

Indian Trails Grove

Future Land Use Atlas Amendment



Attachment G

Consistency with the Comprehensive Plan and Florida Statutes



REQUEST

On behalf of the property owner, Palm Beach West Associates I, LLLP by Palm Beach West I Corporation, General Partner (hereinafter referred to as the applicant), Urban Design Kilday Studios (hereinafter referred to as the agent) has prepared and hereby respectfully submits this application for a Large Scale Future Land Use Atlas (FLUA) Amendment for a +/-4,929.304-acre property (hereinafter referred to as the subject property) located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. The subject property currently has a Future Land Use Atlas (FLUA) designation of Agricultural Production (AP), in part (approximately 1,278.54 acres), and Rural Residential, 1 unit per 10 acres (RR-10), in part (approximately 3,650.764 acres). The subject property is within the Agricultural Production (AP) Zoning District, in part, and the Agricultural Residential (AR) Zoning District, in part. The subject property is broken into two portions (hereinafter referred to as the northern portion and the southern portion) and is comprised of the following parcel control number's (PCN's):

- 00-39-42-25-00-000-1000
- 00-40-42-17-00-000-7000
- 00-40-42-18-00-000-7000
- 00-40-42-19-00-000-9000
- 00-40-42-20-00-000-9000
- 00-40-42-21-00-000-9000
- 00-40-42-22-00-000-1010
- 00-40-42-27-00-000-9000
- 00-40-42-30-00-000-9000
- 00-40-42-31-00-000-9000
- 00-40-42-34-00-000-1010
- 00-40-43-03-00-000-3020
- 00-40-43-04-00-000-9010

The applicant is requesting approval of the following from the Palm Beach County (PBC) Board of County Commissioners (BCC):

1. Designation of subject property as a Limited Urban Service Area (LUSA); and
2. To amend the FLUA designation of the subject property from AP, in part, and RR-10, in part, to Rural Residential, 1 unit per 1.25 acres (RR-1.25), in whole.

The above applications are being submitted concurrently with the following requests to amend the text of the PBC Comprehensive Plan:

- Add new objective and policies to the Future Land Use Element (FLUE) to create the Indian Trails Grove Overlay;
- Revise the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Indian Trails Grove Overlay (ITGO);
- Revise the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;
- Revise the Special Planning Areas Map LU 3.1 to identify the location of the Indian Trails Grove Overlay;
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190th Street
- Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190th Street as an 80' right of way north from 60th Street North to Orange Blvd;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as an undefined right of way Seminole Pratt Whitney Road to 190th Street;
- Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 190th Street as an undefined right of way from 60th Street North to Orange Blvd; and
- Creation of a new rural residential Future Land Use Atlas (FLUA) designation titled Rural Residential, 1 unit per 1.25 acres (RR-1.25) along with the establishment of the subject property as a LUSA.

BACKGROUND

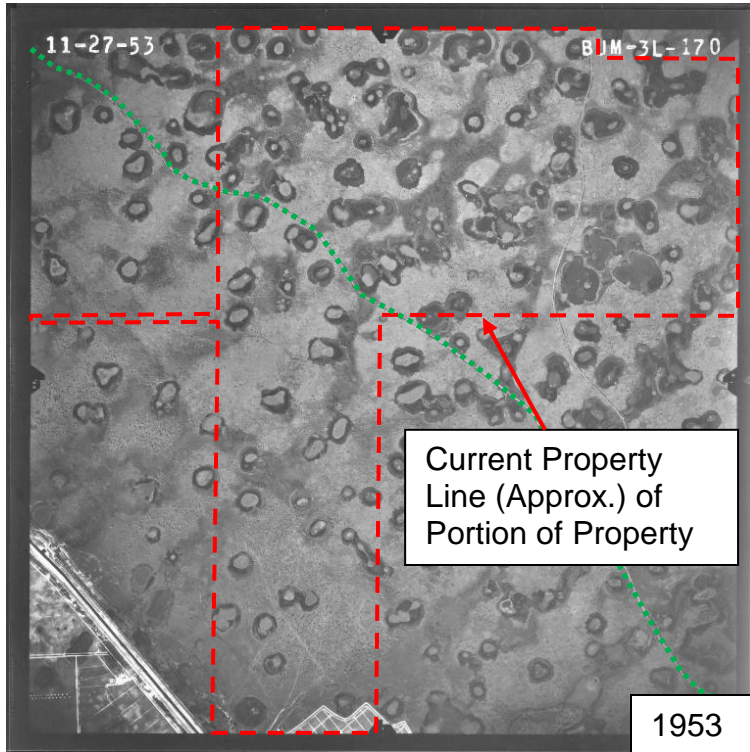
The subject property is located west of 180th Avenue North, south and east of the J.W. Corbett Wildlife Management Area and north and west of the "M" Canal. The +/- 4,929.304-acre subject property is primarily in active agricultural operation with accessory agriculture structures located in the southeast corner of the northern portion of the subject property.

The subject property is within the boundaries of the Cypress Grove Community Development District (CGCDD), which is a special district created by the Governor and Cabinet, sitting as the Florida Land and Water Adjudicatory Commission, in 1993¹. The CGCDD has the authority to provide public infrastructure and services and to operate district facilities. While the subject property is within the CGCDD, the applicant has committed that the subject property, once developed with the proposed residential, single-family lots and accessory commercial square footage, will become an active member of the Indian Trail Improvement District (ITID) which is a special district created by the Florida Legislature in 1957². The applicant is thereby committing that the subject property, once developed, will pay the property assessment from ITID.

To the north and northwest of the subject property is the J.W. Corbett Wildlife Management Area, which is a 60,348-acre wildlife management area managed by the Florida Fish and Wildlife Conservation Commission (FWCC). In 1947³ the Florida Game and Freshwater Fish Commission (GFC) (predecessor to the FWCC) purchased approximately 52,000 acres from the Southern States Land and Timber Company and named it after James Wiley Corbett, a former commissioner. In 1993 another 2,331 acres were added to the wildlife management area with funds from the Conservation and Recreation Lands program and leased to the then GFC. These additional lands added in 1993 are the parcels due west of the subject property and were sold by Indian Trail Groves, Ltd., which was an entity controlled by Irving Cowan who was also the managing member of Indian Trail Groves, L.P., the entity that sold a portion of the subject property to the applicant.

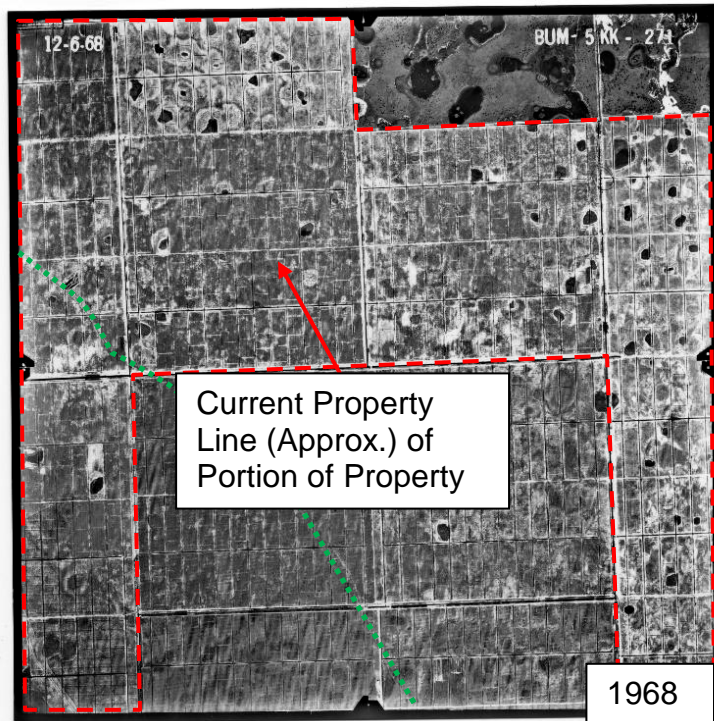
Abutting the property to the northeast, east and southeast are residential, single-family lots within what is commonly referred to as The Acreage. According to the Historical Society of Palm Beach County⁴, The Acreage was established in the early 1960's by Samuel Nathan Friedland's Royal Palm Beach Colony, Ltd., which began selling 1.25-acre lots on what was then swampland for \$5,000 per lot. Based on an analysis of aerials from 1953 and 1968 obtained from the University of Florida's George A. Smathers Libraries² it appears that the drainage canals on the subject property were dug at the same time as the development of The Acreage. As shown on the aerials⁵ provided below the subject property and the areas that became The Acreage were primarily wetlands in 1953. By 1968 roadways and drainage canals were in place so that The Acreage could be developed for residential, single-family lots and the subject property could be utilized for agriculture. For a frame of reference between the two aerials the approximate location of

what appears to have been a trail has been indicated in a green, dashed line.



There are a variety of other parcels surrounding the subject property and details of those (and additional details on the above parcels) are included in the “Surrounding Uses” section below.

The subject property has no previous FLUA Amendment approvals meaning that the FLUA designation on the subject property has remained consistent with the designation assigned in the 1989 PBC Comprehensive Plan. However, the subject property was included in the Central Western Communities (CWC) Sector Plan between August 1999 and November 2007 when the PBC BCC rescinded the Sector Plan during litigation with the Florida Department of Community Affairs (DCA) (predecessor to the Florida Department of Economic Opportunity [DEO]).



While the CWC Sector Plan proposed by the PBC Planning Division was never implemented following rescission on November 26, 2007 (through Ordinance No. 2007-031), other properties in the original 53,000-acre CWC Sector Plan area have been approved by the PBC BCC in subsequent years, through standalone application requests, at, near or above the densities and

intensities called for in the CWC Sector Plan. Prior to the rescission, the density for the CWC Sector Plan area approved by the PBC BCC through Ordinance No. 2005-034 had ranged from 1 unit per 5 acres (0.20 units per acre) to 1 unit per 1.25 acres (0.80 units per acre). Below is a summary of the approved densities/intensities for these other properties in chronological order

- Sluggett Property
 - **Size:** 64.48 acres
 - **Approval:** Granted through PBC Ordinances No. 2008-050 on December 3, 2008 and 2010-030 on August 30, 2010
 - **FLUA Designation:** Commercial Low with an underlying Rural Residential 1 unit per 5 acres (CL/RR-5)
 - **Approved Residential:** 1 unit per 5 acres or 15 units
 - **Approved Non-Residential:** 280,875 s.f. of commercial uses.

- Lion Country Safari
 - **Size:** 637.16 acres
 - **Approval:** Granted through PBC Ordinance No. 2010-028 on August 30, 2010
 - **FLUA Designation:** Commercial Recreation with an underlying Rural Residential 1 unit per 2.5 acres (CR/RR-2.5)
 - **Approved Residential:** 1 unit per 2.5 acres or 254 units
 - **Approved Non-Residential:**
 - Drive-thru safari park;
 - Walk-thru amusement park;
 - Recreational vehicle campground; and
 - Commercial television tower.

