: The Traffic Division reviewed this amendment at a maximum potential of of 211 units. According to the County's Traffic Engineering Department (see letter dated July 14, 2022 in Exhibit 5), the amendment would result in an increase of 2,000 trips per day if the site was developed at the current maximum development potential of 211 units.

   The Traffic letter concludes *"Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meets Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the proposed* ***maximum*** *density shown above."*

   The Traffic Study dated June 6, 2022 was prepared by Christopher W. Heggen, P.E. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at: http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx

3. **Fire Rescue:** On July 14, 2022, Palm Beach County Fire Rescue provided the following comment: *"This property is primarily served by Palm Beach County Fire Rescue Station #48, located at 8560 Hypoluxo Road. The subject property is approximately 2.75 miles from the station. The estimated response time for this station zone is 7:13. Changing the land use of this property will have some impact on Fire Rescue."*

II. Public and Municipal Review

The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *"Palm Beach County will continue to ensure coordination between the County's Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities….."*

A. Intergovernmental Coordination: Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on October 7, 2022. To date, no comments have been received.

B. Other Notice: Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on October 14, 2022. In addition, interested parties were notified by mail including the Coalition of Boynton West Residential Associations, Melrose Park POA, Verona Lakes HOA, Valencia Shores Master Association, Oak Haven POA, Savannah Estates HOA, Bellagio Residents Association, and Isola Bella Estates HOA. Letters are added to Exhibit 9 as they are received during the course of the amendment process.

Exhibit 3

Applicant's Justification/Consistency with Comprehensive Plan

I. INTRODUCTION

The subject site, known as the "Trotting Center," is located along the west side of State Road 7 (SR 7), 0.38 miles south of the Hypoluxo Road and SR 7 intersection. The 105.60-acre property is in Palm Beach County's (PBC) Rural Tier and is comprised of six parcels identified by a Future Land Use (FLU) designation of Rural Residential, 1 unit per 10 acres (RR-10), and a Zoning designation of Agricultural Residential (AR). The site's property addresses, and Property Control Numbers (PCNs) are as follows:

Map Key	PCN	ADDRESS	EXISTING FLU	PROPOSED FLU	ZONING
1	00-42-43-27-05-044-0170	7563 S State Road 7	RR-10	LR-2	AR
2	00-41-45-12-00-000-7210	7563 S State Road 7	RR-10	LR-2	AR
3	00-41-45-12-00-000-7230	7563 S State Road 7	RR-10	LR-2	AR
4	00-41-45-12-00-000-7390	Park Lane Road	RR-10	LR-2	AR
5	00-41-45-12-00-000-7380	Park Lane Road	RR-10	LR-2	AR
6	00-41-45-12-00-000-3091	7660 Park Lane Road	RR-10	LR-2	AR

Figure 1 below corresponds to the information provided above and identifies each parcel that is subject to the FLUA amendment and proposed addition of the Trotting Center Overlay. The Trotting Center currently consists of 3 single-family homes, 6 mobile homes, 14 barns, 399 horse stalls, 50 groom quarters, a veterinarian lab building, an equipment maintenance building, and a restaurant. Additionally, the property has two equine exercise pools, 30 turn corals, an 11/16-mile trotter track, a 6/10-mile-deep sand track, and a ½ mile straight training strip.

Figure 1: Location Map

II. PROPOSED FLUA MAP AMENDMENT

On behalf of the Applicant, WGI is respectfully requesting a Large-Scale Future Land Use Atlas (FLUA) Amendment to amend the FLU designation of the aforementioned parcels from RR-10 to Low Residential – 2 du/ac (LR-2).

There is also a concurrent Text Amendment Application proposing to create the Trotting Center Overlay, a rezoning application requesting a rezone to PUD and a Development Order Abandonment application to abandon the previously approved Special Exception that established a horse breeding and training farm. The proposed FLUA amendment, Text Amendment Rezoning and Development Order Abandonment are required to accommodate the proposed residential use on the subject site.

Project History
Below is a summary of previous zoning approvals of the subject site:

Zoning Approvals	CONTROL NUMBER: 1983-00017 R1984-1830: Modify special conditions #2 and #5 placed on zoning petition No. 83-17 approved May 24, 1983. R1983-0612: Special Exception to allow horse breeding and training farm including accessory buildings and structures and on-site water and sewage treatment plant.

The subject site does not have any previous Planning or FLUA Amendment approvals/ordinances.

G.1 JUSTIFICATION FOR FUTURE LAND USE ATLAS AMENDMENT

Pursuant to Policy 2.1-f, this justification statement demonstrates the requests are consistent and in compliance with the County's Comprehensive Plan and the impacts on public facilities and services:

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 to demonstrate that the current land use is inappropriate. In addition, the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:

1. ***The natural environment, including topography, soils and other natural resources; (see Public Facilities Section);***
2. ***The availability of facilities and services; (see Public Facilities Section);***
3. ***The adjacent and surrounding development; (see Compatibility Section);***
4. ***The future land use balance;***
5. ***The prevention of urban sprawl as defined by 163.3164(51), 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).***

