

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR THE SITE SPECIFIC AMENDMENT **RAWLINGS ESTATES (LGA 2024-010)**, MODIFYING PAGE 47 OF THE FLUA FOR APPROXIMATELY 104.074 ACRES OF LAND, GENERALLY LOCATED ON THE WEST SIDE OF 180<sup>TH</sup> AVENUE NORTH, AND APPROXIMATELY 0.3 MILES SOUTH OF Sycamore Drive, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM RURAL RESIDENTIAL, 1 UNIT PER 10 ACRES (RR-10) TO LOW RESIDENTIAL, 1 UNIT PER ACRE (LR-1) WITH CONDITIONS; AND THE **FUTURE LAND USE ELEMENT** (TO ESTABLISH THE LOXAHATCHEE ESTATES OVERLAY AND TO REVISE RURAL TIER POLICIES AND PROVISIONS); AND THE **MAP SERIES** (TO ADD THE BOUNDARIES OF THE LOXAHATCHEE ESTATES OVERLAY ON THE SPECIAL PLANNING AREAS MAP, MAP LU 3.1); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Section 163.3184(2)(a), Florida Statutes, provides that comprehensive plan amendments shall follow the expedited state review process except as set forth in Section 163.3184(2)(b) and (c), Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners has initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety, and welfare of the public of Palm Beach County; and

**WHEREAS**, the proposed amendments meet the requirements of Section 163.3184(3)(a), Florida Statutes, to be processed through the expedited state review process, and are being processed through the expedited state review process; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearing on October 11, 2024, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on November 6, 2024, to review the recommendations of the Local

1 Planning Agency, whereupon the Board of County Commissioners authorized transmittal of  
2 proposed amendments to the state land planning agency and review agencies pursuant to  
3 Chapter 163, Part II, Florida Statutes; and

4 **WHEREAS**, Palm Beach County received a letter from the state land planning agency  
5 dated December 12, 2024, for Round 24-06 ESR (County Round 25-A) stating that the Agency  
6 had no comment regarding the proposed amendment; and

7 **WHEREAS**, on February 27, 2025, the Palm Beach County Board of County  
8 Commissioners held a public hearing to consider adoption of the amendments; and

9 **WHEREAS**, the Palm Beach County Board of County Commissioners has determined  
10 that the amendments comply with the requirements of the Community Planning Act.

11 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
12 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

13 **Part I. Amendments to the 1989 Comprehensive Plan**

14 Amendments to the 1989 Comprehensive Plan are hereby adopted and attached to  
15 this Ordinance as Exhibit 1-A and 1-B:

16 **1-A. Future Land Use Atlas page 47** is amended as follows:

17 **Application: Rawlings Estates (LGA 2024-010),**

18 **Amendment:** From Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit  
19 per acre (LR-1) with conditions,

20 **Location:** West side of 180<sup>th</sup> Avenue N, and approx. 0.3 miles south of Sycamore,

21 **Size:** 104.07 acres approximately,

22 **Conditions:** See Exhibit 1-A;

23 **1-B. Text and Map Series Amendments**, to modify the Future Land Use Element and Map  
24 Series Map as shown on Exhibit 1-B and as follows:

25 **A. Future Land Use Element**, to revise the Rural Tier policies and provisions;

26 **B. Future Land Use Element**, to establish the Loxahatchee Estates Overlay within the  
27 Rural Tier allowing 1 unit per acre subject to criteria;

28 **C. Future Land Use Element**, to add a note to the table to establish an allowable density  
29 for the Overlay; and

30 **D. Map Series, Special Planning Areas Map LU 3.1**, to revise Special Planning Areas  
31 Map LU 3.1 of the Map Series to depict the Loxahatchee Estates Overlay (LEO).

32 **Part II. Repeal of Laws in Conflict**

33 All local laws and ordinances applying to the unincorporated area of Palm Beach  
34 County in conflict with any provision of this ordinance are hereby repealed to the extent of  
35 such conflict.

### **Part III. Severability**

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

## **Part IV. Inclusion in the 1989 Comprehensive Plan**

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

## Part V. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the County that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

**APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach  
County, on the 27th day of February , 2025.

ATTEST: PALM BEACH COUNTY, FLORIDA,  
JOSEPH ABRUZZO, CLERK OF COUNTY COMMISSIONERS  
& COMPTROLLER

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By John Doe County Attorney

31 Filed with the Department of State on the 27th day of February, 2025.

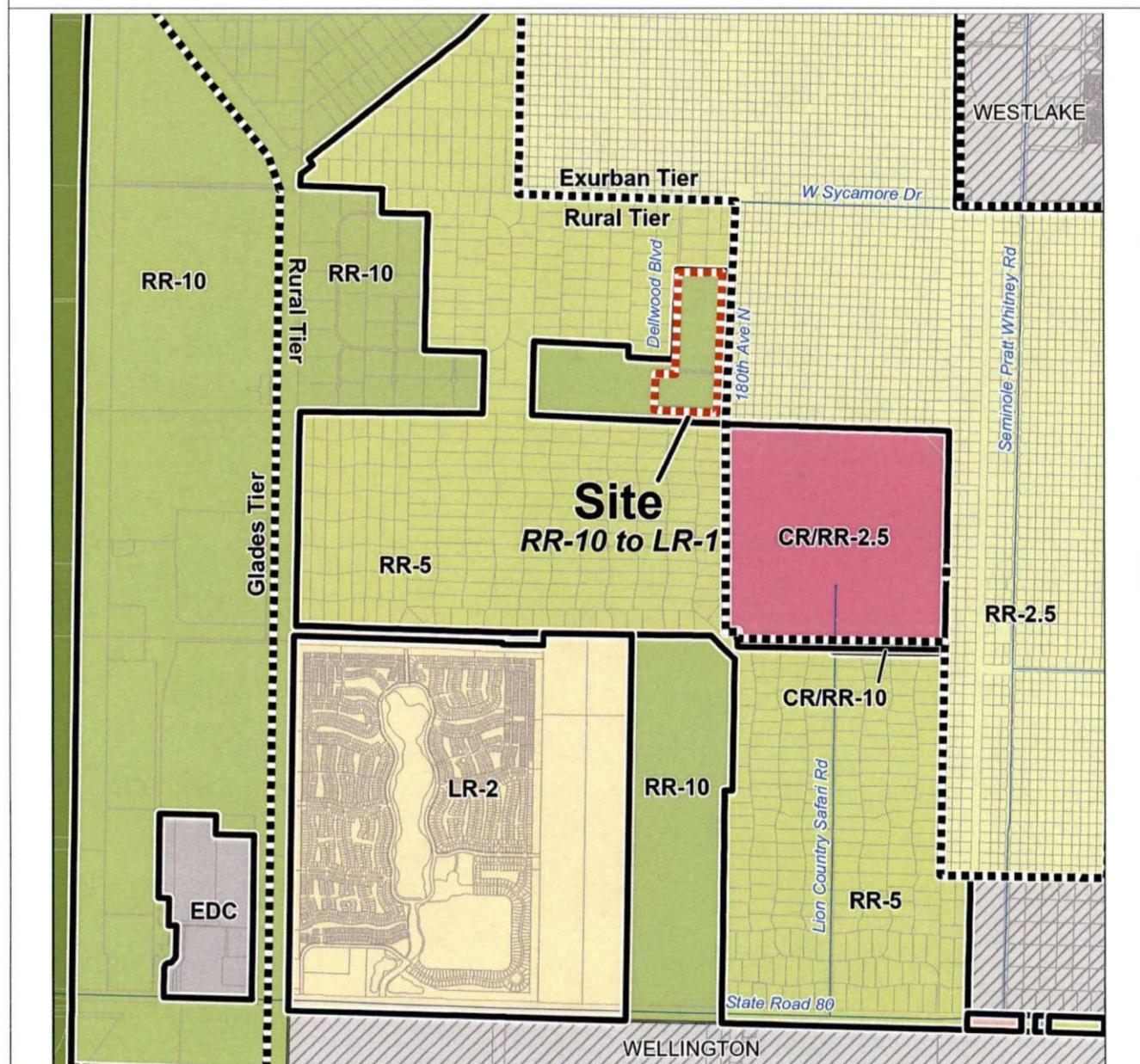
## Exhibit 1-A

A. Future Land Use Atlas page 47 is amended as follows:

<b>Amendment No:</b>	<b>Rawlings Estates (LGA 2024-010)</b>
<b>Amendment:</b>	From Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) with conditions
<b>Location:</b>	West side of 180 <sup>th</sup> Avenue N, and approximately 0.3 miles south of Sycamore Drive
<b>Size:</b>	104.07 acres approximately
<b>Property No:</b>	00-40-43-15-00-000-1220 and 00-40-43-15-00-000-5030

**Conditions:**

1. Residential dwelling units shall be limited to a maximum of 54 units with no further density increases permitted through density bonus programs.
2. The zoning development order shall require a minimum of 10% of the total dwelling units to be provided as offsite workforce housing units, through the Off-site Construction/Exchange Builder Option #1 of the Workforce Housing Program (WHP). The workforce housing units are subject to the applicable requirements of the WHP in Article 5.G.1 of the ULDC.
3. The Zoning Development Order shall provide for a minimum 2.08 acre dedication to Palm Beach County for a future fire-rescue facility, which shall be conveyed in accordance with and full satisfaction of the applicable Property and Real Estate Management (PREM) conditions of approval therein.



## Exhibit 1-B

### Proposed Text and Map Series Amendments

---

#### **A. Future Land Use Element, Rural Tier Revisions**

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

##### **1. REVISE OBJECTIVE 1.4, Rural Tier**

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

#### **B. Future Land Use Element, Loxahatchee Estates Overlay**

**REVISIONS:** To establish the Loxahatchee Estates Overlay within the Rural Tier allowing 1 unit per acre subject to criteria. The revisions are shown below with added text underlined and deleted text shown in ~~strikethrough~~.

##### **1. NEW SUB-OBJECTIVE 1.4.3: Loxahatchee Estates Overlay (LEO)**

The purpose of the Loxahatchee Estates Overlay is to preserve the low-density rural character of the area by allowing residential density of one unit per acre that is consistent with the existing lot pattern of the surrounding areas.

##### **2. NEW Policy 1.4.3.a: Boundaries.** The boundaries of the Loxahatchee Estates Overlay are within the Rural Tier, generally bounded by 180<sup>th</sup> Avenue North on the east, Murray Lane on the south, the Indian Trail Improvement District Canal "A" and Impoundment Facility on the west and the Indian Trail Improvement District Canal "C" on the north. The specific boundaries of the Loxahatchee Estates Overlay are depicted on the Special Planning Areas Map, LU 3.1.

##### **3. NEW Policy 1.4.3.b: Overlay Criteria.** In order to preserve the low-density rural character of the surrounding area, the County shall allow residential development within the Loxahatchee Estates Overlay subject to the following criteria:

**1. Approval Process.** A Future Land Use Atlas amendment shall be accompanied by a concurrent zoning application and a preliminary master plan or preliminary subdivision plan in order to demonstrate compliance with this policy.

**2. Acreage.** Shall be a minimum of 100 contiguous acres. For the purpose of this policy, contiguous includes sites owned by the same owner and separated by land owned by the Indian Trail Improvement District.

**3. Density.** The maximum density is one unit per acre with no further density increases permitted through density bonus programs, such as the Transfer of Development Rights Program, the Workforce Housing Program, or the Affordable Housing Program. The maximum density shall be identified in the adopting ordinance.

**4. Minimum Lot Size.** The minimum lot size shall be one (1) acre.

##### **4. NEW Policy 1.4.3.c:** The ULDC shall be revised to implement the LEO, including establishing access requirements and property development regulations.

#### **C. Future Land Use Element, Future Land Use Regulation Section**

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

**1. REVISE**

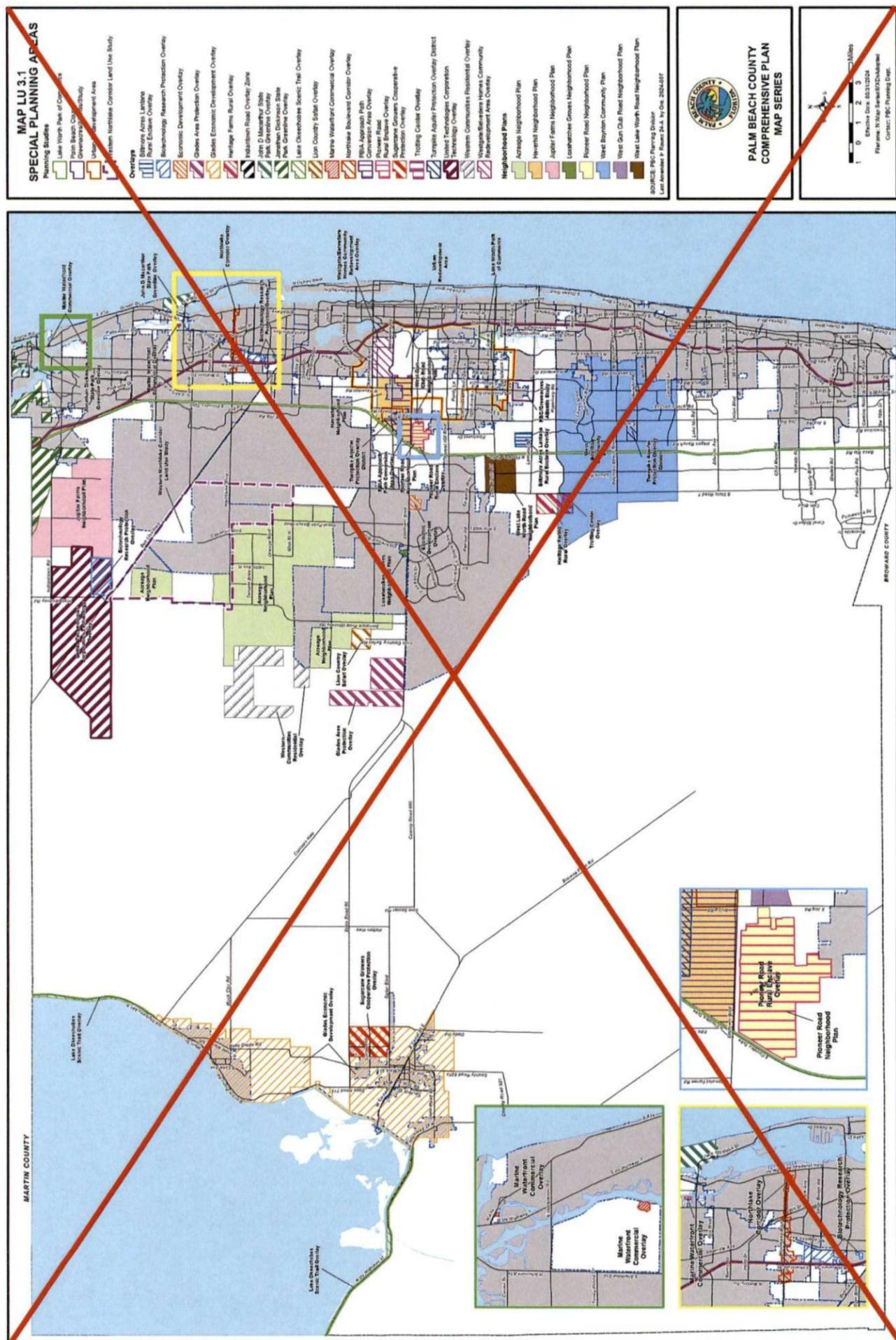
**Table III.C, FUTURE LAND USE DESIGNATION BY TIER**

