



LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

Subject/Agenda Item:

Ordinance 2021-19: LDS to DRC

Second Reading and Adoption: A City-initiated request for a text amendment that will rename the Land Development Staff as the Development Review Committee and update and clarify the responsibilities and duties of the Development Review Committee.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☒ Legislative

☒ Public Hearing

Originating Department: Development and Neighborhood Services Project Manager <hr style="width: 100%;"/> Caryn Gardner-Young, Zoning Administrator	Reviewed By: Director of Development and Neighborhood Services <hr style="width: 100%;"/> Kara L. Irwin-Ferris, AICP
Approved By: City Manager <hr style="width: 100%;"/> Andrea McCue	Public Notice: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Dates: 11/4/21; 12/23/21 Paper: Lake Worth Herald Mailing <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance: _____
Attachments: <ul style="list-style-type: none"> Ordinance 2021-19 	City Council Action: <input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____

I. Executive Summary

The City of Greenacres (City) created a Land Development Staff Committee whose purpose is to provide a coordinated and integrated staff review of development applications. The Land Development Staff Committee consists of representatives from Development and Neighborhood Services (Planning and Building), Fire Department, Police Department, Community and Recreation Department, and Public Works Department. Currently, they met twice a month to review development petitions and to provide their expertise and recommendations to the City's decision-making body.

The name Land Development Staff Committee is not a common one used in the municipal government field. Typically, committees that are charged with providing technical reviews for development petitions are called Development Review Committees (DRC) which better represents what the committee does. To avoid public confusion if a resident is dealing with a City Department versus an inter-department committee, staff is recommending changing the name Land Development Staff Committee to Development Review Committee. In addition, we are recommending the name of Planning and Engineering Department be changed to Development and Neighborhood Services based upon the recently adopted budget and the name Planning Commission be changed to the Planning and Zoning Board of Appeals per the Zoning Text Amendment being processed concurrently with this petition.

Highlights

The proposed changes are as follows:

1. Changes the name of the Land Development Staff Committee to the Development Review Committee
2. States that the DRC possesses the ability to consult with outside agencies
3. Clarifies that the DRC meetings are open but not intended for public comments
4. States that the Development and Neighborhood Services Department is responsible for the DRC process
5. Allows the DRC to call a DRC meeting if there is insufficient time to review a petition until the next DRC meeting
6. Limits the number of times that a petition can be heard by the DRC to twice based upon insufficient plans
7. Changes the name of the Planning and Engineering to Development and Neighborhood Services based upon the recently adopted budget
8. Changes the name of the Planning Commission to the Planning and Zoning Board of Appeals.
9. Provides that the Development and Neighborhood Services Department can add any items for review by the DRC

II. Proposed Comprehensive Plan Amendments:

The following Zoning Code regulations are impacted by the proposed Zoning Text Amendments. Items which are proposed for deletion are in ~~Strike-Through~~, items proposed for addition are in Single Underline.

CHAPTER 16, ARTICLE II- ADMINISTRATION

DIVISION 2. – DEVELOPMENT REVIEW COMMITTEE ~~LAND DEVELOPMENT STAFF~~

~~{2}~~

Sec. 16-51. - Creation.

~~There is hereby established a land development staff which shall consist of representatives of the planning and engineering department, building department, public safety department (one (1) each from police and fire), public works department, and any other department representative necessary to effectively evaluate a particular proposal.~~

- (a) Established. The Development Review Committee (DRC) shall be established and is an administrative and technical committee that provides input on technical issues raised by a development project for consistency with policies established by the city council, specifically the Zoning Code and the City Code.
- (b) Members. The DRC is composed of representatives from the following disciplines: planning and zoning, building, fire, police, recreation, public works, and other departments as determined by the development and neighborhood services department.
- (c) Other city, county, state, or federal agencies may be consulted by the DRC for advice or recommendations on any matter or application being considered by the DRC. The development and neighborhood services department shall have the authority to add or delete members of the DRC as may be deemed necessary.

(Ord. No. 2011-07, § 3, 6-6-11)

Sec. 16-52. - Rules of procedure.