- Minto West (aka Callery-Judge Groves)
 - **Size:** 3,788.6 acres
 - **Approval:** Granted through PBC Ordinance No. 2014-030 on October 29, 2014
 - **FLUA Designation:** Agricultural Enclave (AGE)
 - **Approved Residential:** 1.20 units per 1 acre or 4,546 units
 - **Approved Non-Residential:**
 - 500,000 s.f. of retail;
 - 1,050,000 s.f. of light industrial and research and development;
 - 450,000 s.f. of commercial offices uses;
 - 200,000 s.f. of civic uses;
 - 150 room hotel; and
 - 3,000 student college.

What the above summaries demonstrate is that entitlement approvals for the largest

undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan. Each of these approvals was granted with a preamble that confirmed that the proposed amendments complied with the Local Government Planning and Land Development Regulations Act or Community Planning Act as were applicable at the time of adoption. The subject property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Rural Residential Planned Development with a density of 1 unit per 1.25 acres (or 0.80 units per 1 acre). Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

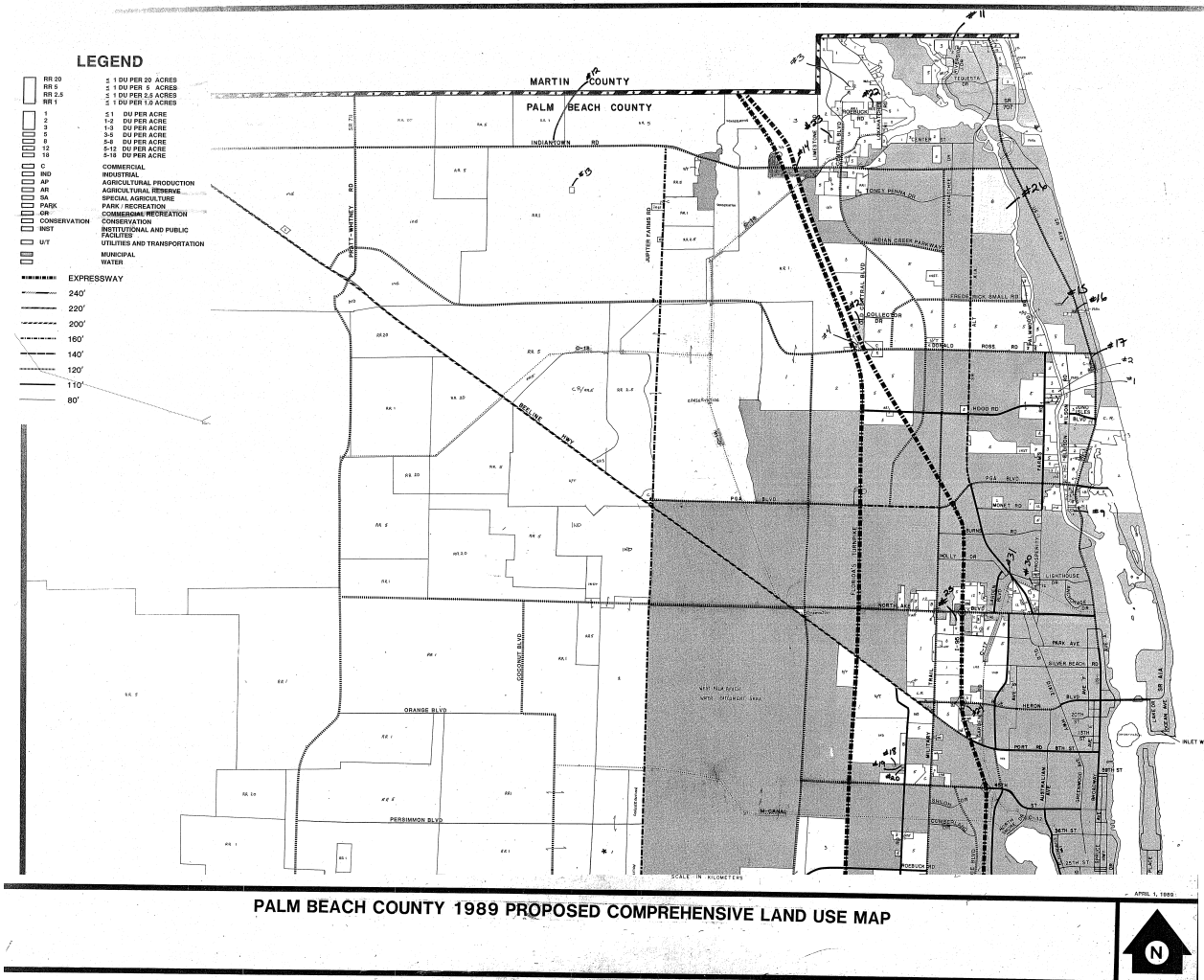
Prior to the CWC Sector Plan PBC Staff had proposed to include a Rural Residential, 1 unit per acre (RR1) as part of the proposed 1989 Comprehensive Plan. Based on a review of the "Palm Beach County 1989 Proposed Comprehensive Land Use Map" dated April 1, 1989 (see below) a significant portion of The Acreage was to have been assigned this RR1 FLU designation; however, following the issuance of the Objections, Recommendations and Comments (ORC) Report by the DCA, the RR1 FLU designation was removed and not assigned as originally proposed by PBC Staff. To address the ORC, in August of 1989 the County adopted the land use plan designation of RR10 (1 unit per 10 acres) for a majority of The Acreage. However, the County simultaneously vested a majority of the lots within The Acreage utilizing the "Lot Requirements" provisions of the FLUE. In addition, some years later the County vested the remainder of The Acreage lots under common ownership utilizing the 85% rule of the "Lot Combination Requirements" of the FLUE. Again some years later the County amended the land use plan designation for a majority of The Acreage from RR10 to RR 2.5 (1 dwelling unit per 2.5 acres). While The Acreage may have an adopted land use designation of RR 2.5 today, there is no argument that most of the lots continue to be vested at a density of 1 dwelling unit per 1.25 acres under the "Lot Requirements" and "Lot Combination Requirements" of the FLUE; and therefore a majority of the lots in The Acreage are vested at the same density as is being requested on the Indian Trails Grove property (1 dwelling unit per 1.25 acres). It should also be noted that The Acreage is vested from having to meet the concurrency requirements of the Comprehensive Plan. Therefore, the 14,000+ lots in The Acreage have absolutely no obligation or requirement to comply with, be analyzed for compliance with or be reviewed for consistency the County's Traffic Performance Standards ordinance; resulting in 14,000 lots that have no obligation to mitigate their traffic impacts on adjoining roadways.

It is worth noting that the ORC perceived the RR1 designation as a form of urban sprawl, and to address this objection the County simply adopted the RR10 land use plan designation for the area. However, by exempting these same areas from having to comply

with the RR10 requirement through the "Lot Requirements" and the "Lot Combination Requirements" of the FLUE, the County has effectively allowed the same form of development as was intended under the RR1 designation originally applied to The Acreage. The development proposed in this application is seeking the same density in a different form of development (RRPUD), which form of development does not constitute a form of urban sprawl (as outlined in the FLUE Map amendment application).

Applicable parts of "Palm Beach County 1989 Proposed Comprehensive Land Use Map" dated April 1, 1989 provided by PBC Staff are below.

ATLAS AREAS (highlighted) WITH VARIATIONS FROM GENERALIZED MAP



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.

Northern Portion

- **North:** To the north of the subject property are the following parcels:
 - **PCN's 00-40-42-17-00-000-7010/00-40-42-18-00-000-7010:** Directly to the north of the northwest section of the subject property are these two PCN's totaling 25.85 acres that are utilized for purposes of a drainage canal owned by the Indian Trail Improvement District. These parcels have a FLUA designation of RR-10 and are within the AP Zoning District;
 - **PCN 00-40-42-16-00-000-9000:** Directly to the north of the northcentral section of the subject property is this 648.48-acre conservation parcel owned by the Florida Fish and Wildlife Conservation Commission. This parcel has a FLUA designation of Conservation (CON) and is a part of the J.W. Corbett Wildlife Management Area;
 - **Various PCN's:** Directly to the east of the aforementioned conservation parcel are seven (7) residential parcels adjacent to the northern property line of the subject property. These parcels are generally 1.25-acres in size, have a FLUA designation of Rural Residential, 1 unit per 2.5 acres (RR-2.5) and are within the AR Zoning District;
 - **PCN 00-40-42-22-00-000-1020:** Directly to the north of the northeast section of the subject property is this 62.36-acre parcel owned by PBC that supports the Samuel Friedland Park. This parcel has a FLUA designation of RR-10 and is within the Public Ownership (PO) Zoning District; and
 - **PCN 00-40-42-22-00-000-1030:** Directly to the north of the northeast section of the subject property is this 60-acre parcel owned by the School District of PBC that is currently vacant and intended to eventually support a public high school. This parcel has a FLUA designation of RR-10 and is within the AR Zoning District.
- **South:** To the south of the subject property are the following parcels. Note that this section includes those parcels that are within the area encapsulated by the U-shape of the subject property and could be deemed as being south, east or west of the subject property.
 - **Various PCN's:** Directly to the south of the southeast section of the subject property are seven residential/agricultural parcels. These parcels range in size from 5.04 acres to 20.43 acres, have a FLUA designation of either RR-5 or RR-10 and are within the AR Zoning District;

- **PCN's 00-40-42-28-00-000-9000 & 00-40-42-33-00-000-1010/3010:** These parcels located within the eastern section of the area encapsulated by the u-shape of the subject property total 1,265.5 acres in size and are owned by Iota Carol LLC. These parcels have a FLUA designation of RR-10, are within the AP or AR Zoning Districts and currently support agricultural operations;
- **Various PCN's:** There are 20 parcels located within the western section of the area encapsulated by the u-shape of the subject property ranging in size from 5.59 acres to 60.2 acres. These parcels have a FLUA designation of RR-5 or RR-10, are within the AP or AR Zoning Districts and currently support agricultural operations;
- **PCN's 00-40-43-05-00-000-3270 & 00-40-43-06-00-000-1020:** Directly to the south of the southwest section of the subject property are these two PCN's totaling 16.28 acres that are utilized for purposes of a drainage canal owned by Lucilo Vasquez. These parcels have a FLUA designation of RR-5 and are within the AP or AR Zoning Districts; and
- **PCN's 00-40-43-06-00-000-1010 & 00-40-43-31-00-000-3010:** Directly to the south of the southwest section of the subject property are these two PCN's totaling 69.23 acres that are utilized for purposes of electric transmission lines owned by Florida Power & Light Company. These parcels have a FLUA designation of AP and are within the AP Zoning District.
- **East:** To the east of the subject property, across 180th Avenue North (a 100' public ingress/egress easement) are a variety of parcels (details below):
 - **Various PCN's:** Directly to the east of the subject property are 39 residential parcels that are generally 1.25-acres in size, have a FLUA designation of RR-2.5 and are within the AR Zoning District; and
 - **PCN 00-40-42-22-00-000-1030:** Directly to the east of the southeast section of the subject property are these two parcels that equate to 58.82 acres and are both owned by the School District of PBC. These parcels support Frontier Elementary School and Osceola Creek Middle School. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District.
- **West:** To the west of the subject property are the following parcels. Note that this section includes those parcels that are north, south and west of that 57.76-acre portion (PCN's 00-39-42-25-00-000-1000 & 00-39-42-26-00-000-1020) of the subject property that extrudes westerly.
 - **PCN's 00-39-42-24-00-000-9000, 00-39-42-25-00-000-9000, 00-39-42-26-00-000-1000 and 00-39-42-36-00-000-1000:** These four (4) parcels total 1,079.58 acres in size and are owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. These parcels have

a FLUA designation of AP, are within the AP Zoning District and are part of the J.W. Corbett Wildlife Management Area;

- **PCN's 00-39-42-13-00-000-5000:** This one (1) parcel totals 757.7 acres in size and is owned by the Indian Trail Improvement District. This parcel has a FLUA designation of AP and is within the AP Zoning District; and
- **PCN 00-39-42-26-00-000-1010:** This one (1) parcel totals 76.46 acres in size, is owned by Florida Power & Light Company and is utilized for purposes of electric transmission lines. This parcel has a FLUA designation of AP and is within the AP Zoning District.