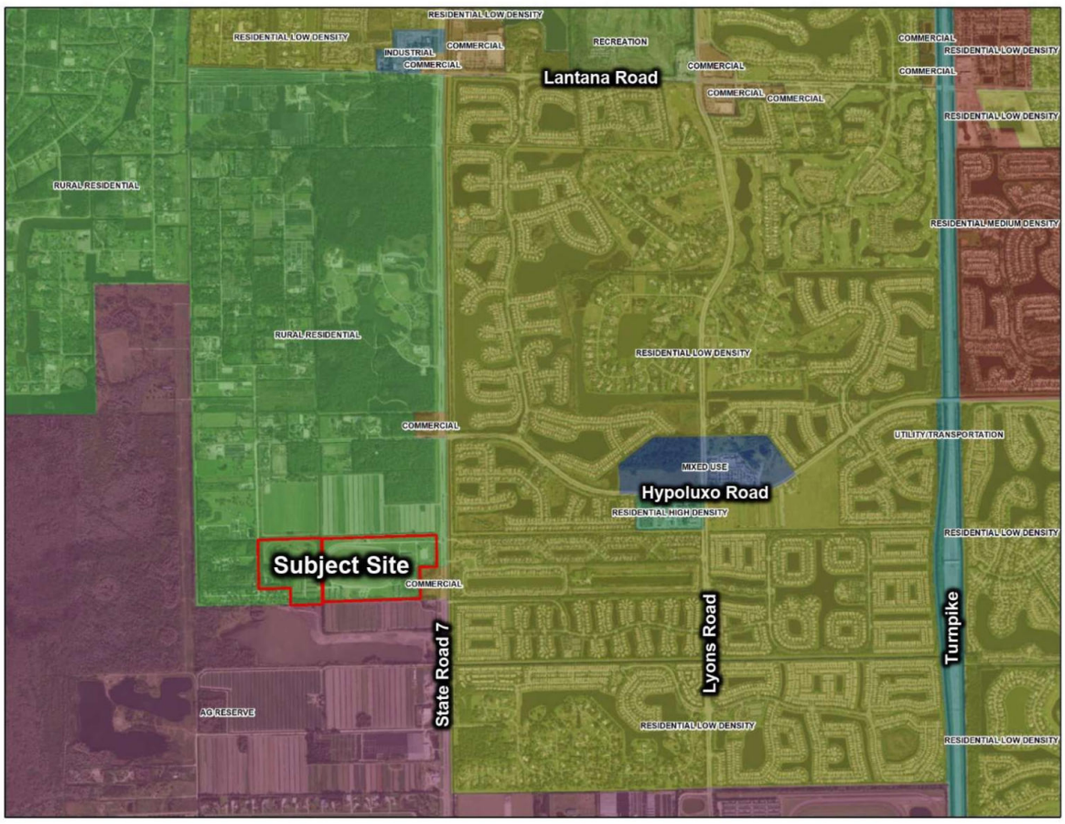
This FLUA Amendment request is consistent with Policy 2.1-f of the County's Future Land Use Element, as the proposal to modify the FLU designation on the subject site from RR-10 to LR-2 represents a more appropriate FLU designation for the site and location. The proposed LR-2 FLU designation is consistent with the Goals, Objectives, and Policies of the County's Comprehensive Plan, it is complimentary to the development pattern that exists in the area, it is compatible with the surrounding neighborhoods, and meets the intent of the West Boynton Area Community Plan, as outlined below.

The increasing westward expansion of residential development in unincorporated Palm Beach County can be attributed to continued population growth, ever-growing scarcity of developable land, and homogeneity of residential use types within the existing housing stock. As such, the proposed FLUA amendment and Trotting Center Overlay intend to remedy the challenges by providing a residential use at a density that is both compatible with the current development trends in the community and unobtrusive to the surrounding uses.

While the FLU designations of the subject parcels were appropriately assigned at the inception of the Plan, the designation of RR-10 can now be considered to be outdated and incompatible amidst the well-developed 441/SR 7 corridor. Furthermore, and in contrast, the corridor today is characterized as a well-traveled arterial roadway that is surrounded by more intense commercial and residential developments than the now obsolete, "one unit per ten acres" land use designation. The proposed residential use and intensity at LR-2 are compatible with the current lay of the land along the SR 7 corridor and do not represent an intensity that is atypical or too intense for the character of the larger community. Directing growth on land that fronts onto State Road 7, which has all of the infrastructures in place to adequately serve more residential units, is sound planning practice and implements many elements of the County's Comprehensive Plan. The companion Text Amendment to create the Trotting Center Overlay requires that development on the subject site and within the Overlay only be accessed from vehicular connections to State Road 7. Finally, the proposed FLUA amendment and Trotting Center Overlay aim to relieve development pressures facing the Ag Reserve Tier by situating new residential development outside of the Ag Reserve Tier boundary, so as to not negatively impact or affect the Ag Reserve.

The density associated with the LR-2 FLU designation, two units per acre, is compatible with the surrounding context of the subject site. All of the properties directly to the east of the subject site are developed at two units per acre. Moreover, the County considers this FLU designation to be "residential low density" in terms of the character of the developments that fall under the LR-2 designation. The map below shows the proximity of "residential low density" developments surrounding the subject site, as well as more intense commercial and mixed-use developments. The companion Rezoning application proposes a maximum of 166 units on the subject site, which equates to a density of approximately 1.6 units per acre, which is 25% less than the 2 units per acre maximum.

The subject site is situated uniquely in the County. There is only one stretch of the Rural Tier that fronts onto State Road 7 between the Broward County border and Okeechobee Road, which is the stretch between the subject site's southern border and Lantana Road. This stretch is approximately two miles (11,000 feet) long. The vast majority of the frontage of the Rural Tier onto State Road 7 in this stretch is taken up by the South Florida National Cemetery, which will never be developed. And there are two commercial communication tower properties in the Rural Tier on the south side of Lantana Road and the west side of State Road 7. And there are two properties with Commercial/Low land use designations in the Rural Tier. This leaves only approximately 2,600 linear feet of the 11,000 total linear feet of frontage onto State Road 7 in the Rural Tier that could theoretically be developed with residential development in the future. The subject site has approximately 675 feet of frontage onto State Road 7. All of the above is to say that for the subject site and the other non-commercial and non-cemetery used land, the Rural Tier and RR-10 land use designation are outdated and outmoded in the current and future growth environment in the County. The graphic below illustrates the unique location of the subject in relation to the surrounding context of the Rural Tier adjacent to State Road 7.



