

# 2023 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 1. Amendment Data

### A. Amendment Data

<b>Round</b>	24-A	<b>Intake Date</b>	5/10/2023
<b>Application Name</b>	Verdura Farms	<b>Control No.</b>	1983-00017
<b>Acres</b>	96.14 Acres	<b>Concurrent Zoning application?</b>	Yes
		<b>Text Amend?</b>	Yes
<b>PCNs</b>	00-42-43-27-05-044-0110, 00-41-45-12-00-000-3150, 00-41-45-12-00-000-3090, 00-41-45-12-00-000-7190, 00-41-45-12-00-000-7200		
<b>Location</b>	West side of State Road 7 (US-441) approximately one quarter (0.25) mile south of Hypoluxo Road		
	<b>Current</b>	<b>Proposed</b>	
<b>Tier</b>	Rural	Rural with Overlay	
<b>Use</b>	Agricultural/Recreation	Residential	
<b>Zoning</b>	Agricultural Residential (AR)	Planned Unit Development (PUD)	
<b>Future Land Use Designation</b>	Rural Residential, one unit per ten acres (RR-10)	Low Residential, two units per acre (LR-2)	
<b>Underlying Future Land Use Designation</b>	None	None	
<b>Conditions</b>	None	None	
<b>Density Bonus</b>	None	None	
<b>Total Number of Units</b>	None	153 dwelling units	

### B. Development Potential

	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>Density/Intensity:</b>	<i>1 unit per 10 acres</i>	<i>2 units per acre</i>
<b>Maximum Dwelling Units<sup>1</sup></b> (residential designations)	<i>Single Family, 10 units</i> 0.1 du/acre x 96.14 ac. = 9.614	Single-Family, 192 units 2 du/acre x 96.14 ac. = 192.28
<b>Maximum Beds (for CLF proposals)</b>	Not applicable	Not applicable
<b>Population Estimate</b>	10 max du x 2.39 = 23.9 people	192 max du x 2.39 = 458.88 people

<b>Maximum Square Feet</b> 2, 4 (non-residential designations)	0.15 FAR x 96.14 ac. = 628,179 SF	None
<b>Proposed or Conditioned Potential</b> 3, 4	None	None
<b>Max Trip Generator</b>	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\ln(T) = 0.96 \cdot \ln(X) + 0.20$ (PM peak hour)	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\ln(T) = 0.96 \cdot \ln(X) + 0.20$ (PM peak hour)
<b>Maximum Trip Generation</b>	<i>Daily: 100</i> <i>AM Peak Hour: 7</i> <i>PM Peak Hour: 11</i>	<i>Maximum Intensity</i> <i>Daily: 1,920</i> <i>AM Peak Hour: 142</i> <i>PM Peak Hour: 190</i>  <i>Proposed</i> <i>Daily: 1,530</i> <i>AM Peak Hour: 107</i> <i>PM Peak Hour: 144</i>
<b>Net Daily Trips:</b>	+1,820 (maximum minus current) +1,430 (proposed minus current)	
<b>Net PH Trips:</b>	+135 AM, +179 PM (maximum) +100 AM, +133 PM (proposed)	

# 2023 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 2. Applicant Data

### A. Agent Information

<b>Name</b>	Ken Tuma & Tyler Woolsey
<b>Company Name</b>	Urban Design Studio
<b>Address</b>	610 Clematis Street, Ste. CU-02
<b>City, State, Zip</b>	West Palm Beach, FL 33401
<b>Phone / Fax Number</b>	561-366-1100
<b>Email Address</b>	<a href="mailto:KTuma@udsflorida.com">KTuma@udsflorida.com</a> & <a href="mailto:TWoolsey@udsflorida.com">TWoolsey@udsflorida.com</a>

### B. Applicant Information

<b>Name</b>	Thomas Yee
<b>Company Name</b>	7501 S SR7, LLC
<b>Address</b>	1469 Sailboat Circle
<b>City, State, Zip</b>	Wellington, FL 33414
<b>Phone / Fax Number</b>	Contact Agent
<b>Email Address</b>	Contact Agent
<b>Interest</b>	Property Owner

<b>Name</b>	Martin Estrada
<b>Company Name</b>	Cypress Polo Club, LLC
<b>Address</b>	7302 Park Lane Road
<b>City, State, Zip</b>	Lake Worth, FL 33449
<b>Phone / Fax Number</b>	Contact Agent
<b>Email Address</b>	Contact Agent
<b>Interest</b>	Property Owner

<b>Name</b>	Aimee Carlson
<b>Company Name</b>	DiVosta Homes, L.P.
<b>Address</b>	3350 Peachtree Road Northeast, Ste. 150
<b>City, State, Zip</b>	Atlanta, GA 30326

<b>Phone / Fax Number</b>	Contact Agent
<b>Email Address</b>	Contact Agent
<b>Interest</b>	Contract Purchaser



# 2023 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 3. Site Data

### A. Site Data

<b>Built Features</b>	The site is currently in use for the production of row crops and outdoor recreation in the form of polo fields.  <b>Please see attached Application Attachment F for Built Features Inventory &amp; Map.</b>
<b>PCN</b>	00-42-43-27-05-044-0110, 00-41-45-12-00-000-3150, 00-41-45-12-00-000-3090, 00-41-45-12-00-000-7190, 00-41-45-12-00-000-7200  <b>Please see Application Attachment A-1 for Legal Description. Please see Application Attachment A-2 for PCN's and Ownership List. Please see Application Attachment P for Survey.</b>
<b>Street Address</b>	Unaddressed on State Road 80
<b>Frontage</b>	Approx. 661 feet of frontage along State Road 7 (US-441) and approx. 3,706 feet in maximum depth
<b>Legal Access</b>	State Road 7 (US-441)
<b>Contiguous under same ownership</b>	No additional properties under same ownership
<b>Acquisition details</b>	<b>Please see Application Attachment A-3 for Warranty Deeds or other documentation confirming ownership for all parcels.</b>  Pursuant to the Warranty Deed (ORB 28655, PG 1130) and Corrective Warranty Deed (ORB 33017, PG 1949), parcels ending in 3090, 3150, 7190, and 7200 are owned by Cypress Polo Club, LLC. The parcel ending in 0110 is owned by 7501 S SR7, LLC pursuant to Warranty Feed (ORB 33854, PG 1158).
<b>Size purchased</b>	96.14 acres

### B. Development History

<b>Control Number</b>	None
<b>Previous FLUA Amendments</b>	None
<b>Concurrency</b>	Concurrency reservation will be requested in connection with the concurrent Zoning application for this project.
<b>Plat, Subdivision</b>	Not platted

<b>Zoning Approvals &amp; Requests</b>		No prior zoning approvals			
<b>Reso. No.</b>	<b>App. No.</b>	<b>Status</b>	<b>Type</b>	<b>Description</b>	<b>Changes proposed (if any)</b>

# 2023 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 4. Consistency

### A. Consistency

<b>Justification</b> Provide as G.1.	Please see Application Attachment G, Section G.1. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.
<b>Residential Density Increases</b> Provide as G.2.	Please see Application Attachment G, Section G.2. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.
<b>Compatibility</b> Provide as G.3.	Please see Application Attachment G, Section G.3. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.
<b>Comprehensive Plan</b> Provide as G.4.	Please see Application Attachment G, Section G.4. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.
<b>Florida Statutes</b> Provide as G.5.	Please see Application Attachment G, Section G.5. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.

### B. Surrounding Land Uses.

Adjacent Lands	Use	Future Land Use	Zoning
<b>North</b>	Vacant/Residential/Agriculture	Rural Residential, 1 unit per 10 acres (RR-10)	Agriculture Residential (AR)
<b>South</b>	Residential	Low Residential, 2 units per acre (LR-2)	Planned Unit Development (PUD)
<b>East</b>	Residential (Isolla Bella Estates) Control No. 1996-00081	Low Residential, 2 units per acre (LR-2)	Planned Unit Development (PUD)
<b>West</b>	Residential/Agriculture	Rural Residential, 1 unit per 10 acres (RR-10)	Agriculture Residential (AR)

# 2023 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 5. Public Facilities Information

<b>A. Traffic Information</b>		
Please refer to Application Attachment H for the Traffic Statement prepared for this application. The County Traffic Division Letter will be included with this application package upon issuance.		
	<b>Current</b>	<b>Proposed</b>
<b>Max Trip Generator</b>	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\text{Ln}(T) = 0.96 \cdot \text{Ln}(X) + 0.20$ (PM peak hour)	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\text{Ln}(T) = 0.96 \cdot \text{Ln}(X) + 0.20$ (PM peak hour)
<b>Maximum Trip Generation</b>	<i>Daily: 100</i> <i>AM Peak Hour: 7</i> <i>PM Peak Hour: 11</i>	<i>Maximum Intensity</i> <i>Daily: 1,920</i> <i>AM Peak Hour: 142</i> <i>PM Peak Hour: 190</i>  <i>Proposed</i> <i>Daily: 1,530</i> <i>AM Peak Hour: 107</i> <i>PM Peak Hour: 144</i>
<b>Net Daily Trips:</b>	+1,820 (maximum minus current) +1,430 (proposed minus current)	
<b>Net PH Trips:</b>	+135 AM, +179 PM (maximum) +100 AM, +133 PM (proposed)	
<b>Significantly impacted roadway segments that fail Long Range</b>	None	None
<b>Significantly impacted roadway segments for Test 2</b>	None	None
<b>Traffic Consultant</b>	JFO Group, Inc. – Dr. Juan F. Ortega, PE	
<b>B. Mass Transit Information</b>		
<b>Nearest Palm Tran Route (s)</b>	Route 73 BYB X-TOWN via Boynton Beach (3 miles SE of Subject Property)	
<b>Nearest Palm Tran Stop</b>	There are no Palm Tran routes directly serving the Subject Property but the Palm Tran Bus Route that runs nearest to this property is Route 73 – BYB X-TOWN via BOYNTON BEACH with the closest stop located approximately 3 miles southeast of the Subject Property at Bethesda West Hospital on Boynton Beach Boulevard.	

<b>Nearest Tri Rail Connection</b>	The Boynton Beach Tri-Rail Station located on the west side of I-95 north of Gateway Blvd. is the nearest Tri-Rail station approximately 11 miles east of the Subject Property.
<b>C. Potable Water &amp; Wastewater Information</b>	
<b>Please refer to Application Attachment I for the PBC WUD Service Availability Letter.</b>	
<b>Potable Water &amp; Wastewater Providers</b>	The subject property is located within the Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has confirmed capacity exists to serve the proposed LR-2 FLU and the development of up to 192 dwelling units subject to a Capacity Reservation Agreement.
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	There is a 16" potable watermain within State Road 7 adjacent to the Subject Property and a 12" wastewater force main located within State Road 7 approximately 1,000' north of the Subject Property available to serve the site.
<b>D. Drainage Information</b>	
<b>Please refer to Application Attachment J for the Drainage Statement prepared for this application.</b>	
The surface water management regulator responsibility for the property lies within the governmental jurisdiction of the South Florida Water Management District C-51 Basin, Lake Worth Drainage District, Palm Beach County, and the Florida Department of Transportation. The LWDD S-8 canal is proposed to remain and will serve as the receiving body for the site. Additionally, an easement will be dedicated to LWDD for the creation of the LWDD L-19 canal along the south property line with a connection to the existing 60" culvert crossing SR7 to the LWDD E-1 canal at the SE corner of the property.	
<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	PBC Fire Rescue Station 48 – 8560 Hypoluxo Road
<b>Distance to Site</b>	2.75 miles
<b>Response Time</b>	7 minutes, 16 seconds
<b>Effect on Resp. Time</b>	For fiscal year 2022, the average response time for this Station 48's zone is 7:16.  <b>Please see Application Attachment K for PBC Fire Rescue Letter.</b>
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	<b>Please refer to Application Attachment L for the Environmental Assessment prepared for this application.</b>  As a result of historical disturbance and current agricultural uses on the property, environmental resources such as native habitat and listed species utilization are very limited or absent. No nesting by listed species is anticipated as there is no ideal nesting habitat on the site. There is a small wetland that will require coordination with SFWMD.
<b>Flood Zone*</b>	According to Palm Beach County's Information Systems Services, the subject property is located primarily within flood zone AE with portions of the periphery of the site designated as flood zone X. Flood zone X-unshaded represents areas

	outside of the 500-year flood plain with less than 0.2% probability of annual flooding. Flood zone AE represents areas within the 100-year flood plain with a 1% probability of annual flooding.
<b>Wellfield Zone*</b>	<p>The subject property is not located within or adjacent to a wellfield protection zone. The nearest wellfield protection zone is located approximately 2.25 miles north of the Subject Property.</p> <p><b>Please refer to Application Attachment M for the Flood and Wellfield Zone Statement prepared for this application.</b></p>

## G. Historic Resources

**Please see Application Attachment N for the PBC Historical and Archaeological Resource letter.**

Staff review has identified no known archaeological resources located on or within 500 feet of the subject property.