Southern Portion

- **North:** To the north of the subject property are the following parcels:
 - **PCN's 00-40-42-17-00-000-7010/00-40-42-18-00-000-7010:** Directly to the north of this portion of the subject property are these two PCN's totaling 17.82 acres that are utilized for purposes of a drainage canal owned by the Indian Trail Improvement District. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District.
- **South:** To the south of the subject property are the following parcels:
 - **Various PCN's:** Directly to the south of this portion of the subject property are seven vacant/residential/agricultural parcels. These parcels range in size from 5.3 acres to 8.56 acres, have a FLUA designation of either RR-10 and are within the AR Zoning District.
- **East:** To the east of the subject property, across 180th Avenue North (a 100' public ingress/egress easement) are a variety of parcels (details below):
 - **PCN's 00-40-43-03-00-000-1010 & 00-40-43-04-00-000-5010:** Directly to the east of this portion of the subject property are these two PCN's totaling 37.87 acres that are utilized for purposes of a drainage canal owned by the City of West Palm Beach. These parcels have a FLUA designation of RR-10 and are within the AR Zoning District.
- **West:** To the west of the subject property are the following parcels:
 - **Various PCN's:** Directly to the west of this portion of the subject property are six vacant/agricultural parcels. These parcels range in size from 5.01 acres to 26.65 acres, have a FLUA designation of either RR-10 and are within the AR Zoning District.

LUSA DESIGNATION

1. Justification

The proposed development will necessitate facilities to service the proposed 3,943 dwelling units, 225,000 s.f. of neighborhood commercial uses and any civic uses requiring services and should therefore be designated as a Limited Urban Service Area (LUSA). This will ensure that the proposed project is in compliance with Objective 3.5 in that services will be provided at levels of service (LOS) that meet or exceed the minimum standards as established elsewhere in the Comprehensive Plan. The significant relative advantage of designating the subject property as a LUSA is the potential for the proposed development to create a transition and a buffer to existing conservation lands while also creating the potential to address long-standing drainage issues in the area which are clearly environmental benefits. As such, the applicant has justified the designation of the subject property as a LUSA.

FLUA AMENDMENT CONSISTENCY & COMPATIBILITY

1. Justification

The applicant is requesting to amend the FLUA designation of the subject property from AP, in part, and RR-10, in part, to RR-1.25, in whole. Per Policy 2.1-f of the FLUE of the PBC Plan an applicant must provide adequate justification for the proposed future land use.

As shown in the aerials above the subject property was once wetlands as was the land area now known as The Acreage. Over time the subject property was converted into land used for agricultural purposes but conditions have and continue to change that warrant the request to amend the FLUA designation on the subject property to RR-1.25. The Indian Trails Grove project will contain single-family, residential units together with neighborhood commercial uses and civic uses consistent with the residential density of the surrounding area and the demand for non-residential uses generated by the new residences. The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 225,000 s.f. of non-residential development as part of the overall development. Please refer to the "Non-Residential Intensity Analysis" prepared by Warner Real Estate Advisors, Inc. in this attachment for reference.

Furthermore, the proposed FLUA amendment meets the required factors as follows:

- 1) Per Future Land Use Element Policy 2.1-f, the proposed use is suitable and appropriate for the subject site:

Applicant's Description: The proposed amendment would allow comparable residential density within the central western portion of PBC by converting properties currently used for agricultural purposes within an area which has seen continual development since the early 1960's. The proposed project will provide residences that will accommodate the future population of PBC and support the internal neighborhood commercial uses and the non-residential uses within the Minto West project.

- 2) Per Future Land Use Element Policy 2.1-f, the basis for the requested change is based upon the following criteria:

- *Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site.*

Applicant's Description: Directly to the east of the subject property is the +/-3,788-acre Minto West project that was granted a FLUA Amendment approval through PBC Ordinance No. 2014-030 on

October 29, 2014 to allow the Agricultural Enclave (AGE) FLUA designation. The approved scope of development is as follows:

- **Approved Residential:** 1.20 units per 1 acre or 4,546 units
- **Approved Non-Residential:**
 - 500,000 s.f. of retail;
 - 1,050,000 s.f. of light industrial and research and development;
 - 450,000 s.f. of commercial offices uses;
 - 200,000 s.f. of civic uses;
 - 150 room hotel; and
 - 3,000 student college.

The approvals granted for Minto West will provide for a variety of services and non-residential uses that could be supported by the additional residential uses on the subject property.

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

Applicant's Description: The approvals granted for the Sluggett Property, Lion Country Safari and Minto West (aka Callery-Judge Groves) reflect a change the characteristics of the area that was within the CWC Sector Plan. All three of these changes were approved CWC Sector Plan and clearly demonstrate changes in land use and development potential for other properties in the general area of the subject site, at uses and intensities consistent with that requested via the subject amendment application.

- *New information or change in circumstances which affect the subject site*

Applicant's Description: Please see the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc. found in this attachment in which population projections were analyzed to justify the need for the proposed residential and non-residential uses.

- *Inappropriateness of the adopted FLU designation*

Applicant's Description: As detailed above entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan and the subject property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and

intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Rural Residential Planned Development with a density of 1 unit per 1.25 acres (or 0.80 units per 1 acre). Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

As detailed above, allowing the RR-1.25 FLUA designation on the subject property is justified because there has been a change in circumstances (correction in the single-use pattern) that affects the subject property.

2. Residential Density Increases

Per Future Land Use Policy 2.4-b the proposed FLUA amendment meets the required factors as follows:

- Demonstrate a need for the amendment.

Applicant's Description: The Indian Trails Grove project will contribute to the long-term sustainability of the central western communities by providing a form of development that is compatible with The Acreage, protects the J.W. Corbett Wildlife Management Area by providing an appropriate transition and providing central services as detailed above in the "LUSA Designation" section. More specifically the Indian Trails Grove project, (a) is proposed to be developed at 0.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area, (b) is not subject to the TDR program as the subject property is not currently or proposed to be within the Urban/Suburban Tier which is the only Tier in which receiving sites are allowed, (c) will be designed in a manner that creates the appropriate transition between developed areas and the J.W. Corbett Wildlife Management Area thereby protecting it from potentially incompatible growth and, (d) will, as shown in Attachments H through O, be adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, mass transit opportunities, etc.

- Demonstrate that the current land use is inappropriate.

Applicant's Description: As detailed above entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan were granted on an individual basis following the rescission of the CWC Sector Plan and the subject property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is to be developed as a Rural Residential Planned Development with a density of 1 unit per 1.25 acres (or 0.80 units per 1 acre). Furthermore, the proposed project is compatible with the character of existing and planned development in the vicinity, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

- Transfer of Development Rights, Workforce Housing, and Affordable Housing Program utilization.

Applicant's Description: As noted above, the TDR program is not applicable to the subject site as the site is not a receiving area under the program. According to Planning Division staff, the Indian Trails Grove project will be conditioned to provide workforce housing and, as such, will contribute to the adequate distribution of varied housing opportunities. Since the subject property is not within the Urban/Suburban Tier then the provisions of the Affordable Housing Program (AHP) would not apply.

3. Comprehensive Plan, Florida Statutes and Compatibility:

Comprehensive Plan

- **County Directions**

- *Livable Communities.* Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.

1. **Applicant's Description:** The Indian Trails Grove project will promote the enhancement, creation and maintenance of a livable community the central western part of PBC through the following elements:

- a. **Balance of Land Uses:** The Indian Trails Grove project builds on current efforts to redress the historic land use

imbalance in the CWC by providing an additional 225,000 s.f. of non-residential development as part of the overall development.

- b. **Organized Open Space:** The proposed project will have a variety of organized open space including, but not limited to, (1) a substantial (approximately 1,300 acres) open space along the west property line, (2) 50' to 150' open space buffers throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 41-acre addition to existing County park, (6) a new 19.9-acre County park, (7) approximately 20 miles of equestrian trails and (8) approximately 47 acres of private recreation.
- c. **Preservation of Natural Features:** The project will provide an appropriate transition between the development to the east and the conservation area to the north and west.
- d. **Incorporation of Distinct Community Design Elements:** The incorporation of approximately 20 miles of equestrian trails provides a unique design feature that incorporates a long-standing element of the central western communities.
- e. **Personal Security:** Providing gated residential communities will enhance the already safe environment of the central western communities.
- f. **Provision of Services:**
 - i. **Water/Wastewater:** As detailed in the service confirmation letter from the PBC Water Utilities Department (PBCWUD) dated June 19, 2015 it was confirmed that PBCWUD has the capacity to provide the required level of service for the 3,943 residential units and 225,000 square feet of retail uses through the extension of existing facilities. These existing facilities include a 12" water main and 8" force main along Hamlin Boulevard at PBC Park "F" and a 30" water main and a 20" force main along Seminole Pratt Whitney Road at 64th Place North. Furthermore, there was a Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, L.P./Irving Cowan (later assigned to

Palm Beach West Associates I, LLLP) and recorded in Official Records Book (ORB) 18924, Page (PG) 0357 on July 19, 2005. Copies of the agreement and the assignment are included in Attachment I.