The Applicant also proposes to develop the subject site with a concurrent rezoning to PUD and the preliminary master plan for the proposed project only has access to and from State Road 7. There is no vehicular access through Heritage Farms Road or any other local road in the Heritage Farms community. Therefore, there would be no adverse traffic impacts on the Heritage Farms community. The companion Text Amendment also mandates that all development within the Trotting Center Overlay only has access through State Road 7.

The proposed Comprehensive Plan Text Amendment and FLUA Amendment will accommodate a residential use and density that is consistent and compatible with the surrounding development while also preserving and protecting the rural lifestyle in the area of Heritage Farms that lies outside of the Overlay by providing larger buffers with native landscaping for those portions of the Overlay that abut existing single-family homes and transitioning density within the Overlay – with larger lots located at the western end of the Overlay. Below is the exact language from the proposed Trotting Center Text Amendment regarding transitional density and buffers:

5. **Design Features.** The lot sizes shall transition with the smallest lots located closest toward State Road 7 and the largest lots located towards the western property line. At a minimum, 20% of the land area of a development within the Overlay shall be comprised of lots that are a minimum of 0.5 acres in size. The land area the counts towards the 20% includes the platted lots greater than 0.5 acres and the right-of-way serving the platted lots that are greater than 0.5 acres;
6. **Expanded Buffers.** Development within the Trotting Center Overlay shall provide a 50- foot buffer along the entire western boundary of the Overlay and along the portion of the southern boundary of the Overlay that abuts single-family homes which exist at the time of the adoption of the Overlay. Development within the Trotting Center Overlay shall provide a 30-foot buffer along the southern boundaries of the Overlay that do not abut single-family homes which exist at the time of the adoption of the Overlay. Development within the Overlay shall provide ULDC-required minimum buffers along the northern boundaries of the Overlay. The landscaping and vegetation within all buffers shall consist of 100% native species;

As shown on the prior page, the subject site is located adjacent to low-density residential uses to the east that are similar in character and density to the request of this FLUA amendment. The vicinity is made up of planned developments, as well as defined and established commercial nodes that will support the residential use proposed.

The applicant has had extensive discussions with the Heritage Farms community and community leaders in the months leading up to the submission of this application. Ongoing collaboration between the two parties as well as PBC staff may lead to the format of these applications being modified to the benefit of those involved.

Compliance with Future Land Use Element Policy 2.1-F

The proposed FLUA Amendment must be found to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan. Compliance with Future Land Use Element Policy 2.1-F requires that adequate justification for the proposed FLU be provided.

The proposed FLUA amendment to modify the FLU from RR-10 to LR-2 is in compliance with the requirements of the County's Comprehensive Plan, as outlined below.

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

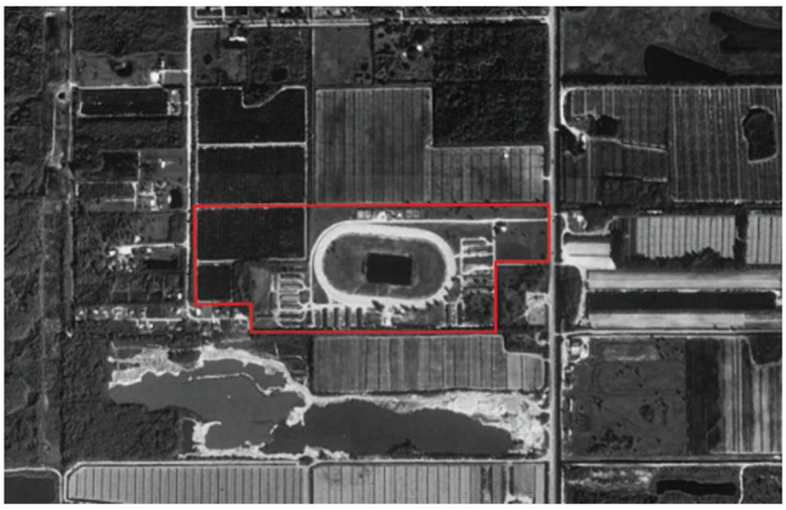
The proposed residential use is suitable and appropriate for the subject site. The surrounding area has developed into a community characterized by planned developments, commercial and mixed-use nodes at major intersections, and well-traveled arterials and major collector roadways such as Hypoluxo Road, Lantana Road, Boynton Beach Boulevard, SR 7/US 441, and Lyons Road. The site's current equestrian use, while at one time appropriate for the vicinity, is becoming increasingly incompatible as equestrian sports, facilities, and uses are no longer the highest and best use of the land in the community. Furthermore, a similar facility and use, known as "Palm Meadows Thoroughbred Training Center," is located less than two miles away.

2. There is a basis for the proposed FLU change 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;

Over time, the area surrounding the subject site has experienced a shift in development patterns. The adjacent land uses are incompatible with the rural nature and extremely low density associated with the RR-10 FLU designation. A change in the FLU designation will offer the opportunity for redevelopment at a density that has proven compatible in the direct vicinity while preserving and mitigating the impact on the surrounding area, which includes the Ag Reserve Tier. Figure 2 below is an aerial photograph of the subject site and surrounding properties to the west, north and east taken in 1995, which shows that none of the single-family residential development on the east side of State Road 7 had taken place yet.