(a) ~~Land development staff~~ The Development Review Committee shall be chaired by a representative of the ~~planning and engineering department~~ planning division of development and neighborhood services department and the meetings shall be recorded but minutes need not be drafted. Although the Development Review Committee meetings are open to the public, no decision is made at the meeting and public comment is not intended to be solicited.

(b) The development and neighborhood services department shall be responsible for intake, agenda preparation, public notice, distribution of plans and specifications, collection of fees, audio recording of meetings, notification to applicants of the meetings and written notification to applicant of the outcome of the Development Review Committee review.

(c) Applications which have been found to be sufficient for processing by the city shall be scheduled for presentation by the applicant on the second Thursday of the month following a determination of sufficiency. Technical review by the Development Review Committee ~~and development~~ staff shall take place on the third Thursday of the month if deemed necessary. These dates may be modified in the event of a city holiday falling on the scheduled meeting date or if a special meeting is required due to time constraints.

(c) Review comments and questions by the Development Review Committee ~~and development~~ staff as well as city consultants and any other agency reviewing the proposal shall be consolidated and sent in writing to the applicant by the ~~planning and engineering department~~ development and neighborhood services department within two (2) weeks of the technical review meeting.

(d) The Development Review Committee ~~and development~~ staff shall have the right to require additional reviews of the application as necessary to ensure all comments have been resolved prior to further processing.

(e) The application and proposed development plans, if any, shall to the extent possible incorporate all changes mutually agreed upon by the Development Review Committee ~~and development~~ staff and the applicant prior to further processing.

(f) An application or/and development plans that have already been reviewed two times by the Development Review Committee will not be scheduled for a third meeting, unless conditions have changed substantially to warrant another meeting.

(g) The Development Review Committee ~~and development~~ staff shall recommend the application to the planning and zoning board of appeals ~~commission~~, local planning agency, ~~zoning board of adjustments and appeals~~, and/or city council, as appropriate, for approval, approval with conditions, or denial. The ~~development and neighborhood services department~~ planning and engineering department shall prepare a ~~land development~~ staff report and recommendation which shall include an explanation of the application, analysis in comparison to relevant Code standards, the recommendation of the Development Review Committee ~~and development~~ staff, and any proposed conditions of approval and provide such report to the planning and zoning board of appeals ~~commission~~, local planning agency, ~~zoning board of adjustment and appeals~~, and/or city council.

(Ord. No. 2011-07, § 3, 6-6-11)

Sec. 16-53. - Functions, powers, and duties.

The Development Review Committee ~~and development~~ staff shall have the following functions, powers, and duties:

(a) To review and make recommendations to approve, approve with conditions, or deny applications for:

- (1) Annexation.
- (2) Comprehensive Plan amendment.
- (3) Zoning changes.
- (4) Special exceptions.

- (5) Site and development plans.
- (6) Special exception and site and development plan amendments.
- (7) Variances.
- (8) Text amendments to the Zoning Code.
- (9) Temporary use permits in accordance with [section 16-718](#).
- (10) Perform such additional duties as the Development and Neighborhood Services Department may from time-to-time assign

(b) To conduct review and recommendation based on all relevant requirements of the Comprehensive Plan, City Code, policies of the city, and information received from the city's consultants and other reviewing agencies.

(c) To prepare a ~~land development~~ staff report and recommendation which explains the application, references relevant Comprehensive Plan policies and Code requirements, summarizes the recommendation of the Development Review Committee ~~land development staff~~ and the comments of other reviewing agencies, proposes necessary conditions of approval, and summarizes the approval or denial action of each successive reviewing body. The report shall contain exhibits such as plans and maps as necessary to adequately explain and detail the application.

(Ord. No. 2011-07, § 3, 6-6-11)

Secs. 16-54—16-80. - Reserved.

Proposed Change #2

Any reference to Land Development Staff in the following Code Sections will be changed to Development Review Committee:

1. Section 16-653
2. Section 16-128
3. Section 16-119
4. Section 16-720
5. Section 16-214
6. Section 16-152
7. Section 16-106
8. Section 16-155
9. Section 16-178
10. Section 16-719
11. Section 16-197
12. Section 16-202

III. