

2024 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	25-A	Intake Date	February 7 th , 2024
Application Name	Rawlings Estates	Revised Date	TBD
Acres	104.09	Control Number	1996-30143
		Text Amend?	Yes
PCNs	00404315000001220; 00404315000005030		
Location	Approx. 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		
	Current	Proposed	
Tier	Rural	Rural (No Change)	
Use	Undeveloped	Single-Family Homes	
Zoning	AR (Agricultural Residential)	RT (Residential Transitional)	
Future Land Use Designation	RR-10 (Rural Residential, 1 unit per 10 acres)	LR-1 (Low Residential, 1 unit per acre)	
Underlying Future Land Use Designation	None.	Rawlings Estates Overlay (proposed).	
Conditions	None.	None.	

B. Development Potential

	Current FLU	Proposed FLU
Maximum Square Feet	Not applicable.	Not applicable.
Maximum Units	1 du/ 10 acres x 104.09 ac. = 10 DU	1 du/acre x 104.09 ac. = 104 dwelling units 58 Single Family Homes proposed.
Maximum Beds (for CLF proposals)	Not applicable.	Not applicable.
Population Estimate	10 max du x 2.39 = 24 persons	104 max du x 2.39 = 249

Part 2. Applicant Data

A. Agent Information

Name	Matthew Barnes, AICP
Company Name	WGI, Inc.
Address	2035 Vista Parkway
City, State, Zip	West Palm Beach, FL 33411
Phone / Fax Number	561-713-1687
Email Address	matthew.barnes@wginc.com

Name	Scott Backman, Esq. and Beth Schrantz
Company Name	Dunay, Miskel and Backman, LLP
Address	14 S.E. 4th Street, Suite 36
City, State, Zip	Boca Raton, FL 33432
Phone / Fax Number	Scott: (561) 405-3325 Beth: (786) 763-0565
Email Address	Scott: sbackman@dmbblaw.com Beth: bschrantz@dmbblaw.com

B. Applicant Information

Name	Beverly Rawlings
Company Name	Not Applicable.
Address	1 Eden Parkway
City, State, Zip	La Grange, KY 40031
Phone / Fax Number	561-713-1687 (Agent)
Email Address	matthew.barnes@wginc.com (Agent)
Interest	Property Owner

Name	Yoni Bornstein
Company Name	Rawlings Estates, LLC
Address	92 SW 3 rd St, 5211
City, State, Zip	Miami, FL 33130

Phone / Fax Number	561-713-1687 (Agent)
Email Address	matthew.barnes@wginc.com (Agent)
Interest	Contract Purchaser

2024 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 7. Text Amendment Application

A. Proposed Text Amendment Summary

Elements & Policies to be revised	<p>The applicant is revising Objective 1.4 Rural Tier and Table III.C, Future Land Use Designation By Tier, in the Future Land Use Element of the Comprehensive Plan. The Special Planning Areas Map LU 3.1 is proposed to be revised to identify the Rawlings Estates Overlay. In addition, new Objective 1.4.3 is proposed. Please refer to the following page for the exact language of the revisions.</p>
Purpose	<p>The purpose of the Rawlings Estates Overlay is to allow for the LR-1 Future Land Use Designation to be implemented in the Rural Tier. The current language in the Comprehensive Plan allows for density in the range of 1 unit per 5 acres to 1 unit per 20 acres, which prohibits the proposed LR-1 (Low Density Residential, 1 unit per acre) FLU Designation. The proposed overlay will allow for additional housing development on minimum 1-acre lots on the site while matching and maintaining the low-density character of the surrounding area. Please refer to Attachment G – Consistency with the Plan, for further justification and the following page for exact language.</p>
Justification	<p>Please refer to Attachment G – Consistency with the Plan for further justification, and the following page for exact language.</p>
Consistency	<p>Please refer to Attachment G – Consistency with the Plan.</p>
Text Changes	<p>The proposed text amendment will create the Rawlings Estates Overlay (“Overlay”). The proposed Overlay will allow the LR-1 Future Land Use category to be applied within the Rural Tier if the criteria of the Overlay are met. The language of Objective 1.4 Rural Tier is proposed to be revised to include the proposed Overlay as a special planning overlay that is exempt from certain Rural Tier regulations and add Objective 1.4.3 which outlines the Overlay criteria related to the boundaries, approval process, acreage, density, and minimum lot size. In addition, Table III.C is proposed to be revised to add a note that states that the LR-1 future land use designation is allowed in the Rural Tier for sites that meet Objective 1.4.3 and criteria in Policy 1.4.3-b. The Special Planning Areas Map LU 3.1 is proposed to be revised to identify the Overlay. Please refer to the following page for the exact language of the Proposed Text Amendment.</p>
ULDC Changes	<p>There are no proposed ULDC amendments.</p>

Proposed Comprehensive Plan Text Amendment

Proposed additions are in red and underline text, proposed deletions are in red and strikethrough text.