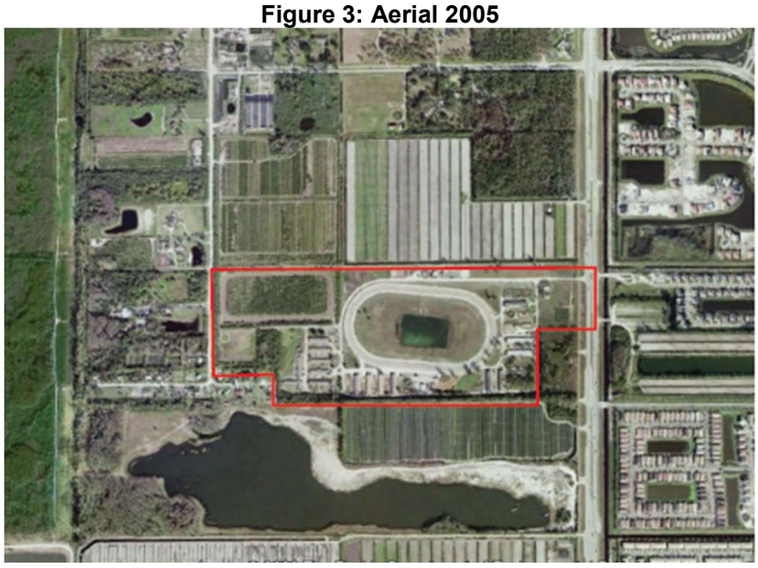
Figure 2: Aerial 1995



Source: Google Earth.

Ten years later in 2005 one can see that the entire east side of State Road 7 has been developed with single-family residential neighborhoods, see Figure 3 below. So, for 17 years the infrastructure along State Road 7 has been in place, able to accommodate the growing need for housing in the County while the demand for equestrian facilities has been declining.

Figure 3: Aerial 2005



Source: Google Earth.

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

Over time, the area surrounding the subject site become less rural in character by way of residential developments and increased capital infrastructure. For example, the SR 7 corridor now serves the western communities as a major arterial roadway that facilitates north-south travel within the County. As such, the rural and extremely low-density nature of the site has grown incompatible as planned developments and roadway infrastructure have changed the character of the area. Furthermore, the site is located directly on the SR 7 corridor makes it an ideal location for the proposed use, unlike other rural tracts of land that are found more west and not located next to significant roadways or residential communities. Furthermore, the proposed Trotting Center Text Amendment also mandates that all development within the Trotting Center Overlay only has access through State Road 7.

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

The subject site is located to the north of the Ag Reserve Tier, a Tier that has been characterized by rural lifestyle living, agricultural uses, and strict land development regulations. The rising pressures for development within the Ag Reserve Tier, as it contains large tracts of underdeveloped land, are remedied by the FLUA amendment as proposed. While the proposed use does not directly impact the Ag Reserve Tier, it should be noted that the FLU designation requested does not create precedence for even more intense uses in the future. The LR-2 FLU designation, as previously shown, is compatible with developments located along the SR 7 corridor and combined with the provisions in the companion Trotting Center Text Amendment that require transitional density, larger perimeter buffers and native landscaping will maintain the character of the surrounding communities.

d) Inappropriateness of the adopted FLU designation:

The adopted RR-10 FLU designation is no longer appropriate for the site as the surrounding area and development patterns along SR 7 are more residential in nature with a higher density. The proposed FLUA amendment offers the opportunity to create a viable residential development, at a compatible density, which would not be possible under the current FLU designation.

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

The adopted RR-10 FLU designation was not assigned in error.

G.2 RESIDENTIAL DENSITY INCREASES

Per Future Land Use Element Policy 2.4-b, the analysis below provides justification for the requested land use amendment.

1) Demonstrate a need for the amendment.

The Applicant is seeking an FLUA Amendment from RR-10 to LR-2 to accommodate residential development. The intent of the proposed FLUA amendment is not to maximize the potential density, but rather to provide additional housing that is compatible with the surrounding area and density, which will alleviate some of the housing shortage in the County. The companion Rezoning application has a preliminary master plan that limits the number of units on the subject site to 166, which

equates to a density of 1.6 units per acre. The adopted FLU designation is no longer appropriate given the higher density and intensity allocated across the street from the subject site. The proposed FLUA amendment is consistent with the immediate area while mitigating adverse impacts upon the surrounding communities and Ag Reserve Tier through the protections in the companion Trotting Center Text Amendment.

2) Demonstrate that the current FLUA designation is inappropriate.

As noted above, the development pattern in this area has seen significant growth over the decades since the current FLU was placed on the property, from low density residential and agriculture to one that has been developed at densities and intensities that are necessary to support development in the Urban-Suburban Tier. Bonus density by way of the Workforce Housing Program or the TDR Program is not a part of the request, nor is the Workforce Housing Program or the TDR Program applicable in the Rural Tier. This request will not create adverse impacts and provides an opportunity to revitalize an underutilized tract of land.

3) Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.

Because of the subject site's location within the Rural Tier, none of the aforementioned programs can be utilized to increase density on the subject site. The applicant is seeking an FLUA to change the land use designation to LR-2, up to two units per acre, which for the subject site would allow up to 211 units. However, the preliminary master plan that was filed with the concurrent rezoning application has 166 units, which equates to a density of 1.6 units per acre.

G.3 COMPATIBILITY

The subject site is located west of SR 7, 0.38 miles south of the Hypoluxo Road and State Road 7 intersection within Palm Beach County's (PBC) Rural Tier. The immediate surrounding area is predominately residential in nature, with single-family residential to the west and east and agricultural to the north and south.

As shown in the analysis above, the subject site represents the ideal location to situate the proposed LR-2 FLU designation as the density is compatible with the surrounding uses.

Furthermore, the LR-2 FLU designation is in direct proximity to the site and is found throughout the SR 7 corridor. Within less than one mile from the subject site along SR 7, the following residential developments are allocated with an LR-2 FLU designation:

Project Name	Control #	FLU	Acreage	#DU	Density	Approx. Distance from subject site
Villages of Windsor PUD	1996-00081	LR-2	543.597	1,087	1.86	0.077 miles
Savannah Estates	1999-00047	LR-2	69.74	140	1.99	0.061 miles
Ladera PUD	2005-00585	LR-2	43.00	85	1.99	0.128 miles
SUBJECT SITE	1983-00017	Proposed LR/2	105.98	211 (Potential)	2.0	

The Savannah Estates and Ladera PUD are the closest residential developments with an LR-2 FLU designation and have a density of 1.99 du/ac. As seen in the chart above the proposed LR-2 FLU designation has been previously approved and is situated near the subject site, such as the Valencia Shores, Ladera, Savannah Estates, and Villages of Windsor PUDs directly across State Road 7.