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

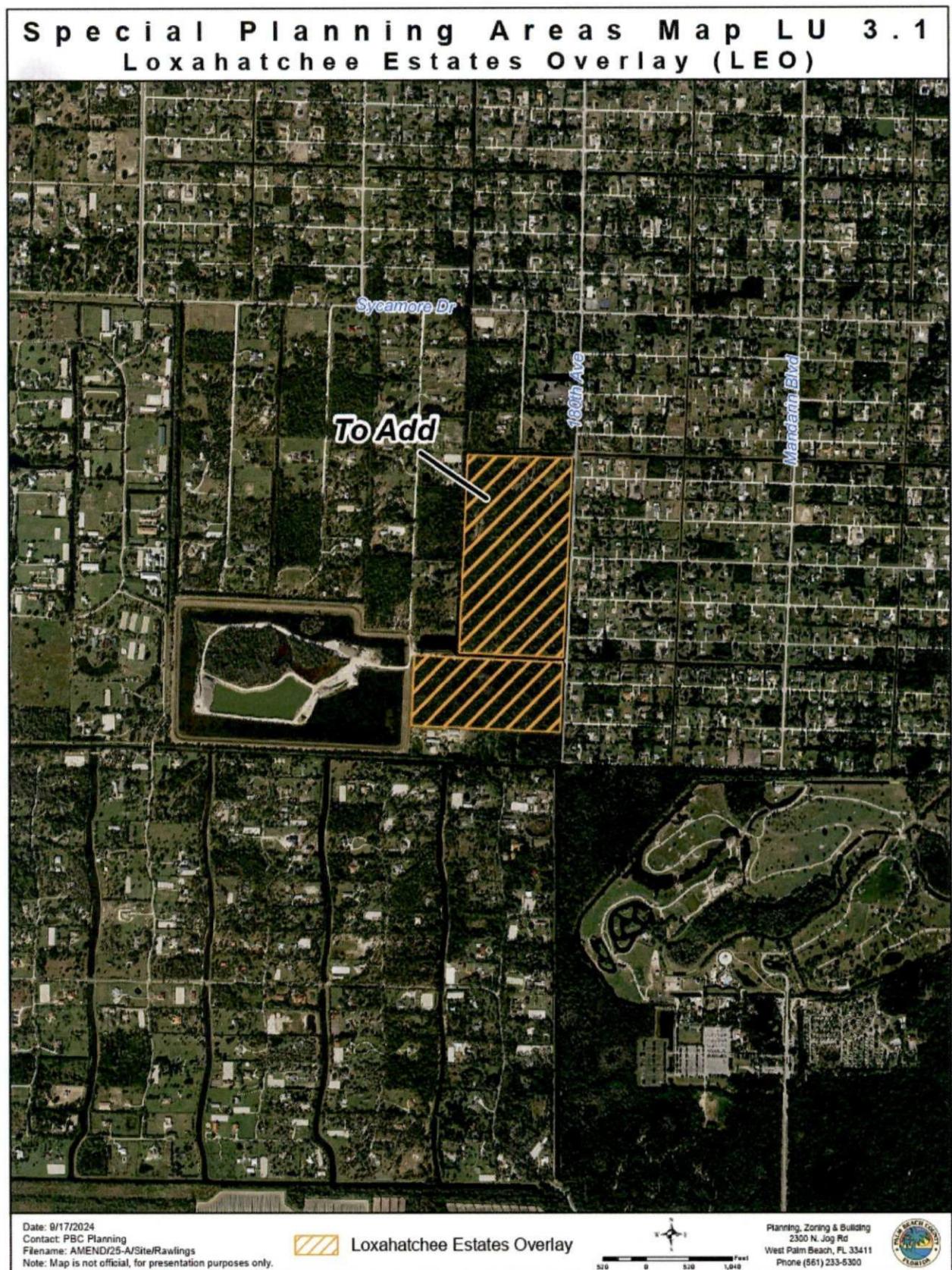
*Text omitted for brevity*

5. Within the Loxahatchee Estates Overlay, the LR-1 future land use designation is allowed for sites that meet Sub-Objective 1.4.3 and criteria in Policy 1.4.3.b.

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



**REVISIONS:** To depict the Loxahatchee Estates Overlay (LEO) on the Special Planning Areas map. Map to be revised to depict the LEO boundaries as shown below.





FLORIDA DEPARTMENT OF STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

February 27, 2025

Joseph Abruzzo  
Clerk of Circuit Court  
Palm Beach County  
301 North Olive Avenue  
West Palm Beach, Florida 33401

Dear Joseph Abruzzo,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2025-006, which was filed in this office on February 27, 2025.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

AL/dp

**R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250**  
**Telephone: (850) 245-6270**



## FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT AMENDMENT ROUND 25-A

---

FINAL REPORT, FEBRUARY 27, 2025

### A. Application Summary

#### I. General Data

<b>Project Name:</b>	<b>Rawlings Estates (LGA 2024-010) FLUA and Text</b>
<b>FLUA Summary:</b>	<b>RR-10 to LR-1 with conditions</b>
<b>Text Summary:</b>	To amend the Future Land Use Element to establish the Loxahatchee Estates Overlay allowing for up to one unit per acre in the Rural Tier and to revise the Special Planning Areas Map LU 3.1 to depict the boundaries
<b>Acres:</b>	104.07 acres
<b>Location:</b>	West side of 180 <sup>th</sup> Avenue N, approx. 0.3 miles south of Sycamore Drive
<b>Project Manager:</b>	Travis Goodson, Senior Planner
<b>Applicant:</b>	Rawlings Estates, LLC (Yoni Bornstein) – Contract Purchaser
<b>Owner:</b>	Beverly Rawlings
<b>Agent:</b>	Matthew Barnes, WGI
<b>Staff Recommendation:</b>	Staff recommends <i>approval with conditions</i> based upon the conclusions contained within this report.

#### II. Assessment & Conclusion

The amendment proposes a future land use amendment on the 104.07 acre site from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) for a maximum development potential of 104 units. The applicant intends to develop 54 single family homes (0.52 units per acre). The request also includes text amendments to revise the Comprehensive Plan to establish the Loxahatchee Estates Overlay (LEO) to allow up to 1 unit per acre in the Rural Tier for the subject site only.

The site is located within the Central Western Communities (CWC), an area consisting primarily of agricultural, rural estate residential and equestrian uses. The intent of the proposed Overlay and FLU change to LR-1 is to allow residential development at one unit per acre consistent with the existing lot pattern of the parcels to the east while remaining in the Rural Tier, with rural levels of service. Although the sites to the east, in the Exurban Tier, are built at a density of 1 unit per 1.25 acres, the highest future land use allowed is 1 unit per 2.5 acres. As a result, the applicant is utilizing the Overlay as a mechanism to increase density on the site to 1 unit per 2 acres (by condition) that is consistent with the lot pattern to the east.

In addition, staff recommends a condition limiting the site to 54 units with no further density increases permitted. Consistent with past Board direction, staff is also recommending that 10 percent of the units be required as onsite workforce housing. However, the applicant is requesting to utilize the Offsite-Construction/Exchange Builder Option #1.

### III. Hearing History

---

**Local Planning Agency: Approval with conditions:** motion by Glenn Gromann, seconded by Sherri Scarborough, passed in 8 to 4 vote (with Barbara Roth, Kiley Harper-Larsen, Angela Vann, and Varisa Lall Dass dissenting) at the October 11, 2024 public hearing. The motion included the applicant's proposed condition #2 to provide the workforce housing obligation offsite as well as the condition as recommended by FD&O for a land dedication for fire rescue purposes. Commission discussion included the location and operations of a future fire station, traffic and infrastructure concerns, the proposed disposition of the required workforce housing units, and the proposed density. There was no public comment.

**Board of County Commissioners Transmittal Public Hearing: Transmit:** motion by Commissioner Weiss, seconded by Commissioner Woodward, passed in a 5 to 0 vote (with Commissioner Baxter absent) at the November 6, 2024 public hearing. The motion included the applicant's proposed condition #2. Board discussion included comments regarding the disposition of the required WHP units, the potential for a future fire station onsite, and infrastructure issues in the area. One member of the public spoke in opposition to the amendment, citing concerns with increased density and traffic impacts.

**State Review Comments:** The State Land Planning Agency reviewed this amendment under Round 24-06 ESR and issued a letter dated December 12, 2024 stating that the Agency had no comment on the proposed amendment. The Treasure Coast Regional Planning Council concluded that the amendment had "no adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified." However, the following comment was provided "the amendment is proposing a ten-fold increase in allowable density for the site. While the subject site is small compared to some of the approved and contemplated nearby development in the Rural Tier, it does highlight the impact of density change and disjointed road networks on the provision of services as noted in the comments from Fire Rescue and FD&O."

**Changes Subsequent to Transmittal:** Condition #3 in Exhibit 1-A requiring concurrent approval of zoning and future land use applications was removed as it is moot with the scheduling of the future land use and zoning hearings on the same date. This change is shown in ~~double strikethrough~~. In addition, a policy directing revisions to the Unified Land Development Code (ULDC) to establish access requirements and property development regulations for development within the Loxahatchee Estates Overlay was added to Exhibit 1-B. The change is shown in double underline. In addition, the maps on pages 4 and E-1 were updated to reflect the adoption of the Central Park Commerce Center MUPD amendment.

**Board of County Commissioners Adoption Public Hearing: Adopt:** motion by Vice Mayor Baxter, seconded by Commissioner Weiss, passed in a 6 to 0 vote (with Commissioner Flores absent) at the February 27, 2025 public hearing. The adoption included the addition of Condition #3 requiring dedication of acreage for a future fire-rescue station, which was a discussion topic that was continued from the transmittal hearing. The condition was included in the agenda add/delete and is shown in double underline in Exhibit 1-A. The applicant and County staff reached an agreement after publication of the agenda item. Board discussion included comments regarding the use of the public civic dedication, and the timeline for and cost of a future fire station. One member of the public spoke in opposition to the amendment, citing concerns with increased density and environmental and traffic impacts. **Ord. 2025-006.**

## B. Petition Summary

### I. Site Data

#### Current Future Land Use

**Current FLU:** Rural Residential, 1 unit per 10 acres (RR-10)  
**Existing Land Use:** Vacant  
**Current Zoning:** Agricultural Residential (AR)  
**Current Dev. Potential Max:** Residential, up to 10 units

#### Proposed Future Land Use Change

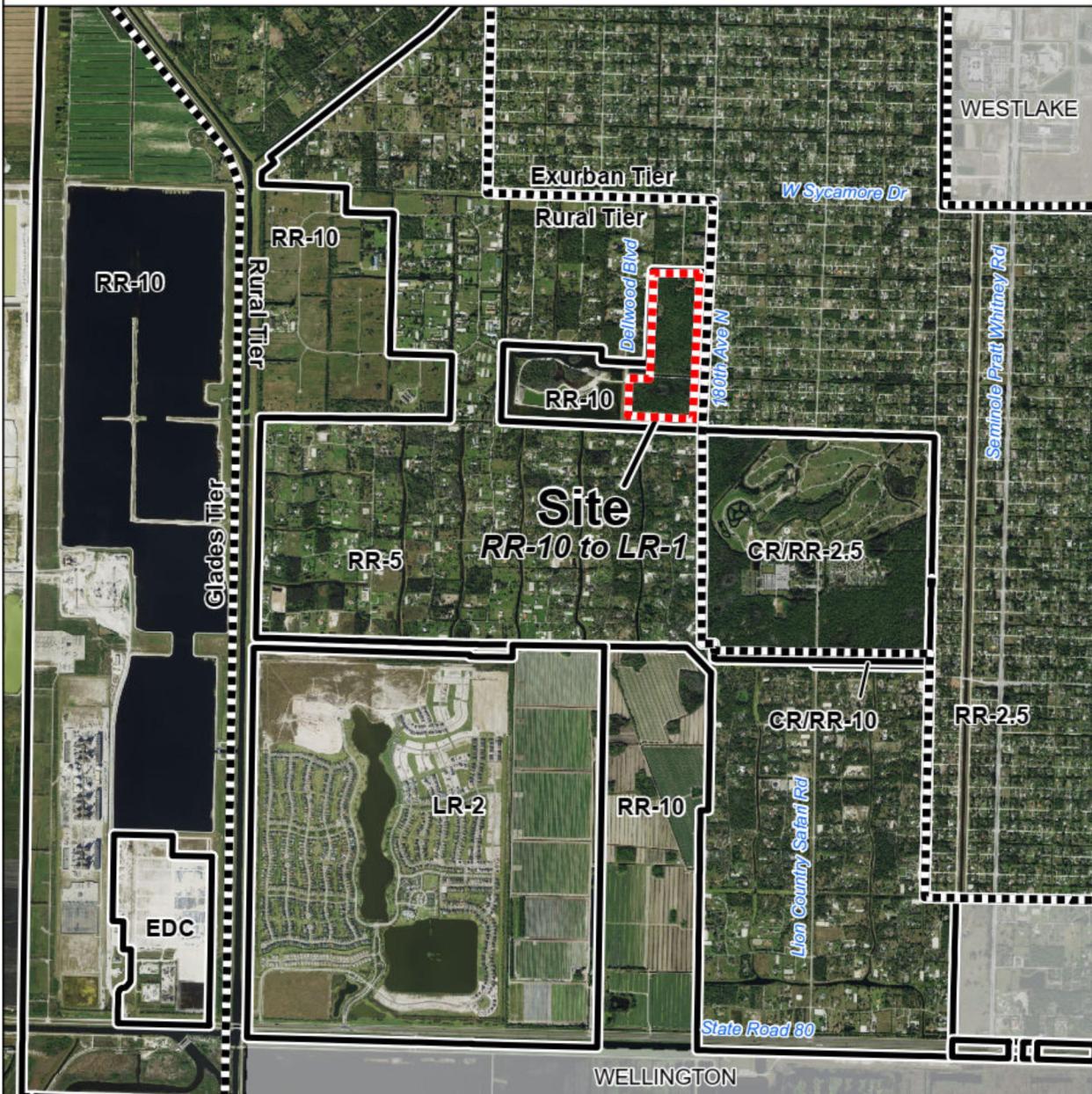
**Proposed FLU:** Low Residential, 1 unit per acre (LR-1)  
**Proposed Use:** Residential  
**Proposed Zoning:** Agricultural Residential (AR) – No Change  
**Dev. Potential Max/Conditioned:** Residential, up to 104 units (conditioned at 54 units)

#### General Area Information for Site

**Tier:** Rural Tier – no change  
**Utility Service:** Palm Beach County Water Utilities Department  
**Overlay/Study:** None  
**Comm. District:** Vice Mayor Sara Baxter, District 6

# Future Land Use Atlas Amendment

## Rawlings Estates (LGA 2024-010)



### Site Data

Size: 104.09  
 Existing Use: Vacant  
 Proposed Use: Residential  
 Current FLU: RR-10  
 Proposed FLU: LR-1

### Future Land Use Designations

RR-10	Rural Residential, 1 unit/10 acres	CL/RR-5	Commercial Low, underlying RR-5
RR-5	Rural Residential, 1 unit/5 acres	CR/RR-10	Commercial Recreation, underlying RR-10
RR-2.5	Rural Residential, 1 unit/2.5 acres	CR/RR-2.5	Commercial Recreation, underlying RR-2.5
LR-2	Low Residential, 2 units/acre	EDC	Economic Development Center
AP	Agricultural Production	INST	Institutional
CON	Conservation		

Date: 2/03/2025  
 Contact: PBC Planning  
 Filename: AMEND/25-A/SiteSpecific  
 Note: Map is not official, for presentation purposes only.