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

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
<b>Regional</b>	Okeeheelee Park	0.00339	+459 people	1.56 AC
<b>Beach</b>	Ocean Inlet Park	0.00035	+459 people	0.16 AC
<b>District</b>	West Boynton Park and Recreation Center	0.00138	+459 people	0.63 AC

## I. Libraries - Residential Only (Including CLF)

<b>Library Name</b>	Greenacres Library			
<b>Address</b>	3750 Jog Road			
<b>City, State, Zip</b>	Greenacres, FL 33467			
<b>Distance</b>	8.7 miles			
Component	Level of Service	Population Change	Change in Demand	
<b>Collection</b>	2 holdings per person	+459 people	918 holdings	
<b>All staff</b>	0.6 FTE per 1,000 persons	+459 people	0.28 FTE	
<b>Library facilities</b>	0.6 square feet per person	+459 people	275.4 SF	

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

**Please see Application Attachment O for the SCAD letter obtained from the School District of PBC.**

	Elementary	Middle	High
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<b>Name</b>	Manatee	Woodlands	Park Vista
<b>Address</b>	7001 Charleston Shores Boulevard	5200 Lyons Road	7900 Jog Road
<b>City, State, Zip</b>	Lake Worth, FL 33467	Lake Worth, FL 33467	Lake Worth, FL 33467
<b>Distance</b>	5.0 miles	5.0 miles	6.3 miles

# 2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 6. Attachments

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- A. **PCN's, Legal Description and Warranty Deed** (include Legal in PDF & Word)
- B. **Agent Consent Form**
- C. **Applicant's Ownership Affidavit**
- D. **Applicant's Notice Affidavit, Property Appraiser List, and Labels**
- E. **Disclosure of Ownership Interests**
- F. **Built Feature Inventory & Map**
- G. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- H. **Traffic Approval Letter & Traffic Study**
- I. **Water & Wastewater Provider LOS Letters**
- J. **Drainage Statement**
- K. **Fire Rescue Letter**
- L. **Natural Feature Inventory & Map**
- M. **Wellfield Zone**
- N. **Historic Resource Evaluation Letter**
- O. **Palm Beach County School District LOS Letter**
- P. **Survey**
- Q. **Text Amendment Application** (Part 7, if applicable, in PDF & Word)

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

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

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# JUSTIFICATION STATEMENT

**Verdura Farms**  
**Comprehensive Plan Text Amendment**  
**Future Land Use Atlas (FLUA) Amendment**  
**Initial Submittal (Text): November 8, 2022**  
**Resubmitted (Text): December 6, 2022**  
**Initial Submittal (FLUA): May 10, 2023**



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Urban Planning and Design  
Landscape Architecture  
Communication Graphics

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## **ATTACHMENT G** **CONSISTENCY WITH THE COMPREHENSIVE PLAN & FLORIDA STATUTES**

### **A. REQUEST**

On behalf of the property owners, 7501 S. SR7, LLC, and Cypress Polo Club, LLC, and the applicant, DiVosta Homes, L.P., Urban Design Studio (UDS), as agent, has prepared and hereby respectfully submits this application for a Future Land Use Atlas (FLUA) Amendment for the ±96.14-acre property generally located on the west side of State Road 7 (US-441) approximately one quarter mile south of Hypoluxo Road, hereinafter referred to as the Subject Property. The Subject Property is comprised of five parcels with the following parcel control numbers (PCNs):

- 00-42-43-27-05-044-0110
- 00-41-45-12-00-000-3150
- 00-41-45-12-00-000-3090
- 00-41-45-12-00-000-7190
- 00-41-45-12-00-000-7200

The Subject Property is located in unincorporated Palm Beach County (PBC), situated in the Rural Tier with a Future Land Use Atlas (FLUA) designation of Rural Residential, 1 dwelling unit per 10 acres (RR-10) and within the Agricultural Residential (AR) Zoning District. The Subject Property is located within the West Boynton Community Plan area. The proposed changes to the Tier Designation and FLUA designation of the Subject Property do not result in the need for any text amendments to the County's Unified Land Development Code (ULDC).

On November 8, 2022, the applicant submitted a separate application for a Privately-Initiated Text Amendment to the Comprehensive Plan under the application name of Heritage Farms Transitional Overlay. This application proposed to create a Planning Overlay for the Subject Property that would allow for the development of residential dwelling units at a low density and in a transitional and logical manner that effectively buffers properties developed at a rural density while integrating the area with the adjacent suburban level of development. The proposed text amendment would allow the included property to remain in the Rural Tier and be developed with up to 2 dwelling units per acre with specific requirements for the transition of density and lot sizes. The proposed text amendment was

initiated by the Board of County Commissioners (BCC) on February 1, 2022. Subsequently, the BCC approved a comparable Planning Overlay for the adjacent property known as the Trotting Center Overlay. This overlay provides for nearly identical regulations as were proposed under the Heritage Farms Transitional Overlay. As such, the applicant has modified their proposed text amendment to revise the adopted Trotting Center Overlay to accommodate the Subject Property.

By way of the enclosed FLUA Amendment application materials, the applicant is requesting approval of the following from the PBC Board of County Commissioners (BCC):

1. To amend the Future Land Use Atlas (FLUA) designation of the Subject Property from Rural Residential, 1 dwelling unit per 10 acres (RR-10) to Low Residential, 2 dwelling units per acre (LR-2)

This application is accompanied by a request for the approval of a Comprehensive Plan Amendment to facilitate the proposed FLU designation as follows:

1. To amend the text of the Comprehensive Plan Future Land Use Element as follows:
  - a. Objective 1.4.1 to include the Subject Property within the boundaries of the Trotting Center Overlay;
  - b. Policy 1.4.1-a to modify the boundary description for the Trotting Center Overlay to include the Subject Property;
  - c. Policy 1.4.1-b.2 to reduce the minimum acreage for development in the Trotting Center Overlay from 100 contiguous acres to 95 contiguous acres;
  - d. Policy 1.4.1-b.5 to modify the location criteria of the Trotting Center Overlay to include the Subject Property.
2. To amend the following Comprehensive Plan maps to designate the Subject Property with the Trotting Center Overlay and Limited Urban Service Area (LUSA)
  - a. Managed Growth Tier System Map LU 1.1
  - b. Service Areas Map LU 2.1
  - c. Special Planning Areas Map LU 3.1

## **B. BACKGROUND**

The +96.14-acre Subject Property, located on the west side of State Road 7 (US-441) approximately one quarter mile south of Hypoluxo Road, is centrally located within unincorporated Palm Beach County. The Subject Property is an assemblage of five (5) parcels including one parcel addressed as 7501 S. State Road 7, commonly known as the Yee Property, and four parcels addressed as 7302 Park Lane Road known as the Cypress Polo Club.

The Yee Property of approximately 56 acres is currently in use for agricultural row crop production and is provided access via State Road 7 (US-441) to the east. Originally purchased by the Yee family in 1984, the family has managed the property for agricultural row crop production for nearly four decades. The additional land area included within the

Subject Property includes four parcels comprising the Cypress Polo Club property of approximately 40 acres. The site is in use as a polo pitch with supporting accessory structures along the north property line and access via Park Lane Road to the west.

There are no records of previous approvals for any modification to the Managed Growth Tier or FLU designation of the subject property since the adoption of the 1989 Comprehensive Plan. However, a portion of the subject property, the Yee Property, is assigned County Control No. 1983-00017. These approvals are specific to the initial development of the adjacent South Florida Trotting Center and do not appear to grant any development rights or burden the Subject Property with any development obligations.

### **C. HERITAGE FARMS BACKGROUND**

The County introduced the Managed Growth Tier system into the Comprehensive Plan in 1999 to recognize the diversity of the County's various geographies and the development patterns most appropriate for the character of these areas. The County established several tiers to categorize the level of development in each region based on comparable densities, intensities, and public service availability. The Rural Tier, in which the Subject Property is located, was an area established to support five to ten acre residential lots along with agricultural and equestrian uses. Since the creation of the tier system, the development patterns throughout the County have continued to evolve as development at urban and suburban densities continued to move west. Today, urban and suburban levels of development extend from the Atlantic Ocean to State Road 7 and beyond. The Comprehensive Plan recognizes that the Rural Tier is "beginning to experience development pressure for urban densities and non-residential intensities." As such, it is necessary to implement and administer effective planning strategies to preserve and enhance the relationship of lands at the boundary of the Urban/Suburban and Rural tiers.

Heritage Farms is an unrecorded subdivision comprised of 172 parcels spanning approximately 1,300 acres. Beginning around 1958, three decades prior to the adoption of the County's Comprehensive Plan in 1989, a series of subdivisions began to create the neighborhood that exists as Heritage Farms today. At this time, parcels could be subdivided and developed at a density of up to one unit per 2.5 acres. With the adoption of the Comprehensive Plan in 1989, the County assigned the Rural Residential, 1 unit per 10 acres (RR-10) Future Land Use designation to the entirety of Heritage Farms, a four-fold reduction in permitted density. Today, almost half of the lots (85 of 172 parcels) within Heritage Farms are less than five acres in size. Conversely, nearly 50% of the land area of Heritage Farms is comprised of parcels greater than 25 acres in size with the majority of these parcels located on the eastern periphery of Heritage Farms and abutting State Road 7 which serves as the boundary of the Urban/Suburban Tier in this area.

Properties within Heritage Farms are primarily in use for residential and agricultural purposes as well as a number of vacant parcels. Agricultural uses include nurseries, pastures, row crop production, and equestrian uses at various scales. Three parcels with frontage on State Road 7 are designated with the Commercial Low FLU and the South Florida National Cemetery, accounting for 24% of the entire land area of Heritage Farms,

occupies the majority of the neighborhood's frontage along State Road 7 from Lantana Road to Hypoluxo Road.

In 2001, the Board of County Commissioners (BCC) initiated a Comprehensive Plan text amendment to allow residential development under the Rural Residential, 1 unit per 5 acres (RR-5) FLU within an 11-acre portion of the Heritage Farms subdivision. During the transmittal hearing for this amendment, two members of the public spoke in opposition to the amendment in reference to the inclusion of Heritage Farms. In 2009, a member of the public requested that the BCC recognize the Heritage Farms community for its rural character and as a buffer for environmentally sensitive lands to the southwest through the creation of a Rural Protection Overlay. During the public outreach process in relation to this request, a significant number of residents expressed opposition and concerns over the additional limitations that would be imposed on property owners that may want to explore alternatives for future development of their property. As a result of the degree of opposition, the proposed amendment was withdrawn by the BCC on July 15, 2009.

More recently, on May 4, 2022, the BCC directed County Planning Division staff to begin planning efforts to create a neighborhood plan for Heritage Farms. There is not currently an approved or proposed neighborhood plan in place for Heritage Farms. However, on August 25, 2022, the BCC initiated a text amendment to the Comprehensive Plan to establish a Planning Overlay for the Heritage Farms neighborhood. This County-initiated text amendment drafted by County Planning Division staff through coordination with neighborhood residents and interested parties is intended to recognize and preserve the long-standing rural residential, agricultural, and equestrian character of the Heritage Farms area. The boundaries of the Heritage Farms Overlay proposed by the County includes the Subject Property but excludes comparable property immediately to the south which has historically been considered a part of Heritage Farms.

The County Planning Division has hosted multiple virtual and in-person workshop sessions to allow the community stakeholders an opportunity to discuss considerations and guide the creation of the Heritage Farms Overlay. Through these meetings, it is clear that property owners within Heritage Farms are not in agreement regarding the merits of the proposed overlay. A contingency of residents has expressed support for the overlay in an effort to maintain the rural character of their neighborhood while others have voiced opposition to the overlay due to concerns on additional regulations, obstacles to the development and use of property, and unfairness in the geographic application of the proposed overlay. Property owners in opposition to this County-initiated overlay have expressed concern that a blanket regulation is not appropriate considering the diverse nature of properties within the overlay area. Specifically, it is believed that large properties along the eastern and southern boundaries of Heritage Farms, where adjacent to State Road 7 and the boundary of the Urban/Suburban Tier, should allow for a more appropriate integration and transition of development patterns between tiers.

For example, the property immediately south of the Subject Property, historically known as the Trotting Center property, has recently received BCC approval for multiple applications including a Privately-Initiated Comprehensive Plan Text Amendment proposing to create a

distinct overlay for the site, a FLUA Amendment from the RR-10 to the LR-2 FLU designation, and an Official Zoning Map Amendment to the Planned Unit Development (PUD) district to allow for the development of a low-density residential subdivision at a density up to two dwelling units per acre. As a result of this application and proposed overlay, the County Planning Division excluded the Trotting Center property from the concurrent planning efforts for the Heritage Farms Overlay.

The applicant supports the concept that uniquely situated properties of appropriate size within Heritage Farms should be permitted to develop at a density above 1 unit per 10 acres; however, they believe it is most appropriate to consider the comprehensive implications of a planning overlay and its potential use throughout a community as opposed to a single property. As such, an extension of the adopted Trotting Center Overlay to include the Subject Property is believed to be the most effective planning tool for protecting the Heritage Farms community and permitting transitional residential development as a buffer to more intense levels of development to the east.

#### **D. WEST BOYNTON AREA COMMUNITY PLAN**

A portion of Heritage Farms, including the Subject Property, is located within the West Boynton Area Community Plan (WBACP) formally recognized by the County in 1995. The WBACP was created to promote the community's goals as it relates to development patterns throughout the plan area. This plan is currently managed by the Coalition of Boynton West Residential Associations (COBWRA). Heritage Farms and the Subject Property are located within Sub-Area 2 of the WBACP and, despite general reference to the Heritage Farms neighborhood in relation to the Agricultural Reserve, the WBACP does not appear to include any specific recommendations regarding future development of the Heritage Farms neighborhood.

#### **E. SURROUNDING USES**

Below is a description of the uses on the adjacent properties (or those on the other side of abutting R-O-W's) to the north, south, east and west of the overall property. Please see the Built Inventory Features Map in Attachment F for the following information overlaid on an aerial.

- **North:** To the north of the Subject Property, various parcels ranging from five (5) to almost thirty (30) acres serve as a buffer between the Subject Property and Heritage Farms Road, a 110' roadway easement qualifying as a street as defined in the ULDC. Approximately 32 acres of property under common ownership comprises the largest parcel north of the site and comprises the land fronting State Road 7 from the norther project boundary to Heritage Farms Road. These remaining properties are developed with residences, pastureland, and nurseries.
- **South:** To the south of the Subject Property are three parcels included within the Trotting Center property which is the subject of recent approvals for a comparable level of development as described above.

- **East:** To the east of the Subject Property, across State Road 7 (US 441), is a portion of the Villages of Windsor PUD, a residential subdivision of 1,087 dwelling units. More specifically, Villages of Windsor Pods A and B are located directly east of the Subject Property which are developed with single-family and zero-lot-line units at densities of 2.97 and 3.41 dwelling units per acre, respectively.
- **West:** To the west of the Subject Property, across Park Lane Road, are several ten (10) acre parcels developed as single-family residences with accessory agricultural uses and two five (5) acre parcels in operation as a nursery.

Please see below table for a summary of the existing use, future land use, and zoning of adjacent properties.

Adjacent Lands	Use	Future Land Use	Zoning
North	Agriculture, Nursery, Residential, Vacant	RR-10	AR
South	Residential	LR-2	PUD
East	Residential	LR-2	PUD
West	Nursery, Residential	RR-10	AR

## F. CONSISTENCY

### G.1 – Justification

Pursuant to Policy 2.1-f of the FLUE of the PBC Plan, before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use. The applicant is requesting to amend the current FLU designation from Rural Residential, 1 dwelling unit per 10 acres (RR-10) to Low Residential, 2 dwelling units per acre (LR-2). The Subject Property is located within the boundaries of the West Boynton Community Plan.

The proposed FLUA amendment meets the required standard as follows:

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

**Applicant's Response:** The proposed residential use of the Subject Property and associated text amendments are appropriate and consistent with the established development pattern in this portion of the County. The existing RR-10 FLU confirms the suitability of this site for residential development and the FLU designation of the adjacent Trotting Center site supports the proposed density requested of LR-2 for the Subject Property. The existing development pattern of this area of the County is dominated by low density residential development. The Subject Property is particularly appropriate for an increased residential density allowing up to 2 dwelling units per acre due to its location along the State Road 7 (US441) corridor, adjacency to the comparable Trotting Center PUD, the proximity of water and sewer infrastructure to serve the development, and suitable size to sustain a master planned residential community.