While there is an increase in residential density proposed on the site itself, this increase does not alter the character of the area, nor does it create any adverse impacts on the adjacent communities due to the ability of the proposed development on the subject site to be contained to access on State Road 7 and other provisions in the companion Trotting Center Text Amendment that require transitional density, larger perimeter buffers and native landscaping. The proposed FLUA amendment to LR-2 can be considered compatible with the surrounding area.

G.4 COMPREHENSIVE PLAN

The FLUA Amendment request to modify the FLU designation from RR-10 to LR-2 is consistent with and furthers the applicable Goals, Objectives, and Policies of the PBC Comprehensive Plan, as outlined below.

- Livable Communities
- Growth Management
- Infill, Redevelopment, and Revitalization
- Land Use Compatibility
- Neighborhood Integrity
- Housing Opportunity
- Design

The following analysis demonstrates the proposal's consistency with the relevant Goals, Objectives, and Policies of the Future Land Use Element of the Plan, as demonstrated throughout this report. Additionally, the proposed FLUA Amendment to LR-2 is consistent with the residential development characteristics and patterns of the surrounding area. **The proposed FLUA Amendment furthers the County's goals as further described below.**

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

The proposed FLUA Amendment provides additional housing opportunities and residential use types to Palm Beach County residents. The proposed LR-2 FLU designation has been previously approved and is situated near the subject site, such as the Valencia Shores, Ladera, Savannah Estates and Villages of Windsor PUDs directly across State Road 7.

Objectives – The proposed FLUA Amendment furthers the County's objectives as further described below.

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

  The proposed FLUA Amendment and Text Amendment to create the Trotting Center Overlay will help make way for much-needed residential development to support the existing and projected population growth of Palm Beach County. This amendment will maintain the functionality of the immediate area by mitigating adverse impacts and protecting the environment. There are provisions in the companion Trotting Center Text Amendment that require transitional density, larger perimeter buffers and native landscaping.

- **Objective 2.2 Future Land Use Provisions – General** – "Palm Beach County shall ensure development is consistent with the County's diverse character and future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provision of facilities and services shall be consistent with the property's future land use designation, and the applicable Goals, Objectives and Policies of this Element.

  The proposed FLUA Amendment and Text Amendment to create the Trotting Center Overlay is consistent with the County's diverse character and future land use designations as the proposed use will offer additional housing opportunities for the existing and projected populations of the County. Furthermore, as demonstrated within this section, the proposed amendment is consistent with the applicable Goals, Objectives, and Policies of the Future Land Use Element of the Comprehensive Plan.

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

  The subject site is located adjacent to the U/S Tier, which is near all of the necessary urban services including, but not limited to, the roadway network, water/wastewater, drainage facilities, mass transit, opportunities, etc. The proposed development will sufficiently utilize the existing urban services within the area and ensure the proposed use will provide additional services to the community to help protect the health, safety, and welfare of its residents while at the same time protecting the character of the Heritage Farms neighborhood through the creation of the Trotting Center Overlay.

Policies – The proposed FLUA Amendment furthers the County's policies as further described below.

- **Policy 1.2-b:** Palm Beach County shall encourage and support sustainable urban development, including restoration, infill, and adaptive reuse.

  Currently, the subject site does not represent a typical urban development, restoration, or infill development, the subject site is uniquely situated adjacent to U/S Tier developments that are similar to the requested FLUA amendment, FLU designation, and proposed Text Amendment. The granting of such a request will represent a sustainable approach to remedying the increasing development pressures being put on the Ag Reserve Tier to the south.

- **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.

  The FLUA amendment request and proposed residential use of the site do not exceed natural or manmade constraints of an area and do not underutilize the existing or planned capacities of urban services. The proposed FLUA amendment and Text Amendment are compatible with the surrounding communities and will not negatively or adversely affect any neighboring uses due to provisions in the Trotting Center Text Amendment that require transitional density, larger perimeter buffers and native landscaping..

- **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."

  The proposed FLUA Amendment and Text Amendment are consistent with the County's diverse character and future land use designations as the proposed use will offer housing options and create a transition between higher and lower intense uses. Furthermore, as demonstrated within this section, the proposed amendment is consistent with the applicable Goals, Objectives, and Policies of the Future Land Use Element of the Comprehensive Plan.

- **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 the 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."

  The subject site is surrounded by existing residential developments. Therefore, the proposed amendment does not encourage piecemeal development, nor does it create residual parcels.

- **Policy 2.2.2-a:** In order to discourage strip commercial development, to limit commercial development to nodes, to foster interconnectivity, and to promote the development of innovated mixed-use projects inside the Urban Service Area, all new commercial future land use designations shall meet one of the following location requirements:

  - Intersection Location:
    - Commercial Low, High Office, or High future land use designations shall have frontage on two built roadway segments identified as an arterial road and a collector road, or two arterial roads.
    - Alternatively, new commercial future land use designations may be located on the north side of Southern Boulevard/State Road 80 at the intersection of Cleary Road on parcels no more than two acres in size.

  - Contiguous Location – All new commercial future land use designations shall be contiguous to a lot(s) with a commercial future land use designation. Contiguous s defined as lot(s) that share a common border. Lots that touch point-to-point, and lots which are separated by waterways, streets, or major easements are not considered contiguous.

  - Flexible Location – Mixed-use development patterns identified in the Future Land Use Element (e.g. LCC, TMD, TND) or Commercial Low-Office future land use designations may be allowed in any location along all arterial or collector roads."