Site   Tier Boundaries

0  
 1,000 2,000 feet

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



## C. Introduction

### I. Intent of the Amendment

---

The 104.07 acre subject site is located in the Rural Tier in an area commonly known as the Central Western Communities (CWC). The CWC is generally located north of Southern Boulevard and west of Crestwood Boulevard, and is comprised of lands within the Rural and Exurban Tiers. Land uses within the CWC consists of a variety of agricultural uses such as nurseries, row crops, and equestrian activities, as well as residential estates.

**Background.** The subject site is comprised of two parcels separated by a drainage canal and access road that is owned and operated by the Indian Trail Improvement District (ITID) for the M-2 Impoundment. The northern parcel is approximately 70.33 acres, and the southern parcel is approximately 33.74 acres. Both parcels have frontage along 180<sup>th</sup> Avenue North. The subject site is currently undeveloped and heavily vegetated. According to information provided by the Applicant, the Rawlings family purchased the subject property in 2016.

**Proposed Text Amendment.** The proposed text amendment was initiated by the Board of County Commissioners on May 1, 2024. Similar to recent text and FLUA amendments in the Rural Tier, the text amendment proposes to create the Loxahatchee Estates Overlay which will allow a low density residential land use designation.

- **Revise FLUE Objective 1.4, Rural Tier**, to provide an exception by allowing the site to exceed the maximum permitted density of the Tier;
- **New FLUE Objective 1.4.3**, to establish a new objective within the Future Land Use Element under the Rural Tier heading to allow a “residential density of one unit per acre that is consistent with the existing lot pattern of the surrounding area;”
- **New FLUE Policy 1.4.3.a**, to add a new policy establishing the boundaries of the Overlay to be limited to the subject site only and depicted in the Map Series Map 3.1, Special Planning Areas;
- **New FLUE Policy 1.4.3.b**, to establish criteria to require a concurrent zoning application and preliminary master plan or subdivision plan, require a minimum of 100 contiguous acres and defines contiguous for the purposes of this policy; establishes a maximum density of 1 unit per acre with no further density increases permitted through density bonus programs; and requiring 1 acre minimum lot size;
- **Revise FLU Table III.C. Future Land Use Designation by Tier**, to add a note to establish a maximum allowable density of LR-1 for the Overlay; and
- **Revise Map Series, Special Planning Areas Map LU 3.1**, to identify the boundaries of the Loxahatchee Estates Overlay.

**Future Land Use Amendment.** The proposed future land use amendment is a request for a change from the Rural Residential, 1 unit per 10 acres (RR-10) future land use designation to Low Residential, 1 units per acre (LR-1). This increases the maximum residential development potential from 10 units to up to 104 units. The applicant is proposing a total of 54 units consisting of single family homes on minimum one acre lots. Staff is recommending a condition of approval limiting the site to a maximum of 54 units as presented by the applicant with no further density increases permitted through density bonus programs.

**Unified Land Development Code (ULDC) Revisions.** This proposed text and FLUA amendment will result in Privately Proposed Revisions to the ULDC that are running concurrent. The ULDC revision proposes to establish an Overlay consistent with the Plan Text amendment and provides for minimum property development regulations and access requirements that ensures the preservation of the rural character of the area. Certain aspects of the site plan, including accommodating the ability to retain existing native vegetation, may require additional modifications.

**Zoning Application.** The concurrent zoning application (CA-2024-00746, Control Number 1996-30143) is requesting a Class A Conditional Use to allow a Single Family Subdivision of the 104.074 acres in order to develop a total of 54 single family residential dwelling units.

## II. Background/History

---

### A. Rural Tier Background

In 1999, the County adopted the Managed Growth Tier system to recognize the County's diverse geographic regions and lifestyles by establishing tiers that have common densities/intensities and public service availability. The subject site is located within the Rural Tier, an area established to support five and ten acre residential lots, as well as agricultural operations and equestrian uses. The unincorporated portions of the Rural Tier consist of 44,670 acres. Heritage Farms along with the Homeland subdivision are within an isolated pocket of the Rural Tier. The Central Western Communities and Jupiter Farms consist of the remaining portions of the Rural Tier in the County. The purpose of the Tier is described in the Comprehensive Plan as Objective 1.4.

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

The Comprehensive Plan recognizes that this Tier is "*beginning to experience development pressure for urban densities and non-residential intensities.*" Therefore, policies were established to limit the maximum residential development potential to 1 unit per 5 acres and additional strategies were included to "*protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that further the goals of the Rural Tier.*" The alternative styles of development are outlined in Future Land Use Element Policy 1.4-d, which requires a minimum of 5 acre lots unless developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. These two rural residential planned unit development options allow for an alternative to a subdivision plan "*to accommodate low-density residential development in conjunction with the protection and maintenance of rural, equestrian, agricultural communities.*" The traditional planned unit development, a development pattern that is primarily located only in the Urban/Suburban Tier, is only allowed in the Rural Tier with the Western Communities Residential Overlay (WCRO) and the Trotting Center Overlay. In addition, sites within this Tier are not able to utilize the density bonus increases provided by the Workforce Housing Program as the provisions apply only in the Urban/Suburban Tier. In addition, density increases through the Transfer of Development Rights (TDR) program are not available

in the Tier as the program is only applicable within the Urban/Suburban Tier in order to promote infill and redevelopment initiatives.

In February 2023, the Board adopted **Objective 1.4.1: Trotting Center Overlay** with the intent of preserving “*the low density rural character of the [Heritage Farms] area, by allowing for transitional residential densities that are compatible with the rural lifestyle in Heritage Farms.*” The Overlay allows for low-density residential development in the Rural Tier at a maximum density of 2 units per acre as a Planned Unit Development. Similarly, on February 27, 2024, the Board adopted the Verdura Farms Text and FLUA amendment, which expanded the boundaries of the Trotting Center Overlay northward to include an additional 96 acres.

## B. Central Western Communities Background and Land Uses

The subject site is located within Rural Tier in what is known as the Central Western Communities (CWC). The following provides a history of the land uses and planning efforts of the area.

**History of Surrounding Land Uses in the Rural Tier.** Surrounding the site to the north, west and south within the Rural Tier are several unrecorded subdivisions (see map on next page), including Dellwood Estates, Las Flores Ranchos, Deer Run Plat 2, and Deer Run. During the preparation of the 1989 Comprehensive Plan, these parcels, including the subject site, were assigned a future land use designation of Rural Residential, 1 unit per 5 acres (RR-5). However, the state land planning agency at the time, the Department of Community Affairs (DCA), objected to the designation as the analysis “did not demonstrate a need for the extensive magnitude of low density residential....on the Future Land Use Map.” During the negotiated settlement agreement, the County and DCA agreed to assign these subdivisions as Rural Residential, 1 unit per 10 acres (RR-10). With the Managed Growth Tier System in 1999, the RR-5 future land use was established into the Comprehensive Plan and DCA determined that the designation was acceptable as it would reflect the existing land use pattern. Therefore, in 2001, the Board adopted changes to the land use designation from RR-10 to RR-5 for these unrecorded subdivisions, as well as nine others in the Rural Tier.

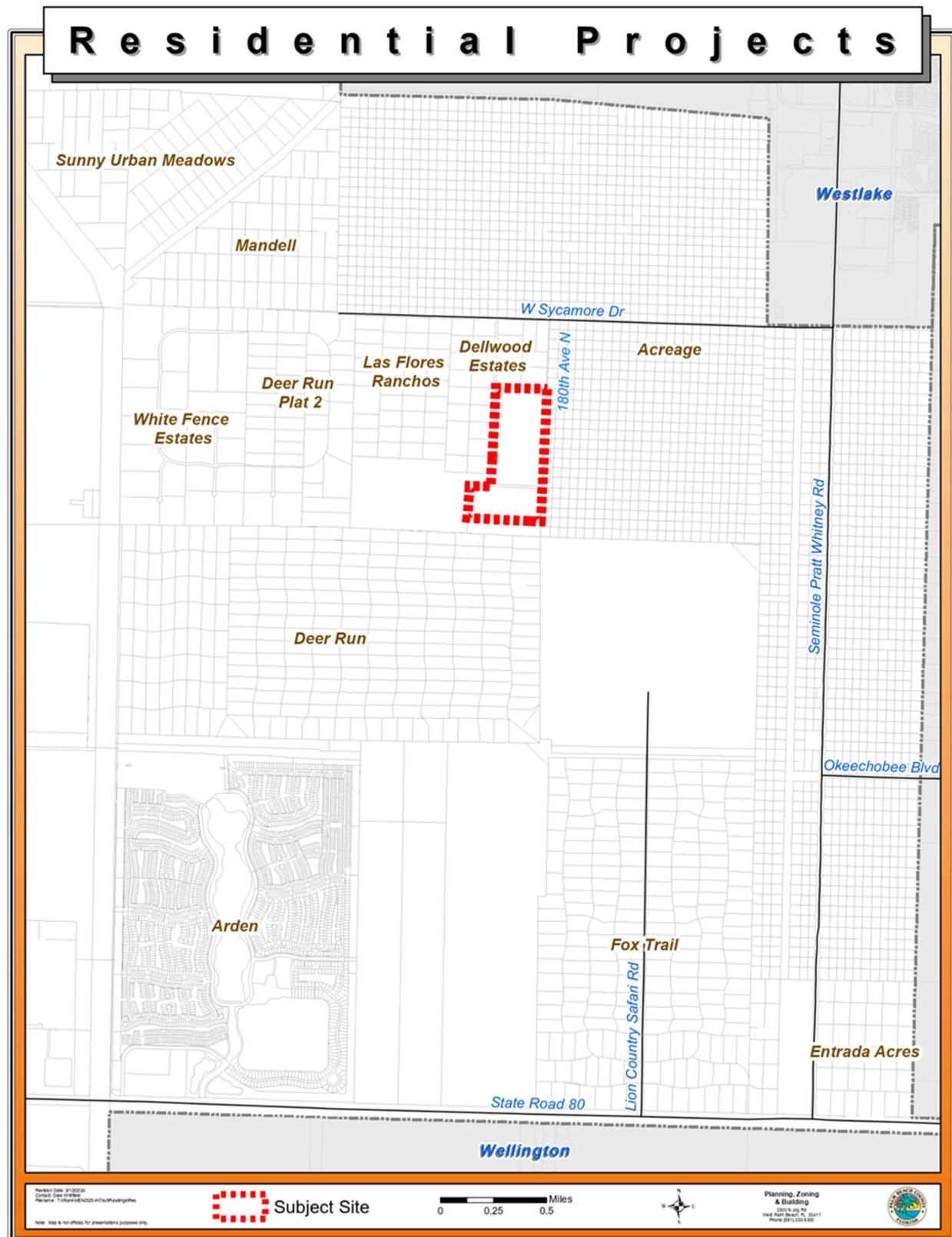
**Table 1 - Rural Tier Surrounding Lot Analysis**

Subdivision	Acres	FLU	% Built Out	# of Lots	Built Units	Avg Density
Deer Run	1,261	RR-5	73%	249	181	.20
Deer Run Plat 2	297.15	RR-5	49%	45	22	.15
Dellwood Estates	143.17	RR-5	80%	25	20	.17
Las Flores Ranchos	188.83	RR-5	61%	36	22	.19
White Fence Estates	416.56	RR-10	10%	31	3	.07
<b>Total</b>	<b>2,306.71</b>	---	<b>55%</b>	<b>386</b>	<b>248</b>	<b>0.16</b>

Source: PBC Planning Division, 2023 Residential Projects

Other than the 134 acre impoundment area owned by Indian Trails Improvement District (ITID), the area to the north, west and south consists of predominately rural residential and equestrian uses with an average density 0.16 units per acre. A graphic depicting the location of these rural residential developments in the area surrounding the subject site is provided on the following page, Map 1 – Residential Projects.

## Map 1 – Residential Projects



**History of Surrounding Land Uses in the Exurban Tier.** Surrounding the site to the east, beyond 180<sup>th</sup> Avenue North, is the Exurban Tier which consists of the southern portion of The Acreage and Lion Country Safari. During the preparation of the 1989 Comprehensive Plan, this portion of The Acreage was assigned a Rural Residential, 1 unit per acre (RR-1) future land use. Similar to the proposed future land use designations in the Rural Tier, DCA objected to this designation. In order to address DCA's objection the County adopted the RR-10 future land use for The Acreage. In 1999, the Rural Residential, 1 unit per 2.5 acres (RR-2.5) designation was created as a result of the Managed Growth Tier System. Staff considered the creation of an RR-1.25 future land use at the time. However, according to the staff report it was "rejected due to its impacts on infrastructure and its more suburban character, which suggested more sprawl." Subsequently, in 2000, the Board adopted RR-2.5 for The Acreage and Palm Beach Country Estates to more accurately reflect the lot pattern of the area.

**Table 2 - Exurban Tier Surrounding Lot Analysis**

Subdivision	Acres	FLU	% Built Out	# of Lots	Built Units	Avg Density
<b>The Acreage</b>	21,286.65	RR-2.5	89%	15,804	14,131	.74

*Source: PBC Planning Division, 2023 Residential Projects*

**Sector Plan Planning Effort.** The Central Western Communities was the subject of a decade long planning effort from 1999 to 2009. Shortly after the adoption the Managed Growth Tier System in 1999, the County subsequently undertook the Sector Plan process to address long range planning and land use imbalances in the approximately 53,000 acre area, comprising portions of the Exurban and Rural Tiers. The Sector Plan as adopted in 2005 included a total of approximately 2 million square feet of non-residential uses (commercial retail and employment center uses). The Plan also allowed rural residential planned developments to develop at RR 1.25 PD (1 unit per 1.25 acres) concurrent with the provision of significant public benefits for the sites now known as Indian Trails Grove and the City of Westlake. A 90 acre portion of Southern Boulevard, south of Collecting Canal Road from A Road to just east of F Road, now in the Town of Loxahatchee Groves, was also eligible for increased densities at 0.8 units per acre provided the site was developed with "substantial equestrian amenities." The subject site was not identified as a site for potential density increase. Subsequently, the Florida Department of Community Affairs (DCA), now known as the Department of Commerce, found the adopted Sector Plan to be 'not in compliance.' Rather than defend the adopted Sector Plan in the impending administrative hearing, the Board repealed the adopting ordinance in 2007 and initiated the Central Western Communities Overlay. However, the Overlay effort was ultimately abandoned in 2009 as it became clear that the issues could not be resolved.