As discussed above, the intent of the Trotting Center Overlay is to protect the Heritage Farms community by allowing for low-density residential development in a transitional manner for properties on the eastern boundary of the community where the Rural Tier meets the Urban/Suburban Tier. The Trotting Center Overlay allows for development of limited properties west of State Road 7 within the Heritage Farms community to be developed with residential lots exhibiting a transition from smaller lots adjacent to State Road 7 to larger lots in the west where abutting Park Lane Road. The Subject Property is of sufficient size, location, and conditions to allow a compatible master planned residential community to further the purpose of creating a buffer of transitional residential development thereby creating a cohesive land use pattern throughout the area.

Allowing an increased residential density at this site will create additional housing options in an area of the County with available services to maximize the development of land deemed suitable for residential uses. The development of this property will represent balanced growth in line with planning principles utilized to create the Trotting Center Overlay. The Trotting Center PUD was established as the westernmost residential development and granted a residential density of LR-2. The Subject Property represents an amalgamation of several properties directly abutting the Arden PUD of sufficient size to appropriately locate a master planned community utilizing existing infrastructure available in the area. Including the Subject Property in GAPO and designating the site as Limited Urban Service Area (LUSA) in connection with the approval of the proposed LR-2 FLU designation will serve to allow an appropriate master planned residential development compatible with the Arden PUD, surrounding communities, and the established development pattern of this portion of the County.

**2) There is a basis for the proposed amendment for the particular site based upon on 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;**

**Applicant's Response:** The Comprehensive Plan recognizes the Rural Tier has begun "to experience development pressure for urban densities and non-residential intensities". Since 2001, there have been multiple attempts to consider increased densities within Heritage Farms by both the County and property owners that have been met with hesitation or opposition from other property owners within the neighborhood on the grounds of preserving the existing rural character of the community. The applicant recognizes the varied perspectives of property owners within Heritage Farms and the previous planning efforts in relation to the neighborhood. Recently, the BCC approved the Trotting Center to assign a FLU designation of LR-2 for the adjacent property.

The applicant seeks to play a role in creating the most appropriate planning mechanism to effectuate a logical transition of residential density at the westward boundary of the Urban/Suburban Tier. Properties at the eastern border of Heritage Farms lie on the boundary of the Rural and Urban/Suburban tiers. With access and infrastructure from State



Road 7, these properties are uniquely situated to allow development of residential subdivisions in a manner that locates smaller lots to the east with increasing lot size moving westward towards the interior of Heritage Farms. Transitional density, in addition to expanded landscape buffer requirements, will effectively create a developed, residential buffer for Heritage Farms. In this way, the long-range land use of the Subject Property becomes defined and its development closely regulated under a specifically planned design requirements serving to preserve the rural character of the Heritage Farms community.

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

**Applicant's Response:** The characteristics of the western area of the County within and surrounding this part of the Rural Tier and Heritage Farms, in particular, have continued to evolve over the last few decades. A large amount of previously farmed lands within the County have since been converted for the development of urban and suburban levels of density and intensity. Areas that were previously undeveloped or farm lands have seen development of sufficient density to support the creation of multiple municipalities that are primarily or entirely located west of State Road 7. This westward expansion of development has been facilitated by the concurrent provision of public facilities and infrastructure necessary to accommodate urban and suburban levels of development. As such, sufficient infrastructure exists adjacent to the eastern boundary of Heritage Farms and the Subject Property to connect to public services capable of servicing a low-density residential subdivision as contemplated by the proposed text amendment. A residential community on the Subject Property would provide direct access to State Road 7 (US 441) and connect to existing infrastructure available within the State Road 7 corridor to make the highest and best use of the Subject Property and existing public facilities serving properties in this area.

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

**Applicant's Response:** Since the adoption of the Comprehensive Plan and the Managed Growth Tier system, the County seen substantial changes in consumer patterns and market conditions. These changes have resulted in a continued increase in residential housing demand for a variety of housing options. Coupled with a decrease in the productivity and viability of agricultural operation in the County, many property owners, especially those with parcels large enough for master planned development, have begun to contemplate their property's role in the future development of the County. These changes have prompted a reconsideration of the highest and best use for countless properties across the County, including the Subject Property. Based on a variety of factors as described throughout this justification, a residential community developed under the Trotting Center Overlay, as proposed to be amended, is believed to be the highest and best use to serve the needs of the current and future residents of the County. More specifically, the Trotting Center Overlay, as amended, creates a framework to allow for the development of appropriately sized and located property within Heritage Farms with transitional density and expanded landscape buffers which serves to address the current County-wide housing crisis and looks forward to protect the rural character of the interior portion of Heritage Farms.

**d. Inappropriateness of the adopted FLU designation;**

**Applicant's Response:** The adopted FLU designation is not inappropriate for the Subject Property; however, it is not the most appropriate FLU designation for the implementation of development regulations that will serve the intent of preserving the rural character of the Heritage Farms community from the expansion of urban levels of development. The Heritage Farms community benefits from the implementation of low-density residential development in accordance with the Trotting Center Overlay, as amended, which requires transitional density and substantial buffers for uniquely situated properties of sufficient size at the boundary of the community.

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

**Applicant's Response:** The adopted FLU designation was not assigned in error. The County's Rural Residential, 1 unit per 10 acres (RR-10) FLU designation allows for a range of agricultural and equestrian uses that exist on the Subject Property today. However, the FLU designation no longer accounts for the highest and best use of the Subject Property in the long-range planning horizon. Recognizing the unique rural character of the Heritage Farms neighborhood and the residents' desire to preserve this character, a development plan proposing low-density residential development in a transitional manner at the border of the Rural and Urban/Suburban tiers will work to define a more logical future land use and development pattern for the neighborhood as a whole. The resulting development pattern is one that naturally transitions from smaller lots in the east to larger lots and then to more rural densities of existing residential lots within the interior western portions of Heritage Farms. This is expected to allow for a complete development pattern through the area which appropriately addresses a transition from the Urban/Suburban Tier to the Rural Tier in this area.

**G.2 Residential Density Increases**

Per Future Land Use Policy 2.4-b the proposed FLUA Amendment meets the required factors to justify this request as the appropriate method for increasing density on the Subject Property as described below.

**1. Justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment;**

**Applicant's Response:** The Subject Property is located within the southern portion of the Rural Tier in which the maximum density permitted is 1 unit per 5 acres under the RR-5 FLU designation. Further, no bonus density programs such as the Transfer of Development Rights (TDR) or Workforce Housing Program (WHP) are permitted to be utilized for development within the Rural Tier. As such, a FLUA Amendment is the necessary mechanism to increase the residential density to allow for the proposed level of development. Since 2012, the County has allowed property owners to propose privately initiated text amendments to the Comprehensive Plan when necessary to address a specific planning function in relation to unique properties or circumstances.

This request recognizes the unique nature of the Heritage Farms community and the need for a planning mechanism that will aid in protecting the rural character of the neighborhood without restricting the rights of property owners and allow for a more appropriate transition of development from urban and suburban levels of density and intensity east of State Road 7 to the more rural level of development on properties within the interior western portion of Heritage Farms. The proposed amendments to the Trotting Center Overlay would allow the applicant to request a concurrent FLUA Amendment for the Subject Property and develop a low-density master planned community under the LR-2 FLU. The use of the proposed planning overlay ensures that specific location and minimum size criteria limit the availability of this development option to appropriately sized and situated properties within the eastern boundary of Heritage Farms. Further, the use of the planning overlay allows the Subject Property to remain within the Rural Tier while connecting to available public services at the boundary of the Urban/Suburban Tier. In this way, the use of the planning overlay and this FLUA Amendment represent the most appropriate planning mechanism to pursue an increase in residential density on the Subject Property.

2. Demonstrate that the current FLUA designation is inappropriate;

**Applicant's Response:** The adopted RR-10 FLU designation is not inappropriate for the existing use of the Subject Property; however, it is not the most appropriate FLU designation for the implementation of development regulations that will serve the intent of preserving the rural character of the Heritage Farms community from the expansion of urban levels of development. The Heritage Farms community benefits from the creation of a planning overlay which allows for low-density residential development with transitional density and substantial buffers for uniquely situated properties of sufficient size at the boundary of the community.

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

**Applicant's Response:** The Subject Property is located within the southern portion of the Rural Tier. No bonus density programs such as the Transfer of Development Rights (TDR), Workforce Housing Program (WHP) or Affordable Housing Program (AHP) are permitted to be utilized for development within the Rural Tier.

### **G.3 - Compatibility**

Compatibility is defined in the County's Unified Land Development code as: *"Land uses that are congruous, similar and in harmony with one another because they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar, contradictory, incongruous, or discordant activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise, vibration, smoke, hazardous odors, radiation, function and other land use conditions."*

**Applicant's Response:** Based on this definition and accepted planning principles, the use of the Trotting Center Overlay and the proposed FLUA Amendment will enable the

development of the Subject Property in a manner that will most appropriately create contextual and compatible development at the boundary of the Urban/Suburban and Rural tiers. The use of the LR-2 FLU designation in combination with requirements for transitioning from smaller to larger lots and expanded landscape buffering will guide the design of a highly compatible development on the Subject Property. More specifically, the proposed amendments to allow the use of the Trotting Center Overlay will ensure the highest level of compatibility.

- Boundary restriction limit use of Trotting Center Overlay to large parcels in the southeastern periphery of the Heritage Farms community;
- Concurrent processing of a zoning application and master plan for any property seeking to utilize the LR-2 FLU;
- Minimum acreage for development of 95 acres;
- Maximum density to 2 units per acre and prohibits the use of bonus density programs;
- Location criteria including a requirement for frontage and access to State Road 7, adjacency to the Urban/Suburban Tier boundary, and position east of Park Lane Road;
- Design features requiring the smallest lots to be located closest to State Road 7 and the largest lots located towards the western property line closest to existing residences;
- Design feature requiring a minimum of 20% of the land area to be comprised of lots that are a minimum of 0.5 acres;
- Expanded perimeter buffer requirements specifying a minimum 50-foot buffer along the entire west property line and where abutting lots developed with existing single-family homes;
- Landscape buffer requirement for all vegetation within buffers to consist of 100% native species;
- Access restriction requiring all access, including emergency vehicle access, from driveways connecting to State Road 7 only;
- Specification to connect to County water and sewer infrastructure available within the State Road 7 right-of-way.

#### **G.4 -Comprehensive Plan**

The proposed amendment furthers several Goals of the Comprehensive Plan and is consistent with several Objectives and Policies. The following analysis is provided to demonstrate consistency with specific objectives and policies in the Plan.

- **C. County Directions**

**Applicant's Response:** The County Directions in the Future Land Use Element provide the basis for the Goals, Objectives and Policies in the Plan. The County Directions recognize the need for infill redevelopment to occur and that it should be informed by growth management principles to encourage livable communities, neighborhood integrity, housing opportunities, and a strong sense of integrity while maintaining land use compatibility and level of service standards. Allowing for the proposed amendment will result in the efficient

use of land and existing public facilities and services currently available to the Subject Property. The residential use, guided by development regulations specified within Trotting Center Overlay, will result in a compatible redevelopment of the Subject Property that contributes toward maintaining a livable community with neighborhood integrity for the larger Heritage Farms community.

The proposed overlay does not encourage suburban development within the Rural Tier but recognizes the unique nature of the Heritage Farms neighborhood and the Subject Property, in particular, which requires an added layer of planning considerations as codified by the Trotting Center Overlay. Several of the County's Comprehensive Plan Directions support the proposed amendment, specifically Livable Communities; Growth Management; Infill, Redevelopment and Revitalization; Land Use Compatibility; Neighborhood Integrity; Housing Opportunity; Design; and a Strong Sense of Community.

- **D. Characteristics of a Livable Community**

**Applicant's Response:** The Comprehensive Plan describes the concept of a Livable Community which contributes to sustainability and a high quality of life for the residents. Heritage Farms, by all accounts, is a Livable Community with a rural character that deserves recognition and respect as a uniquely situated pocket of rural development in this area of the County. The adopted Trotting Center Overlay recognizes the unique nature of the adjacent community and works to create a path to allow for development along the eastern boundary of the Heritage Farms community. In this way, an appropriate transition is provided from the higher density of development seen east of State Road 7 in the Urban/Suburban Tier to the rural densities found within the interior western portions of Heritage Farms.

The proposed amendment will not only contribute to protecting the Heritage Farms community by creating a higher degree of certainty for property with access to infrastructure capable of serving a low-density residential community. The amendment and associated development would also allow for the creation of a compatible community within the Subject Property that exhibits the representative characteristics of a livable community including a central neighborhood focal point in the form of a shared recreation center, proximity to a variety of potential employment opportunities, and convenient location relative to civic uses such as schools, places of worship, libraries, parks, and government services. In support of the County's Directions for livable communities, the proposed amendment seeks to utilize the planning mechanism introduced by the Trotting Center Overlay that will protect the community character of the larger Heritage Farms neighborhood while allowing for the development of the Subject Property with a unique neighborhood of transitional density under the LR-2 FLU designation to create a cohesive and contextual buffer at the border of the Urban/Suburban and Rural tiers.

- **FLUE Goal 1 Strategic Planning**

**Objective 1.1 Managed Growth Tier System:**

1. Ensure sufficient land, facilities and services are available to maintain a variety of housing and lifestyle choices, including urban, suburban, exurban, and rural living;

2. Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;
3. Enhance existing communities to improve or maintain livability, character, mobility, and identity;
4. Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;

**Applicant's Response:** The proposed amendment is the most appropriate mechanism to address the development of a uniquely situated property of sufficient size located on the boundary of the Urban/Suburban Tier. The Subject Property is positioned adjacent to urban and suburban levels of development with direct access onto a major arterial roadway and available public facilities to support urban and suburban levels of development. Such properties are attractive for their potential to be developed as master planned communities; however, these properties must be addresses sensitively as they serve an important role at the boundary of two managed growth system tiers. As such, specific planning mechanisms may be necessary to adequately account for the unique circumstances of such properties.