  The proposed FLUA Amendment request from RR-10 to LR-2 is to accommodate additional housing opportunities in Palm Beach County. The development of commercial is not a part of this request.

- **Policy 2.2.2-b:** All new Commercial High future land use designations shall be located on a roadway classified as an arterial on Figure TE 3.1 – Functional Classification of Roads.

The proposed FLUA Amendment request from RR-10 to LR-2 is to accommodate additional housing opportunities in Palm Beach County. The development of commercial is not a part of this request.

G.5 COMPLIANCE WITH FLORIDA STATUTES CHAPTER 163.3177

Florida Statute, Chapter 163.3177 is the principle state statute governing the comprehensive plans and plan amendments for all of the Counties within the State of Florida. In 2011, Chapter 163, F.S. was substantially revised and Rule 9J-5 was repealed and removed from the Florida Administrative Code (House Bill 7207). Today, Chapter 163.3177(1) (f) states, "all mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government, which may include but not be limited to, surveys, studies, community goals and vision, and other data available on that particular subject at the time of adoption of the plan or plan amendment at issue."

The data and analysis presented in this application and justification statement support the request for amendment of the FLUA and demonstrate consistency with the Florida Statutes.

163.3177 – 6.a. Requires that a local government's future land use plan element be based on a number of factors, including population projections, the character of undeveloped land, availability of public services, and other planning objectives.

Conclusion

On behalf of the Applicant, we respectfully request approval and present the aforementioned justification for the FLUA amendment from RR-10 to LR-2 for the subject site.

Exhibit 4

Applicant's Public Facilities Table

A. Traffic Information

	Current	Proposed
Max Trip Generator	ITE Land Use 210 (Single Family Detached Housing)	ITE Land Use 210 (Single Family Detached Housing)
Maximum Trip Generation	110 Daily Trips 8 AM Peak Hour Trips 12 PM Peak Hour Trips	2,110 Daily Trips 156 AM Peak Hour Trips 208 PM Peak Hour Trips
Net Daily Trips:	2,000 (proposed & maximum minus current)	
Net PH Trips:	148 AM, 196 PM (proposed & maximum)	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Chris Heggen, Kimley-Horn. chris.heggen@kimley-horn.com, 561-840-0248	

B. Mass Transit Information

Nearest Palm Tran Route (s)	Route Name: BYB X-TOWN via BOYNTON BEACH Route Number: 73
Nearest Palm Tran Stop	Bus Stop Name: BETHESDA HOSPITAL W @ TRML Bus Stop Number: 6791 Stop Distance: Approximately 2.4 miles
Nearest Tri-Rail Connection	Boynton Beach Station via route 63

C. Potable Water & Wastewater Information

Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department (PBCWUD) Per Attachment I - there is sufficient water and sewer capacity to serve the project
Nearest Water & Wastewater Facility, type/size	The nearest point of connection to potable water is a 16'' water main approximately 450' from the subject property within Savannah Estates Drive and a 16'' water main approximately 1200' from the subject property within Hanover Point Drive. The nearest point of connection to sanitary sewer is a 12'' force main approximately 1700' from the subject property within Via Amati. Off-site improvements and a lift station will be required. Refer to ***Attachment I*** for more details.

D. Drainage Information

The drainage provider for the subject site is both the South Florida Water Management District and the Lake Worth Drainage District. The subject site is located in the C-51 drainage basin (sub-basin 21B). It is anticipated that the L-19W canal will serve as the legal point of the positive outfall to the north of the site. Please see ***Attachment J.***

E. Fire Rescue

Nearest Station	The property is served currently by Palm Beach County Fire-Rescue station #48, which is located at 8560 Hypoluxo Rd.
Distance to Site	The maximum distance traveled to the subject property is 2.75 miles from the station.

Response Time	Estimated response time to the subject property is 8 minutes.
Effect on Resp. Time	Changing the land use of this property will have some impact on Fire Rescue, see Application ***Attachment K*** for more detail.

F. Environmental

Significant habitats or species	No significant habitat occurs on the assessed parcel. No state or federally listed plant or animal species were located within the assessment area.
Flood Zone*	Flood Zone AE and X.
Wellfield Zone*	The subject site does not fall within an identified wellfield zone. A map is provided with this application as ***Attachment M.***

G. Historic Resources

Staff review of the County's map of known archaeological sites has identified no known archaeological resources on or within 500 feet of the subject site. Please refer to Application ***Attachment N*** for Historic Resource Evaluation Letter.

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

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Indian Mounds Regional Property	0.00339	504	1.708
Beach	Ocean Inlet Park	0.00035	504	0.176
District	Villages of Windsor Property	0.00138	504	0.695

I. Libraries - Residential Only (Including CLF)

Library Name	West Boynton Branch
Address	9451 S Jog Road
City, State, Zip	Boynton Beach, FL 33437
Distance	Approximately 6.7 miles

Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	504	1008 holdings
Periodicals	5 subscriptions per 1,000 persons	504	2.52 subscriptions
Info Technology	$1.00 per person	504	$504
Professional staff	1 FTE per 7,500 persons	504	0.07 FTE
All other staff	3.35 FTE per professional librarian	504	0.006 FTE
Library facilities	0.34 sf per person	504	171.36 SF

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

	Elementary	Middle	High
Name	Sunset Palm	Woodlands	Park Vista Community
Address	8650 Boynton Beach Blvd	5200 Lyons Rd.	7900 Jog Rd
City, State, Zip	Boynton Beach, FL 33437	Lake Worth, FL, 33467	Lake Worth, FL, 33467
Distance	Approximately 3.9 miles	Approximately 3.9 miles	Approximately 5.8 miles