### **III. Data and Analysis Summary**

---

This section of the report provides a summary of the consistency of the amendment with the County's Comprehensive Plan. The chapters in Exhibit 2 detail the consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans.

**A. Overview of the Area.** The subject site is located in the Central Western Communities area of the Rural Tier, generally located north of Southern Boulevard and west of Seminole Pratt Whitney Road. The surrounding area consists primarily of agricultural and residential uses with future land use designations ranging from RR-2.5 to RR-10. These uses are situated on lots with an average size of 1.25 acres to the east within the Exurban Tier, and

5-acre lots to the south and west within the Rural Tier. To the southeast is Lion Country Safari with a Commercial Recreation and underlying RR-2.5 FLU designation and further to the southwest, along the north side of Southern Boulevard, is the Arden PUD and the recently approved Lakehaven PUD, both within the Glades Area Protection Overlay (GAPO) and the Limited Urban Service Area (LUSA).

**B. Appropriateness of the Amendment.**

**1. Density of 1 unit/acre in the Rural Tier.** The subject site is located within the Central Western Communities portion of the Rural Tier where the maximum residential density permitted in the Tier is 1 unit per 10 acres. The primary uses in the area consist of agricultural, rural residential, and equestrian uses. Since the adoption of the 1989 Comprehensive Plan, the Board has adopted amendment requests for higher densities beyond the maximum allowable future land use designation of RR-5 (0.2 units per acre) in the Rural Tier on four occasions, which are summarized below:

- **Callery Judge (LGA 2008-011) and Minto West (LGA 2014-007).** In 2008, the Board adopted a FLUA and text amendment for the 3,735 acre site from RR-10 to Agricultural Enclave (AGE), a newly created future land use designation. The AGE future land use allowed for up to 0.8 units per acre. Subsequently, in 2014, the Board adopted revisions to the conditions of approval for the site to allow up to 1.20 units per acre. Staff recommended approval as the site met the statutory requirements for an Agricultural Enclave and addressed regional deficiencies through the provision of public benefits for residents of the Central Western Communities (CWC).
- **Indian Trails Grove (LGA 2016-017).** In 2016, the Board adopted a FLUA and text amendment for the 4,871.57 acre site from RR-10 to Western Communities Residential (WCR), a new future land use designation. This designation allows for up to 0.8 units per acre. Staff recommended approval as the density was consistent with density contemplated for the parcel under the repealed CWC Sector Plan, which was intended to yield a conceptual master plan addressing regional issues including land use, services, infrastructure, and environment plan for the region's future.

The two sites described above utilized a privately initiated text amendment to increase density in the Tier, as the sites are not contiguous to the Urban/Suburban Tier and thus not eligible for a tier change.

- **Trotting Center (LGA 2023-012).** In May of 2022, a FLUA amendment in the southeastern area of Heritage Farms known as the Trotting Center was submitted. The request initially submitted in May 2022 included a tier change from the Rural to the Urban/Suburban Tier. Following discussions with residents of Heritage Farms, the applicant agreed to instead pursue a text amendment to create an overlay. This would allow the site to remain in the Rural Tier and a tier change would no longer be necessary to achieve the desired development goals. On September 22, 2022, the Board of County Commissioners (BCC) initiated the applicant's private text amendment and the request is concurrent with the FLUA application. The future land use amendment proposed a change from the Rural Residential,

1 unit per 10 acres (RR-10) future land use designation to Low Residential, 2 units per acre (LR-2). This increased the maximum residential development potential from 11 units to up to 211 units (conditioned to 166 units). The concurrent zoning application requested a total of 166 single family units. The text amendment request also includes the revisions to the Map Series of the Comprehensive Plan to depict the Trotting Center Overlay as a Limited Urban Service Area on Maps LU 1.1 and 2.1 as well as to identify the boundaries of the overlay on the Special Planning Areas Map LU 3.1. The amendment was transmitted by the Board at the November 28, 2022 public hearing, and subsequently adopted on February 23, 2023.

- **Verdura Farms (LGA 2024-001).** On February 1, 2023, the BCC initiated a text amendment to create the Heritage Farms Transitional Overlay. The text language was nearly identical to the Trotting Center Overlay which was in process at the time but not adopted. Following the Board's adoption of the Trotting Center Overlay on February 28, 2023, the applicant revised their text amendment by proposing to modify certain aspects of the adopted Trotting Center Overlay. The revisions include reducing the minimum development acreage from 100 to 95 acres and expanding the Trotting Center Overlay northward to include the subject site by revising the boundaries of the Overlay. Similar to the Trotting Center, the companion future land use amendment proposed a change from the Rural Residential, 1 unit per 10 acres (RR-10) FLU designation to Low Residential, 2 units per acre (LR-2) and conditioned to 145 units, along with applicable revisions to the Map Series. The amendment was adopted by the BCC on February 22, 2024.

As demonstrated by the above, the Board has approved land use amendments on sites in the Rural Tier above the maximum residential density permitted in the Tier (1 unit per 5 acres) for sites with unique conditions or circumstances. The amendment request to LR-1 for the subject site is appropriate considering the established density and development pattern of The Acreage located directly east of the subject site within the Exurban Tier.

2. **Workforce Housing Requirements.** As mentioned above, the subject site is proposed to remain in the Rural Tier and is not subject to the mandatory workforce housing program that applies in the Urban/Suburban Tier. However, the Unified Land Development Code (ULDC) in Article 5.G allows the Board to require a workforce housing percentage through condition of approval in any Tier.

In recent years, staff sought direction from the Board of County Commissioners on the suitable minimum percentages of workforce housing to be required when density increases are requested through the future land use amendment process. Beginning in 2018, the Board directed staff to recommend conditions of approval for density increases requiring a minimum of WHP units, and requiring the units to be onsite - 10% for single family projects, 20% for townhomes, and 25% for multifamily developments.

Two of the previously mentioned density increases adopted by the Board within the Rural Tier, Minto West and Indian Trails Grove, included a condition, consistent with staff's recommendation, that the projects provide 10% of the total units as

onsite workforce housing. For the Trotting Center and Verdura Farms amendments, staff also recommended a 10% onsite WHP requirement. The applicants in both amendments agreed to the 10%, but requested at public hearings to provide the obligation offsite. The Board concurred with the offsite option and the amendments were adopted with a condition of approval.

Regarding the subject site, staff is recommending that 10 percent of the units be required as onsite workforce housing, consistent with past Board direction.

The applicant is requesting to provide the 10% required WHP units offsite, using the Offsite-Construction/Exchange Builder Option #1. This option allows a developer to engage with an exchange developer to transfer the obligation to that builder's project through payment of an "exchange fee" between the two parties.

**C. Compatibility.** The subject site is surrounded by Rural Residential future land use designations ranging from 1 unit per 10 acres (RR-10) to the southwest, 1 unit per 5 acres (RR-5) to the north, south and west, and 1 unit per 2.5 acres (RR-2.5) to the east within the Exurban Tier. These subdivisions support primarily single-family residential and agricultural uses. The surrounding subdivisions within the Rural Tier support an average density of 1 unit per 5 acres (0.2 units per acre), and the density within the Exurban Tier directly to the east is approximately 1 unit per 1.25 acres (0.8 units per acre), which is slightly greater than the RR-2.5 land use designation. The proposed development plan includes 54 single family homes situated on minimum one acre lots, which is comparable to the existing uses and development pattern of the surrounding area and results in an average density of 0.5 units per acre. The site plan also depicts the preservation of existing wetlands and native vegetation and perimeter landscape buffering to further compatibility and preserve the character of the Rural Tier. The proposed subdivision will be subject to the conditions of approval made part of the adopting Ordinance and the policies and standards of the implementing overlays in the Comprehensive Plan and ULDC, respectively, to ensure continued compatibility.

**D. Assessment and Recommendation.** The amendment proposes a future land use amendment on the 104.07 acre site from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) for a maximum development potential of 104 units. The applicant intends to develop 54 single family homes (0.52 units per acre). The request also includes text amendments to revise the Comprehensive Plan to establish the Loxahatchee Estates Overlay (LEO) to allow up to 1 unit per acre in the Rural Tier for the subject site only.

The site is located within the Central Western Communities (CWC), an area consisting primarily of agricultural, rural estate residential and equestrian uses. The intent of the proposed Overlay and FLU change to LR-1 is to allow residential development at one unit per acre consistent with the existing lot pattern of the parcels to the east while remaining in the Rural Tier, with rural levels of service. Although the sites to the east are in the Exurban Tier and are built at a density of 1 unit per 1.25 acres, the highest future land use allowed is 1 unit per 2.5 acres. As a result, the applicant is proposing to use the Overlay as a mechanism to increase density on the site to 1 unit per 2 acres (by condition) that is complementary with the lot pattern to the east while respecting the lot patterns to the north, south and west.

In addition, staff recommends a condition limiting the site to 54 units with no further density increases permitted. Consistent with past Board direction, staff is also recommending that

10 percent of the units be required as onsite workforce housing. However, the applicant is requesting to utilize the Offsite-Construction/Exchange Builder Option #1.

Therefore, staff is recommending ***approval with conditions.***

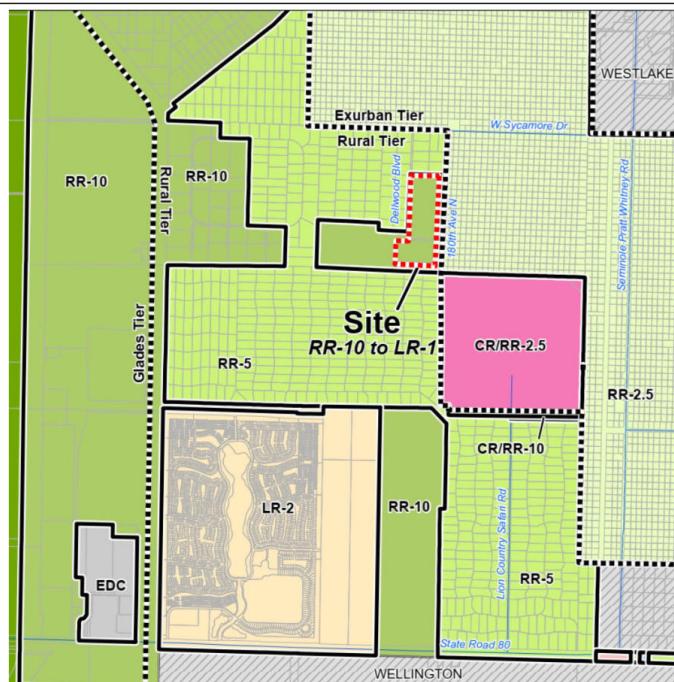
<b>Exhibits</b>	<b>Page</b>
1A. Future Land Use Map & Legal Description	E-1
1B. Proposed Text Amendment and Map Series Amendments	E-3
2. Consistency with Comprehensive Plan	E-7
3. Applicant's Justification/Consistency with Comprehensive Plan & Florida Statutes	E-17
4. Applicant's Public Facility Impacts Table	E-27
5. Palm Beach County Traffic Division Letter	E-30
6. Water & Wastewater Provider LOS Letter	E-32
7. Fire Rescue Letter	E-33
8. Applicant's Disclosure of Ownership Interests	E-34
9. Urban Sprawl Analysis	E-42
10. Correspondence	E-44

## Exhibit 1-A

<b>Amendment No:</b>	<b>Rawlings Estates (LGA 2024-010)</b>
<b>FLUA Page No:</b>	47
<b>Amendment:</b>	From Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) with conditions
<b>Location:</b>	West side of 180 <sup>th</sup> Avenue N, and approx. 0.3 miles south of Sycamore
<b>Size:</b>	104.07 acres approximately
<b>Property No:</b>	00-40-43-15-00-000-1220 and 00-40-43-15-00-000-5030

**Conditions:**

1. Residential dwelling units shall be limited to a maximum of 54 units with no further density increases permitted through density bonus programs.
2. **Staff Proposed** - The zoning development order shall require a minimum of 10% of the total dwelling units to be provided as onsite workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of the ULDC. **OR**
2. **Applicant Proposed** - The zoning development order shall require a minimum of 10% of the total dwelling units to be provided as offsite workforce housing units, through the Off-site Construction/Exchange Builder Option #1 of the Workforce Housing Program (WHP). The workforce housing units are subject to the applicable requirements of the WHP in Article 5.G.1 of the ULDC.
3. **The proposed future land use amendment and the proposed rezoning shall be considered for adoption by the Board of County Commissioners at the same public hearing.**
3. The Zoning Development Order shall provide for a minimum 2.08 acre dedication to Palm Beach County for a future fire-rescue facility, which shall be conveyed in accordance with and full satisfaction of the applicable Property and Real Estate Management (PREM) conditions of approval therein.



## **Legal Description**

---

### **PARCEL 1:**

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 364.98 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 364.98 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1820.24 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET; THENCE SOUTH 87°18'54" EAST, ALONG A LINE 1172.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.740 ACRES, MORE OR LESS.

TOGETHER WITH:

### **PARCEL 2:**

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 1262.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 1262.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1283.03 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1283.03 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2377.15 FEET; THENCE SOUTH 88°16'32" EAST, FOR A DISTANCE OF 1283.20 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2398.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 70.334 ACRES, MORE OR LESS.

THE COMBINED TOTAL AREA OF PARCELS 1 AND 2, IS 104.074 ACRES, MORE OR LESS.

## Exhibit 1-B

### Proposed Text and Map Series Amendments

---

#### **A. Future Land Use Element, Rural Tier Revisions**

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

##### **1. REVISE OBJECTIVE 1.4, Rural Tier**

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

#### **B. Future Land Use Element, Loxahatchee Estates Overlay**

**REVISIONS:** To establish the Loxahatchee Estates Overlay within the Rural Tier allowing 1 unit per acre subject to criteria. The revisions are shown below with added text underlined and deleted text shown in ~~strikethrough~~.

##### **1. NEW SUB-OBJECTIVE 1.4.3: Loxahatchee Estates Overlay (LEO)**

The purpose of the Loxahatchee Estates Overlay is to preserve the low-density rural character of the area by allowing residential density of one unit per acre that is consistent with the existing lot pattern of the surrounding areas.

##### **2. NEW Policy 1.4.3.a: Boundaries. The boundaries of the Loxahatchee Estates Overlay are within the Rural Tier, generally bounded by 180<sup>th</sup> Avenue North on the east, Murray Lane on the south, the Indian Trail Improvement District Canal "A" and Impoundment Facility on the west and the Indian Trail Improvement District Canal "C" on the north. The specific boundaries of the Loxahatchee Estates Overlay are depicted on the Special Planning Areas Map, LU 3.1.**

##### **3. NEW Policy 1.4.3.b: Overlay Criteria. In order to preserve the low-density rural character of the surrounding area, the County shall allow residential development within the Loxahatchee Estates Overlay subject to the following criteria:**

###### **1. Approval Process. A Future Land Use Atlas amendment shall be accompanied by a concurrent zoning application and a preliminary master plan or preliminary subdivision plan in order to demonstrate compliance with this policy.**

2. **Acreage.** Shall be a minimum of 100 contiguous acres. For the purpose of this policy, contiguous includes sites owned by the same owner and separated by land owned by the Indian Trail Improvement District.
3. **Density.** The maximum density is one unit per acre with no further density increases permitted through density bonus programs, such as the Transfer of Development Rights Program, the Workforce Housing Program, or the Affordable Housing Program. The maximum density shall be identified in the adopting ordinance.
4. **Minimum Lot Size.** The minimum lot size shall be one (1) acre.