The proposed amendment supports all components of Objective 1.1 listed above as it will work to:

1. Increase the variety of housing and lifestyle choices for residents of the County by providing a community with a transitional character blending elements of suburban and rural living;
2. Accommodate future growth by providing additional homes in an area between properties developed at urban and suburban densities and existing lots developed with rural densities and accessory agricultural uses;
3. Enhance the livability and preserve the character of the Heritage Farms community by creating an effective buffer from more impactful development to the east;
4. Facilitate the infill development of a property with access to an arterial roadway and public facilities with sufficient capacity to accommodate the proposed level of development.

- **FLUA Objective 1.4 Rural Tier**

**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 serves 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.

**Applicant's Response:** The proposed amendment works to support all elements of Policy 1.4-a through the use of a planning mechanism uniquely designed to accommodate the development of such properties at the southeastern periphery of the Heritage Farms community. First, the proposed amendment seeks to contribute to the preservation of the rural character by creating a residential buffer between the more rural and agricultural

aspects of the community and the urban/suburban development across State Road 7. Second, public facilities and services are available to the Subject Property to allow for development of a low-density residential subdivision. Third, the development of the Subject Property would not result in any loss of natural resources. In fact, the proposed development will preserve an existing wetland and intends to create wildlife corridors within expanded perimeter landscape buffers. Finally, the development of a residential community with transitional density and substantial landscape buffers will ensure a high degree of compatibility by creating a transition of massing, scale, and density.

- **FLUE 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.

**Applicant's Response:** The Subject Property is located adjacent to State Road 7 where public facilities and services are available to serve the proposed level of development and currently serve residential subdivisions east of State Road 7. The location of the Subject Property along a major arterial where public facilities already exist will ensure the timely and cost-effective provision of services to the proposed development without the need to expand County infrastructure further west or into the Rural Tier. Further, the site lies on the boundary of the Urban/Suburban Tier and the Rural Tier which creates a unique circumstance and a need to address the provision of transitional density thereby creating a cohesive land use pattern between tier boundaries. The development of the site under the adopted Trotting Center Overlay will better position the County to allow for compatible development in a manner to protect and preserve the livability and character of existing communities while acknowledging the need for additional housing opportunities.

- **FLUE Policy 2.1-a:** Future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area and shall also not underutilize the existing or planned capacities of urban services.

**Applicant's Response:** The Subject Property is adjacent to and able to connect to all necessary urban services including, but not limited to, the roadway network, water/wastewater, drainage facilities, and emergency services. Existing infrastructure within State Road 7 provides the necessary capacity to develop the Subject Property at a higher density than is proposed by this amendment. The adopted Trotting Center Overlay, as amended, accounts for the compatible integration of the Subject Property as transitional development from urban to rural density. Therefore, the proposed amendment and resulting low-density residential community would not exceed the manmade constraints of the site and would allow for more efficient utilization of existing infrastructure.

- **FLUE Policy 2.1-f:** The following will detail the impact of the proposed FLUA on the

items listed:

1. The natural environment, including topography, soils and other natural resources;

**Applicant's Response:** The adopted Trotting Center Overlay which facilitates development of limited properties along the periphery of the Heritage Farms community is expected to be the most effective planning mechanism to preserve the character and natural resources within the area. By allowing property along the tier boundary to develop with an appropriate transitional density including substantial buffers, the remainder of the community is more reasonably insulated from encroaching development pressure. The Subject Property was previously cleared and has long been used for agricultural operations in the form of row crop production and recreation as polo fields. A small pocket of wetlands exists along the north property line that would be maintained and incorporated into an expanded perimeter landscape buffer. Otherwise, the Subject Property is clear of environmentally sensitive lands and natural habitats. The minimal wetlands, relatively flat land, and previous uses are key factors lending towards the viability of the Subject Property for a residential development. The development of this site, with significant landscape improvements and an emphasis on compatibility with surrounding properties, along with improvements in water quality, will serve to maintain the surrounding natural and built environment. Based on this assessment, there are no significant environmental resources or habitat existing on the property that would be negatively impacted by the proposed amendment.

2. The availability of facilities and services;

**Applicant's Response:** Below is more detailed information on each of those facilities and services:

- *Traffic:* Please refer to Application Attachment H for the Traffic Study by JFO Group, Inc. for details on the traffic generation, distribution, etc.
- *Mass Transit:* There are no Palm Tran routes directly serving the Subject Property but the Palm Tran Bus Route that runs nearest to this property is Route 73 – BYB X-TOWN via BOYNTON BEACH with the closest stop located approximately 3 miles southeast of the Subject Property at Bethesda West Hospital on Boynton Beach Boulevard.
- *Potable Water and Wastewater:* Please see Application Attachment I for the PBC Water Utilities Department letter wherein it is stated that capacity does exist for the proposed level of development via an existing 16" potable water main within State Road 7 adjacent to the site and a 12" sanitary sewer force main within State Road 7 approximately 1,000' north of the Subject Property.
- *Drainage:* Please see Application Attachment J for Drainage Statement prepared by Schnars Engineering. The surface water management regulator responsibility for the property lies within the governmental jurisdiction of the South Florida Water Management District C-51 Basin, Lake Worth Drainage District, Palm Beach County, and the Florida Department of Transportation. The LWDD S-8 canal is proposed to remain and will serve as the receiving body for the site. Additionally, an easement will be dedicated to LWDD for the creation of the LWDD L-19 canal along the south property line with a connection to the existing 60" culvert crossing SR7 to the LWDD E-1 canal at the SE corner of the property.



- *Fire Rescue:* Please see Application Attachment K for the Fire Rescue letter which confirms that the nearest PBC Fire Rescue station is Station #48 located at 8560 Hypoluxo Road. Station #48 is located approximately 2.75 miles from the Subject Property. The estimated response time to the Subject Property is 8 minutes and, for fiscal year 2022, the average response time for this station's zone is 7 minutes and 16 seconds.
- *School:* Please see Application Attachment O for the School Capacity Availability Determination (SCAD) application submitted to the School District of Palm Beach County. The SCAD letter will be provided to the Planning Division upon receipt from the School District of Palm Beach County.
- *Parks and Recreation:* This FLUA Amendment application includes an analysis of the impacts on regional and district parks and recreation facilities. The proposed development will not negatively impact the Palm Beach County level of service for parks and recreation as adequate parks land area and amenities exist to serve the additional units. Further, recreation areas and amenitized open space will be provided for residents within the development.

3. The adjacent and surrounding development;

**Applicant's Response:** The proposed amendment and resulting residential development is compatible with surrounding properties and consistent with existing land use designations along this portion of the State Road 7 corridor. Specifically, the Subject Property and proposed amendment features a high degree of similarity to the recently approved Trotting Center development. The transitional density requirements and enhances landscape buffer requirements will ensure the resulting development is compatible with the adjacent properties. Please refer to Section G.3 - Compatibility and Surrounding Uses above.

4. The future land use balance;

**Applicant's Response:** The proposed increase to the maximum residential density at the Subject Property will not impact the area's future land use balance as the Trotting Center Overlay, as amended, contains specific restrictions on the size, location, access requirements, and provision of services that would allow for a property to qualify for development under this overlay. These criteria substantially limit the applicability of the overlay to properties along the southeastern periphery of the Heritage Farms community. The overlay acts to more appropriately balance conflicting development patterns between the Urban/Suburban Tier and the Rural Tier by creating a transition of density and character for a comprehensive balance of land use and development patterns in this area.

5. The prevention of urban sprawl as defined by 163.3164(51), F.S.;

**Applicant's Response:** The amendment will prevent urban sprawl as it will allow for the redevelopment of an underutilized property located at the boundary of the Urban/Suburban and Rural tiers. Further, the overlay designates uniquely situated property of sufficient size that is appropriate for the development of a low-density residential subdivision in a manner that provides a transition of density and creates a natural tapering of density from the east

to west. This natural progression of decreasing density is believed to be a more appropriate planning mechanism and results in a more compatible pattern of development than maintaining a hardline distinction between the development of properties on either side of a managed growth tier boundary. Allowing for the redevelopment of a suitably sized parcel on the boundary of Rural Tier will contribute to the preservation of lands further west within the Rural Tier. The development of a low-density residential community at this location will place residents in close proximity to various services, recreation areas, and employment opportunities to result in a better relationship between land use and transportation patterns.

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

**Applicant's Response:** A portion of Heritage Farms, including the Subject Property, is located within the West Boynton Area Community Plan (WBACP) formally recognized by the County in 1995. The WBACP was created to promote the community's goals as it relates to development patterns throughout the plan area. This plan is currently managed by the Coalition of Boynton West Residential Associations (COBWRA). Heritage Farms and the Subject Property are located within Sub-Area 2 of the WBACP and, despite general reference to the Heritage Farms neighborhood in relation to the Agricultural Reserve, the WBACP does not appear to include any specific recommendations regarding future development of the Heritage Farms neighborhood. The applicant is coordinating closely with various representatives of the Heritage Farms community that have long been involved in planning efforts for the neighborhood and will also coordinate with representatives of COBWRA's Growth Management Committee.

7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

**Applicant's Response:** The Subject Property is not located adjacent to any municipality; however, the applicant and their consultants will coordinate with the County's Fire Department, Water Utilities District, and Historical Resources Divisions through the application process. Further, the applicant recognizes the application will be reviewed by the Treasure Coast Regional Planning Council (TCRPC) as well as the Intergovernmental Plan Amendment Review Committee (IPARC).

- **FLUE Policy 2.1-g:** The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.

**Applicant's Response:** As described above, the proposed amendment is justified and supports a variety of County Directions and Comprehensive Plan policies. The resulting development will accommodate the growing population of the County by providing additional housing options available to families at a variety of income levels while preserving the

character and livability of the existing Heritage Farms community.

- **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 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.

**Applicant's Response:** The adopted Trotting Center Overlay is a comprehensive planning mechanism crafted based on a consideration of a single property in the context of the larger Heritage Farms community. The proposed amendments to the Trotting Center Overlay to allow its applicability to the Subject Property works to apply the overlay to a larger area exhibiting nearly identical conditions to the Trotting Center property. The integration of the Subject Property into this adopted planning overlay will serve to avoid the creation of piecemeal development. The intention of the overlay is to recognize the Heritage Farms community for its unique character and location within an isolated pocket of the Rural Tier while simultaneously recognizing the unique location and size of properties along the southeastern periphery that are positioned to serve as a logical buffer of transitional development creating a cohesive development pattern between the Urban/Suburban and Rural tiers. The resulting development will not encourage piecemeal development, but rather a full utilization of available services at the Subject Property in a manner that respects the inclusion of the site in a larger community. The adopted Trotting Center Overlay, as amended, establishes a framework to address such uniquely situated property of sufficient size and characteristics that would serve as effective transitional developments. This amendment works to implement this adopted planning mechanism for an appropriately sized and located property.

- **FLUE Table 2.2.1-g.1:** Designates the Low Residential, 2 dwelling units per acre, (LR-2) Future Land Use designation as allowing 2 units per acre based on gross land area.

**Applicant's Response:** The proposed change to the LR-2 FLU designation and the subsequent development plan will be consistent with this Table in providing no more than the maximum of 192 residential units for the 96.14-acre Subject Property.

### **G.5. - Florida Statutes**

Please consider the following responses demonstrating consistency with Chapter 163.3177, F.S.

- **F.S., Section 163.3177.6(a)8:** Future land use map amendments shall be based upon the following analysis:
  - a. An analysis of the availability of facilities and services.

**Applicant's Response:** Supporting data and analysis demonstrating the availability of facilities and services is presented in Application Attachments H (Traffic Study), I (Water and Wastewater Service Letter), J (Drainage Statement), and K (Fire Rescue Letter).

- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

**Applicant's Response:** Supporting data and analysis demonstrating the proposed use is suitable based on the character of the Subject Property is presented in Application Attachments F (Built Features Inventory & Map), J (Drainage Statement), L (Natural Features Inventory & Map), M (Wellfield Zone Statement & Map), N (Historic Resource Evaluation Letter), and O (School Capacity Availability Determination Letter).

- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

**Applicant's Response:** The Subject Property consists of approximately 96.14 acres. There will be a concurrent zoning application which will serve to support the premise that this acreage is the minimum amount of land needed to ensure the Subject Property may be efficiently developed with a transitional residential community under the LR-2 FLU designation and prevent residual parcels or piecemeal development.

- **F.S., Section 163.3177.6.(a).9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
  - a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
    - (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

**Applicant's Response:** The proposed FLUA change from RR-10 to LR-2 will facilitate the development of a residential community on parcels surrounded by existing development on all sides. The site is located adjacent to but outside of the Urban/Suburban Tier and is located within the Rural Tier which the County has designated as an appropriate area for low-intensity and low-density development. The proposed change would allow single-use residential development in an already developed area of the County which would further the goal of locating urban/suburban levels of density outside of the Agricultural Reserve Tier.

- (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

**Applicant's Response:** The Subject Property is located within the Rural Tier but abuts

the boundary of the tier with the Urban/Suburban Tier. Despite the proximity to properties developed at a rural density to the west and north, properties to the east are largely developed at suburban densities with urban services and facilities. County services are provided along State Road 7 (US 441) in this area of the County in order to serve a residential development within the Subject Property. The proposed amendment would allow for limited levels of transitional suburban development within a rural area of the County in order to more adequately buffer and preserve a rural development pattern through the interior of Heritage Farms.

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

**Applicant's Response:** The Subject Property is not isolated and this amendment will not alter the development pattern of the surrounding area. Rather, the adopted Trotting Center Overlay, as amended to apply to the Subject Property, serves to encourage a cohesive development pattern that will fill a gap in the comprehensive planning considerations for properties which sit on the boundary of the Urban/Suburban and Rural tier in this portion of the County. The development of the Subject Property as made possible by this request will allow for the implementation of a transitional development pattern between the Urban/Suburban and Rural tiers to adequately protect the existing rural development pattern within the interior of the Heritage Farms community.

- (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

**Applicant's Response:** The proposed amendment does not fail to adequately protect and conserve natural resources as it does not exempt development using the planning overlay from any of the existing provisions within the Comprehensive Plan or Unified Land Development Code (ULDC) requiring the analysis, preservation, and protection of natural resources. Further, the enhanced buffer requirements with native landscaping will serve to maintain significant native vegetation on the site and allow for buffering to avoid any impacts to natural resources that may exist on adjacent properties.

- (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

**Applicant's Response:** While a portion of the Subject Property was previously utilized for the production of row crops, the site is not designated as a preserve parcel or restricted by a conservation easement. There are no preserve parcels or environmentally sensitive lands abutting the Subject Property or within Heritage Farms. The proposed amendment is expected to have a positive impact on the continuation of agricultural activities in Heritage Farms by creating an effective buffer of transitional residential units and substantial landscaping. The creation of this buffer development is expected to insulate the interior lots of the Heritage Farms community, which are engaged in minor agricultural operations, from

the potential encroachment of higher density development for the long-range planning horizon.

