

EXHIBIT A

**PHASE I PIA-2017-00314
PIPD COMMERCIAL RECREATION FACILITIES (AKA SURF RANCH FLORIDA)
(Updated 2-17-17)**

**PHASE I PRIVATELY INITIATED AMENDMENT (PIA) APPLICATION
TO AMEND THE UNIFIED LAND DEVELOPMENT CODE (ULDC)**

Application No. PIA 2017-00314
Title: Phase 1, Initiation of Code Amendment
Request: To Amend Planned Industrial Park (PIPD) Regulations to Allow for Large Scale Commercial Recreation Facilities (aka Surf Ranch Florida)
Applicant: Urban Design Kilday Studios
Project Manager: William Cross, AICP, Principal Site Planner

APPLICATION SUMMARY:

The applicant is requesting that the Board of County Commissioners (BCC) approve a request to initiate amendments to the ULDC to enable the development of an Outdoor Entertainment venue to be known as “Surf Ranch Florida,” on an 80-acre parcel within the Palm Beach Park of Commerce Planned Industrial Park Development (PIPD). The Surf Ranch would be comprised of a man made surfing lake and support facilities intended for “*public recreational and competition purposes*”, which may include larger events requiring separate approvals for Special Events. Details can be found in the applicants attachments, or in online videos and promotional materials, such as: <http://www.kswaveco.com/>.

As outlined below under Background and Summary, amendments to PIPD regulations would be required, to allow for commercial recreational uses not originally anticipated in the district. Preliminary discussions with the applicant, identified two potential options for consideration, with the first being to allow the Outdoor Recreation use in the Heavy Industrial Pod of a PIPD, subject to Class A Conditional Use Approval, or to amend limitations on commercial acreage currently permitted within the PIPD district, as follows:

CODE SECTION*	REQUIRED	PROPOSED BY APPLICANT
Table 3.E.5.D, PIPD Land Use Mix	Maximum Commercial Pod limited to 20%, with a maximum of 15 acres.	Option 2: Amend to delete maximum 15 acre limitation.
Table 4.B.3.A, Recreation Use Matrix	Outdoor Recreation Permitted by Right in the Commercial Pod of a PIPD.	Option 1: Amend to allow Outdoor Recreation in the Heavy Industrial Pod of a PIPD subject to Class A Conditional Use Approval.
		Option 2: No change.
Art. 4.B.3.C.4, Outdoor Entertainment	Establishes definition for use, and requirements for location and setbacks.	No change.
* References to Art. 4, Use Regulations based on Use Regulations Project (URP) re-organization.		

BACKGROUND AND SUMMARY:

The PIPD is intended to encourage the expansion of PBC’s economic base through new industrial investment, and is a predominantly industrial development district, with exceptions for support uses intended to provide essential onsite services to serve the PIPD workforce, residents (where applicable) and clients. Preserving industrial lands has repeatedly been cited as crucial to ensuring that PBC can compete to attract or retain industries seeking to relocate or expand. In addition to the aforementioned limitation, this is partially accomplished by establishment of design objectives, use limitations, and maximum commercial acreage caps, among others.

The Park of Commerce is also located within the Research and Technology Overlay (RTO), and the Bioscience Research Protection Overlay (BRPO), both of which also establish protections for critical industrial, manufacturing, research and development activities from encroachment of incompatible land uses and activities.

While there are a number of industrial areas within the County, there are only two existing large PIPDs:

- the 1, 323-acre Park of Commerce located in Northwestern PBC at the intersection of the Beeline Highway (SR 710) and Pratt Whitney Road (SR 711), which is partially developed and predominantly industrial. Existing vested commercial acreage is mostly vacant and exceeds the current commercial acreage limitation; and,
- the 483-acre Vista Center PIPD, which is mostly developed with a mix of industrial, residential, recreational (including a 183-acre golf course and clubhouse) and other commercial uses.
- Note: The future Inland Logistics Center located in the Glades is anticipated to be developed as a PIPD primarily comprised of regional serving warehouse and transshipment uses.

STAFF RECOMMENDATION:

Staff generally supports initiation of a Phase 2 PIA, based on the following findings and contingent on the successful resolution of a number of concerns which require more in depth analysis and review, as follows:

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- The aforementioned PIPDs were approved prior to the establishment of the current 15-acre limit for supporting Commercial acreage, and currently include acreages in excess of the limitation.
- The existing 183-acre Vista Center golf course has not adversely impacted industrial development.
- Preliminary evaluation by Planning indicates that the proposal would not be inconsistent with the Comprehensive Plan.
- The Park of Commerce is remotely located several miles west of most population centers where affordable workforce housing and other lifestyle amenities are available, limiting potential industrial investment opportunities, as evidenced by the competition to identify a site for Scripps, which chose a more centrally located community.
- The proposed 80-acre parcel is located within the extreme NW corner of the Park of Commerce, has direct frontage and access from Pratt Whitney Road, and while potential cross access is shown on the approved Master Plan, it's highly probable that the parcel will be developed in isolation from the rest of the Park.
- The proposed use may yield job creation or other benefits that merit the reduction in available industrial lands within this area of the County. See also reference to World Surf League (WSL) investment in the parent company represented by the applicant, indicating potential for national or worldwide interconnectivity with the inland expansion of the surf industry: <http://kswaveco.com/press-releases/wsl-holdings-to-acquire-kelly-slater-wave-company>.

Additional considerations:

- Confirmation and feedback from the Business Development Board (BDB) and other similar entities, including representatives of the Park of Commerce, to ascertain the potential overall benefits to the County economic base, in lieu of potential industrial development, and verification that reduction of available Heavy Industrial land in this location will not adversely impact future efforts to attract industrial investment.
- Option 1 to allow the Outdoor Entertainment use in the Heavy Industrial pod of a PIPD may address several staff concerns with opening door to other unintended commercial uses, but would be hard to justify, and may require additional supplemental or design standards to mitigate any potential adverse impacts between uses.
- Option 2 to remove the limitation on Commercial pods and retain Permitted by Right for Outdoor Entertainment, will likely require additional Supplemental Standards to ensure that other unintended commercial uses aren't permitted. Also, staff notes that the current provision allowing for the Outdoor Entertainment use is limited by the purpose and intent of the PIPD to limit non-industrial uses to those that support the workforce, residents (if applicable) and clients of the PIPD. The proposed use would not meet this criterion, and as such staff would recommend the amendment be revised to require Class A Conditional use approval.
- Under either scenario, staff is encouraging the applicant to consider expanding the initial proposal to include potential interrelated surf industry manufacturing or distribution facilities that may be functionally integrated with the proposed Surf Ranch.
- Parking – Possible clarification of parking standards, whereas under the proposed use classification, parking is based on more typical uses such as amusement rides, or multi-participant sports type uses. However, additional information is required to clarify how the proposed “surfing lake” and ancillary uses function. Staff anticipates that the facility may be more akin to a golf course which can only accommodate a limited number of participants at any given time, with additional provisions for any “clubhouse” or related educational, training or recreational facilities. Additional parking standards may be necessary to anticipate Special Event parking.
- Environment and Health – other County agencies have indicated that there may be a need to establish standards for water quality and or other safeguards related to site layout, function or operation of mechanical equipment, among others. Note: this would likely be redressed through Conditions of Approval or other existing regulatory oversight, and may not require additional specificity in the ULDC.