4. **NEW Policy 1.4.3.c:** The ULDC shall be revised to implement the LEO, including establishing access requirements and property development regulations.

**C. Future Land Use Element, Future Land Use Regulation Section**

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

**1. REVISE**

**Table III.C, FUTURE LAND USE DESIGNATION BY TIER**

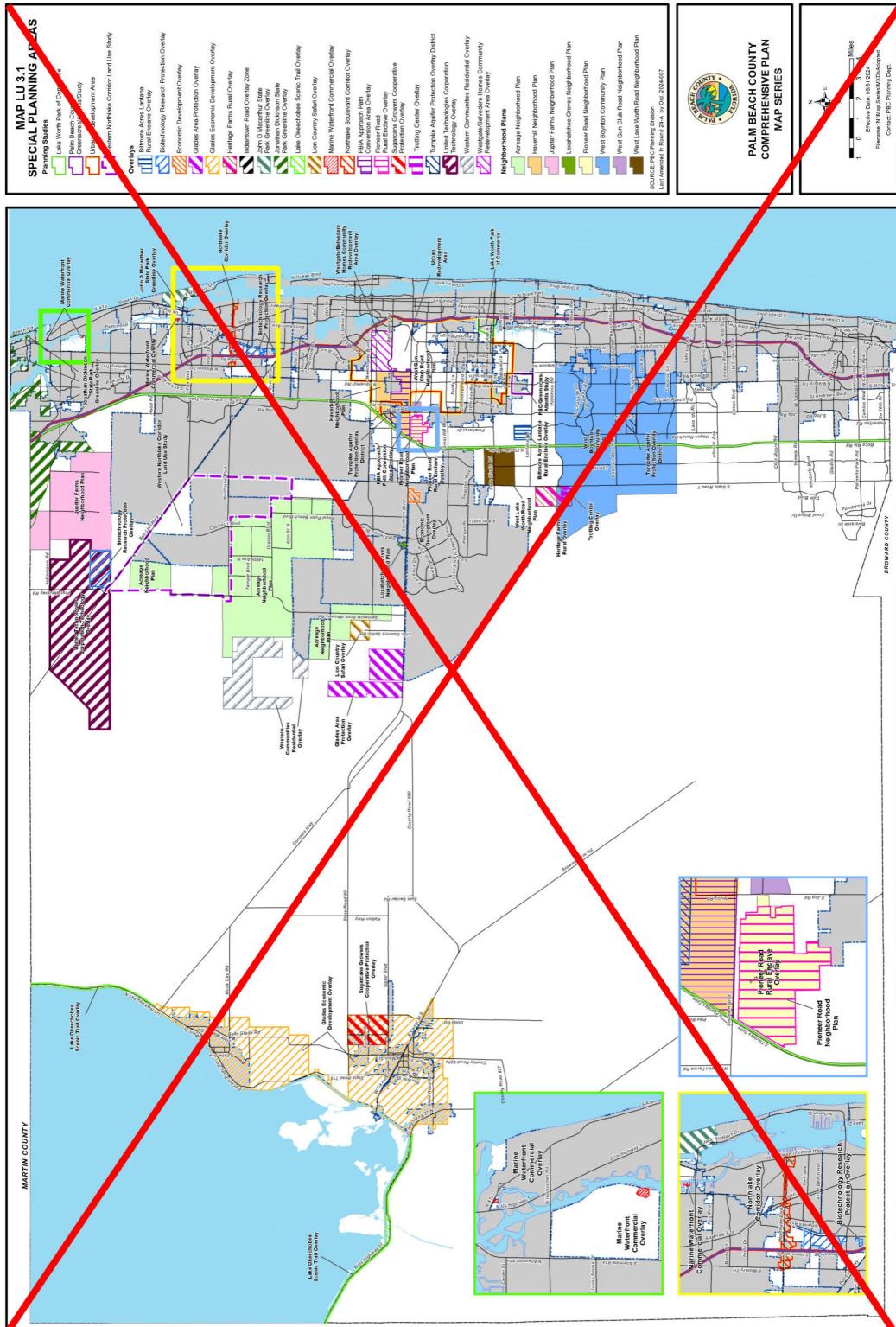
Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA <sup>1</sup>
Rural Residential	RR-20, RR-10	---	X	X	---	---
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
Western Communities Residential	WCR	---	---	X	---	---
Urban Residential	LR, MR, HR	X	---	---	---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

*Text omitted for brevity*

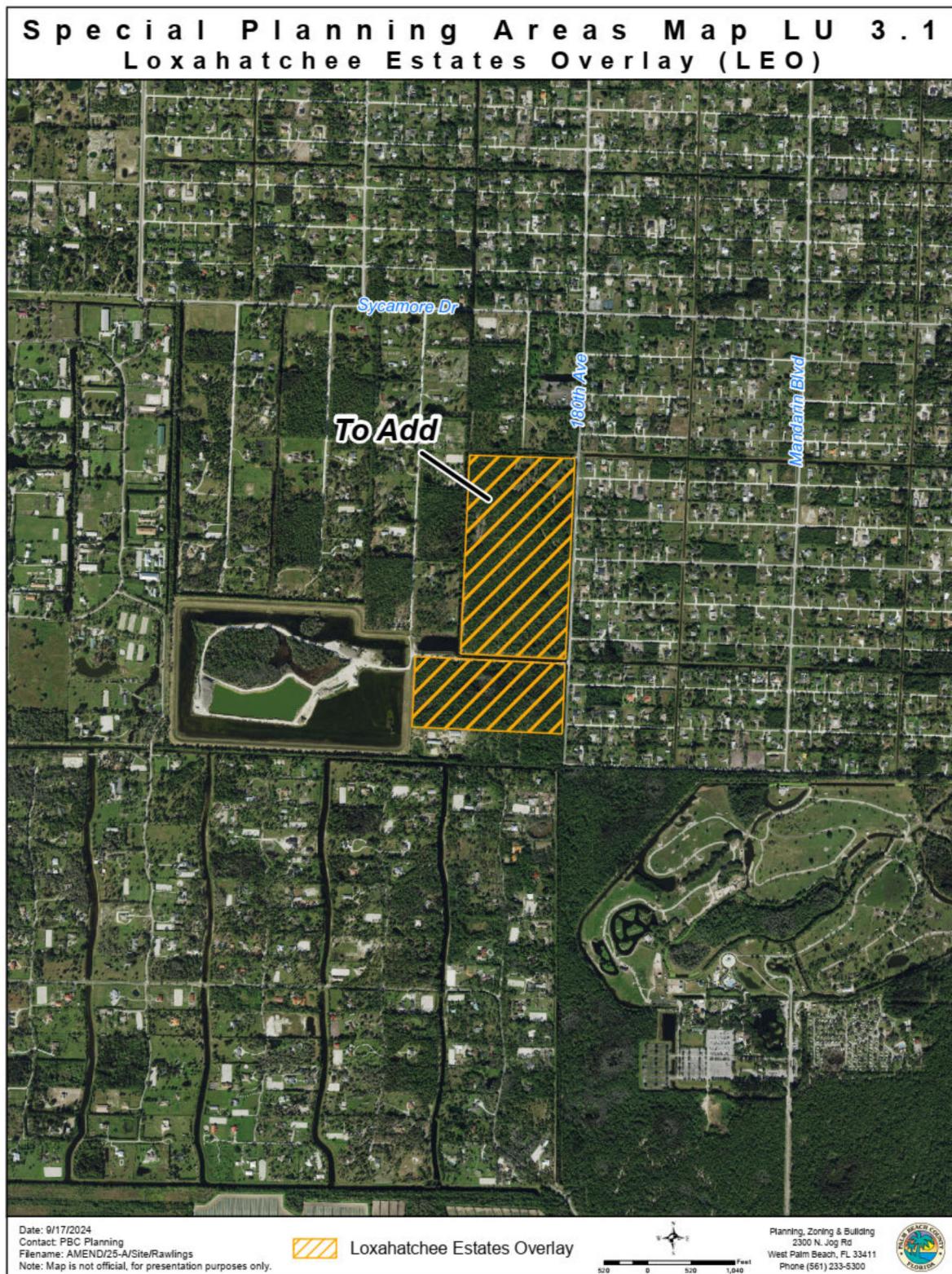
5. Within the Loxahatchee Estates Overlay, the LR-1 future land use designation is allowed for sites that meet Objective 1.4.3 and criteria in Policy 1.4.3.b.

**D. Map Series, Special Planning Areas Map LU 3.1, Loxahatchee Estates Overlay**

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



**REVISIONS:** To depict the Loxahatchee Estates Overlay (LEO) on the Special Planning Areas map. Map to be revised to depict the LEO boundaries as shown below.



## Exhibit 2

### Consistency with Comprehensive Plan

---

This Exhibit examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

#### A. Consistency with the Comprehensive Plan - General

1. **Justification - FLUE Policy 2.1-f:** *Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*
  1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
  2. *The availability of facilities and services; (see Public Facilities Section)*
  3. *The adjacent and surrounding development; (see Compatibility Section)*
  4. *The future land use balance;*
  5. *The prevention of urban sprawl as defined by 163.3164(51), F.S.; (See Consistency with Florida Statutes)*
  6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section)*
  7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (See Public and Municipal Review Section)*

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

- *"The character of the area remains rural and residential, but there is a significant and urgent need for additional housing units in the county. The proposed FLUA amendment to LR-1 in conjunction with the proposed Loxahatchee Estates Overlay will allow for much needed residential development while maintaining the character of the area. The amendments will allow for rural residential development on the subject site that is compatible with in terms of character, scale, mass, intensity of use, and height to the existing residential development in the surrounding area."*
- *"The [text] amendment proposes language that will create the Loxahatchee Estates Overlay, specifically by allowing the LR-1 FLUA designation within the Rural Tier with a provision requiring a one-acre minimum lot area within the Overlay, among other proposed regulations related to boundaries, minimum lot size, approval process, acreage, and density."*

**Staff Analysis:** This policy is the umbrella policy over the entire FLUA amendment analysis and many of the items are addressed elsewhere in this report as identified above. With regards to justification, there are several themes presented by this amendment that are discussed individually.

The applicant states that the proposed 54-unit single-family development has been programmed and designed to preserve existing wetlands and upland habitats, provide consistency with the development pattern of the surrounding area, and add units to the housing market in the County. The applicant also indicates the proposed density equates to approximately 0.52 dwelling units per acre, which is less than the maximum one unit per acre allowed by the proposed FLU designation and is comparable to the maximum densities of the surrounding area (0.4 du/ac for RR-2.5 FLU and 0.2 du/ac for RR-5 FLU designations). The applicant further provides a justification that since the adoption of the existing FLU designation, the area surrounding the subject site has experienced increased growth and changes in the development pattern, as property owners have gradually purchased and constructed homes in the area.

The intent of the proposed Overlay and FLU change to LR-1 is to allow residential development at one unit per acre consistent with the existing lot pattern of the parcels to the east while remaining in the Rural Tier, with rural levels of service. Although the sites to the east, in the Exurban Tier, are built at a density of 1 unit per 1.25 acres, the highest future land use allowed is 1 unit per 2.5 acres. As a result, the applicant is utilizing the Overlay as a mechanism to increase density on the site to 1 unit per 2 acres (by condition) that is consistent with the lot pattern to the east.

The proposed Loxahatchee Estates Overlay provides a mechanism to allow a density increase in the Rural Tier while also ensuring that development is in keeping with the average density and established character of the area. The proposed site-specific development proposes the lowest urban residential land use designation that allows for the target number of units; meets the purpose and intent of the new Overlay; and, complies with the specific location and design criteria. In consideration of the facts and information provided, staff finds that the applicant has provided adequate justification.

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

**Direction 1. Livable Communities.** *Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.*

**Direction 2. Growth Management.** *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.*

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

**Staff Analysis:** The County's Managed Growth Tier System is the primary vehicle by which the County Directions are realized. The Managed Growth Tier System identifies distinct geographic areas that together, offer lifestyle choices for all residents, and allow for sustainable communities. The associated Comprehensive Plan policies and land development regulations to implement each Tier also reflect the County Directions.

The proposed amendment furthers **Direction 1, Livable Communities** and **Direction 2, Growth Management**, as the development is consistent with the average density and development pattern of the area, provides for onsite preservation of the natural environment, and is confined to the subject acreage as presented by the applicant and reviewed by staff. **Direction 4, Land Use Compatibility**, is discussed in the Compatibility section of this report.

3. **Piecemeal Development – FLUE Policy 2.1-h:** *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.*

**Staff Analysis:** There are no other parcels under the same or related ownership adjacent to the subject site that are not included in the proposed amendment whereby residual parcels would be created. Therefore, the proposed amendment would not constitute piecemeal development.

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

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

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

1. *an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or*

2. an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or
3. an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:
  - a. West Lake Worth Road Neighborhood Plan.

**Staff Analysis:** The text amendment proposes to establish the Loxahatchee Estates Overlay in order to develop single-family homes at a maximum density of 1 unit per acre within the Rural Tier. Therefore, the site will stay within the Rural Tier and will be unable to utilize the density bonus increases provided by the Workforce Housing Program as the provisions apply only in the Urban/Suburban Tier. In addition, density increases through the Transfer of Development Rights (TDR) program are not available in the Rural Tier as the program is only applicable within the Urban/Suburban Tier in order to promote infill and redevelopment initiatives. Lastly, the subject site is not located within the Lake Worth Road Neighborhood Plan. Therefore, the amendment is consistent with this policy.

## B. Consistency with Rural Tier Requirements

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

### OBJECTIVE 1.4      Rural Tier

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

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

**Staff Analysis:** Although the maximum density of the Rural Tier is 1 unit per 5 acres, the Comprehensive Plan allows for exceptions through special planning areas. The

concurrent text amendment proposes to establish a new special planning area in the form of the Loxahatchee Estates Overlay. The proposed Overlay will contain location and design criteria as well as maximum density provisions that will align with the sub-objective and intent of the Overlay.

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

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

**Staff Analysis:** The intent of development within the overlay, as stated in the proposed new sub-objective, is to allow residential density at a maximum one unit per acre in order to be consistent with the existing development pattern of the area. The concurrent Zoning application proposes lot sizes a minimum of one acre, preservation of two onsite wetlands totaling 6.94 acres, and an upland preservation area on the southern parcel consisting of approximately 21.65 acres, or 25.70% of the total native upland vegetation. Additionally, through the concurrent zoning application, the applicant states that the proposed single-family homes will be afforded well and septic, consistent with the level of service in the Rural Tier and the service level for development in the surrounding area. Therefore, the amendment is consistent with this policy.