REVISED OBJECTIVE 1.4 Rural Tier

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

NEW OBJECTIVE 1.4.3: Rawlings Estates Overlay

Objective: The purpose of the Rawlings 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.

Policy 1.4.3.a: Boundaries. The boundaries of the Rawlings Estates Overlay are within the Rural Tier, generally bounded by 180th 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 Rawlings Estates Overlay are depicted on the Special Planning Areas Map, LU 3.1.

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 Rawlings 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.

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

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

Text omitted for brevity

5. Within the Rawlings 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.

Map Series, Special Planning Areas Map LU 3.1, Rawlings Estates Overlay REVISIONS: To identify the Rawlings Estates Overlay.



**ATTACHMENT G — CONSISTENCY WITH COMPREHENSIVE PLAN
COMPREHENSIVE PLAN TEXT AMENDMENT**

AMENDMENT ROUND 25-A

Rawlings Estates

ATTACHMENT G

Prepared by:

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Submittal: February 7th, 2024



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I. INTRODUCTION

The subject site, known as “Rawlings Estates”, is a 104.09-acre site located in Unincorporated Palm Beach County (“County”). The site is located approximately 1.3 miles west of Seminole Pratt Whitney Rd and 0.33 miles south of W Sycamore Dr., on the west side of 180 Ave N. It is located in the County’s Rural Tier, comprised of two parcels currently designated RR-10 (Rural Residential, 1 unit per 10 acres) on the County’s Future Land Use Atlas (“FLUA”), and zoned AR (Agricultural Residential). **Table 1** below includes site information that corresponds with **Figure 1**.

Table 1-Site Information

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

Figure 1- Site Aerial



II. PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

On behalf of the Applicant, WGI, Inc. is requesting a Comprehensive Plan Text Amendment (“Text Amendment”) to create the proposed Rawlings Estates Overlay (“Overlay”). The amendment proposes language that will create the Rawlings 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, approval process, acreage, density, and minimum lot size. A FLUA Amendment and Rezoning Application with a Class A Conditional Use will be submitted at a later date, following initiation of the proposed Text Amendment. The large-scale FLUA request will be to amend the FLUA designation of the subject site from RR-10 to LR-1 (Low Density Residential, 1 unit per acre), the Rezoning request will be to change the zoning from AR (Agricultural Residential) to RT (Residential Transitional) and the Class A Conditional Use request will be for a residential project that exceeds 50 acres that does not meet the access requirements of a PDD (Art. 4.A.9.B & Table 4.A.9.B). This Text Amendment, along with the companion

FLUA Amendment and Rezoning will allow for the development of single family homes on the site in a manner consistent with the existing character and development of the surrounding area.

Project History

The subject site is identified by control number 1996-30143. There are no zoning approvals associated with the site. However, there is record of two zoning confirmation requests associated with the site: ZC-1996-00161 and ZC-1996-00143.

III. JUSTIFICATION FOR COMPREHENSIVE PLAN TEXT AMENDMENT

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 proposed Overlay, FLUA Amendment from RR-10, Rezoning from AR to RT and Class A Conditional Use is consistent with the development pattern in the area. The surrounding residential areas have undergone FLUA Amendments to higher density, from RR-10 to RR-5 and RR-2.5, with the properties designated RR-2.5 actually being between 1.1 and 1.5 acres inclusive of the adjacent roadways and drainage canals. Figure 2 below shows the surrounding areas and their approved amendment to higher density. The subject site is one of the only properties that is still designated as RR-10, with the only exceptions being the Indian Trails Improvement District Facility to the southwest and the private residential lot directly to the south.