- ii. **Drainage:** As detailed in the Statement of Legal Positive Outfall (Attachment J) prepared by GLH Engineering legal positive outfall will be provided by the L-8 Canal which is an existing facility adjacent to the west side of the subject property.
- iii. **Fire:** As detailed in the service confirmation letter from the PBC Fire Rescue Department (Attachment K) it was confirmed that the nearest PBC Fire Rescue station, which is Station #22 located approximately 2.41 miles from the subject property, is unable to serve the new development on the subject property. As shown in the Master Plan found in Attachment Q the proposed project includes the provision of a civic parcel in the northeast corner that is proposed to accommodate a new facilities for the Fire Rescue Department and the Sherriff's office. Therefore, the land will be dedicated to Palm Beach County by the applicant and the applicable fees (i.e., impact fees) paid by the applicant will provide adequate funding for the construction of these facilities.
- iv. **Traffic:** As detailed in the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White (Attachment H) the proposed development will utilize existing roadways (with planned future improvements) such as 60th Street and Seminole Pratt Whitney Road. While these roadways will require improvements the proposed project will connect to and enhance the existing roadway network in an efficient and cost-effective manner.
- g. **Education Opportunities:** As shown in the Master Plan found in Attachment Q the proposed project includes the provision of two civic parcels, one for a new middle school and one for a new elementary school.
- h. **Employment Opportunities:** Beyond the substantial

construction jobs that will be generated by the proposed project there will be a significant number of long-term employment opportunities created including, but not limited to, teaching positions at the proposed schools, retail jobs at the commercial center,

- i. **Passive Recreation Opportunities:** The proposed project will have a variety of passive recreation areas including, but not limited to, (1) a substantial (approximately 1,300 acres) open space along the west property line, (2) 50' to 150' open space buffers throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 41-acre addition to existing County park, (6) a new 19.9-acre County park, (7) approximately 20 miles of equestrian trails and (8) approximately 47 acres of private recreation.

- o *Growth Management.* Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.

1. **Applicant's Description:** The Indian Trails Grove project will contribute to the long-term sustainability of the central western communities by providing a form of development that is compatible with The Acreage, protects the J.W. Corbett Wildlife Management Area by providing an appropriate transition and providing central services as detailed above in the "LUSA Designation" section. More specifically the Indian Trails Grove project, (a) is proposed to be developed at 0.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area, (b) is not subject to the TDR program as the subject property is not currently or proposed to be within the Urban/Suburban Tier which is the only Tier in which receiving sites are allowed, (c) will be designed in a manner that creates the appropriate transition between developed areas and the J.W. Corbett Wildlife Management Area thereby protecting it

from potentially incompatible growth and , (d) will, as shown in Attachments H through O, be adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, mass transit opportunities, etc.

○ *Infill, Redevelopment and Revitalization.* Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.

1. **Applicant's Description:** The subject property is not within what would be classified as an "urban" area and, therefore, this direction is not applicable.

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

1. **Applicant's Description:** The Indian Trails Grove project is proposed to be developed at 0.8 units per 1 acre which, as shown in the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc., found in this attachment is compatible with the densities of the surrounding area.

○ *Neighborhood Integrity.* Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.

1. **Applicant's Description:** The Indian Trails Grove project is adjacent to the western boundary of The Acreage. The proposed development is compatible with The Acreage by proposing a comparable density, not encroaching into the geographic boundaries of the neighborhood with development and respecting the social fabric.

○ *Economic Diversity and Prosperity.* Promote the growth of industries that have relatively high wages and that can diversify the economic base.

1. **Applicant's Description:** The Indian Trails Grove project will provide residences that will support the proposed 225,000 s.f. of non-residential uses within the project and the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.

○ *Housing Opportunity.* Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of very-low and low-income housing, Countywide, through the Workforce Housing Program.

1. **Applicant's Description:** The Indian Trails Grove project will provide workforce housing and, as such, will contribute to the

- adequate distribution of varied housing opportunities.
- *Economic Activity Centers.* Encourage the development of Planned Industrial Developments primarily designed to accommodate and promote manufacturing industry and other value-added activities.
 1. **Applicant's Description:** The Indian Trails Grove project will provide residences that will support the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.
 - *Research and Development Communities.* Support the location of regional economic development activities in the County, which promote science and/or technology uses and other significant employment opportunities and educational initiatives resulting in new technologies and manufacturing activities.
 1. **Applicant's Description:** The Indian Trails Grove project will provide residences that will be supportive of the 1,050,000 s.f. of light industrial and research and development uses proposed at the Minto West project.
 - *Level of Service Standards.* Establish specific, public facility level of service standards that are directly linked to the Capital Improvement Program, to accommodate an optimum level of public facility and service improvements needed as a result of growth.
 1. **Applicant's Description:** The Indian Trails Grove project will comply with all applicable level of service standards and, if necessary, will provide the necessary capital improvements to ensure that current level of service standards are maintained.
 - *Linear Open Space and Park Systems.* Enhance the appearance of the County by providing an open space network that will become a visual and functional organizer of recreational activities, natural resources and other open space areas. This should include public lands, passive as well as active recreation areas, beaches and conservation areas.
 1. **Applicant's Description:** The Indian Trails Grove project will provide a variety of open space opportunities for the proposed residents and the general public including, but not limited to, (1) a substantial (approximately 1,300 acres) open space along the west property line, (2) 50' to 150' open space buffers throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 41-acre addition to existing County park, (6) a new 19.9-acre County park, (7) approximately 20 miles of equestrian trails and (8) approximately 47 acres of private recreation.
 - *Environmental Integrity.* Encourage restoration and protection of

viable, native ecosystems and endangered and threatened wildlife by limiting the impacts of growth on those systems; direct incompatible growth away from them; encourage environmentally sound land use planning and development and recognize the carrying capacity and/or limits of stress upon these fragile areas.

1. **Applicant's Description:** The Indian Trails Grove project will be designed in a manner that creates the appropriate transition between developed areas and the J.W. Corbett Wildlife Management Area thereby protecting it from potentially incompatible growth.
- *Design.* Promote the concept of design to direct development, in rural and urban areas. Design is used to prepare and implement policies and plans that guide the physical development of the built environment and make such development functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals.
 1. **Applicant's Description:** The design of the Indian Trails Grove project will be functional, orderly, efficient, visually pleasing, environmentally sound, economically viable and supportive of generally accepted community goals.
 - *A Strong Sense of Community.* Encourage citizen involvement, neighborhood spirit, and local pride in the County, and a commitment to working constructively on community problems.
 1. **Applicant's Description:** The proposed project, with its sensitivity to adjacent environmental areas, provision of approximately 20 miles of equestrian trails, provision of public gathering areas in the proposed parks, civic and commercial sites, eventual reliance on a homeowner's association and the fact that it is proposed at a compatible density to adjacent residential areas will contribute to a strong sense of community.
 - *Agricultural and Equestrian Industries.* Support and enhance agriculture and equestrian-based industries.
 1. **Applicant's Description:** The Indian Trails Grove project will preserve approximately 700 acres of active agriculture while also providing approximately 20 miles of equestrian trails
 - *Historic Preservation.* Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage. Retain the local sense of place by preserving and protecting historic places, buildings and structures.
 1. **Applicant's Description:** There are no known historical or archaeologically significant resources within the Indian Trails Grove project. See Attachment N for a Cultural Resources

Assessment Report prepared by Robert S. Carr and for letters from the Florida Department of State in which the Department confirmed that no previously recorded cultural resources existed.

- *Climate Change*. Increase resilience through appropriate land use strategies for adaptation and mitigation of climate change impacts.
 1. **Applicant's Description:** The Indian Trails Grove will contribute to the better storage and/or distribution of stormwater in the general area thereby mitigating potential climate change impacts.
- *Externalities*. Recognize major negative externalities and attempt when economically feasible to place economic negative externalities away from neighborhoods.
 1. **Applicant's Description:** The proposed commercial uses within the Indian Trails Grove project will be designed in a manner where they are internalized to the greatest extent possible.
- **FLUE Policy 1.4-a:** The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier by:
 1. Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;
 2. Providing facilities and services consistent with the character of the area;
 3. Preserving and enhancing natural resources; and,
 4. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the rural community.
 - **Applicant's Description:** The proposed project will:
 1. Preserve and enhance the rural landscape by providing additional cultural, recreational and open space resources (as detailed above) while also preserving approximately 700 acres of agricultural land;
 2. Provide facilities and services that are consistent with the nearby communities;
 3. Enhancing the natural resources to the west by providing an appropriate open space transition between the proposed development and the natural area; and
 4. Proposing a density (0.80 du/ac) that is compatible with the surrounding community.
- **FLUE Policy 1.4-h:** The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and collocating neighborhood commercial uses, day

care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

- **Applicant's Description:** As shown on the attached Master Plan the proposed civic/recreation sites are either adjacent to existing civic sites or are clustered together within the new development.
- **FLUE Policy 1.4-i:** Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional water resource management protection, and incorporation of greenway/linked open space initiatives.
 - **Applicant's Description:** The Indian Trails Grove project will be designed in a manner that creates the appropriate transition between developed areas and the J.W. Corbett Wildlife Management Area. In addition, open space opportunities for the proposed residents and the general public will include, but not be limited to, (1) a substantial (approximately 1,300 acres) open space along the west property line, (2) 50' to 150' open space buffers throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 41-acre addition to existing County park, (6) a new 19.9-acre County park, (7) approximately 20 miles of equestrian trails and (8) approximately 47 acres of private recreation.
- **FLUE Objective 2.1:** This objective states that PBC shall designate on the FLUA sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth.
 - **Applicant's Description:** Allowing the requested FLUA designation to allow an increase in residential density will provide additional housing opportunities for the expected growth in the population of PBC.
- **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 Description:** As shown in Attachments H through O the subject property is adjacent to and able to connect to all of the necessary urban services including, but not limited to, the roadway

network, water/wastewater and drainage facilities, mass transit opportunities, etc. This is the case if the subject property is developed residentially or commercially.

- **FLUE Policy 2.1-b:** The County shall utilize a range of residential future land use categories to plan for growth and non-residential land use designations to support and serve the residential and tourist populations as described in the FLUA Regulation Section of this Element. The entitlement, minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in the FLUA Regulation Section.
 - **Applicant's Description:** The allowance of the new RR-1.25 FLUA designation will provide an appropriate and compatible residential category in the central western communities that will support and serve the residential and tourist populations.

- **FLUE Policy 2.1-c:** The Comprehensive Plan shall use population projections and associated dwelling unit projections to guide public and private entities in planning for urban development and redevelopment. The projections shall also guide the location, timing and capacity of urban services and facilities, where other regulatory planning tools do not apply.
 - **Applicant's Description:** Please see the Residential Density Analysis prepared by Warner Real Estate Advisors, Inc. found in this attachment in which population projections were analyzed to justify the need for the proposed residential and non-residential uses.