Exhibit 5
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

Palm Beach County Board of County Commissioners

Robert S. Weinroth, Mayor

Gregg K. Weiss, Vice Mayor

Maria G. Marino

Dave Kerner

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

printed on sustainable and recycled paper

July 14, 2022

Christopher W. Heggen, P.E.
Kimley-Horn and Associates, Inc.
1920 Wekiva Way
West Palm Beach, Florida 33411

RE: Trotting Center
FLUA Amendment Policy 3.5-d Review
Round 2022-23-A

Dear Mr. Heggen:

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 on June 6, 2022, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

Location:	West side of State Road 7, approximately 2,000 feet south of Hypoluxo Road	
PCN:	00-42-43-27-05-044-0170 ***(others on site)***	
Acres:	105.597 Acres	
	Current FLU	**Proposed FLU**
FLU:	Rural Residential 10 (RR-10)	Low Residential, 2 Units Per Acre (LR-2)
Zoning:	Agricultural Residential (AR)	Planned Unit Development (PUD)
Density/ Intensity:	1 unit per 10 acres	2 units per acres
Maximum Potential:	Single Family Detached = 11 DUs	Single Family Detached = 211 DUs
Proposed Potential:	None	None
Net Daily Trips:	2,000 (maximum – current)	
Net PH Trips:	151 (35/116) AM, 198 (124/74) PM (maximum)	
** **Maximum** indicates typical FAR and maximum trip generator. **Proposed** indicates the specific uses and intensities/densities anticipated in the zoning application.*		

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 at the **maximum potential** density shown above.

Please note the proposed amendment will have an insignificant impact on the long-range and Test 2 analyses.

Please contact me at 561-684-4030 or email me at DSimeus@pbcgov.org with any questions.

Sincerely,

Dominique Simeus, P.E.
Professional Engineer
Traffic Division

DS
ec:cw
Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division
Lisa Amara – Director, Zoning Division
Bryan Davis – Principal Planner, Planning Division
Stephanie Gregory – Principal Planner, Planning Division
Khurshid Mohyuddin – Principal Planner, Planning Division
Kathleen Chang – Senior Planner, Planning Division
David Wiloch – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\23-A\Trotting Center.docx

Exhibit 6
Water & Wastewater Provider LOS Letter

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

Palm Beach County
Board of County
Commissioners

Robert S. Weinroth, Mayor
Gregg K. Weiss, Vice Mayor
Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

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May 4, 2022

Caulfield & Wheeler, Inc.
7900 Glades Road Suite 100
Boca Raton, Fl. 33434

Attn: Ryan Wheeler

RE: 7560 S State Road 7
PCN 00-42-43-27-05-044-0170
Service Availability Letter

Dear Ryan,

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 currently available for the proposed redevelopment subject to a capacity reservation agreement with PBCWUD.

The nearest point of connection to potable water is a 16" water main approximately 450' from the subject property within Savanah Estates Drive and a 16" watermain approximately 1200' from the subject property within Hanover Point Dr. The nearest point of connection to sanitary sewer is a 12"" forcemain approximately 1700' from the subject property within Via Amati. Offsite improvements and a lift station will be required.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. In addition, the addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

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

Sincerely,

Jackie Michels
Project Manager

Exhibit 7
Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION FORM # 9

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Michael McCarty, 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 [x] President *[position - e.g., president, partner, trustee]* of Lynx at Lake Worth, LLC *[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: 2255 Glades Road
Suite 324A
Boca Raton, FL 33431

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.

Disclosure of Beneficial Interest – Property form Form # 9 *Page 1 of 4* *Revised 12/27/2019 Web Format 2011*

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.

Michael McCarty, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF ~~FLORIDA~~ NEW JERSEY
COUNTY OF ~~PALM BEACH~~ MONMOUTH

The foregoing instrument was acknowledged before me by means of [x] physical presence or [ ] online notarization, this 21st day of May, 20 22 by Michael McCarty *(name of person acknowledging)*. He/she is personally known to me or has produced _____ *(type of identification)* as identification and did/did not take an oath *(circle correct response)*.

ARLENE LIEBERMAN
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 10/15/2024

(Name – type, stamp or print clearly)

(Signature)

My Commission Expires on: _____

NOTARY'S SEAL OR STAMP

LEGAL DESCRIPTION

PARCEL A:

PARCEL ONE: LOTS 17 TO 23, INCLUSIVE, BLOCK 44, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THAT PART OF LOT 17 CONVEYED FOR ROAD PURPOSES IN DEED BOOK 636, PAGE 96, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO LESS THAT PROPERTY CONTAINED IN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 4515, PAGE 1335, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 17, BLOCK 44, PALM BEACH FARMS COMPANY PLAT 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN WESTERLY ALONG THE NORTH LINE OF LOT 17, A DISTANCE OF 28.28 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7 AS NOW LAID OUT AND IN USE; THENCE CONTINUE WESTERLY ALONG SAID NORTH LINE OF LOT 17, A DISTANCE OF 165.00 FEET; THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH AND 240.00 FEET WEST OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 7, A DISTANCE OF 660.23 FEET TO THE SOUTH LINE OF SAID LOT 17; THENCE RUN EASTERLY ALONG SAID SOUTH LINE OF LOT 17 A DISTANCE OF 165.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7; THENCE NORTHERLY ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 A DISTANCE OF 660.23 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

THE SOUTH 677.10 FEET OF THE EAST 321 .66 FEET OF THE NORTH 1/2 (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL THREE:

THE WEST HALF (W 1/2) OF TRACT 82 OF THE UNRECORDED PLAT OF HERITAGE FARMS IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE WEST HALF (W 1/2) OF SAID SECTION 12, THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE SAID WEST HALF (W 1/2) A DISTANCE OF 3315.33 FEET, THENCE SOUTH 88° 55' 17" WEST A DISTANCE OF 331.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 88° 55' 17" WEST A DISTANCE OF 331.50 FEET; THENCE SOUTH 00° 20' 40" EAST A DISTANCE OF 706.40 FEET; THENCE NORTH 89° 46' 02" EAST A DISTANCE OF 331.0 FEET; THENCE NORTH 00° 18' 04" WEST A DISTANCE OF 711.29 FEET TO THE POINT OF BEGINNING; SUBJECT TO EASEMENT OVER THE EAST 35 FEET THEREOF.