Figure 2 – Surrounding FLUA Amendments to Higher Density



Source: Google Earth

The RR-10 FLUA designation was appropriate when it was established for this area as a whole. However, development patterns show that the area has increased in density over time and the RR-10 FLUA is no longer appropriate or consistent with the surrounding area. The area is still considered low density compared to the rest of Palm Beach County. However, this area has become denser over time, following the FLUA Amendments noted above. Figures 3-5 are aerials that demonstrate the gradual development of the surrounding area and increase in density. Development of the surrounding area started in the early to mid-1990s, as evidenced by Figure 3 below, an aerial photograph taken in 1996 that shows scattered development of one-acre lots to the east of the subject site. Today, these areas are filled with one-acre lots with single family homes. The area to the west and north of the site has experienced a similar pattern as well, but with 5-acre lots.

Figure 3- 1996 Aerial



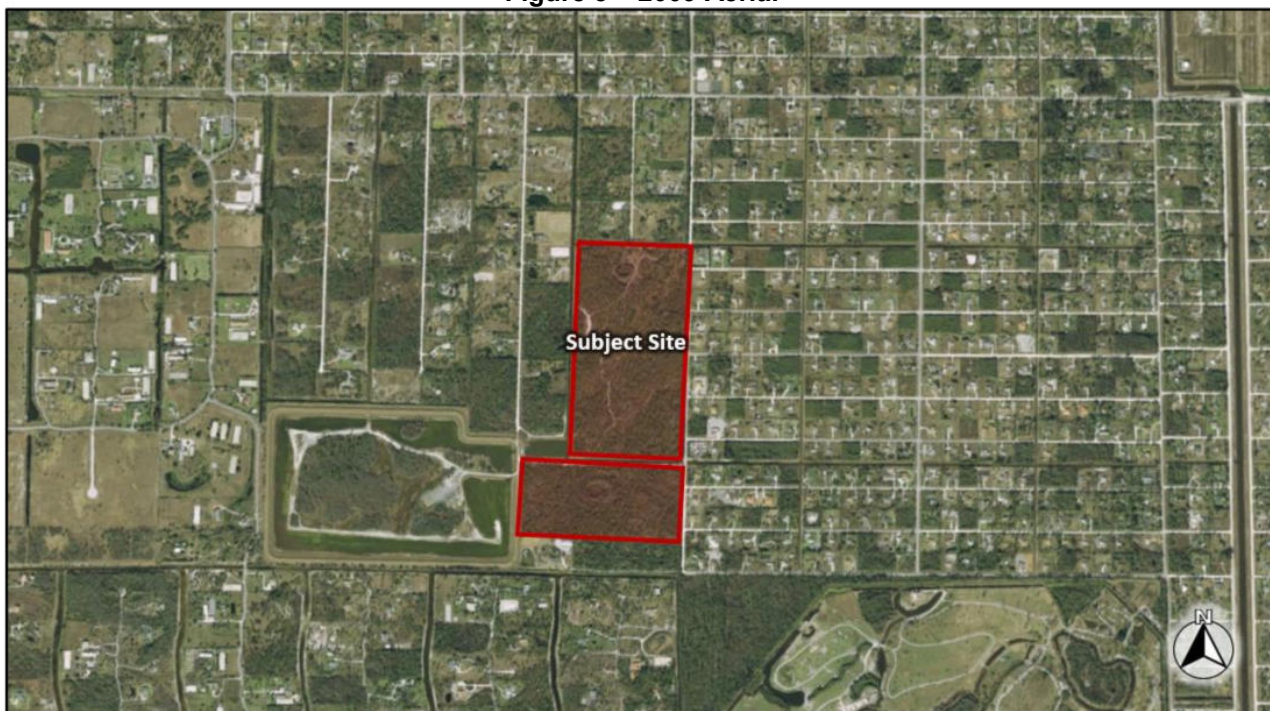
Source: Google Earth

Figure 4 – 2002 Site Aerial



Source: Google Earth

Figure 5 – 2009 Aerial



Source: Google Earth

As stated previously, the 104.09-acre property is one of the last significant properties in the area to remain vacant and under the RR-10 FLUA Designation. The Text Amendment and FLUA intend to provide a residential use that is consistent with the intent and character of this area of the County, while maintaining surrounding development patterns and providing new housing stock that is compatible with the surrounding uses.

IV. Consistency with the Comprehensive Plan

The proposed Text Amendment and Rawlings Estates Development 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. 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 on 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 Text Amendment proposes to modify Objective 1.4 to include the Rawlings Estates Overlay. The language will be revised to designate the Overlay as a special planning area that will allow for more appropriate density for the subject site (1 DU/acre with one-acre minimum lot area), consistent with the existing development pattern in the immediately surrounding area. 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. The proposed language in the Overlay limits development to

minimum one-acre lots which is both consistent with the surrounding development and ensures prevention of higher density development. In addition, the proposed FLUA is LR-1 which theoretically permits up to 104 homes on the site. However, the proposed development will be limited to a maximum of 58 homes, thus decreasing the density even more.