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

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

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

**Staff Analysis:** The Comprehensive Plan recognizes that this Tier is “*beginning to experience development pressure for urban densities and non-residential intensities.*” Therefore, policies were established to limit the maximum residential development potential to 1 unit per 5 acres and additional strategies were included to “*protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that further the goals of the Rural Tier.*” The requested LR-1 future land use designation, which is allowable through the concurrent text amendment establishing the Loxahatchee Estates Overlay, allows for residential development up to one unit per acre. Therefore, as the proposed units are less

than the maximum potential and the units will be situated on one acre lots, the amendment is consistent with this policy.

4. **Proposed Text Amendment – Loxahatchee Estates Overlay (LEO).** The specific proposed text changes are shown in Exhibit 1-B in strike out and underline. The proposed private text amendment requests the following changes:

- **Revise FLUE Objective 1.4, Rural Tier,** to provide an exception by allowing the site to exceed the maximum permitted density of the Tier;
- **New FLUE Objective 1.4.3,** to establish a new objective within the Future Land Use Element under the Rural Tier heading to allow a “residential density of one unit per acre that is consistent with the existing lot pattern of the surrounding area;”
- **New FLUE Policy 1.4.3.a,** to add a new policy establishing the boundaries of the Overlay to be limited to the subject site only and depicted in the Map Series Map 3.1, Special Planning Areas;
- **New FLUE Policy 1.4.3.b,** to establish criteria to require a concurrent zoning application and preliminary master plan or subdivision plan, require a minimum of 100 contiguous acres and defines contiguous for the purposes of this policy; establishes a maximum density of 1 unit per acre with no further density increases permitted through density bonus programs; and requiring 1 acre minimum lot size;
- **Revise FLU Table III.C. Future Land Use Designation by Tier,** to add a note to establish a maximum allowable density of Low Residential, 1 units per acre (LR-1) for the Overlay; and
- **Revise Map Series, Special Planning Areas Map LU 3.1,** to identify the boundaries of the Trotting Center Overlay.

**Staff Analysis:** The proposed Loxahatchee Estates Overlay provides a mechanism to allow a density increase in the Rural Tier while also ensuring that development is in keeping with the average density and established character of the area. The proposed site-specific development proposes the lowest urban residential land use designation that allows for the target number of units; meets the purpose and intent of the new Overlay; and, complies with the specific location and design criteria.

### C. Compatibility

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

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

- **North** – Directly to the north of the subject site are agricultural and residential uses on 5 to 7 acre lots that are part of the Dellwood Estates unrecorded subdivision. These lots are within the Rural Tier and have a FLU designation of Rural Residential, 1 unit per 10 acres (RR-10). Further north, across Sycamore Drive, are single-family homes and various agricultural uses within the Acreage Neighborhood Plan and the Exurban Tier. These uses are situated on approximately 1.5-acre lots and have a FLU designation of Rural Residential, 1 unit per 2.5 acres (RR-2.5). The Acreage on a whole is roughly 89% built out and has an average density of 0.74 units per acre.

- **East** – To the east, across 180<sup>th</sup> Avenue N, are additional single-family homes within the boundaries of the Acreage Neighborhood Plan and the Exurban Tier. Similar to the described above, these homes are generally sited on 1.25-acre lots and have a FLU designation of RR-2.5.
- **South** – Directly south of the subject site is a 15-acre parcel that currently supports an agricultural use and an RR-10 FLU designation. Further south is the Rural Tier subdivision of Deer Run. The subdivision is comprised of agricultural and residential uses on 5-acre parcels with a FLU designation of RR-5, and is approximately 73% built out with an average density of 0.20 units per acre.
- **West** – Directly west, across an ITID canal, is the Rural Tier subdivision of Dellwood Estates, which is comprised of agricultural and residential uses on 5-acre lots with a FLU designation of RR-5. Further to the west is the Las Flores Ranchos subdivision, which is 61% built out at an average density of 0.19 units per acre and FLU designation of RR-5.

**FLUE Policy 2.1-f** states that “*the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity.*” And **FLUE Policy 2.2.1-b** states that “*Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintained to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.*”

**Staff Analysis:** The subject site is surrounded by Rural Residential future land use designations ranging from 1 unit per 10 acres (RR-10) to the southwest, 1 unit per 5 acres (RR-5) to the north, south and west, and 1 unit per 2.5 acres (RR-2.5) to the east within the Exurban Tier. These subdivisions support primarily single-family residential and agricultural uses. The surrounding subdivisions within the Rural Tier support an average density of 1 unit per 5 acres (0.2 units per acre), and the density within the Exurban Tier directly to the east is approximately 1 unit per 1.25 acres (0.8 units per acre), which is slightly greater than the RR-2.5 land use designation. The proposed development plan includes 54 single family homes situated on minimum one acre lots, which is comparable to the existing uses and development pattern of the surrounding area and results in an average density of 0.5 units per acre. The site plan also depicts the preservation of existing wetlands and native vegetation and perimeter landscape buffering to further compatibility and preserve the character of the Rural Tier. The proposed subdivision will be subject to the conditions of approval made part of the adopting Ordinance and the policies and standards of the implementing overlays in the Comprehensive Plan and ULDC, respectively, to ensure continued compatibility.

#### D. Consistency with County Overlays, Plans, and Studies

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

**Staff Analysis:** The subject site is not currently located within an overlay. However, the applicant is proposing to establish the Loxahatchee Estates Overlay within the Rural Tier. Development within the Overlay shall comply with the final adopted policies, in addition to any adopted conditions of approval associated with the concurrent FLUA amendment, Zoning applications, and ULDC revisions.

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

**Staff Analysis:** The subject site is not located within the boundaries of a neighborhood plan or study area as recognized by the Comprehensive Plan.

#### **E. Public Facilities and Services Impacts**

The proposed amendment was reviewed at the maximum development allowed under the Low Residential, 1 unit per acre (LR-1) designation of 104 dwelling units. Public facilities impacts are detailed in the table in Exhibit 4.

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

**Staff Analysis:** The proposed amendment has been distributed to the County service departments for review and there are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Zoning (ULDC), Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Dept.), Environmental (Environmental Resource Management), Traffic (Engineering), Historic Resources (PBC Archeologist), Parks and Recreation, Health (PBC Dept. of Health), Community Services (Health & Human Services) and the School District.

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

1) *results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard “D” based upon cumulative traffic comprised of the following parts a), b), c) and d): ...*

**Staff Analysis:** The Traffic Division reviewed this amendment at a maximum potential of 104 units. According to the County's Traffic Engineering Department (see letter dated May 7, 2024 in Exhibit 5), the amendment would result in an increase of 940 trips per day at the maximum potential and 480 trips at the initially proposed density (58 units). The Traffic letter concludes, “*Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meet Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the proposed maximum density shown above.*”

The Traffic Study, dated April 22, 2024, was prepared by Dmitriy Mayboroda of WGI, Inc. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:  
<http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

3. **Fire Rescue/Facilities Development & Operations (FD&O):** On March 18, 2024, Palm Beach County Fire Rescue provided a letter estimating a response time to the subject property (10 minutes, 30 seconds) beyond the area's FY2023 average response time (8 minutes, 18 seconds) see Exhibit 7. On July 26, 2024, the Strategic Planning Division of the FD&O Department, in coordination with Fire Rescue, provided the below comment to the Planning Division. FD&O will be seeking Board direction at the November 6, 2024 Transmittal Public Hearing as to whether the subject development shall provide a dedication to Palm Beach county for a future fire-rescue facility.

"Pursuant to Policy 1.2-a of the Fire Rescue Services Element of the Comprehensive Plan, an average response time no greater than 7 minutes 30 seconds is the emergency fire and rescue response level of service established by and for Palm Beach County. By comparison, the FY 2023 average response time in the subject property's service area was 8 minutes 18 seconds, and the estimated response time to the site will be 10 minutes and 30 seconds. Both of these conditions exceed adopted standards and pose elevated risk to life and property damage by introducing additional population to the service area than anticipated by land use and facility planning.

"The property is currently serviced by Fire Rescue Station #22 at 16650 Town Center Parkway South in the City of Westlake. The distance between that location and the subject site is approximately 3.6 road miles from the station egress to the farthest reach of the property's frontage on 180<sup>th</sup> Avenue N. While that distance conforms to the County's conventional five-mile service area for a fire station, the unique combination of the local roadway network configuration, design and design speed of local roads, and large lot pattern of development in this area of the County does not translate to an adequate response time for service to a higher density of development than afforded by established policies, regulations, designations and capital facilities.

"Compounding these conditions is heightened service demand that accompanies densities exceeding adopted and planned conditions. No planning to date has been based upon the requested five-fold increase in density within the subject service area. As a result, and without land from which to deliver a fire station, existing deficiencies are reasonably expected to further deteriorate by the heightened generation of alarms that would result from the subject property and increased competition for attention during any widespread emergency or concurrent emergency events.

"If the subject site were developed as a Planned Unit Development (PUD), a public civic obligation equivalent to two percent (2%) of the 104.074 gross land area (or 2.08 acres) would be required, and would be adequate for delivery of a fire station. Since the subject site is unable to develop as a PUD, no such public civic obligation is required. As such, the equivalent of a PUD public civic obligation is being recommended by way of conditions of approval in order to secure a location for the potential future delivery of a fire station as a measure to mitigate the service deficiencies identified above and offset the project's impact upon the service area."

## II. Public and Municipal Review

---

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

- A. **Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on September 19, 2024. To date, no comments have been received.
- B. **Other Notice:** Public notice by letter was mailed to the owners of properties within 1000 feet of the perimeter of the site on September 19, 2024. In addition, interested parties were notified by mail on the same date including the Acreage Landowners Association (ALA), Indian Trail Improvement District (ITID), Deer Run Property Owner’s Association, and White Fences Property Owner’s Association. Municipal notices were mailed to the City of Westlake and the Town of Loxahatchee Groves. Correspondence received are added to Exhibit 10 as they are received during the course of the amendment process.

## Exhibit 3

### Applicant's Justification/Consistency with Comprehensive Plan

#### I. INTRODUCTION

The subject site, known as "Rawlings Estates" is a 104.074-acre site located in Unincorporated Palm Beach County. The site is located approximately 1.3 miles west of Seminole Pratt Whitney Rd and 0.33 miles south of W Sycamore Rd, on the west side of 180 Ave N. It is located in the Palm Beach County Rural Tier, comprised of two parcels currently zoned Agricultural Residential (AR) and designated Rural Residential, 1 unit per 10 acres (RR-10) Future Land Use. Refer to **Table 1** below for site information:

**Table 1-Site Information**

Map Key	PCN	Existing FLU	Proposed FLU	Existing Zoning
1	00404315000001220	Rural Residential, 1 unit per 10 acres (RR-10)	Low Residential, 1 unit per acre (LR-1)	Agricultural Residential (AR)
2	00404315000005030	Rural Residential, 1 unit per 10 acres (RR-10)	Low Residential, 1 unit per acre (LR-1)	Agricultural Residential (AR)

**Figure 1** below identifies the two parcels and their location. The site is currently vacant and has dense vegetation.

**Figure 1- Site Aerial**



## **II. PROPOSED FUTURE LAND USE ATLAS (FLUA) AMENDMENT AND TEXT AMENDMENT**

On behalf of the Applicant, WGI, Inc. is requesting a Future Land Use Atlas Amendment to change the future land use designation from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1). This request is being submitted in conjunction with the Pending Comprehensive Plan Text Amendment to create the Loxahatchee Estates Overlay (LEO) ("Text Amendment"). The amendment proposes language that will create the LEO, specifically by allowing the LR-1 FLUA designation within the Rural Tier with a provision requiring a one-acre minimum lot area within the Overlay, among other proposed regulations related to boundaries, minimum lot size, approval process, acreage, and density. Refer to the Text Amendment Application Form for proposed language changes. The Text Amendment was initiated by the Board of County Commissioners on May 1, 2024, and it will run concurrently with this application. These requests will run concurrently with the Zoning Application for a Class A Conditional Use (CA-2024-00746) to allow for a subdivision more than 50 acres, and Privately Proposed Revision (PPR) to the ULDC. Approval of these requests will allow for the development of 54 single family homes on the site in a manner consistent with the existing character and development of the area.

### **Project History**

The subject site is identified by Control Number 1996-30143. There are no zoning approvals associated with the site.

### **G.1 JUSTIFICATION**

**Refer to the sections below for justification of the proposed FLUA Amendment and Comprehensive Plan Text Amendment,**

**Policy 2.1-f: "Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:**

- 1. The natural environment, including topography, soils and other natural resources;**
- 2. The availability of facilities and services;**
- 3. The adjacent and surrounding development;**
- 4. The future land use balance;**
- 5. The prevention of urban sprawl as defined by 163.3164(51), F.S.;**
- 6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and**
- 7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.**

**Response:** The proposed FLUA Amendment from RR-10 to LR-1, and proposed Text Amendment to create the Loxahatchee Estates Overlay are consistent with Policy 2.1-f in the Comprehensive Plan. Amending the Comprehensive Plan language to create the Overlay and permit the LR-1 FLUA designation in the Rural tier will allow the currently underutilized site to be a new source of much-needed housing to support a growing population and address the impacts of the housing crisis.

The natural environment has been evaluated and considered for the proposed FLUA Amendment. The proposed plan is designed to preserve wetlands and native habitant uplands, while providing upland preserve areas. The Applicant has evaluated the site, and developed a plan that allows for development while also preserving existing wetlands and native habitat uplands.

Facilities and services are available for the proposed future land use of the site. Palm Beach County Fire Rescue will provide services to the site. Fire Rescue Station # 22 will serve the amendment area. Palm Beach County Water Utilities Department ("PBCWUD") has capacity to service the area. PBCWUD confirms it has capacity to serve the proposed land use. However, no extension of water or sewer services to the subject property will be required or provided. The proposed one-acre lots will utilize well and septic systems, consistent with the surrounding residential properties.

The surrounding development of the area is primarily single-family homes on larger lots ranging from one to five acres. The density, use type, and lot sizes are consistent with the character of the area.

Modifying the FLU from RR-10 to LR-1 and creating the Loxahatchee Estates Overlay provides a balanced change, as the site is surrounded by Rural Residential, 1 unit per 5 acres (RR-5), Rural Residential, 1 unit per 10 acres (RR-10), and Rural Residential, 1 unit per 2.5 acres (RR-2.5). Although the LR-1 FLU allows for 1 dwelling unit per 1 acre, the site is proposing a lower density. The proposed LEO restricts the area to 1 dwelling unit per acre, with minimum 1-acre lots. The proposed density of 0.52 DU/AC (alternatively stated as 1 DU per 1.93 (gross) acres) is significantly lower than what is permitted under the LR-1 FLU and LEO Overall, the proposed density will be consistent with the surrounding homes and area.

Urban Sprawl, defined by 163.3164(51) in the Florida Statutes, *“means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.”* The proposed amendments and development are designed to meet the character of the existing residential area, not contributing to urban sprawl. The development pattern of the area is low density residential and has been for many years. The area is intended to be primarily rural residential, and have limited commercial uses. There is a clear separation between urban and rural uses in this area of the county, which will not be affected by the proposed amendment. Further, the development of the property will provide the necessary facilities and services on-site without extension of public facilities. The change from RR-10 to LR-1, and the requirements of the LEO will maintain the character of the area and avoid contributing to urban sprawl.