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

**Applicant's Response:** Various letters of determination are provided as attachments to this FLUA amendment application to verify the availability and capacity of existing public facilities and services.

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

**Applicant's Response:** Various letters of determination are provided as attachments to this FLUA amendment application to verify the availability and capacity of existing public facilities and services.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

**Applicant's Response:** Public facilities and services are currently available to the Subject Property and the proposed FLUA change would not increase the cost in time, money, or energy for providing and maintaining these facilities and services.

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

**Applicant's Response:** The intent of this amendment and use of the Trotting Center Overlay is to establish a more appropriate method for addressing the transition between rural and urban uses that occurs at the boundary of the managed growth system tiers. The amendment supports the adopted planning overlay which requires a transition of density from smaller lots where closest to the Urban/Suburban Tier with the largest lots closest to existing rural lots. Development utilizing this planning mechanism will result in the most desirable relationship between rural and urban uses. This planning strategy allows the County to regulate the location, size, and design character of proposed transitional development to ensure the highest level of compatibility and a logical transition of development intensity for the Heritage Farms community.

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

**Applicant's Response:** The residential development of the Subject Property under the provisions of the adopted planning overlay as amended could be considered infill development as properties to the east are developed with urban/suburban density and properties on all other sides are developed in accordance with the Rural Tier. The location is ideal for the development of a transitional residential community providing additional

housing options in the County while serving to create a buffer between rural development and higher density development to the east.

(XI) Fails to encourage a functional mix of uses.

**Applicant's Response:** The approval of the requested land use change would further the goal of providing a mix of housing types within the County and, more specifically, a range of housing options in this area of the County.

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

**Applicant's Response:** The proposed FLUA change and resulting development will not diminish the accessibility of surrounding properties. The adopted planning overlay requires all access to the Subject Property to be provided via State Road 7 in order to prevent any impact on the accessibility of existing development throughout the Heritage Farms community.

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

**Applicant's Response:** The Subject Property is not currently utilized as functional open space and so no loss will occur with the approval of the proposed amendment and subsequent development applications. With the open space expected to be provided within the residential community, the proposal discourages sprawl by creating functional open space within a residential development to serve the needs of the community.

- **F.S., Section 163.3177.6.(a).9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
  - b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
    - (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

**Applicant's Response:** The proposed amendment seeks to utilize an established planning mechanism that would guide the redevelopment of a uniquely situated property that has been cleared of natural resources and is located outside of a wellfield protection zone. As such, the proposed amendment and resulting development of the Subject Property would not have an adverse impact on natural resources or ecosystems. The applicant will abide by County ULDC provisions with respect to addressing existing plant materials through the zoning approval process. The proposed overlay contains provisions requiring the use of 100% native vegetation through the enhanced landscape buffers which further contributes to the beneficial nature of the proposed amendment.

(II) Promotes the efficient and cost-effective provision or extension of public

infrastructure and services.

**Applicant's Response:** The proposed amendment will allow for efficient use of existing public facilities and services available to the site along the State Road 7 corridor. The Subject Property is located on the boundary of the Urban/Suburban and Rural tiers along an area of existing development to the east and would not require the extension of public facilities or services into a rural area of the County.

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

**Applicant's Response:** The development resulting from the proposed amendment will produce a community design that creates a walkable and connected neighborhood through internal sidewalks and usable open spaces. The proposed amendment would also serve to improve the function of existing roadways within Heritage Farms by directing all traffic through access to State Road 7 and not through the community.

- (IV) Promotes conservation of water and energy.

**Applicant's Response:** The development plan for the Subject Property will promote the conservation of water through stormwater management and increased efficiency in the use of existing public infrastructure facilities.

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

**Applicant's Response:** The amendment does not fail to protect adjacent agricultural areas. A small wetland along the north property line would be preserved in the course of site development. Residential development of the Subject Property using a transitional density would lend towards increasing the housing supply within the County without impacting agricultural lands within the Agricultural Reserve Tier or existing rural residences to the west and north. The development would serve as a transitional buffer for these uses which would prevent the encroachment of higher density uses in the future. The transitional density design regulations result in the creation of larger lots which could facilitate the creation of private gardens and micro-agricultural uses accessory to residences in line with the existing character of the surrounding community. Therefore, the proposal discourages the proliferation of urban sprawl and preserves agricultural areas in the Heritage Farms community.

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

**Applicant's Response:** The Subject Property is not utilized as functional open space and features no natural lands with the exception of a small pocket of wetlands to be preserved.



The development of a residential community with enhanced landscape buffers and the required recreation areas will provide for adequate public open space within the community, thereby discouraging the proliferation of urban sprawl. The design requirements for the proposed overlay result in a considerable portion of larger lots, particularly where closest to existing properties in Heritage Farms, which would include substantial private open space within each lot. Further, these residences would be located in close proximity to County-owned Park facilities. The proposed amendment will serve to encourage the preservation and creation of appropriate open space and natural lands to satisfy the needs of future residents and the Heritage Farms community.

- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

**Applicant's Response:** The proposed amendment will introduce a residential community of transitional density that would be adequately served by the existing non-residential services provided in the surrounding area. The proposed overlay would create a more balanced and logical transition of residential density from the Urban/Suburban to Rural tier.

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

**Applicant's Response:** The proposed amendment utilizing the adopted overlay, as amended, will allow residential development of a property at the boundary of the Urban/Suburban and Rural tiers at a transitional density appropriate to create a natural progression of suburban to rural development pattern. The change will designate a suitable property with the residential density necessary to provide additional housing options in the central portion of the County while creating a buffer to preserve the rural character of the interior of the Heritage Farms community.

In conclusion, the property owners, applicant, and agent believe the justification contained herein demonstrates the requested FLUA Amendment from RR-10 to LR-2 is justified, consistent with the Plan and state statutes, and is compatible with the surrounding uses. On behalf of the property owners and applicant, UDS, respectfully requests approval of this request to amend the FLUA designation on the Subject Property. The Project Managers at UDS are Ken Tuma, [KTuma@udsflorida.com](mailto:KTuma@udsflorida.com), and Tyler Woolsey, [TWoolsey@udsflorida.com](mailto:TWoolsey@udsflorida.com), who can be reached by phone at 561-366-1100.



**Water Utilities Department  
Engineering**

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



**Palm Beach County  
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Commissioners**

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Sara Baxter  
Mack Bernard

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

April 28, 2023

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

RE: PCN 00-42-43-27-05-044-0110, 00-42-45-12-00-000-3150, 00-41-45-12-00-000-3090, 00-41-45-12-00-000-7190 & 00-41-45-12-00-000-7200  
441 Yee Cypress Polo  
Service Availability Letter

Dear Tyler,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to provide the level of service required for the proposed LR-2 designation, which results in a maximum permitted density of 194 units.

The nearest point of connection is a 16" potable water main approximately 400 west of the subject property within SR7 and a 12" sanitary sewer force main approximately 1000' north of the subject property within SR7.

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,

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

Jackie Michels, P.E,  
Project Manager

**PROJECT:** Verdura Farms PUD, SEC Project No. 22191  
**ENGINEER:** Schnars Engineering Corporation  
**DATE:** May 8, 2023

## **DRAINAGE STATEMENT**

The combined site area totals 96.14 acres of land that is located on the west side of US 441 and south of Heritage Farms Road in unincorporated Palm Beach County. The Property Control Numbers (PCNs) for the subject parcels are: 00-42-43-27-05-044-0110; 00-41-45-12-00-000-3150; 00-41-45-12-00-000-3090; 00-41-45-12-00-000-7190; 00-41-45-12-00-000-7200. The applicant is requesting a change to the designated land use from RR-10 to LR 2 and a change in zoning from AR to PUD to support a new 153-unit single family community.

The subject property is an active farm and an existing Polo field with several small residential building structures and a wetland along the northern portion of the site. The entire site is anticipated to be demolished and filled to accommodate the new community, except the wetland.

This surface water management regulatory responsibility for the property lies within the governmental jurisdictional agencies of South Florida Water Management District (SFWMD) C-51 Drainage Basin, the Lake Worth Drainage District (LWDD), Palm Beach County, and the Florida Department of Transportation. The site is bisected east and west by the LWDD S-8 canal. According to permit file research, the portion of the site west of the S-8 is existing polo fields with a SFWMD Permit No. 50-09677-P, named the ME Polo facilities. According to the permit an additional 5.2 acres of runoff to the north is accepted by the subject site in a perpetual drainage easement. The 5.2 acres currently drains to a ditch located on the west boundary of the subject site to an outfall that discharges west that was proposed to be plugged. The Polo Fields were permitted to discharge to the LWDD S-8 canal through a control structure. The portion of land east of the LWDD S-8 canal is an unpermitted active farm with a pumped discharge to the S-8 canal. There is no other apparent runoff from adjacent sites including from the south which has been discussed with their engineer. The LWDD S-8 is proposed to remain and will also serve as a receiving body for the site. LWDD has requested the remaining 15' of easement be dedicated for the creation of the LWDD L-19 canal located along the south property line east of the LWDD S-8 canal with a connection to the existing 60" culvert crossing S.R. 7 to the LWDD E-1 canal located at the SE corner of the property. A new SFWMD permit will be required.

Adequate storm water retention shall be provided by the proposed on-site lakes to protect the finished floor elevations above the calculated 100 year - 3 day, zero discharge storm event, compensating storage at the C-51 basin elevation, 18 inches above the crown of the adjacent road or FEMA elevation plus 1', whichever is higher. A perimeter berm will be placed to the calculated 10 year - 3 day routed storm stage. The crown of the onsite roads will be designed above the 5 year - 1 day routed storm event elevation. Lake Maintenance Easements adjacent to lots will be located above the 3 year - 1 day routed storm event.

Stormwater water quality treatment shall be provided in the amount of 2.5 inches times the percentage of imperviousness or the first inch of rainfall, whichever is greater. This detention volume will be provided in the proposed on-site lakes and will be allowed to bleed-down at a rate of one-half inch per day. The site is located within a Water Preserve Area Basin and will require an additional 50% detention volume.

Off-site discharge will be limited to 27 CSM (SFWMD C-51 Drainage Basin) at the 10 year – 3 day storm event and will discharge through a proposed control structure utilizing a bleeder orifice that will outfall into the Lake Worth Drainage District S-8 or L-19 canals located along the north property line.

The on-site drainage system will consist of a series of catch basins and pipe which will direct runoff to the lakes. The on-site drainage system will be designed for a 3 year storm event. The rear yards of lots adjacent to a water management tract will drain to the water management tract. In all other cases, each lot will be graded to drain to the access tract adjacent to the lot or to a drainage easement. No open space tracts will be graded to drain by overland flow through lots without the appropriate easement. Drainage easement widths within the proposed plat shall be adequate to accommodate the proposed size and depth of the drainage line. The minimum drainage easement width shall be 12 feet except those for rear yard drainage which may be smaller. Lake maintenance access easements will be provided from adjacent road tracts.

The projected design elevations are as follows:

- Design water level = 14.50' NAVD
- Min. Crown of Road elevation = 17.50' NAVD
- Min. Perimeter Berm elevation = 18.40 NAVD
- Min. Finished Floor elevation = 19.50' NAVD

FEMA FIRM flood information: Community Pane No. 12099C0755 F. Date of FIRM Index: 10-05-2017. Flood Zone: AE (16.70')

## **SCHNARS ENGINEERING CORPORATION**

Jeffrey T. Schnars, Professional Engineer, State of Florida, License No. 46697. This item has been digitally signed and sealed by Jeffrey T. Schnars, P.E. on 5/8/2023. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

**Jeffrey T. Schnars, P.E.**  
State of Florida, License No. 46697  
President (For the Firm)  
Civil Engineer



**Fire Rescue**

Chief Patrick J. Kennedy  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pbcgov.com



**Palm Beach County  
Board of County  
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**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

Official Electronic Letterhead

April 18, 2023

Urban Design Studio  
610 Clematis Street  
Suite CU-02  
West Palm Beach, FL 33401

Re: Cypress Polo

Dear Tyler Woolsey:

Per your request for response time information to the subject property located on the west side of State Road 7 approximately one quarter mile south of Hypoluxo Road. This property is served currently by Palm Beach County Fire-Rescue station #48, which is located at 8560 Hypoluxo Road. The maximum distance traveled to subject property is approximately 2.75 miles from the station. The estimated response time to the subject property is 8 minutes. For fiscal year 2022, the average response time (call received to on scene) for this stations zone is 7:16.

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

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

Sincerely,

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

Cheryl Allan, Planner II  
Palm Beach County Fire-Rescue

EW Consultants, Inc.

Natural Resource Management, Wetland, and Environmental Permitting Services



## **VERDURA FARMS PUD**

# **ENVIRONMENTAL ASSESSMENT REPORT**

**PREPARED FOR:**

**Pulte Group**

**PREPARED BY:**

**EW Consultants, Inc.**

May 2023



## **INTRODUCTION -**

This Environmental Assessment report is intended to document current natural resource and environmental site conditions on the Verdura Farms PUD property. The subject property is an assemblage of parcels totaling 98.7 +/- acres located in unincorporated Palm Beach County. The subject site is located west of and adjacent to U.S. 441 (S.R. 7), south of Heritage Farms Road, east of and adjacent to Park Lane Road, and approximately 0.75 miles north of Osprey Pond Lane (116<sup>th</sup> Terrace). The subject property is located in Section 12, Township 45 South, Range 41 East. Please refer to the Location Map, Quadrangle Map, and Aerial Photo Map provided in the Appendix.

## **GENERAL PROPERTY DESCRIPTION –**

A review of historic aerial photographs indicates that the majority of the property was cleared for agriculture and other uses prior to 1940. Conversion of the western portion of the site to citrus grove began in approximately 1968 and operated in citrus production into the early 2000s before being converted to a polo facility. The portions of the site that currently contain row crop agriculture were improved to the current configuration in the mid to late 1980s.

There is one wetland identified on the property. It is a forested cypress wetland and is located in the northwestern portion of the polo facility. This approximately 0.87-acre wetland and its surrounding 0.09-acre upland buffer is covered by a recorded conservation easement. There are perimeter and internal ditches located throughout the site for drainage and irrigation purposes and are mostly clear of vegetation.

Wellfield protection zones of influence (Zones 1, 2, 3 & 4) have varying restrictions for types of commercial land use in Palm Beach County. The subject property is not located within a wellfield protection zone. The site is approximately two miles south of the nearest zone of influence 4 of public well # 01-12-E and well # 01-13-E in Palm Beach County.