- **FLUE Policy 2.1-d:** The future land use designation for individual parcels shall be limited to the designations identified by the applicable Tier in Table III.C. in the FLUA Regulation Section (unless otherwise specified within this Element) and shall be shown on the Official Future Land Use Atlas (FLUA) maintained by the Planning, Zoning and Building Department. The Atlas shall depict future land use designations for all parcels in unincorporated Palm Beach County, including underlying/ alternative land uses, and the boundaries and ordinance numbers of all adopted FLUA amendments.
 - **Applicant's Description:** The proposed Comprehensive Plan Text Amendments propose adding the RR-1.25 FLUA designation to Table III.C to ensure consistency with this policy.

- **FLUE Policy 2.1-f:** The following will detail how the impact of the proposed FLUA on the items listed:
 - The natural environment, including topography, soils and other natural resources;
 - **Applicant's Description:** Please see Attachment L for the Natural Feature Inventory & Map.

- o The availability of facilities and services;
 - **Applicant's Description:** Below is more detailed information on each of those facilities and services:
 - a. **Water/Wastewater:** As detailed in the service confirmation letter from the PBC Water Utilities Department (PBCWUD) dated June 19, 2015 it was confirmed that PBCWUD has the capacity to provide the required level of service for the 3,943 residential units and 225,000 square feet of retail uses through the extension of existing facilities. These existing facilities include a 12" water main and 8" force main along Hamlin Boulevard at PBC Park "F" and a 30" water main and a 20" force main along Seminole Pratt Whitney Road at 64th Place North. Furthermore, there was a Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book (ORB) 18924, Page (PG) 0357 on July 19, 2005. Copies of the agreement and the assignment are included in Attachment I.
 - b. **Drainage:** As detailed in the Statement of Legal Positive Outfall (Attachment J) prepared by GLH Engineering legal positive outfall will be provided by the L-8 Canal which is an existing facility adjacent to the west side of the subject property.
 - c. **Fire:** As detailed in the service confirmation letter from the PBC Fire Rescue Department (Attachment K) it was confirmed that the nearest PBC Fire Rescue station, which is Station #22 located approximately 2.41 miles from the subject property, is unable to serve the new development on the subject property. As shown in the Master Plan found in Attachment Q the proposed project includes the provision of a civic parcel in the northeast corner that is proposed to accommodate a new facilities for the Fire Rescue Department and the Sherriff's office. Therefore, the land will be dedicated to Palm Beach County by the applicant and the applicable fees (i.e., impact fees) paid by the applicant will provide adequate funding for the construction of these facilities.
 - d. **Traffic:** As detailed in the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White (Attachment H) the proposed development will

- utilize existing roadways (with planned future improvements) such as 60th Street and Seminole Pratt Whitney Road. While these roadways will require improvements the proposed project will connect to and enhance the existing roadway network in an efficient and cost-effective manner.
- The adjacent and surrounding development;
 - **Applicant’s Description:** Please refer to the surrounding uses section above.
 - The future land use balance;
 - **Applicant’s Description:** As stated previously, the proposed FLUA Amendment to RR-1.25 on the subject property will be consistent with all of the provisions of FLUE Policy 2.1-f. As such, amending the FLUA designation on the subject property will continue to provide a balanced future land use in the area as it will allow both residential and non-residential uses.
 - The prevention of urban sprawl as defined by 163.3164(51), F.S.;
 - **Applicant’s Description:** The Indian Trails Grove project builds on current efforts to redress the historic land use imbalance in the CWC by providing an additional 225,0000 s.f. of non-residential development as part of the overall development.
 - Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and
 - **Applicant’s Description:** While the subject property was within the limits of the CWC Sector Plan that plan was rescinded by the BCC in 2007.
- **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 Description:** The proposed amendment would allow additional residential density within the central western portion of PBC by converting properties currently used for agricultural purposes within an area which has seen continual development since the early 1960’s. The proposed project will provide residences that will accommodate the future population of PBC and support the internal neighborhood commercial uses and the non-residential uses within the Minto West project.

- **FLUE Policy 2.1-h:** The County shall not approve site specific FLUA amendments that encourage piecemeal development.
 - **Applicant’s Description:** The proposed FLUA amendment will enhance and build on the balanced development pattern in the Central Western Communities as evidenced by other projects, such as the Minto West project. As such, the FLUA amendment on the subject property does not encourage piecemeal development.

- **FLUE Policy 2.1-i:** As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for interconnectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.
 - **Applicant’s Description:** The proposed FLUA amendment will not cut off any parcels from access to public right-of-way’s.

- **FLUE Policy 2.1-k:** Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.
 - **Applicant’s Description:** As described in the Comprehensive Plan Text Amendment justification the applicant has proposed to create the Indian Trails Grove Overlay in order to address the proposed density, which is compatible with The Acreage and reflects the densities proposed in the CWC Sector Plan, and the varied uses surrounding the subject property. The overlay is better suited to the subject property than its current Rural Tier designation (or potential re-designation to the Exurban Tier) since it provides policies that address the unique attributes and potential benefits of the subject property while also not opening up other areas of the County that don’t share these attributes/benefits.

Florida Statutes

- **Florida Statutes, Section 163.3177.(6).(a).9** provides that “[t]he future land use element and any amendments to the future land use element shall discourage the proliferation of urban sprawl.” See additional details under the sub-sections below.

- **Florida Statutes, Section 163.3177.(6).(a).9.a:** The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below along with the applicant’s descriptions. 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 discourages urban sprawl.
 - (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 Description:** With the introduction of the mixed-use Minto West project into the central western communities of PBC the development pattern will be corrected from a single use not functionally related with services to an area with a mix of uses that will provide employment opportunities, efficient services, etc. In addition the applicant is proposing to construct neighborhood commercial uses within the Indian Trails Grove project. As such, the proposed FLUA amendment on the subject property will support and enhance the mix of uses in the central western communities.
 - (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 Description:** The proposed development, at 0.8 units per 1 acres, is not “urban” development and therefore this provision would not be met.
 - (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - **Applicant’s Description:** The proposed development, at 0.8 units per 1 acres, is not “urban” development and therefore this provision would not be met.
 - (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 Description:** This amendment will enhance the protection and conservation of the J.W. Corbett Wildlife Management Area by providing an appropriate transition.

- (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 Description:** The proposed project does not fail to protect adjacent agricultural lands as the proposed development will be sensitive to the adjacency of uses and will address any incompatibilities through the zoning process. Furthermore, the proposed development includes the preservation of approximately 700 acres of active, agricultural production.

- (VI) Fails to maximize use of existing public facilities and services.
 - **Applicant’s Description:** This amendment will maximize the use of existing facilities as follows:
 - **Water/Wastewater:** As detailed in the service confirmation letter from the PBC Water Utilities Department (PBCWUD) dated June 19, 2015 it was confirmed that PBCWUD has the capacity to provide the required level of service for the 3,943 residential units and 225,000 square feet of retail uses through the extension of existing facilities. These existing facilities include a 12” water main and 8” force main along Hamlin Boulevard at PBC Park “F” and a 30” water main and a 20” force main along Seminole Pratt Whitney Road at 64th Place North. Furthermore, there was a Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book (ORB) 18924, Page (PG) 0357 on July 19, 2005. Copies of the agreement and the assignment are included in Attachment I.
 - **Drainage:** As detailed in the Statement of Legal Positive Outfall (Attachment J) prepared by GLH Engineering legal positive outfall will be provided by the L-8 Canal which is an existing facility adjacent to the west side of the subject property.
 - **Traffic:** As detailed in the Land Use Plan Amendment

Application Traffic Statement prepared by Simmons & White (Attachment H) the proposed development will utilize existing roadways (with planned future improvements) such as 60th Street and Seminole Pratt Whitney Road. While these roadways will require improvements the proposed project will connect to and enhance the existing roadway network in an efficient and cost-effective manner.

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

- **Applicant's Description:** The amendment for a FLUA amendment will maximize the use of future public facilities and will provide new facilities as follows:
 - **Fire:** As detailed in the service confirmation letter from the PBC Fire Rescue Department (Attachment K) it was confirmed that the nearest PBC Fire Rescue station, which is Station #22 located approximately 2.41 miles from the subject property, is unable to serve the new development on the subject property. As shown in the Master Plan found in Attachment Q the proposed project includes the provision of a civic parcel in the northeast corner that is proposed to accommodate a new facilities for the Fire Rescue Department and the Sherriff's office. Therefore, the land will be dedicated to Palm Beach County by the applicant and the applicable fees (i.e., impact fees) paid by the applicant will provide adequate funding for the construction of these facilities.

(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 Description:** As a result of the existing and proposed development located within this area, the proposed amendment will not increase the costs of providing services as they already exist in the area. The additional tax revenue from the proposed development will aid in maintaining the existing infrastructure. Also, the proposed development will address stormwater management on site within the general area. Therefore, the proposal discourages the proliferation of Urban Sprawl.

- (IX) Fails to provide a clear separation between rural and urban uses.
- **Applicant's Description:** The subject property will be developed at a density consistent with the surrounding area and there is no need to provide a clear separation. Therefore, the proposal discourages the proliferation of Urban/Sprawl.
- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
- **Applicant's Description:** This amendment will allow for the redevelopment of the subject property from agriculture to residential/commercial.
- (XI) Fails to encourage a functional mix of uses.
- **Applicant's Description:** The proposed neighborhood commercial uses coupled with the non-residential uses at Minto West will provide a functional mix of uses with the proposed residences. As such, there will be a mix of uses within the surrounding area.
- (XII) Results in poor accessibility among linked or related land uses.
- **Applicant's Description:** The development will be designed with pedestrian interconnectivity through required pathways within wide landscape strips along the major roadways. As such, this will provide for an inviting, interconnected pedestrian environment. Therefore, the proposal discourages the proliferation of Urban Sprawl.
- (XIII) Results in the loss of significant amounts of functional open space.
- **Applicant's Description:** This amendment does not result in a loss of any functional open space as the subject property is currently not utilized as functional open space. Furthermore, the proposed project will be creating new open space with the following elements: (1) a substantial (approximately 1,300 acres) open space along the west property line, (2) 50' to 150' open space buffers throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 41-acre addition to existing County park, (6) a new 19.9-acre County park, (7) approximately 20 miles of equestrian trails and (8) approximately 47 acres of private recreation.

- **Florida Statutes, Section 163.3177(6).(a).9.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 Description: The proposed project will direct economic growth and associated land development to property that has been in agricultural production for decades. As concluded in the CPA Environmental Assessment prepared by WGI there is no significant habitat on the parcel which makes it improbable for any listed animal or plant species to occur on the site; however, as described above, the subject property is abutting the J.W. Corbett Wildlife Management Area, which is a 60,348-acre wildlife management area managed by the FWCC. As shown on the attached Master Plan (Attachment Q) the applicant is proposing to provide open space within the majority of that part of the subject property that abuts the wildlife management area. As such, the proposed design of the property will provide an appropriate transition between developed areas and a conservation area.