The subject site is not located in a Community Plan or Special Planning Area.

Objective 1.1 Plan Coordination, in the Intergovernmental Coordination Element of the Comprehensive Plan, establishes the expectation that Palm Beach County shall coordinate with other local government services. Prior to the public hearings for the initiation of the Comprehensive Plan Text Amendment the County notified nearby local governments. The Applicant understands the need for intergovernmental coordination and will assist the County with these efforts, as needed.

In addition to Policy 2.1-f in the Future Land Use Element of the Comprehensive Plan, the proposed amendment meets the two factors below:

- 1) The proposed use is suitable and appropriate for the subject site;  
**Response:** The proposed FLUA and Text Amendment, in addition with the aforementioned requests, will allow for the development of single-family homes on the site. The proposed single-family homes are suitable and appropriate for the subject site and are consistent with the existing development pattern of primarily single-family homes on large lots within the surrounding area.
- 2) There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:
  - a. Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;

**Response:** The surrounding area was approved for several future land use amendments from RR-10 to RR-5 and RR-2.5 in the early 2000s. The area is still considered low density when compared to the rest of Palm Beach County; however, the area has become denser over time. Please see Figure 2 below, which identifies some of the previously approved FLUA Amendments in the immediately surrounding area and the corresponding ordinances.

**Figure 2 – Surrounding FLUA Amendments to Higher Density**



Figures 3 through 5 below demonstrate the gradual development of the surrounding area and increase in density over time. Development of the area began in the early to mid-1990s. Figure 3 below from 1996 shows some of the early development to the east and west. One-acre lots and five-acre lots are scattered with development. Today, these areas are almost completely filled with lots developed with single family homes.

**Figure 3- 1996 Aerial**



**Figure 4 – 2002 Site Aerial**



**Figure 5 – 2023 Aerial**



The 104.074-acre subject site is one of the last remaining properties in the area that is designated RR-10 and vacant. The Text Amendment, FLUA, and Zoning Application will provide a residential use that meets the intent and character of this area in the County, while following surrounding development patterns and providing new housing stock that is compatible with the surrounding uses.

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

**Response:** The subject site is located in the rural tier, and no tier change is proposed. The character of the area remains rural and residential, but there is a significant and urgent need for additional housing units in the county. The proposed FLUA amendment to LR-1 in conjunction with the proposed LEO will allow for much needed residential development while maintaining the character of the area. The amendments will allow for rural residential development on the subject site that is compatible with in terms of character, scale, mass, intensity of use, and height to the existing residential development in the surrounding area. The proposed access to the site will be located along 180<sup>th</sup> Ave N. Traffic impacts have been analyzed by a Traffic Engineer and the County issued a letter on May 7, 2024 stating that the traffic impacts of the proposed FLUA amendment meet Policy 3.5-d of the Future Land Use Element at the maximum potential density.

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

**Response:** The current RR-10 FLU is no longer an appropriate Future Land Use Designation for the site. The surrounding properties have undergone Future Land Use amendments to higher density designations such as RR-2.5 and RR-5. In addition, the LEO is being proposed, which in conjunction with the proposed LR-1 FLU will limit the proposed development to single family homes on 1-acre lots, thus creating a development pattern consistent within the Acreage neighborhood to the immediate east of the subject property.

- d. Inappropriateness of the adopted FLU designation; or

**Response:** The adopted RR-10 FLU designation is no longer appropriate for the subject site. It was appropriate at the time of adoption, but as time has passed and development has moved further west in the County, density in the immediate surrounding area has increased. Discussed previously in this report, the areas to the immediate north, east, and west have undergone FLUA amendments to higher density FLU designations while the subject property remains with a RR-10 designation.

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

**Response:** The adopted FLU designation was not assigned in error.

## **G.2 Residential Density Increases**

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

- 1) Demonstrate a need for the amendment.

**Response:** The TDR Program is not being utilized in the proposed development and is not part of the current request. The subject site is located within the Rural Tier. Therefore, staff recommends that workforce housing in an amount equal to 10 percent of the total units (5 units for the Rawlings Estates project) be provided on site. Applicant believes that providing workforce housing on site does not make sense because the property is remote in terms of access to employment opportunities. Applicant intends to comply with the 10 percent workforce housing requirement but to do so offsite in accordance with the options available in the ULDC.

- 2) Demonstrate that the current FLUA designation is inappropriate.

**Response:** Stated previously, the current FLUA designation is inappropriate for the site based on the development patterns and FLUA amendments to higher density that have been approved in the area. The FLUA amendment will also be consistent with proposed Objective 1.4.3 in the Future Land Use Element, establishing the LEO.

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

**Response:** The Applicant is not utilizing any of these programs in the proposed development. Although permitted density is being increased as part of the FLUA Amendment to LR-1 and Text Amendment language, the development will not be requesting any density bonuses or workforce housing. Comprehensive Plan – Housing Element Policy 1.5-g, the Workforce housing program only applies in the Urban/Suburban Tier and the subject site is located within the Rural Tier. Staff recommends that workforce housing in an amount equal to 10 percent of the total units (5 units for the Rawlings Estates project) be provided on site. Applicant believes that providing workforce housing on site does not make

sense because the property is remote in terms of access to employment opportunities. Applicant intends to comply with the 10 percent workforce housing requirement but to do so offsite in accordance with the options available in the ULDC.

### **G.3 Compatibility**

The proposed Future Land Use Amendment from RR-10 to LR-1 is compatible with and consistent with the surrounding area. The subject site is located in the Loxahatchee area, surrounded by neighborhoods such as the Acreage. The character of this area is primarily residential, with the exception of the lot to the west of the southern parcel that is used as an Indian Trail Improvement District impoundment facility. The surrounding areas have Future Land Use Designations including RR-2.5 (Rural Residential, 1 unit per 2.5 acres), RR-5 Rural Residential, 1 unit per 5 acres, and RR-10 Rural Residential, 1 unit per 10 acres. Refer to the surrounding uses table below.

<b>Surrounding Properties</b>			
<b>Adjacent Property</b>	<b>FLU</b>	<b>Zoning District</b>	<b>Use</b>
<b>East</b>	Rural Residential, 1 unit per 2.5 acres (RR-2.5)	Agricultural Residential (AR)	Single Family Residential
<b>North</b>	Rural Residential, 1 unit per 5 acres (RR-5)	Agricultural Residential (AR)	Single Family Residential
<b>South</b>	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Residential (AR)	Single Family Residential / Equestrian
<b>West</b>	Rural Residential, 1 unit per 5 acres (RR-5)	Agricultural Residential (AR)	Single Family Residential
	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Residential (AR)	Utilities

It should be noted that if the property were to have been developed in the exact same development pattern as the land to the east in the Acreage, the number of lots that would have been built on the subject site would be higher than what is proposed. The proposed Future Land Use Amendment and development program in the companion zoning application proposes a density of 0.52 units per acre, which is lower than the typical 1.25-acre lots in the Acreage. Although the Applicant is requesting to shift to the LR-1 FLU Designation, the density of the development will be significantly lower than what is permitted. Considering the foregoing, the proposed development will be compatible with the surrounding areas and development and lower in density than the Acreage.

### **G.4 Consistency with Comprehensive Plan**

The proposed Future Land Use Amendment from RR-10 to LR-1 is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan, as outlined below:

#### **OBJECTIVE 1.4 Rural Tier**

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

**Response:** The proposed FLUA Amendment from RR-10 to LR-1 is consistent with Objective 1.4 Rural Tier. The site is located within the proposed LEO. The overlay, referenced in Objective 1.4.3 of the Future Land Use Element, allows for higher density (with a one-acre minimum lot size) than the rest of the Rural Tier. This promotes development consistent with the surrounding area while preventing higher density. As stated in this objective, there is increasing pressure for higher density in the Rural Tier, and there are strategies in place to protect and enhance the Rural Tier. The purpose of the proposed Text Amendment is to create additional housing opportunities in the County to serve the growing population and aid in addressing the ongoing housing crisis, while simultaneously preserving the character of the area by establishing a development pattern of one-acre minimum lot areas in the proposed Overlay, which is consistent with the existing development pattern to the east of the subject property. In addition, the proposed LR-1 FLU theoretically permits up to 104 homes on the site. However, the proposed development is being limited to 54 homes through the companion zoning application, decreasing the density further.

**OBJECTIVE 2.1 Balanced Growth:** *"It is the GOAL of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services."*

**Response:** The proposed FLUA Amendment, LEO, and development intend to further this goal by providing residential development that will enhance the existing Loxahatchee community and provide housing for the County's growing population. The proposed development will be a compatible addition to the existing community, respecting the character of the area while introducing new housing opportunities. The proposed development will also preserve some of the existing wetlands on the property and create an upland preserve. The extension of water or sewer services to the subject property is not necessary because the one-acre lots will utilize well and septic systems like all of the surrounding residential properties. Overall, the proposed amendments will promote balanced growth in this area of the County.

**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."*

**Response:** The purpose of the proposed FLUA and Text Amendments is to encourage the protection of the rural residential character of the area. The residential land to the east of the proposed overlay is a residential area in Unincorporated Palm Beach County. This area consists of single-family homes on lots that average 1.25 acres. West and south of the property are lots that average approximately five-acres with single family residences. Single-family homes are proposed on the site, and will have similar character to the existing residential development in terms of scale, mass, intensity, and height. The natural environment, specifically wetlands on the site, will be preserved and an upland preserve will be created as well. In addition, no extension of water or sewer services to the subject property will be required because the one-acre lots will utilize well and septic systems like all of the surrounding residential properties.

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

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

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

**Response:** The proposed FLUA and Text Amendments are compatible with this policy. The subject site will be subdivided into individual lots for single family homes. This is consistent with the language of this policy, since each parcel created will be consistent with the minimum lot size required by the Loxahatchee Estates Overlay. The LEO allows for lots with a minimum size of 1-acre, which the proposed development will comply with.

**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.”***

**Response:** The proposed amendments are consistent with Policy 2.1-a. The proposed residential development under the LR-1 Future Land Use and Loxahatchee Estates Overlay regulations will not exceed the natural or manmade constraints of the area. The LEO and LR-1 FLU regulations allow for a maximum of 104 dwelling units. However, due to the proposed preservation of vegetation and wetlands on the 104.074 -acre site, 104 units are not feasible. The Applicant has evaluated the site, and proposed a plan that allows for development while also preserving existing wetlands and native habitat uplands. Approximately 6.75 acres of jurisdictional wetlands are proposed to be preserved on the south parcel, along with 21.65 acres of upland preserve, which is 25.7% of the upland portion of the property. As a result of this, the Applicant is proposing 54 single family homes through the companion zoning application. The proposed density of 0.52 units per acre allows for the preservation of the natural resources on the site while also providing much needed residential development that is within the existing capacity for public facilities and services.

**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.”***

**Response:** The proposed FLUA Amendment from RR-10 to LR-1 and LEO will be consistent with Table III.C in the FLUA Regulation Section of the Comprehensive Plan following the adoption of the concurrent text amendment application. The Text Amendment proposes to add a note this table that reads: “5. Within the LEO, the LR-1 future land use designation is allowed for sites that meet Objective 1.4.2 and criteria in Policy 1.4.2-b.” This language allows LR-1 FLU in the LEO.

**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.”***

**Response:** The proposed amendments intend to accommodate the future population of the County by creating additional housing opportunities in an underutilized site surrounded by existing housing. These housing opportunities will add to the community and character of the area by proposing one-acre lots at a low density, consistent with the surrounding homes.

**Policy 2.1-h: “The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.”**

**Response:** The proposed FLUA and Text Amendments do not encourage piecemeal development. The proposed overlay and development will provide infill development of an existing underutilized site in a cohesive, master planned approach. Further, the surrounding development is primarily residential. Therefore, incorporating additional housing in a master planned manner is not piecemeal development.

#### **G.5 Consistency with Florida Statutes**

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

The data and analysis presented herein support the request for the proposed Future Land Use Atlas Amendment and demonstrate consistency with the Florida Statutes.

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

If granted, the proposed Future Land Use Atlas Amendment and Comprehensive Plan Text Amendment would create an additional opportunity for a much-needed residential development within the Rural Tier for the subject site. The proposed FLUA Amendment will maximize an underutilized piece of land by offering additional and diversified housing choices to the existing and projected Palm Beach County population.

### **III. CONCLUSION**

On behalf of the Applicant, WGI, Inc. requests approval of the proposed Future Land Use Atlas Amendment to change the Future Land Use of the site from RR-10 to LR-1 and Comprehensive Plan Text Amendment to create the Loxahatchee Estates Overlay (LEO).

**Exhibit 4**  
**Applicant's Public Facilities Table**

<b>A. Traffic Information</b>	
See Exhibit 5	
<b>B. Mass Transit Information</b>	
<b>Nearest Palm Tran Route (s)</b>	The nearest Palm Tran Bus Route is Route 40, WPB-BLG via SR-80. This route does not reach the site, but runs along Southern Blvd approximately 2.7 miles south of the site.
<b>Nearest Palm Tran Stop</b>	The location of the closest bus stop is Stop 3246- Southern BL at Seminole Pratt Whitney. This stop is the closest to the site, approximately 5.5 miles if travelling from the site's current access on Learwood Dr, east on Sycamore Dr W, and south on Seminole Pratt Whitney Rd.
<b>Nearest Tri Rail Connection</b>	The closest Tri Rail Station is the West Palm Beach Tri-Rail Station located on the west side of S Tamarind Ave, approximately 485 ft south of Banyan Blvd and 0.48 miles north of Okeechobee Blvd. Palm Tran Route 40 connects to the West Palm Beach Intermodal Transit Center & WPB Tri-Rail during select times on Weekdays.
<b>C. Potable Water &amp; Wastewater Information</b>	
<b>Potable Water &amp; Wastewater Providers</b>	The letter from the Palm Beach County Water Utilities District confirms that the subject site is located within the Palm Beach County Utility Department (PBCWUD) utility service area. The letter also confirms that PBCWUD has capacity to accommodate the Future Land Use Amendment from Rural Residential, 1 Unit Per Acre (RR-10) to Low Residential, 1 Unit Per Acre (LR-1). Note the project is not proposing to connect to a potable water system and instead it will be on individual wells.
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest connection to utilities is a 24" watermain and 20" sanitary sewer force main located approximately 8900' north and west of the subject site on Seminole Pratt Whitney Road. Please note the project is not proposing to connect to the sanitary sewer force main and instead there will be individual septic tank systems for each lot.
<b>D. Drainage Information</b>	
The project lies within sub-basin 10 of the South Florida Water Management District (SFWMD) C-51 drainage basin. This site is also within the zone AE Elevation 17.6 feet per FEMA FIRM Map Number 12099C0530F, effective October 5th, 2017.	

## **E. Fire Rescue**

<b>Nearest Station</b>	Palm Beach County Fire Rescue Station #22 (16650 Town Center Parkway S) will provide service to the site.
<b>Distance to Site</b>	Palm Beach County Fire Rescue Station #22 is approximately 4.0 miles from the site.
<b>Response Time</b>	The average response time for Station #22 in the area is 8:18 based on the 2023 Fiscal Year data.
<b>Effect on Resp. Time</b>	The estimated response time to the site will be 10 minutes and 30 seconds, which is greater than the standard of 7 minutes 30 seconds.