## **SOILS TYPES –**

A Custom Soil Resource Report for the subject property is provided in the Appendix. This report, prepared by the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) provides descriptions of the soil types within the subject property along with acreage summaries for each soil type.

## **EXISTING LAND COVER TYPES –**

The following is a summary of the land cover types and vegetative communities found on the subject site. Land cover and vegetative community classifications are mapped based on the Florida Land Use, Cover and Forms Classification System (FLUCFCS) developed by the Florida Department of

Transportation. Field reconnaissance and aerial imagery interpretation were employed in the mapping of the vegetative communities on the subject property.

The FLUCFCS classifications observed on the site are described below. A land cover map of the observed vegetation community types is included as Figure 4 in the Appendix of this report. The land cover types observed on the property are described as follows:

189 – Other Recreational (Polo Fields) -

The western portion of the property contains a polo field and supporting infrastructure including horse stables, perimeter roads, and maintenance facilities. Vegetation coverage within this area includes manicured sod, a variety of native and non-native trees and palms that have been planted for landscaping, and non-native invasive species that have established along the perimeter. Native trees and palms include royal palm, gumbo limbo, live oak, and paurotis palm. Non-native landscape vegetation includes black olive, ficus, mango, pygmy date palms, and other ornamental species. Non-native invasive vegetation that has established includes Brazilian pepper, bishopwood, and java plum.

214 – Row Crops –

The central and southeastern portions of the subject property contain row crop agriculture. This land cover type includes perimeter and intermittent ditches that are used for irrigation and drainage of the agricultural fields. These ditches are maintained free of rooted vegetation.

621 – Cypress –

A forested cypress wetland is found in the northwestern portion of the polo facility. In addition to predominant bald cypress trees, this area also contain pond apple, strangler fig, giant leather fern, royal fern, chain fern, swamp lily, elderberry, smartweed and non-native species including bishopwood, Brazilian pepper, Java plum, Peruvian primrose willow, weeping fig, and melaleuca.

**WILDLIFE AND LISTED SPECIES EVALUATION –**

In December 2021, September 2022 and April 2023, observations were made for the presence and/or indicators of wildlife (common and listed) on the subject site. Listed species of wildlife are those found in *Florida's Endangered and Threatened Species*, (Florida Fish and Wildlife Conservation Commission (FFWCC) Updated June 2021). A series of pedestrian and vehicular surveys were employed to assess the relative quality and wildlife utilization of the property.



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### Non-listed Wildlife

A variety of common avian species were observed within the property and several others are likely to occur on a resident, seasonal, or migratory basis. Although not an exhaustive list of possible species for the site, common avian species observed during site reconnaissance on the property included mourning dove, mocking bird, pileated woodpecker, American crow, boat-tailed grackle, several species of warblers, red-shouldered hawk, monk parakeet, and black vulture. Several species of wading birds including great egret, great blue heron, cattle egret, white ibis and green heron were observed in transit or foraging along several of the ditches that occur on site.

Direct observations and signs of utilization by mammals indicate the presence of raccoons, grey squirrels, rabbits, and rodents.

Reptile and amphibian observations included brown anole, iguanas, and common basilisk.

### Listed Species Inventory and Evaluation –

The survey methodologies used for determining the status of state and/or federally listed wildlife occurrence on the site followed generally accepted protocols as specified in state and Federal guidance documents. The geographic range of the property and its associated habitats, vegetative cover types, and natural or disturbed status were the primary considerations in assessing potential occurrence of listed species.

The protected species evaluations and survey methodologies have been, and will continue to be, addressed on a species-specific basis in accordance with the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS) protocols and techniques relative to the species under consideration.

The state and/or federally listed wildlife species with potential to occur on the subject site are summarized in the following table. Likelihood of occurrence has been indicated based on species-specific evaluations and best professional judgement, and noted as either observed during site review or likelihood of occurrence as high, medium, or low.

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**Table 1. Known and Potentially Occurring Listed Faunal Species**

Common Name	Scientific Name	Preferred Habitat	Sampling Method	Occurrence*	Listed Status
					State/Federal
American alligator	<i>Alligator mississippiensis</i>	Wetland and aquatic habitat	Pedestrian and vehicular transects	M	FT/SA
Bald eagle	<i>Haliaeetus leucocephalus</i>	Nest in tall trees (usually pine) near coasts, rivers, lakes and wetlands	Pedestrian and vehicular transects	M	No longer listed Nest trees protected
Burrowing owl	<i>Athene cunicularia</i>	Sandhills, ruderal communities, dry prairies	Pedestrian and vehicular transects	L	ST
Eastern indigo snake	<i>Drymarchon corais couperi</i>	A diversity of upland/low land habitat	Pedestrian and vehicular transects	L	FT
Florida bonneted bat	<i>Eumops floridanus</i>	A diversity of forested habitats	Acoustic and roost surveys	L	FE
Florida Sandhill crane	<i>Grus canadensis pratensis</i>	Breed in emergent palustrine wetlands; forage in pastures/prairies	Pedestrian and vehicular transects; aerial nest survey	L	ST
Gopher tortoise	<i>Gopherus polyphemus</i>	Sandhills, xeric oak scrub, sand pine scrub, scrubby flatwoods; agricultural lands	Burrow survey 100% of suitable habitat	L	ST
Little blue heron	<i>Egretta caerulea</i>	Breeding: marshes, swamps, ponds, estuaries, rivers; nest in shrubs and small trees	Pedestrian and vehicular transects	O <sup>1</sup>	ST
Red-cockaded woodpecker	<i>Picoides borealis</i>	Mature pine woodlands	Pedestrian and vehicular transects	L	FE
Roseate spoonbill	<i>Ajaia ajaja</i>	Breeding: marshes, swamps, ponds, estuaries, rivers; nest in shrubs and small trees	Pedestrian and vehicular transects	L	ST
Southeast American kestrel	<i>Falco sparverius paulus</i>	Sandhill and open rangeland nest in cavities of dead trees and abandoned woodpecker nests	Pedestrian and vehicular transects	L	ST

## EW Consultants, Inc.

### Natural Resource Management, Wetland, and Environmental Permitting Services

Common Name	Scientific Name	Preferred Habitat	Sampling Method	Occurrence*	Listed Status
Tricolored heron	<i>Egretta tricolor</i>	Breeding: marshes, swamps, ponds, nest in shrubs and small trees	Pedestrian and vehicular transects	O <sup>1</sup>	ST
Wood stork	<i>Mycteria americana</i>	Estuarine or freshwater wetlands; nest in tops of trees in cypress or mangrove swamps	Pedestrian and vehicular transects	O <sup>1</sup>	FT
Audubon's crested caracara	<i>Caracara cheriway</i>	Dry prairie, open rangeland	Pedestrian and vehicular transects	L	FT

<sup>1</sup> Observed transient      <sup>2</sup> Observed nesting and/or resident

\*O= Observed; H= High probability; M= Medium; L= Low;

FE = Federally-designated Endangered; FT = Federally-designated Threatened; FXN = Federally-designated Threatened Nonessential Experimental Population; FT(S/A) = Federally-designated Threatened species due to similarity of appearance; ST = State-designated Threatened; SSC = State Species of Special Concern

The preferred nesting habitat for Florida Sandhill cranes is native freshwater marsh habitat, which does not occur on the property. The only wetland found on-site is forested. No Sandhill cranes or Sandhill crane nests were observed on the subject property during site reconnaissance and none are expected.

Bald eagles, while no longer listed, remain protected under the Bald and Golden Eagle Protection Act. No bald eagles or bald eagle nests were observed on site. According to the FFWCC database there is a nest (PB027) approximately 0.25 miles north of the site. This nest was last reported as occupied during the 2017 nesting season. Due to the presence of suitable nesting trees and the close proximity of the project site to an active bald eagle nest, there is a moderate chance of utilization by this species.

The subject site is outside the U.S. Fish and Wildlife Service (USFWS) designated consultation area for Audubon's crested caracara. The lack of open prairie and rangeland on the site as well as lack of typical nest tree opportunities indicates little if any potential habitat for foraging or nesting by Audubon's crested caracara. No crested caracara or caracara nests were observed on site and none are expected.

The wood stork is a federally listed threatened species. Two wood storks were observed in transit flying over the subject property. The preferred nesting habitat for wood storks are mangrove or cypress swamps where they form large rookeries with nests frequently located in the upper branches of cypress trees or in mangroves on islands. There were no nests or wood storks observed with the cypress wetland found on-site. The network of internal and perimeter ditches has the potential to

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### Natural Resource Management, Wetland, and Environmental Permitting Services

attract wood storks but their utilization of the site would likely be transient. No wood stork nests or nests of any other colonial nesting wading birds have been observed on the property.

The existing on-site ditches provide potential foraging opportunities for several listed wading bird species and some of these species (little blue heron and tri-colored heron) were observed actively foraging. The occurrence of these species was observed to be transient in nature. No listed wading bird nests or signs of nesting were observed during site reconnaissance.

Florida burrowing owls are listed as Threatened by the State of Florida. They are ground dwelling species that is often found in open, treeless fields where they spend most of their time on the ground or perched on posts, fences, and short shrubs. While not observed on this site, the preliminary survey revealed that the polo fields offer potential habitat for burrowing owls. Based on publicly available information, there are no known burrowing owl nesting sites or populations in the immediate vicinity of the subject site. Site reconnaissance did not reveal the presence or indicators of the presence of burrowing owls.

A representative gopher tortoise survey of the subject property was conducted in accordance with the Florida Fish and Wildlife Conservation Commission (FFWCC) ***Gopher Tortoise Permitting Guidelines*** (revised July 2020) to assess the potential presence, and if present, the quantity of gopher tortoises present. Gopher tortoises are listed as a threatened species by the Florida Fish and Wildlife Conservation Commission (FFWCC) and thus are protected by law from “taking” due to the impacts of development. The preliminary gopher tortoise survey, conducted by Peter Fastuca (Licensed Gopher Tortoise Agent #GTA-21-00060) during April 2023, did not reveal the presence of any potentially occupied gopher tortoise burrows on the site.

A listed reptile species that was not observed, but has some potential to occur on the site is the threatened eastern indigo snake. The eastern indigo snake ranges widely over a diversity of upland and wetland habitats and is known to occur in the region. No eastern indigo snakes were observed on the property. While their presence on site is possible, the potential is low due to the lack of potential habitat.

The American alligator is listed as Federally Threatened due to similarity of appearance with the American crocodile. Alligators are relatively common throughout the region in wetland and aquatic systems. The network of ditches on the subject property provide the potential for the American Alligator to occur, however, there were no alligators or signs of their presence observed on-site.

The Florida bonneted bat is listed as endangered by the U.S. Fish and Wildlife Service (USFWS). This species preferred habitat for roosting and nesting includes a variety of forested habitats and man-made structures. The property is located outside of the designated consultation area for this species, thus its potential for occurrence is considered low.

**SUMMARY –**

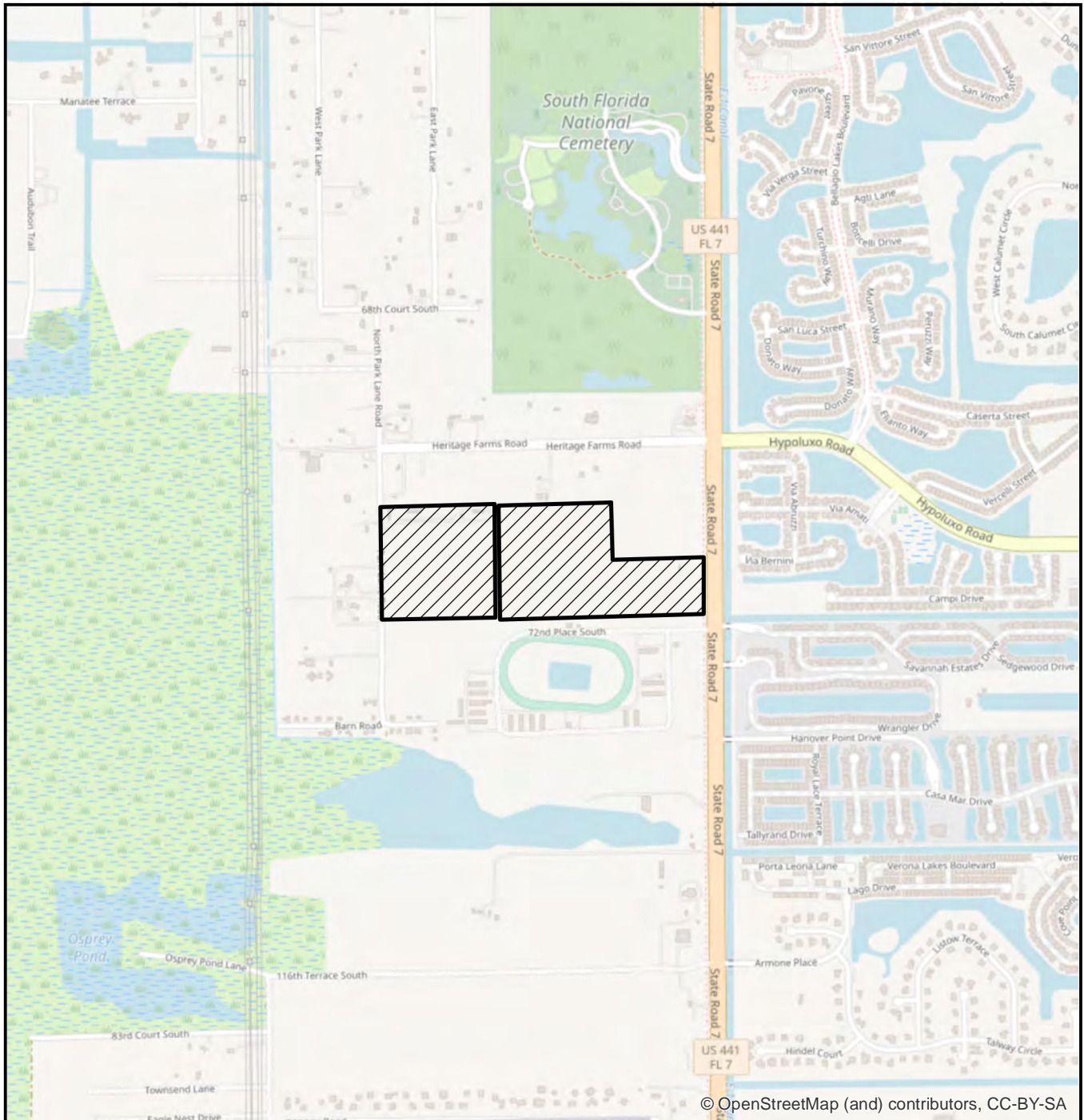
The Verdura Farms PUD property has been maintained as a polo facility since the early 2000s in the western parcel and as row crop agriculture in the eastern parcel for more than 60 years. The polo facility has been landscaped with both native and non-native tree species. There is one wetland within a conservation easement located in the northern portion of the western parcels. The property has a network of both internal and perimeter ditches. The eastern parcel contains scattered native trees, agricultural structures, and active row crops. There are no native habitat assemblages present on the subject property.