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

- **Applicant's Description:** With the Agricultural Enclave (AGE) designation directly to the east development on the subject property is "next-in-line" development. The amendment for a FLUA amendment will maximize the use of existing and future public facilities and services as follows:

- **Water/Wastewater:** As detailed in the service confirmation letter from the PBC Water Utilities Department (PBCWUD) dated June 19, 2015 it was confirmed that PBCWUD has the capacity to provide the required level of service for the 3,943 residential units and 225,000 square feet of retail uses through the extension of existing facilities. These existing facilities include a 12" water main and 8" force main along Hamlin Boulevard at PBC Park "F" and a 30" water main and a 20" force main along Seminole Pratt Whitney Road at 64th Place North. Furthermore, there

was a Potable Water and Wastewater Development Agreement entered into among Palm Beach County and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in Official Records Book (ORB) 18924, Page (PG) 0357 on July 19, 2005. Copies of the agreement and the assignment are included in Attachment I.

- **Drainage:** As detailed in the Statement of Legal Positive Outfall (Attachment J) prepared by GLH Engineering legal positive outfall will be provided by the L-8 Canal which is an existing facility adjacent to the west side of the subject property.
- **Fire:** As detailed in the service confirmation letter from the PBC Fire Rescue Department (Attachment K) it was confirmed that the nearest PBC Fire Rescue station, which is Station #22 located approximately 2.41 miles from the subject property, is unable to serve the new development on the subject property. As shown in the Master Plan found in Attachment Q the proposed project includes the provision of a civic parcel in the northeast corner that is proposed to accommodate a new facilities for the Fire Rescue Department and the Sherriff's office. Therefore, the land will be dedicated to Palm Beach County by the applicant and the applicable fees (i.e., impact fees) paid by the applicant will provide adequate funding for the construction of these facilities.
- **Traffic:** As detailed in the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White (Attachment H) the proposed development will utilize existing roadways (with planned future improvements) such as 60th Street and Seminole Pratt Whitney Road. While these roadways will require improvements the proposed project will connect to and enhance the existing roadway network in an efficient and cost-effective manner.

As indicated above the proposed project will promote the efficient and cost-effective provision or extension of public infrastructure and services.

- (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 Description:** The development will be designed in a manner that creates walkable and connected communities through continuous 8' wide sidewalks within the 35' to 100' and the approximately 20 miles of equestrian trails. Furthermore, the community will feature three (3) different lot sizes intended to support a range of housing choices.
- (IV) Promotes conservation of water and energy.
- **Applicant's Description:** With the integration of a significant open space area the subject property will promote the conservation of water through stormwater management.
- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
- **Applicant's Description:** The proposed development includes the preservation of approximately 700 acres of active agricultural land. In addition, providing the transition between suburban style development and the Everglades Agricultural Area (EAA) will also assist with the preservation of agricultural in the EAA.
- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.
- **Applicant's Description:** The development will be designed in a manner that creates open space in addition to protecting existing open space and natural lands. As shown on the attached Master Plan (Attachment Q) the applicant is proposing to provide open space with the following elements: (1) a substantial (approximately 1,300 acres) open space along the west property line, (2) 50' to 150' open space buffers throughout the community, (3) 35' to 100' spine road buffers along some of the project's roadways, (4) interior 100' open space buffer, (5) a 41-acre addition to existing County park, (6) a new 19.9-acre County park, (7) approximately 20 miles of equestrian trails and (8) approximately 47 acres of private recreation. These open space areas will ensure compliance with the applicant's commitment (through the Comprehensive Plan Text Amendment request) to provide a minimum of 50% of the subject property as open space, which is one of the highest open space percentages in PBC.

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

- **Applicant's Description:** With the introduction of the mixed-use Minto West project into the central western communities of PBC the development pattern will be corrected from a single use not functionally related with services to an area with a mix of uses that will provide employment opportunities, efficient services, etc. In addition the applicant is proposing to construct neighborhood commercial uses within the Indian Trails Grove project. As such, the proposed FLUA amendment on the subject property will support and enhance the mix of uses in the central western communities.

(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

- **Applicant's Description:** The requested uses, densities and intensities of use will, along with the Minto West project, remediate the existing land use imbalance in the central western communities that may be considered sprawl. Furthermore, the significant amount of open space provided within the subject property is an innovative development pattern that creates open space in addition to protecting existing open space and natural lands.

In conclusion the requested LUSA designation and FLUA Amendment from AP, in part, and RR-10, in part, to Rural Residential, 1 unit per 1.25 acres (RR-1.25), in whole on the subject property is justified, consistent with the Plan and State of Florida laws and is compatible with surrounding uses.

COMPREHENSIVE PLAN TEXT AMENDMENTS

1. Requested Comprehensive Plan Text Amendments:

- 1) Add new objective and policies to the Future Land Use Element (FLUE) to create the Indian Trails Grove Overlay;
- 2) Revise the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Indian Trail Grove Overlay (ITGO);
- 3) Revise the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;
- 4) Revise the Special Planning Areas Map LU 3.1 to identify the location of the

- Indian Trails Grove Overlay;
- 5) Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190th Street
- 6) Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190th Street as an 80' right of way north from 60th Street North to Orange Blvd;
- 7) Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as an undefined right of way Seminole Pratt Whitney Road to 190th Street;
- 8) Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 190th Street as an undefined right of way from 60th Street North to Orange Blvd; and
- 9) Creation of a new rural residential Future Land Use Atlas (FLUA) designation titled Rural Residential, 1 unit per 1.25 acres (RR-1.25) along with the establishment of the subject property as a LUSA.

2. **Justification:** The creation of the Indian Trails Grove Overlay, along with the necessary map amendments, will provide the regulatory framework to allow residential (and accessory commercial development) development on the subject property while also providing protective measures that will create a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. Next, the inclusion of 60th Street North on the Thoroughfare Right of Way Identification Map TE 14.1 and Functional Classification of Roads Map TE 3.1 will ensure that the subject property contains sufficient depth, width and frontage, or appropriate access thereto, a public street shown on the Thoroughfare Right of Way Identification Map per the Planned Unit Development (PUD) design objectives found in PBC Unified Land Development Code (ULDC) Article 3.E.1.C.1. Next, the request to exempt the Indian Trails Grove Overlay from Policy 3.5-d will provide the same flexibility provided to other large, unique projects in PBC including the Agricultural Enclave, the SR-7 Economic Development Overlay (EDO) and the Inland Logistics Center. Next, the allowance of the Indian Trails Grove Overlay to be designated as a Limited Urban Service Area (LUSA), consistent with the same allowance for the Agricultural Enclave, will ensure that adequate facilities can be provided to the overlay. Lastly, the creation of a new rural residential Future Land Use Atlas (FLUA) designation titled Rural Residential, 1 unit per 1.25 acres (RR-1.25) will allow for residential density on the subject property consistent with the densities provided in the CWC Sector Plan.

3. **Consistency:** These Comprehensive Plan Text Amendments will ensure that the proposed project is compatible with the character of existing and planned development, conserve open space, promote environmental sustainability and

manage water resources. More specifically, the requested Comprehensive Plan Text Amendments are consistent with the intent, objective and policies of the Comprehensive Plan (verbatim language from Plan is italicized) as follows:

OBJECTIVE 1.1 Managed Growth Tier System

Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers to:

- 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. Preserve, protect, and improve the quality of natural resources, environmentally sensitive lands and systems by guiding the location, type, intensity, and form of development;*
- 3. Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;*
- 4. Enhance existing communities to improve or maintain livability, character, mobility, and identity;*
- 5. Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;*
- 6. Protect agricultural land for farm uses, including equestrian uses;*
- 7. Strengthen and diversify the County's economic base to satisfy the demands of the population for employment growth, and provide opportunities for agricultural operations and employment centers; and,*
- 8. Provide development timing and phasing mechanisms in order to prioritize the delivery of adequate facilities and services to correct deficiencies in existing communities and accommodate projected growth in a timely and cost effective manner.*

Applicant's Consistency Statement: The proposed form of development, while compatible with the density of the surrounding communities, will provide different housing and lifestyle choices from what currently exists in the Rural Tier. Next, as indicated in proposed Policy 1.12-f below, development within the Indian Trails Grove Overlay will be required to provide 50% open space of which a minimum of 25% of that open space is required to (1) be set aside in the form of contiguous area and shall be limited to preservation, conservation, passive recreation, wetlands, bona fide agriculture, regional water management, fallow land, and/or equestrian uses and (2) be clustered along the western edge of the Overlay. This open space will protect the natural resources and environmentally sensitive lands adjacent to the subject property by serving as a buffer between those resources and while also providing the opportunity to improve the quality of these resources through stormwater management. Next, as will be detailed in the concurrent FLUA Amendment application, the proposed development on the

subject property does not encourage the proliferation of urban sprawl per Section 163.3177.(6).(a).9., Florida Statutes. Next, the Indian Trails Grove Overlay is adjacent to the western boundary of The Acreage. The proposed text amendments will ensure that development within this overlay is compatible with The Acreage by proposing a comparable density, not encroaching into the geographic boundaries of the neighborhood with development and respecting the social fabric. Next, as indicated in proposed Policy 1.12-f below, the required open space is allowed to include bona fide agriculture thus providing for the possible retention of agricultural operations within the overlay. Furthermore, the plan of development includes provisions for approximately 20 miles of equestrian trails that will provide a unique design feature that a long-standing element of the central western communities.

Policy 2.1-a: *The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

Applicant's Consistency Statement: As will be detailed in the concurrent FLUA Amendment application the proposed FLUA designation of RR-1.25, after analyzing the adjacent natural resources, wellfield zone locations, infrastructure, etc., will not exceed the natural or manmade constraints of the area.

Policy 2.1-b: *The County shall utilize a range of residential future land use categories to plan for growth and non-residential land use designations to support and serve the residential and tourist populations as described in the FLUA Regulation Section of this Element. The entitlement, minimum, and maximum densities and the intensities allowed within each land use designation and category are specified in the FLUA Regulation Section.*

Applicant's Consistency Statement: The allowance of the new RR-1.25 FLUA designation will provide an appropriate and compatible residential category in the central western communities that will support and serve the residential and tourist populations.

Policy 2.1-c: *The Comprehensive Plan shall use population projections and associated dwelling unit projections to guide public and private entities in planning for urban development and redevelopment. The projections shall also guide the location, timing and capacity of urban services and facilities, where other regulatory planning tools do not apply.*

Applicant’s Consistency Statement: As will be detailed in the concurrent FLUA Amendment application population projections were analyzed to justify the need for the proposed residential and non-residential uses.