## **F. Environmental**

<b>Significant habitats or species</b>	One potentially active gopher tortoise burrow was identified along the southern border of the northern parcel. The burrow had eggs exposed within the apron during the time of the site visit. Further resolution with FWC will be required to confirm if impacts to the site will require gopher tortoise relocation.
<b>Flood Zone*</b>	The site is within flood zone AE and X. Flood zone AE represents areas subject to 100-year flood with base flood elevation determined to be 19.1' NGVD29.
<b>Wellfield Zone*</b>	The site is not located within a wellfield protection zone. The nearest wellfield zone of influence is approximately 2.91 miles west of the site.

## **G. Historic Resources**

Per the letter provided by the County Historic Preservation Officer, there is presence of a historic trail traversing the property of potential historic significance. Also, due to the location between two drainages and high-ground location, there is a high probability for presence of prehistoric archaeological sites. As a result of this, a Certificate to Dig (CTD) is required for the site to ensure no human remains or cultural resources are located on the site. A Phase I Cultural Resource Assessment survey of the site was conducted and reviewed by the County Historic Preservation Officer. A Certificate to Dig Application has been approved.

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

<b>Park Type</b>	<b>Name &amp; Location</b>	<b>Level of Svc. (ac. per person)</b>	<b>Population Change</b>	<b>Change in Demand</b>
<b>Regional</b>	Okeecheelee Park (7715 Forest Hill Boulevard, West Palm Beach, Florida)	0.00339	+129 people	0.437
<b>Beach</b>	Ocean Reef Park (3860 N Ocean Dr, Riviera Beach, FL 33404)	0.00035	+129 people	0.045

<b>District</b>	Loxahatchee Groves Park (13901 Southern Blvd, Loxahatchee Groves, FL 33470)	0.00138	+129 people	0.178
-----------------	---	---------	-------------	-------

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

<b>Library Name</b>	Royal Palm Beach Library		
<b>Address</b>	500 Civic Center Way		
<b>City, State, Zip</b>	Royal Palm Beach, FL 33411		
<b>Distance</b>	Approximately 8.8 miles.		
<b>Component</b>	<b>Level of Service</b>	<b>Population Change</b>	<b>Change in Demand</b>
<b>Collection</b>	2 holdings per person	+129 people	258.12 holdings
<b>All staff</b>	0.6 FTE per 1,000 persons	+129 people	0.077 FTE
<b>Library facilities</b>	0.6 square feet per person	+129 people	77.44 square feet

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

	<b>Elementary</b>	<b>Middle</b>	<b>High</b>
<b>Name</b>	Loxahatchee Groves	Osceola Creek	Seminole Ridge Community
<b>Address</b>	16020 Okeechobee Blvd	6775 180 <sup>th</sup> Ave N,	4601 Seminole Pratt Whitney Rd.
<b>City, State, Zip</b>	Loxahatchee, FL 33470	Loxahatchee, FL 33470	Loxahatchee, FL 33470
<b>Distance</b>	Approximately 3.5 miles	Approximately 6.4 miles	Approximately 2.7 miles

## Exhibit 5

### Traffic Division Letter



**Department of Engineering and Public Works**  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
[www.pbcgov.com](http://www.pbcgov.com)

■

**Palm Beach County Board of County Commissioners**

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

**County Administrator**

Verdenia C. Baker

May 7, 2024

Dmitriy Mayboroda, P.E.  
WGI, Inc.  
2035 Vista Parkway  
West Palm Beach, FL 33411

**RE: Rawlings Estates  
FLUA Amendment Policy 3.5-d Review  
Round 2024-25-A**

Dear Mr. Mayboroda:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Statement for the proposed Future Land Use Amendment for the above-referenced project, revised on April 22, 2024, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

<b>Location:</b>	Approximately 1.33 miles west of Seminole Pratt Whitney Road and 0.33 miles south of west Sycamore Drive, on the west side of 180 <sup>th</sup> Avenue North	
<b>PCN:</b>	00-40-43-15-00-000-1220 ( <i>other on file</i> )	
<b>Acres:</b>	104.08 acres	
<b>FLU:</b>	<b>Current FLU</b>	<b>Proposed FLU</b>
Rural Residential, 1 dwelling unit per 10 acres (RR-10)		Low Residential, 1 dwelling unit per acre (LR-1)
<b>Zoning:</b>	Agricultural Residential (AR)	Residential Transitional (RT)
<b>Density/Intensity:</b>	1 DU/10 acres	1 DU/per acre
<b>Maximum Potential:</b>	Single Family Detached = 10 DUs	Single Family Detached = 104 DUs
<b>Proposed Potential:</b>	None	Single Family Detached = 58 DUs
<b>Net Daily Trips:</b>	940 (maximum – current) 480 (proposed – current)	
<b>Net PH Trips:</b>	73 (19/54) AM, 98 (62/36) PM (maximum) 41 (11/30) AM, 54 (34/20) PM (proposed)	

*\* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.*

"An Equal Opportunity  
Affirmative Action Employer"

 printed on sustainable  
and recycled paper



Dmitriy Mayboroda, P.E.  
May 7, 2024  
Page 2

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

Please do not hesitate to reach out with any questions or concerns at 561-684-4030 or [DSimeus@pbcgov.org](mailto:DSimeus@pbcgov.org).

Sincerely,

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

Dominique Simeus, P.E.  
Professional Engineer  
Traffic Division

DS:jb

cc:

Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division  
Bryan Davis – Principal Planner, Planning Division  
Stephanie Gregory – Principal Planner, Planning Division  
Khurshid Mohyuddin – Principal Planner, Planning Division  
Kathleen Chang – Senior Planner, Planning Division  
David Wilcock – Senior Planner, Planning Division  
Alberto Lopez Tagle - Technical Assistant III, Traffic Division

File: General - TPS – Unincorporated - Traffic Study Review  
N:\TRAFFIC\Development Review\Comp Plan\25-A\Rawlings Estates.docx

## Exhibit 6

### Water & Wastewater Provider LOS Letter

---



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

March 18, 2024

WGI  
8103 Vista Parkway  
West Palm Beach, FL 33411  
  
RE: Rawlings Estates  
PCN: 00404315000001220, 00404315000005030  
104.08 Acres  
Service Availability Letter

■  
Dear Ms. Hilliard,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to accommodate the Future Land Use Amendment Rural Residential 1 unit per 10 acres (RR-10) to Low residential, 1 units per acre (LR-1).

The nearest connection to utilities is a 24" watermain and a 20" sanitary sewer force main located approximately 8900' north and east of the subject property Seminole Pratt Whitney Road.

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

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

Sincerely,

Jackie Michels, P.E.,  
Project Manager

"An Equal Opportunity  
Affirmative Action Employer"

 printed on sustainable  
and recycled paper

## Exhibit 7

### Fire Rescue Letter

---



**Fire Rescue**  
Chief Patrick J. Kennedy  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
[www.pbcgov.com](http://www.pbcgov.com)

■

**Palm Beach County  
Board of County  
Commissioners**  
Gregg K. Weiss, Mayor  
Maria Sachs, Vice Mayor  
Maria G. Marino  
Michael A. Barnett  
Marci Woodward  
Sara Baxter  
Mack Bernard

**County Administrator**  
Verdenia C. Baker

*\*An Equal Opportunity  
Affirmative Action Employer\**

Official Electronic Letterhead

March 18, 2024

WGI  
Attention: Arianna Hilliard  
2035 Vista Parkway  
West Palm Beach, FL 33411

Re: Rawlings Estates

Dear Arianna Hilliard:

Per your request for response time information to the subject property located on Learwood Dr., PCN's 00-40-43-15-00-000-1220, and 00-40-43-15-00-000-5030. This property is served currently by Palm Beach County Fire-Rescue Station #22, which is located at 16650 Town Center Parkway S. The maximum distance traveled to subject property is approximately 4.00 miles from the station. The estimated response time to the subject property is 10 minutes 30 seconds. For fiscal year 2023, the average response time (call received to on scene) for this stations zone is 8:18.

Property owners need to be aware of the extended response time of 10 minutes 30 seconds to the subject property, which is much greater than our standard of 7 minutes 30 seconds.

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

Sincerely,

*Cheryl Allan*  
Cheryl Allan, Planner II  
Palm Beach County Fire-Rescue

## Exhibit 8

### Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

#### DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Beverly Rawlings, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the  individual or  \_\_\_\_\_ [position - e.g., president, partner, trustee] of \_\_\_\_\_ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 3205 Highway 1694  
Crestwood, KY 40014
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



Beverly Rawlings

Beverly Rawlings, Affiant

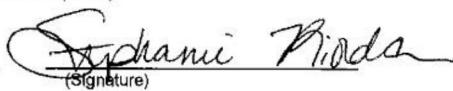
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 11<sup>th</sup> day of July, 20 24 by  
Beverly Rawlings (name of person acknowledging). He/She is personally known  
to me or has produced \_\_\_\_\_ (type of identification) as  
identification and did/did not take an oath (circle correct response).

Stephanie Riordan  
(Name - type, stamp or print clearly)

  
(Signature)

My Commission Expires on: 9/27/27

NOTARY'S SEAL OR STAMP



**EXHIBIT "A"****PROPERTY****PARCEL 1:**

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 364.98 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 364.98 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1820.24 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET; THENCE SOUTH 87°18'54" EAST, ALONG A LINE 1172.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.740 ACRES, MORE OR LESS.

**TOGETHER WITH:****PARCEL 2:**

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 1262.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 1262.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1283.03 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1283.03 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2377.15 FEET; THENCE SOUTH 88°16'32" EAST, FOR A DISTANCE OF 1283.20 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2398.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 70.334 ACRES, MORE OR LESS.

THE COMBINED TOTAL AREA OF PARCELS 1 AND 2, IS 104.074 ACRES, MORE OR LESS.

**EXHIBIT "B"**

**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

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

**Name** **Address**  
Beverly Rawlings; 3205 Highway 1694, Crestwood, KY 40014

Section 3: Beneficial interest - Property form  
#9

Page 7 of 7

Revised 12/27/2019  
Web Format 2011

**DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT**

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Yuri Bernstein, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

Rawlings Estates, LLC by: Wynwood Equity Partners, LLC by: Yoni Borstein, manager

1. Affiant is the [ ] individual or [x] Rawlings Estates, LLC [position—e.g., president, partner, trustee] of Rawlings Estates, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").

2. Affiant's address is: 82 SW 3RD ST 5211  
MIAMI, FL 33130

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

  
Yoni Bornstein, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [ ] physical presence or  
[ ] online notarization, this 18<sup>th</sup> day of JULY, 2024 by  
Yoni Bornstein (name of person acknowledging). He/she is personally  
known to me or has produced Florida Driver's License (type of identification) as  
identification and did/did not take an oath (circle correct response).

Cyndy Little  
(Name - type, stamp or print clearly)

My Commission Expires on: 3-31-26

Cyndy Little  
(Signature)

CYNDY LITTLE  
NOTARY PUBLIC  
OR STAMP  
State of Florida  
Comm# HH224313  
Expires 3/31/2026



**EXHIBIT "A"****PROPERTY****PARCEL 1:**

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 364.98 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 364.98 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1820.24 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET; THENCE SOUTH 87°18'54" EAST, ALONG A LINE 1172.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.740 ACRES, MORE OR LESS.

TOGETHER WITH:

**PARCEL 2:**

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 1262.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 1262.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1283.03 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1283.03 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2377.15 FEET; THENCE SOUTH 88°16'32" EAST, FOR A DISTANCE OF 1283.20 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2398.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 70.334 ACRES, MORE OR LESS.

THE COMBINED TOTAL AREA OF PARCELS 1 AND 2, IS 104.074 ACRES, MORE OR LESS.

**EXHIBIT "B"**

**DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT**

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

Name	Address
Eran Sharon (50%), 501 E. Las Olas Blvd.. Suite 200, Ft. Lauderdale, FL 33301	
Yoni Bornstein (50%), 92 SW 3rd Street, Apt 5211, Miami, FL 33130	

## Exhibit 9

### Urban Sprawl Analysis

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
<b>Criteria Related to Land Use Patterns</b>		
Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.	This amendment does not promote, allow or designate a substantial area of the County to develop as low-intensity, low-density, or single-use development or uses.	No
Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.	This amendment does not designate urban development emanating from existing urban development in a strip pattern.	No
Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.	This amendment does not discourage or inhibit infill development or the redevelopment of existing neighborhoods and communities.	No
Fails to encourage functional mix of uses.	This amendment will introduce new housing opportunities.	No
Results in poor accessibility among linked or related land uses.	The proposed amendment does not result in poor accessibility among related land uses.	No
Results in the loss of significant amounts of functional open space.	The proposed amendment will not result in the loss of a significant amount of functional open space. The site plan depicts the preservation of existing wetlands and approximately 21 acres of natural habitat on the southern parcel, with areas of preservation between the proposed single family homes on the northern parcel.	No
<b>Criteria related to sites located outside or at the edge of the Urban Service Area</b>		
Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development	The site is proposed to remain in the Rural Tier adjacent to existing residential and agricultural uses, and therefore does not promote, allow, or designate a significant amount of urban development to occur in rural areas at substantial distances from existing urban areas.	No
Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems	The site plan depicts the preservation of existing wetlands and approximately 21 acres of natural habitat on the southern parcel, with areas of preservation between the proposed single-family homes on the northern parcel. The site is not within a Wellfield Protection Area.	No
Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.	The amendment will not impact adjacent agricultural areas given the level of density, adequate buffering and setback of structures. Further, the proposed AR Zoning and lot sizes will allow for the placement of accessory agricultural uses, thereby contributing to the agricultural nature and operations of the area.	No

Primary Indicators that an amendment does not discourage urban sprawl	Staff Assessment	Sprawl Indicated?
Fails to provide a clear separation between rural and urban uses.	The amendment provides a clear separation between rural and urban uses as the proposed development is consistent and comparable to the existing development pattern and character of the surrounding area within the Rural and Exurban Tiers.	No
<b>Criteria Related to Public Facilities</b>		
Fails to maximize use of existing public facilities and services.	Public facilities and services will be provided and water and wastewater are not currently available in the area. The development will meet the minimum levels of service for the Rural Tier, which includes use of septic and well.	No
Fails to maximize use of future public facilities and services.	While the subject site is located in the Rural Tier where future extension of many public facilities and services are not planned, the subject site would maximize the use of current public facilities available.	No
Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.	There are no adverse impacts to public facilities and services as indicated by service providers through department review. The Fire-Rescue Department has issued comments indicating an increased response time to the subject site; however, it has not been determined if the subject 54 single family homes disproportionately contributes to the stated response time versus acknowledging that a deficit currently exists in the area, nor has the F/R Department issued a statement in opposition to the proposed development. The Board will have the opportunity to provide policy direction as to whether or not the property owner shall set aside acreage for the construction of a future fire station.	No
<b>Overall Assessment:</b> As demonstrated above, the proposed amendment does not meet any of the indicators of urban sprawl.		

## **Exhibit 10**

### **Correspondence**

---