There is potential for the occurrence of several state and/or federally listed wildlife species on the subject property. Listed wading birds observed onsite include little blue heron, tricolored heron, and wood stork. The presents of these species was observed to be transient in nature and no nests or signs of nesting were observed.


EW Consultants, Inc.

Natural Resource Management, Wetland, and Environmental Permitting Services

## **APPENDIX**



## LEGEND

 SITE (96.1+/- AC)

0

2,000 Feet

N

# VERDURA FARMS PUD LOCATION MAP



CONSULTANTS, INC.

**EW CONSULTANTS, INC.**

1000 SE MONTEREY COMMONS BLVD., SUITE 208

STUART, FL 34996

772-287-8771 FAX 772-287-2988

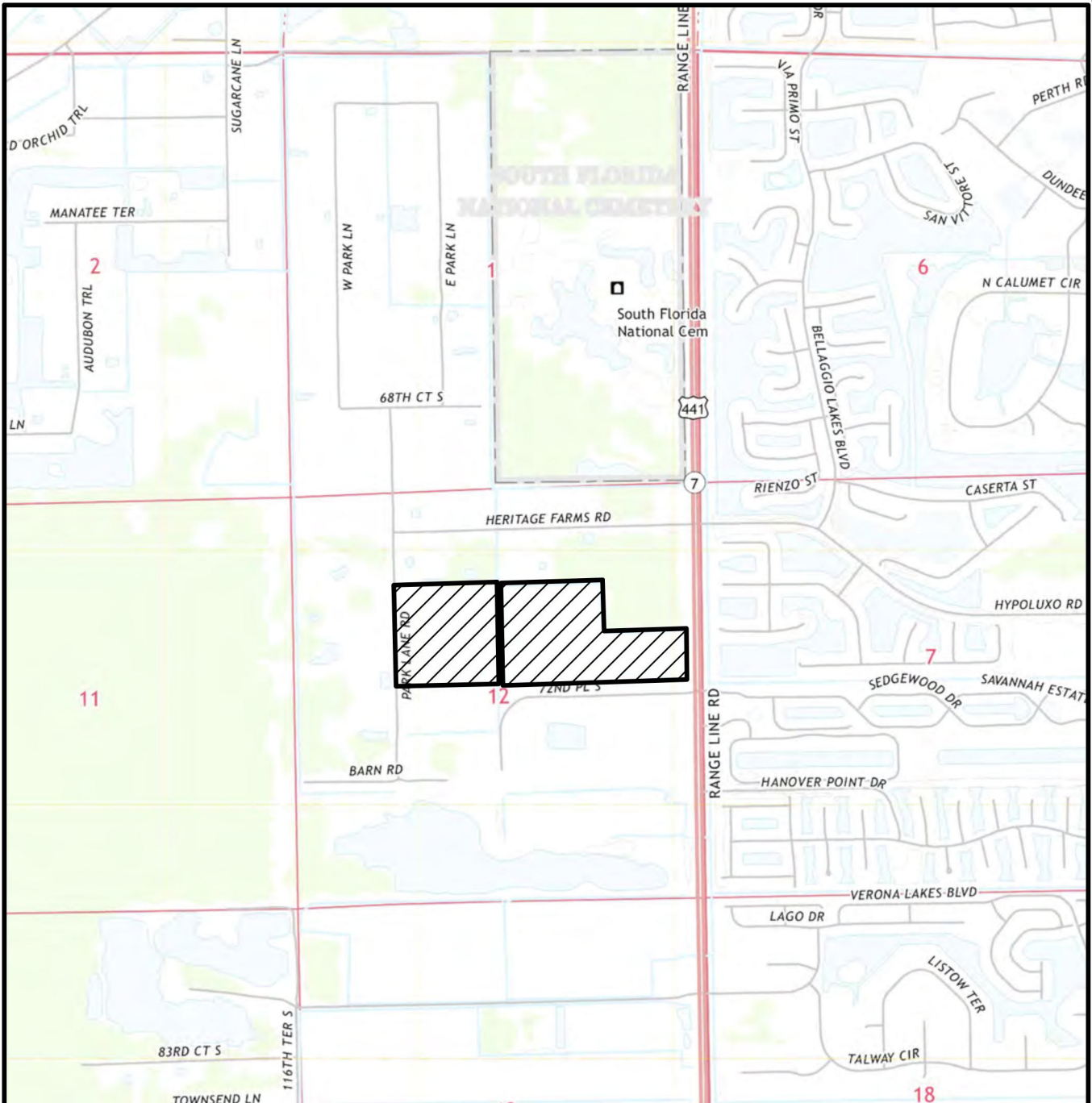
WWW.EWCONSULTANTS.COM

**MAY 2023**

FIGURE

**1**





USGS QUAD MAP "GREENACRES CITY", SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST,  
LAKE WORTH, PALM BEACH COUNTY, FLORIDA, LATITUDE 26°34'00" LONGITUDE -80°12'37"

## LEGEND

 - SITE (96.1±AC)

0 2000  
SCALE IN FEET



# VERDURA FARMS PUD QUAD



**EW CONSULTANTS, INC.**  
1000 SE MONTEREY COMMONS BLVD., SUITE 208  
STUART, FL 34996  
772-287-8771 FAX 772-287-2988  
WWW.EWCONSULTANTS.COM

**MAY 2023**

FIGURE

**2**





PALM BEACH COUNTY AERIAL DATED 2022

0 800  
SCALE IN FEET



# **VERDURA FARMS PUD** **AERIAL**

VERDURA FARMS PUD.dwg AERIAL



**EW CONSULTANTS, INC.**  
1000 SE MONTEREY COMMONS BLVD., SUITE 208  
STUART, FL 34996  
772-287-8771 FAX 772-287-2988  
WWW.EWCONSULTANTS.COM

**MAY 2023**

**FIGURE**

**3**



VERDURA FARMS PUD.dwg FLUCFCS



PALM BEACH COUNTY AERIAL DATED 2022

**LEGEND**

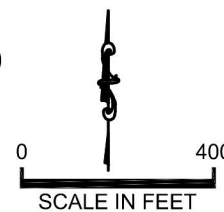
189 - OTHER RECREATIONAL (37.6± AC)

214 - ROW CROPS (53.1± AC)

510 - DITCHES (4.4± AC)

621 - CYPRESS (1.0± AC)

TOTAL SITE (96.1 AC)



**VERDURA FARMS PUD  
FLUCFCS MAP**

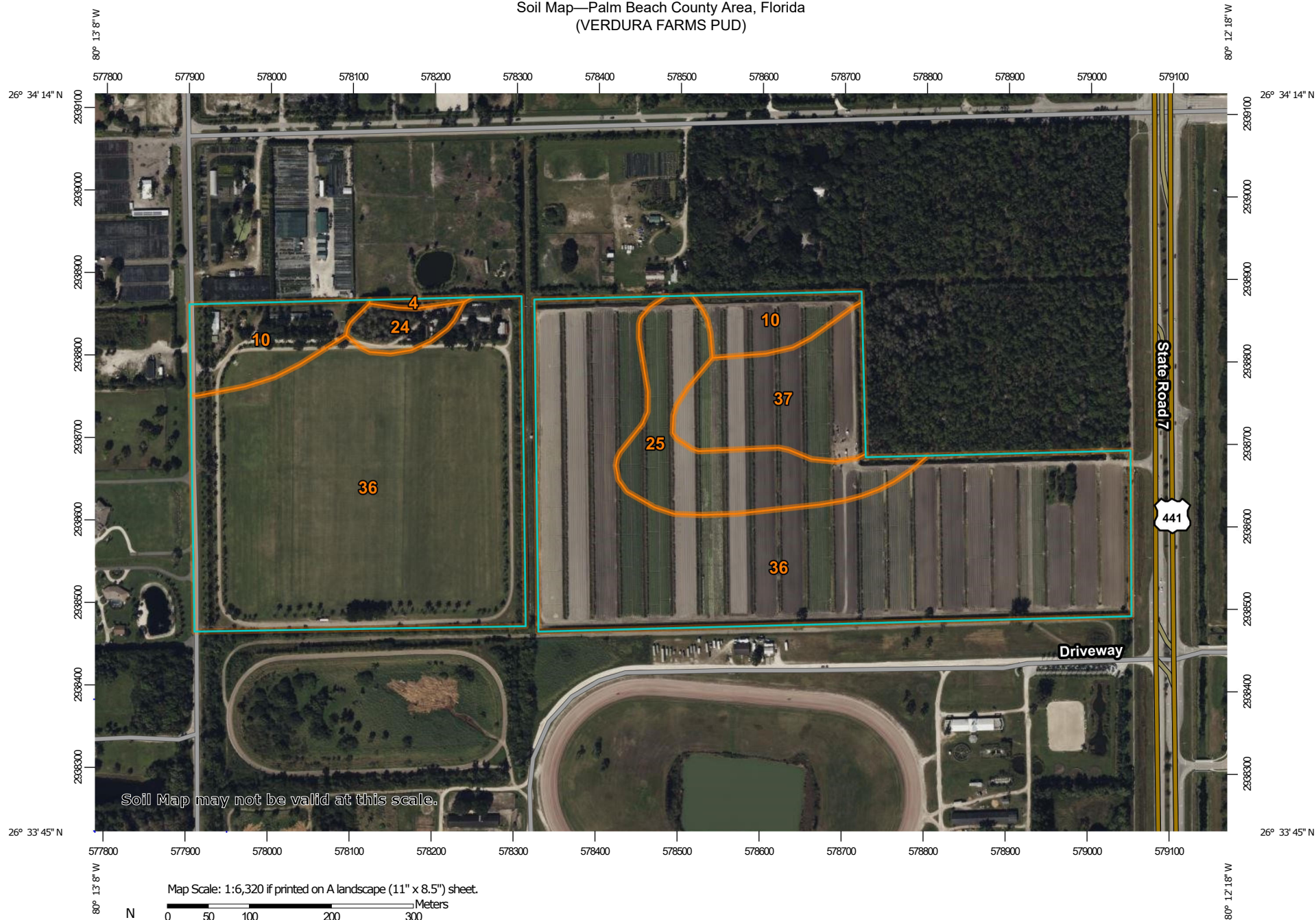


**EW CONSULTANTS, INC.**  
1000 SE MONTEREY COMMONS BLVD., SUITE 208  
STUART, FL 34996  
772-287-8771 FAX 772-287-2988  
WWW.EWCONSULTANTS.COM

**MAY 2023  
FIGURE  
4**



# Soil Map—Palm Beach County Area, Florida (VERDURA FARMS PUD)



Map Scale: 1:6,320 if printed on A landscape (11" x 8.5") sheet.

0 50 100 200 300 Meters

0 300 600 1200 1800 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84



**Natural Resources  
Conservation Service**


Web Soil Survey  
National Cooperative Soil Survey

5/8/2023  
Page 1 of 3


Soil Map—Palm Beach County Area, Florida  
(VERDURA FARMS PUD)

## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

### Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

### Background



Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Palm Beach County Area, Florida

Survey Area Data: Version 19, Sep 1, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 14, 2022—Jan 24, 2022

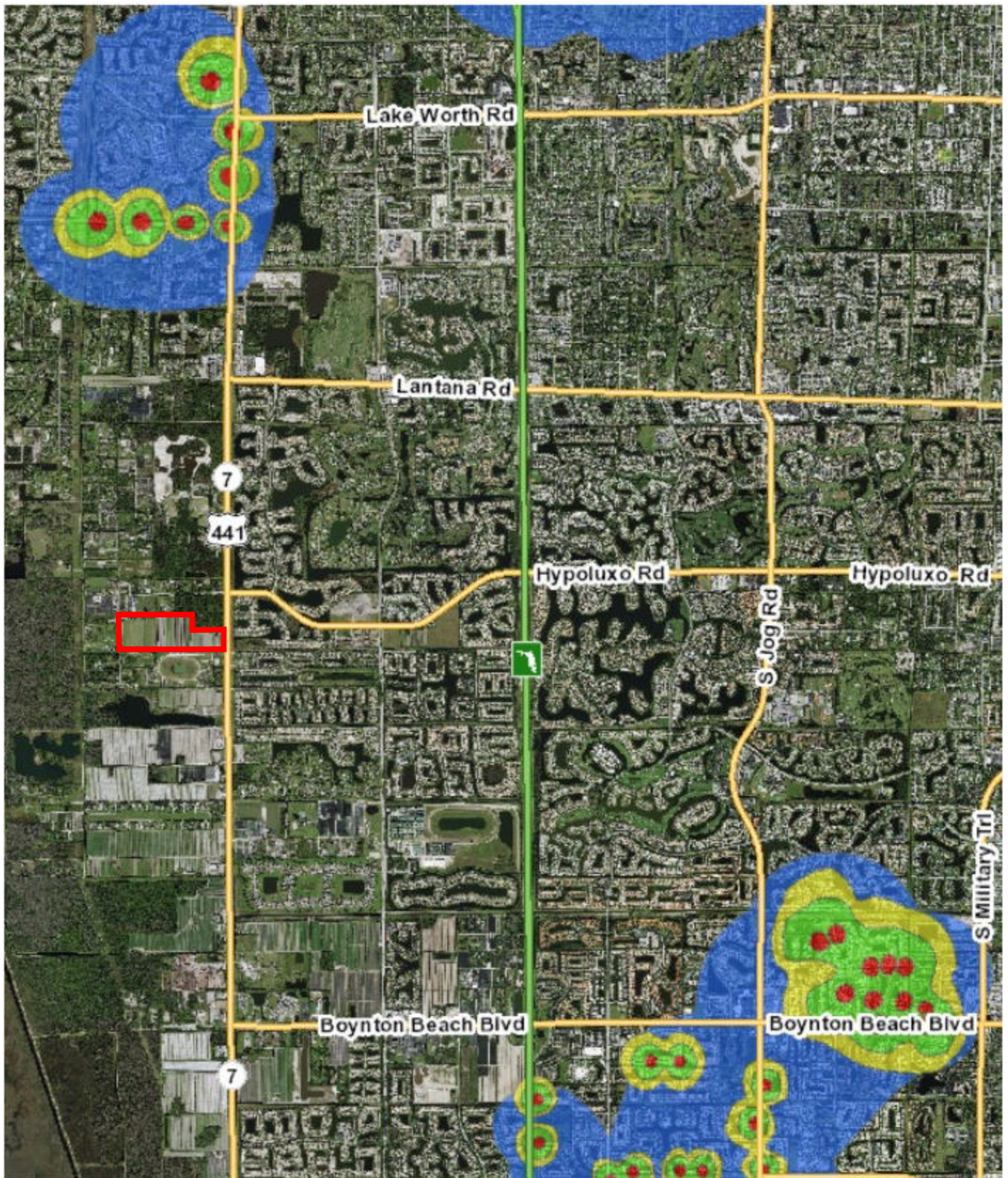
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Arents-Urban land complex, 0 to 5 percent slopes	0.3	0.3%
10	Cypress Lake fine sand, 0 to 2 percent slopes	7.0	7.3%
24	Okeelanta muck, drained, frequently ponded, 0 to 1 percent slopes	1.5	1.6%
25	Oldsmar sand, 0 to 2 percent slopes	8.4	8.7%
36	Riviera fine sand, 0 to 2 percent slopes	71.8	74.7%
37	Riviera fine sand, frequently ponded, 0 to 1 percent slopes	7.2	7.5%
<b>Totals for Area of Interest</b>		<b>96.1</b>	<b>100.0%</b>