Policy 2.1-d: *The future land use designation for individual parcels shall be limited to the designations identified by the applicable Tier in Table III.C. in the FLUA Regulation Section (unless otherwise specified within this Element) and shall be shown on the Official Future Land Use Atlas (FLUA) maintained by the Planning, Zoning and Building Department. The Atlas shall depict future land use designations for all parcels in unincorporated Palm Beach County, including underlying/ alternative land uses, and the boundaries and ordinance numbers of all adopted FLUA amendments.*

Applicant’s Consistency Statement: These proposed Comprehensive Plan Text Amendments propose adding the RR-1.25 FLUA designation to Table III.C to ensure consistency with this policy.

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

Applicant’s Consistency Statement: The main intent of the proposed language for the Indian Trails Grove Overlay is to provide focused policies that address specific issues related to that portion of the central western communities. Associated map amendments are also being requested.

4. All of the above will be accomplished through the following text amendments:

- i. Table of Contents – Future Land Use Element (add)

[Objective 1.12 Indian Trails Grove Overlay \(ITGO\)](#)

- ii. **Amend Table 1.A Acreage by Existing Generalized Future Land Use**

Table 1.A Acreage by Existing Generalized Future Land Use

**Unincorporated County
Generalized Future Land Use Acres**
Low Residential 43,490
Medium Residential 21,120
High Residential 25,630
Rural Residential ~~61,690~~ 63,020

Commercial 4,070
 Urban Center & Infill 650
 Multiple Land Use 240
 Commercial Recreation 1,990
 Industrial 14,350
 Institutional & Public Facilities 2,510
 Utilities/Transportation & Spoil 5,440
 Park 5,120
 Conservation 346,280
 Agricultural Enclave 3,700
 Agricultural Reserve 20,350
 Agricultural Production ~~469,700~~ 468,370
 Lake Okeechobee (not a FLU) 157,360
Total Unincorporated County 1,183,690

iii. **OBJECTIVE 1.4 Rural Tier**

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

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

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

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

Policy 1.4-b: The Rural Residential (RR-5) Future Land Use category shall be established to maintain a rural residential lifestyle for the Rural Tier. The County will initiate an amendment to the Future Land Use Atlas to designate qualifying subdivisions which meet the criteria listed below, as RR-5:

1. The average lot size is less than 10 acres;
2. The number of lots eligible for further subdivision does not exceed 15% of the total number of existing lots, consistent with the County's 85% Rule described in the FLUA Regulation Section; and,
3. The number of potential new lots created has minimal impact on the transportation network as defined in Land Use Policy 3.5-d.

This future land use category shall recognize all existing lots as of the date of the designation, but shall require a minimum of 5 acres for all newly created lots thereafter, unless developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. Development Orders or Permits, which require a specific plan for development, shall comply with the provisions of the concurrency management system of the County.

Policy 1.4-c: To protect rural areas and provide for preservation of agriculture, minimum density requirements shall not be established in the Rural Tier.

Policy 1.4-d: Any parcel of land in the Rural Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless: each parcel created is consistent with the minimum lot size required by its respective future land use designation or is developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development or as a Rural Residential Planned Unit Development (RR PUD). Parcels

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

Policy 1.4-e: All contiguous lots which are owned by the same person or entity as of December 1, 1989 shall comply with the density requirement of the applicable land use designation under the Comprehensive Plan, as amended, unless exempted by the 85% Rule defined in the FLUA Regulation Section. A lot(s) not exempted under this policy shall be combined with another commonly owned contiguous lot(s) to:

1. Comply with the density requirement; or
2. Reduce the density inconsistency if there are not sufficient contiguous lots to fully comply with the density requirement.

Policy 1.4-f: The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as depicted on the Federal Functional Classification of Roads Map TE 3.1), unless it is shown that a vehicular cross connection can be established to an adjacent site with a non-residential future land use designation, or such development is planned as a Traditional Marketplace Development (TMD).

Policy 1.4-g: Non-residential development shall be designed in the form of a Traditional Marketplace, or the development shall comply with rural design standards in the ULDC to ensure protection of the character of the Tier and to minimize impacts on adjacent neighborhoods, except in special planning areas such as, but not limited to, the Indian Trails Grove Overlay (ITGO). Standards for Traditional Marketplace Development shall also reflect the scale and character of the Rural Tier.

Policy 1.4-h: The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and collocating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and recreation facilities, and libraries. Buildings in

these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

Policy 1.4-i: Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional water resource management protection, and incorporation of greenway/linked open space initiatives.

Policy 1.4-j: The existence of public facilities of any kind, including potable water, wastewater and/or reclaimed water pipelines, shall not be used as justification for making future land use decisions that increase density and/or intensity in the Rural Tier. In order to ensure system efficiency, properties within an area where a public or privately owned potable water, reclaimed water, and/or wastewater utility has been granted or assigned utility service area rights by Palm Beach County, the utility may extend lines and the properties may connect to the utility's system.

Policy 1.4-k: The County shall continue to assign areas with a RR20 Future Land Use designation as TDR sending areas as an incentive to preserve wetlands, consistent with Future Land Use Objective 2.4 regarding the TDR program.

Policy 1.4-l: The County shall continue to provide the rural zoning regulations for areas designated Rural Residential in order to protect and maintain the rural communities of present and future residents of these areas. The regulations shall, at a minimum:

1. Retain the Agricultural Residential zoning designation and the agricultural uses permitted by the Unified Land Development Code.
2. Provide for zoning districts, which appropriately accommodate residential and/or agricultural uses consistent with the applicable Rural Residential future land use category;
3. Provide assurances that agricultural uses shall be allowed in rural residential neighborhoods;
4. Guarantee the keeping of livestock;
5. Maintain specific regulations to restrict the types of non-residential and nonagricultural uses allowed and promote the

- rural character through design, and provide for locational criteria, which will prohibit the scattering of such uses throughout the Rural Tier;
6. Provide limitations on the types and number of uses permitted by the conditional use process;
 7. Allow home occupation uses that will not degrade the rural character of the area;
 8. Include provisions for non-conforming agricultural uses consistent with this Plan, while not violating the Right-to-Farm Act;
 9. Include provisions that restrict clear-cutting for residential purposes to encourage: preservation of open space and protection of native vegetation and tree canopy in front, rear and side yards: preservation of environmental systems, protection of wildlife and retention of the rural character of the Rural Tier.
 10. Provide protection for Rural Residential areas in the Rural Tier from the impacts associated with commercial mining operations and excavation, such as, but not limited to, hauling activity, blasting, vibration, noise, dust, and glare.
 11. Provide for the enhancement and continuation of equestrian uses and facilities to support equestrian operations and events.

iv. OBJECTIVE 1.12 Indian Trails Grove Overlay (ITGO)

General: The Purpose of the Overlay is to provide a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into conservation areas.

Objective: This Overlay encourages the appropriate transition between rural/suburban preservation and conservation areas while allowing for residential development at a density that is compatible with the surrounding area.

Policy 1.12-a: The Indian Trails Grove Overlay is depicted on the Special Areas Planning Map LU 3.1, in the Map Series and consists

of approximately 4,929 acres of land generally located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard.

Policy 1.12-b: The Rural Residential, 1 unit per 1.25 acres (RR-1.25) Future Land Use category shall be established to allow a compatible density with the existing rural residential lifestyle adjacent to the Indian Trails Grove Overlay. Any parcel of land in the RR-1.25 Future Land Use category shall be developed in accordance with the developments standards for RR-1.25 Planned Development District Planned Unit Development (RR-1.25 PDD's) found in the Unified Land Development Code.

Policy 1.12-c: Notwithstanding Table III.C of this Element, the Rural Residential, 1 unit per 1.25 acres (RR-1.25) shall be allowed only within the Indian Trails Grove Overlay.

Policy 1.12-d: Development shall only occur in the format of a Rural Residential 1.25 Planned Development District Planned Unit Development with a minimum gross land area of 900 acres.

Policy 1.12-e: For the purposes of contiguity, any land area within the Indian Trails Grove Overlay shall be considered contiguous so long as it is submitted under one unified plan of development.

Policy 1.12-f: In order to reduce urban sprawl and create a more sustainable land use pattern, the Rural Residential 1 unit per 1.25 acres (RR-1.25) shall be required to exhibit the following characteristics:

1. Open Space shall comprise a minimum of 50% of the gross acreage. A minimum of 25% of the 50% required open space shall: (1) be set aside in the form of contiguous area and shall be limited to preservation, conservation, passive recreation, wetlands, bona fide agriculture, regional water management, fallow land, and/or equestrian uses; (2) be clustered along the western edge of the Overlay; and, (3) be depicted on the Conceptual Plan approved by the Board of County Commissioners.

Policy 1.12-g: Neighborhood-serving commercial uses are permitted up to a maximum of 225,000 square feet and shall comprise no more than 1% of the overall gross land area. This commercial uses shall:

(1) comply with the commercial pod provisions for a Planned Unit Development (PUD) found in the Unified Land Development Code (ULDC); (2) notwithstanding the regulations of Table III.C.2. of the Future Land Use Element, utilize the property development regulations of the CC district in Table 3.D.1.A.-17 of the ULDC; and, (3) not be located within ¼ mile of any existing residential structure or unit on a lot less than 5.0 acres in size at the time of Conceptual Plan approval.

...

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

1. the area described as the United Technology - Pratt and Whitney Overlay;
2. the area defined as the General Aviation Facility/ North County Airport;
3. the Agricultural Reserve; and
4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
5. the area east of the SFWMD L-8 Canal within the Glades Area Protection Overlay; **and**
6. an Agricultural Enclave pursuant to Florida Statute section 163.3162(5); **and**
7. the Indian Trails Grove Overlay.

...

vi. **Policy 3.5-d:** The County shall not approve a change to the Future Land Use Atlas which:

...

**TABLE 3.5-1
Significant Impact**

Net Trip Generation**	Distance
1 – 50	No significant impact
51 – 1,000	Only address directly accessed link on first accessed major thoroughfare*

1,001 – 4,000	One (1) mile*
4,001 – 8,000	Two (2) miles*
8,001 – 12,000	Three (3) miles*
12,001 – 20,000	Four (4) miles*
20,001 – up	Five (5) miles*

* A project has significant traffic: (1) when net trip increase will impact FIHS and SIS facilities which are already exceeding the adopted LOS or cause the adopted LOS for FIHS or SIS facilities to be exceeded; and/or (2) where net trip increase impacting roads not on the FIHS or SIS is greater than one percent (1%) for volume to capacity ratio (v/c) of 1.4 or more, two percent (2%) for v/c of 1.2 or more and three percent (3%) for v/c of less than 1.2 of the level of service "D" capacity on an AADT basis of the link affected up to the limits set forth in this table. The laneage shall be as shown on the MPO's latest adopted LRTP.

** When calculating net trip increase, traffic associated with all prior Land Use Atlas amendment approvals for the property that has not yet received development order approvals, shall be cumulatively included in the analysis. Consideration will also be given to alternative modes of transportation (i.e. bicycle lanes, bicycle paths, bus lanes, fixed rail, and light rail facilities) in reducing the number of net trips. These alternative modes must either be operating at the time of the change to the Future Land Use Atlas or be included in both the Transportation Element (Mass Transit) and the Capital Improvement Element of the Comprehensive Plan.

or;

2) results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1-b.