ALSO, THE EAST HALF (E 1/2) OF TRACT 82 IN THE UNRECORDED PLAT OF HERITAGE FARMS IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE WEST HALF (W 1/2) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF S 00° 15' 28" E ALONG THE EAST LINE OF THE SAID WEST HALF (W 1/2) A DISTANCE OF 3315.33 FEET TO THE POINT OF BEGINNING; THENCE S 88° 55' 17" W, 331.50 FEET; THENCE S 00° 18' 04" E, 711.29 FEET TO THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 12; THENCE N 89° 46' 02" E ALONG THE SAID SOUTH LINE A DISTANCE OF 331.00 FEET TO THE EAST LINE OF THE SAID WEST HALF (W 1/2); THENCE N 00° 15' 28" W ALONG THE SAID EAST LINE A DISTANCE OF 716.18 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 677.10 FEET OF THE EAST 321.66 FEET OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 12.

PARCEL B:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST BEING ALL OF TRACTS 74, 75, 76, 79, 80, 81 THE SOUTH 1/2 OF TRACT 65 AND A PORTION OF TRACT 73 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 03' 29" WEST A DISTANCE OF 1332.10 FEET; THENCE SOUTH 00° 25' 52" EAST A DISTANCE OF 169.54 FEET; THENCE SOUTH 89° 02' 48" WEST A DISTANCE OF 1331.59 FEET TO THE WEST LINE OF SAID SECTION 12; THENCE SOUTH 00° 36' 16" EAST ALONG SAID WEST LINE A DISTANCE OF 169.80 FEET; THENCE NORTH 89° 02' 07" EAST A DISTANCE OF 1331.08 FEET; THENCE SOUTH 00° 25' 52" EAST A DISTANCE OF 2034.42 FEET; THENCE NORTH 89° 20' 39" EAST A DISTANCE OF 662.50 FEET; THENCE NORTH 00° 20' 40" WEST A DISTANCE OF 343.96 FEET; THENCE NORTH 88° 55' 17" EAST A DISTANCE OF 663.00 FEET TO THE SAID EAST LINE OF THE WEST 1/2 OF SECTION 12; THENCE NORTH 00° 15' 28" WEST ALONG SAID EAST LINE A DISTANCE OF 2031.36 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING: A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, BEING THE SOUTH 1/2 OF TRACT 65 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER 1/4 CORNER OF SAID SECTION 12, THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET (DEED) (1285.30 FEET SURVEY); THENCE SOUTH 89° 03' 29" WEST, A DISTANCE OF 1332.10 FEET; THENCE SOUTH 00° 25' 52" EAST, A DISTANCE OF 169.54 FEET TO THE POINT OF BEGINNING.THENCE SOUTH 89° 02' 48" WEST, A DISTANCE OF 1331.59 FEET TO THE WEST LINE OF SAID SECTION 12; THENCE SOUTH 00° 36' 16" EAST ALONG SAID WEST LINE, DISTANCE OF 169.80 FEET; THENCE NORTH 89° 02' 07" EAST, A DISTANCE OF 1331.08 FEET; THENCE NORTH 00° 25' 52" WEST, A DISTANCE OF 169.54 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE FOLLOWING: A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, BEING ALL OF TRACTS 76, 79 AND A PORTION OF TRACTS 75 AND 80 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH QUARTER CORNER (N 1/4) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE WEST ONE-HALF (W 1/2) OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 03' 29" WEST, A DISTANCE OF 1332.10 FEET; THENCE SOUTH 00° 25' 52" EAST, A DISTANCE OF 1304.45 FEET; THENCE SOUTH 89° 31' 54" EAST, A DISTANCE OF 1328.14 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 12; THENCE NORTH 00° 15' 26" WEST ALONG SAID NORTH-SOUTH 1/4 LINE, A DISTANCE OF 1315.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 105.597 ACRES, MORE OR LESS.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
RJMZ Real Estate, LLC	6131 Lyons Road STE 200, Coconut Creek, FL 33073
Lynx Asset Services, LLC	110 Fieldcrest Ave Raritan Plaza I Edison, NJ 08837

Exhibit 8
Urban Sprawl Analysis

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
Criteria Related to Land Use Patterns		
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 amendment 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 designates urban development emanating from existing urban development in a strip pattern.	Yes
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 will introduce new housing opportunities.	No
Results in poor accessibility among linked or related land uses.	The proposed amendment does not result in poor accessibility among related land uses.	No
Results in the loss of significant amounts of functional open space.	The proposed amendment on this site will convert a 100 acre equestrian use to residential development.	Yes
Criteria related to sites located outside or at the edge of the Urban Service Area		
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 site is proposed to be a Limited Urban Service Area (LUSA) which allows for a mix of urban and rural levels of service, and therefore, 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 not contain any environmentally sensitive areas. The site is not within a Wellfield Protection Area.	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 due to proposed expanded buffers.	No
Fails to provide a clear separation between rural and urban uses.	The amendment does not provide a clear separation between rural and urban uses as it allows an urban land use within a Rural area.	Yes
Criteria Related to Public Facilities		
Fails to maximize use of existing public facilities and services.	Public facilities and services will be provided and water and wastewater will be available.	No
Fails to maximize use of future public facilities and services.	The amendment proposes a LUSA, which is a mix of urban and rural levels of service. The subject site would maximize the use of future public facilities available in the area.	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
Overall Assessment: As demonstrated above, the proposed amendment meets three of the indicators of urban sprawl.		

Exhibit 9
Correspondence