# Wellfield Zone Statement & Map



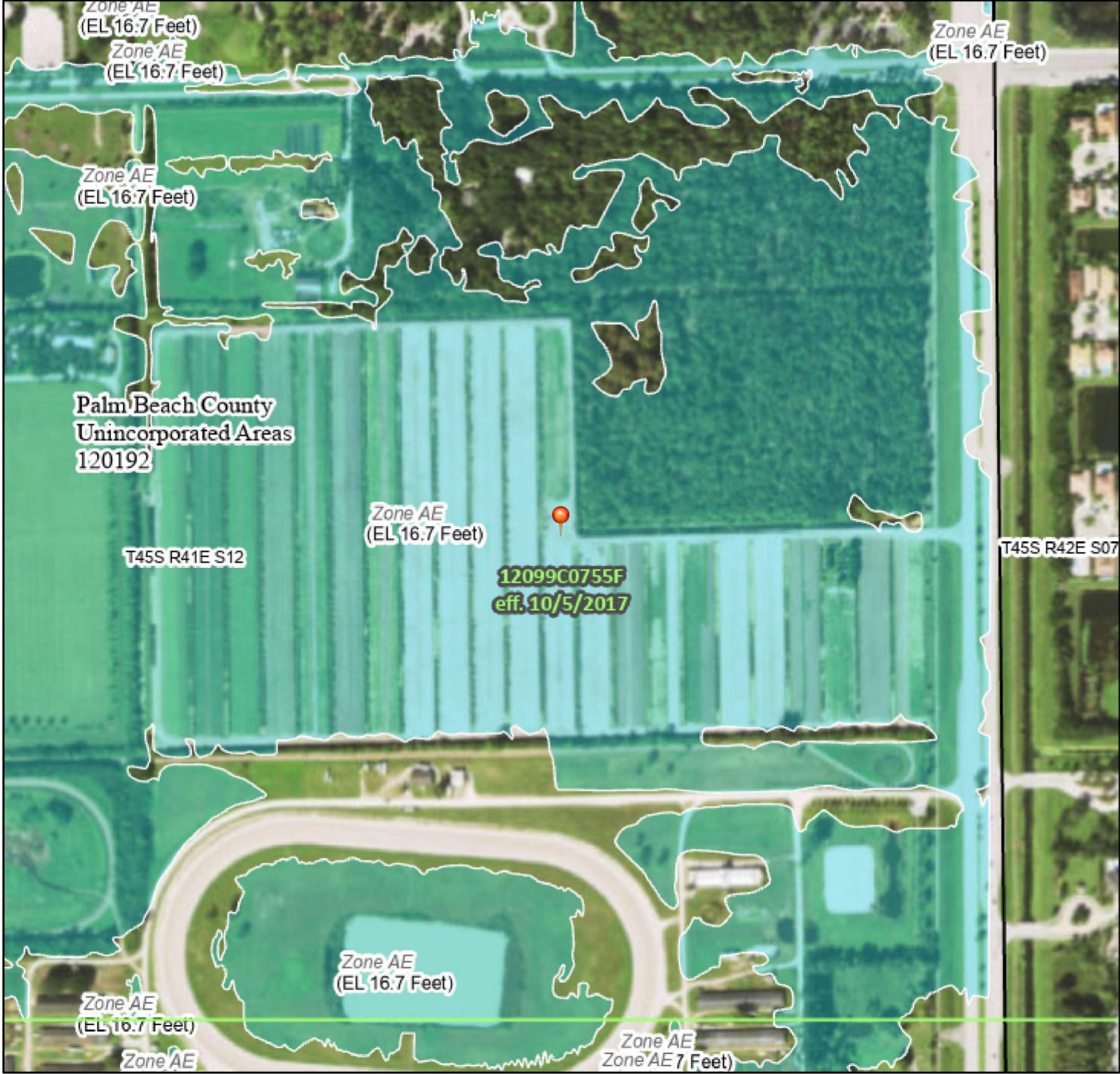
Wellfield protection zones of influence (Zones 1, 2, 3, & 4) have varying restrictions for types of commercial land use in Palm Beach County. The subject property is not located within a wellfield protection zone. The site is approximately two miles south of the nearest zone of influence 4 of public well # 01-12-E and well # 01-13-E in Palm Beach County.



# National Flood Hazard Layer FIRMette



80°12'54"W 26°34'16"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/9/2023 at 11:51 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

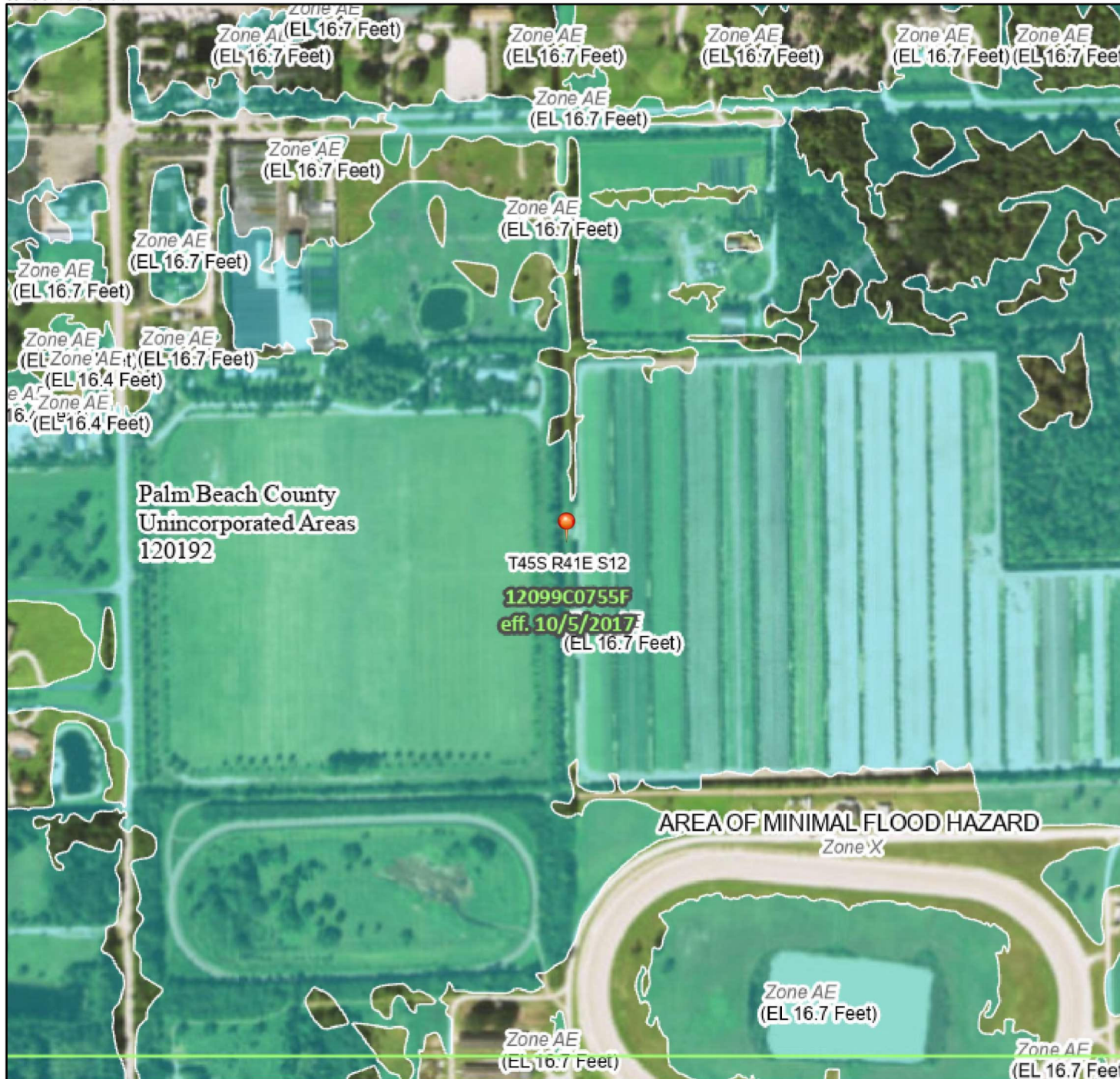
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmoderated areas cannot be used for regulatory purposes.



# National Flood Hazard Layer FIRMMette



80°13'8"W 26°34'16"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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**Department of Planning,  
Zoning & Building**

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

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

**Palm Beach County  
Board of County  
Commissioners**

Gregg K. Weiss, Mayor  
Maria Sachs, Vice Mayor  
  
Maria G. Marino  
Michael A. Barnett  
Marci Woodward  
  
Sara Baxter  
Mack Bernard

**County Administrator**

Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"

April 14, 2023

Tyler Woolsey  
Urban Design Studio  
610 Clematis Street, Suite CU-02  
West Palm Beach, FL 33401

**RE: Historical and Archaeological Resource Review for the project  
named: 411 Yee Cypress Polo property, PCN's #: 00-42-43-27-05-  
044-0110, 00-41-45-12-00-000-3150, 00-41-45-12-00-000-3090, 00-41-  
45-12-00-000-7190 and 00-41-45-12-00-000-7200.**

Dear Mr. Woolsey:

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

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

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

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

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

Sincerely,

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

cc: Kevin Fischer, AICP, Planning Director, PBC Planning Division  
Jeff Gagnon, AICP, Deputy Planning Director, PBC Planning Division  
Bryan Davis, CNU-A, Principal Planner, PBC Planning Division  
Nydia Ponton-Nigagliani, PhD, RPA, Archaeologist/Planner I, PBC Planning Division

T:\Planning\Archaeology\CountyDepartments\Planning\LandUseAmendments&DevelopmentReview\UrbanDesignStudio\2023\411Yee  
Cypress Polo Letter\_PCN's\_00424327050440110\_00414512000003150\_00414512000003090\_00414512000007190&00414512000007200  
Letter 4-14-2023.doc



THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FL

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

PHONE: 561-434-8020 / FAX: 561-357-1193  
[WWW.PALMBEACHSCHOOLS.ORG/PLANNING](http://WWW.PALMBEACHSCHOOLS.ORG/PLANNING)

KRISTIN K. GARRISON  
DIRECTOR

JOSEPH M. SANCHES, MBA  
CHIEF OPERATING OFFICER

## SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	05/04/2023		
	SCAD No.	23050401F/FLU and 23050401Z/Re-Zoning		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	Property Control Number	00-42-43-27-05-044-0110; 00-41-45-12-00-000-3150; 3090; 7190; 7200 / 7501 S State Road 7; 7302 Park Lane Road		
	Development Name	Verdura Farms PUD		
	Owner / Agent Name	7501 S SR7, LLC & Cypress Polo Club, LLC/Urban Design Studio		
	SAC No.	227A		
	Proposed FLU/Rezoning	Maximum 192 Residential Units		
Impact Review		Coral Reef Elementary School	Woodlands Middle School	Park Vista High School
	New Students Generated	31	16	22
	Capacity Available	-9	-288	-394
	Utilization Percentage	101%	118%	113%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District elementary, middle and high school level, the property owner shall contribute a total of \$409,692.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This voluntary school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied). The contribution amount may be adjusted to reflect the actual unit number and type during the Development Order process.</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on September 13, 2022.</p>			
Validation Period	<p>1) This determination is valid from 05/10/2023 to 05/09/2024 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 05/09/2024 or this determination will expire automatically on 05/09/2024.</p>			
Notice	<p>School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

*Joyce Cai*

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

May 10, 2023

Date

joyce.cai@palmbeachschools.org

Email Address

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

The School District of Palm Beach County, Florida  
A Top High-Performing A Rated School District  
An Equal Education Opportunity Provider and Employer

# 2023 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 7. Text Amendment Application

### A. Proposed Text Amendment Summary

<b>Elements &amp; Policies to be revised</b>	Future Land Use Element Objective 1.4.1 Map Series LU1.1 – Managed Growth Tier System Map Series LU2.1- Service Area Map Map Series LU3.1 – Special Planning Areas
<b>Purpose</b>	Please see attached justification narrative.
<b>Justification</b>	Please see attached justification narrative.
<b>Consistency</b>	Please see attached justification narrative.
<b>Text Changes</b>	Please see attached for proposed text changes.
<b>ULDC Changes</b>	No Concurrent ULDC Text Amendments related to these amendments are proposed at this time.

### Privately Initiated Amendment to Comprehensive Plan Proposed Amendments to Comprehensive Plan

- 2) To revise the objective and policies relating to the Trotting Center Overlay. The revisions are shown below with added text underlined.

#### REVISED 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 Road and south of the LWDD Canal L-19 W.~~

**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.

**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 on this policy;
2. **Acreage.** The minimum development acreage is ~~400~~ 95 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 are not applicable in the Trotting Center Overlay;
5. **Location.** The site must be located contiguous to the Urban/Suburban Tier (contiguous includes being direction 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 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.** 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.

**2) To modify the following maps to amend the boundary of the Trotting Center Overlay:**

- LU 1.1 – Managed Growth Tier System
- LU 2.1 – Service Area Map
- LU 3.1 – Special Planning Areas