This policy shall not be applicable to an Agricultural Enclave pursuant to Florida Statutes section 163.3162(5). This policy shall not be applicable to the area designated as SR-7 Economic Development Overlay (EDO). This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Indian Trails Grove Overlay.

...

vii. Amend Table III.C., as follows:

Table III.C

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA ¹
Rural	RR-20,	---	X	X	---	---

Residential	RR-10					
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
	<u>RR-1.25</u>	<u>---</u>	<u>---</u>	<u>X</u>	<u>---</u>	<u>---</u>
Urban Residential	LR, MR, HR	X	---	---	---	---

...

viii. Amend Table III.C.1. as follows:

**Table III.C.1
RESIDENTIAL CATEGORIES & ALLOWED DENSITIES**

Category	Dwelling Units Per Gross Acre			
	Maximum	Standard ¹	Minimum	Entitlement ²
Special Agriculture	---	0.10 DU/AC	---	---
Agricultural Reserve	1.0 DU/AC	0.20 DU/AC	---	---
Agricultural Enclave ⁶	---	---	---	---
Rural Residential 20 Not to exceed 1 du per 20 acres	---	0.05 DU/AC	---	0.05 DU/AC
Rural Residential 10 Not to exceed 1 du per 10 acres	---	0.10 DU/AC	---	0.05 DU/AC
Rural Residential 5 Not to exceed 1 du per 5 acres	---	0.20 DU/AC	---	0.05 DU/AC
Rural Residential 2.5 Not to exceed 1 du per 2.5 acres	---	0.40 DU/AC	---	0.05 DU/AC
<u>Rural Residential 1.25</u> <u>Not to exceed 1 du per 1.25 acres</u>	<u>---</u>	<u>0.80 DU/AC</u>	<u>---</u>	<u>0.05 DU/AC</u>
Low Residential 1 Not to exceed 1 du per 1 acre	---	1.0 DU/AC	---	0.1 DU/AC

UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS

(1) Table 3.E.1.B., notes 1 and 2, as follows:

1. The minimum density in the RR FLU designation for a PUD are as follows:
 RR20 – 0.5 unit/20 acres; RR10 0.5 unit/10 acres; RR5 – 0.5 unit/5 acres;
 RR2.5 – 0.5 unit/2.5 acres; RR1.25 – 0.5 unit/1.25 acres.
2. The maximum density in the RR FLU designation for a PUD are as follows:
 RR20 – 1 unit/20 acres; RR10 1 unit/10 acres; RR5 1 unit/5 acres; RR2.5 – 1
 unit/2.5 acres; RR1.25 – 1 unit/1.25 acres.

(2) Table 3.E.2.C. – PUD Minimum Thresholds (Acreage), as follows:

Table 3.E.2.C - PUD Minimum Thresholds (Acreage)

	AGR	RR20, RR10, RR5, RR2.5	<u>RR1.25</u>	AGE	LR1	LR2	LR3	MR5	HR8	HR12	HR18
Minimum Acreage	40 (80/20)	100	<u>900</u>	100 (Rural TZ)	5	5	5	5	3	3	3
	250 (60/40)			3 (Suburban TZ)							

(3) Table 3.E.2.C. – PUD Land Use Mix, as follows:

Table 3.E.2.C - PUD Land Use Mix

	Res.	Civic (1)	Comm.	Rec.	OS (2)	Preserve Area	Dev. Area
MIN	60%	2% (1)	-	.006 acre	40%	80/20 AGR - 80%	-
						60//40 AGR - 60%	
MAX	-	65%	1%	-	-	-	80/20 AGR -25% (3)
						60/40 AGR - 40%	
[Ord. 2006-004] [Ord. 2008-037] [Ord. 2011-001]							
Notes:							
1. Minimum civic pod requirement may be waived, subject to the following: Public civic may not be required where two percent of the gross acreage of a PDD is less than 1.5 acres in size, subject to FD&O approval; and, If located in a CCRT area, shall be labeled as private civic unless waived by the BCC.							
2. Calculation of open space may include recreation pods, civic pod and open space areas within residential. <u>Within the RR1.25 FLU, a minimum of 50% OS shall be provided.</u>							
3. See 80/20 option exception.							

(4) Table 3.E.2.D. – PUD Property Development Regulations:

Table 3.E.2.D - PUD Property Development Regulations

POD	Lot Dimensions			Density		FAR (2)	Building Coverage	Setbacks			
	Size	Width and Frontage	Depth	Min.	Max.			Front	Side	Side Street	Rear
Residential											
SF	Apply the RS district regulations in Table 3.D.1.A-17, Property Development Regulations, <u>with the exception of RR1.25 PUDs, which property development regulations shall be established in the conditions of approval and shown on the Conceptual Plan approved as part of the FLUA amendment.</u>										
ZLL	Refer to Article 3.D.2.B, Zero Lot Line (ZLL) .										
TH	Refer to Article 3.D.2.A, Townhouse .										
MF	Apply the RM district regulations in Table 3.D.1.A-17, Property Development Regulations.										
Civic											
Private	0.5 ac	100	100	-	-	-	30 percent	25	20	25	20
Public	1.5 ac.	100	200	-	-	-					
Commercial											
Commercial	Apply CC district regulations in Table 3.D.1.A-17, Property Development Regulations										
Recreation											
Recreation Pod	-	65	75	-	-	-	30 percent	25	15	25	15
Neighborhood Park	0.1	45	75	-	-	-	15 percent	15	15	15	15
Preservation (1)											
Preservation	Apply the AGR district regulations in Table 3.D.1.A, Property Development Regulations										
[Ord. 2005-002] [Ord. 2007-001] [Ord. 2008-037]											
Notes:											
1. Preservation includes the Preservation Areas in a PUD allowed in the AGR FLU designations.											
2. maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted.											

(5) Article 3, Chapter E, Section 2.E.1.a., as follows:

a. Range of Housing

A PUD in excess of 100 acres and 300 dwelling units shall provide a minimum of two residential use types. A minimum of ten percent of the residential dwellings in a PUD in excess of this threshold shall be of a second use type. This provision shall not apply to RR1.25 PUDs.

(6) Article 3, Chapter E, Section 2.E.2.b, as follows

Location

A commercial pod shall comply with the following location and design criteria:

1. Frontage

A commercial pod shall not have frontage on a public arterial or collector street traversing or bordering the PUD. Access shall be limited to an arterial or collector street internal to the PUD only.

a) Exception

1. A private arterial or collector street traversing the PUD is exempt from this requirement;

2. A commercial pod located within an RR1.25 PUD provided: (a) the location of the commercial pod is shown on the Conceptual Plan approved by the BCC as part of the FLUA amendment; and (b) at the time of approval of the commercial pod on the Preliminary Development Plan by the BCC, the commercial pod is not located within ¼ mile of any existing residential structure or unit on a lot less than 5.0 acres in size.

2. Setback

a) A commercial pod shall be setback a minimum of 1000 feet from the perimeter of the PUD; unless exempted pursuant to Art. 3.E.2.E.2.b.1.a).2, in which case the commercial pod may be located within 1000 feet the perimeter of the PUD.

b) A commercial pod shall be setback a minimum of 1000 feet from a public arterial or collector street traversing the PUD; unless exempted pursuant to Art. 3.E.2.E.2.b.1.a).2, in which case the commercial pod may be located within 1000 feet of a public arterial or collector street traversing the PUD.

(7) Article 3, Chapter E, Section, 2.G.1 (RR PUD), as follows:

1. Rural Residential

The following additional regulations apply to the PUDs in the RR FLU Designation, with the exception of RR1.25 PUDs, which shall follow the provisions of Art. 3.E.1 and Art. 3.E.2.A through Art. 3.E.2.E.

On behalf of the applicants, Urban Design Kilday Studios, respectfully requests approval of this request to amend the FLUA designation on the subject property and to allow these Comprehensive Plan Text Amendment requests. The Project Manager at Urban Design Kilday Studios is Chris Barry, AICP CUD, Senior Planner who can be reached at (561) 366-1100 or via email at cbarry@udkstudios.com.

Footnotes

¹Legislation found at <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=42O-1>

²Taken from http://www.indiantrail.com/index.asp?SEC=A570234C-62CC-409E-B24B-CD0FFB5ADFD8&Type=B_BASIC

³Taken from <http://myfwc.com/viewing/recreation/wmas/lead/jw-corbett/history/>

⁴Taken from <http://www.pbchistoryonline.org/page/the-acreage>

⁵Found at <http://ufdc.ufl.edu/aerials>

⁶Taken from http://www.pbcgov.com/pzb/Planning/amendments/2014_lga/MintoWest/ATTACHMENT_G.pdf

Indian Trails Grove
Table of Minimum Setbacks and Other Dimensions
May 21, 2015

BUILDING SETBACKS (MINIMUM)

Front setback from Right of Way to garage – front loaded garage
 Front setback from Right of Way to house – front loaded garage
 Front setback from Right of Way to garage – side loaded garage
 Side setback - between house and property line
 Distance between houses
 Side setback on corner lots (street side)
 Rear setback - back of house to property line – non open space lots
 Rear setback - back of house to property line (excludes LME) - open space lots

All Units
25'
25'
15'
7.5'
15'
15'
15'
11.25'

BUILDING COVERAGE (Maximum)

MINIMUM LOT SIZE (in square feet)

MINIMUM LOT DIMENSION (in linear feet, width x length). *Note: Cul-de-sac lots subject to the provisions of Article 3, Chapter D, Section 1.C. (frontage reduction)*

40%
8,450
65' x 130'

POOLS & SPAS

Rear yard setback from edge of pool water to property line – non open space lots
 Rear yard setback from edge of pool water to property line - open space lots (excludes LME)
 Side yard setback from property line to edge of pool water (corner lots)
 Side yard setback from property line to edge of pool water (interior lots)

10.5'
3'
18'
10.5'

SCREEN ENCLOSURES

Rear yard setback from property line to screen – non open space lots
 Rear yard setback from property line to screen – open space lots (excludes LME)
 Side yard setback from property line to screen – interior lots
 Side yard setback from property line to screen – corner lots

7.5'
0'
7.5'
15'

Open Space is defined by the ULDC as “unbuilt land reserved for, or shown on the approved site plan or PDP, as one or more of the following uses: preservation, conservation, wetlands, well site dedicated to PBCWUD, passive recreation, greenway, landscaping, landscape buffer, and water management tracts. “ By ULDC standard, the minimum width of the open space must be 50’ in width to qualify for the reduction noted herein. **Therefore, in order for a lot to qualify as an “open space lot”, the lot line seeking the reduction must abut an open space tract (as defined above) a minimum of 50’ in width or greater.**