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 Rawlings Estates Overlay, associated FLUA Amendment, and ultimate development will further this goal by providing a new residential development that enhances the existing community in the Loxahatchee area and provides a unique housing opportunity for the growing population of the County. The proposed development will be a compatible addition to the existing community, respecting the character of the area while creating new housing supply to help address the growing housing crisis. The proposed development will preserve some of the existing wetlands on the property and create an upland preserve. Further, no extension of water or sewer services to the subject property will be required as the one-acre lots will utilize well and septic systems, similar to all of the surrounding residential properties.

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 Rawlings Estates Overlay is to encourage the protection of the rural residential character of the area. Immediately to the east of the proposed overlay is a residential area in Unincorporated Palm Beach County consisting of one-acre lots with single family residences. West and south of the property are lots that average approximately five-acres with single family residences. The existing developed area has a rural character which will be maintained by the Overlay and proposed development. The main purpose of the proposed Overlay is to provide rural residential development on the subject site that is compatible with the existing residential development in the surrounding area. The proposed single-family development will be of similar character, scale, mass, intensity of use, and height of the surrounding development. In addition, some of the existing wetlands on the property will be preserved and an upland preserve will be created. 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 Text Amendment, FLUA Amendment, and development are compatible with this policy. The two parcels associated with the site will be subdivided into individual lots for single family homes. This is consistent with this policy as each new parcel created will be consistent with the minimum lot size required by its respective FLUA designation. Upon approval of the Text Amendment, the LR-1 FLU will be permitted within the Overlay. Upon approval of the subsequent FLUA Amendment from RR-10 (Rural Residential, 1 unit per 10 acres) to LR-1 (Low Density Residential, 1 unit per acre), and rezoning from AR (Agricultural Residential) to RT (Residential Transitional), the development will be subject to a minimum lot size requirement of 1 acre per the proposed criteria for the Rawlings Estates Overlay.

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 Text Amendment is consistent with Policy 2.1-a. The proposed residential development under the Rawlings Estates Overlay and LR-1 FLUA designation will not exceed the natural or manmade constraints of the area. While the proposed Overlay and LR-1 FLUA designation would allow for a maximum of 104 dwelling units, the 104.09-acre site has dense vegetation and wetlands. The Applicant has evaluated the site, and developed a plan that allows for development while also preserving existing wetlands and native habitat uplands. As a result of this, the Applicant is proposing a 58-unit single family home development. The proposed development program and intended density ensures the preservation of the natural resources on the site while also providing 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 Text Amendment includes a modification to Table III.C in the FLUA Regulation Section of the Comprehensive Plan. The proposed amendment is to add an additional note including the Rawlings Estates Overlay. The note reads: *“5. Within the Rawlings 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.”* The purpose of this note is to allow for the LR-1 FLU in the Rawlings Estates overlay. Upon approval of the Text Amendment, the proposed Rawlings Estates Overlay will be compliant with *Table III.C Future Land Use Designation by Tier*.

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 Text Amendment and FLUA Amendment intend to accommodate the future population of the County by creating additional housing opportunities on an underutilized site that is surrounded by existing housing of a similar density. These housing opportunities will add to the community and character of the area by providing additional 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 Text Amendment and companion FLUA Amendment do not encourage piecemeal development. The proposed overlay and development will provide for the cohesive infill development of an existing underutilized site. The surrounding development is primarily residential. Therefore, incorporating additional housing should not be considered piecemeal development.

V. G.5 COMPLIANCE WITH FLORIDA STATUTES CHAPTER 163.3177

Florida Statute, Chapter 163.3177 is the principle state statute governing the comprehensive plans and plan amendments for all of the Counties within the State of Florida. In 2011, Chapter 163, F.S. was substantially revised and Rule 9J-5 was repealed and removed from the Florida Administrative Code (House Bill 7207). Today, Chapter 163.3177(1) (f) states, “all mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government, 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 Comprehensive Plan Text 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 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 Text Amendment maximizes an underutilized piece of land by offering additional and diversified housing choices to the existing and projected Palm Beach County population.

VI. CONCLUSION

On behalf of the Applicant, WGI, Inc requests approval of the proposed Comprehensive Plan Text Amendment to create the Rawlings Estates Overlay.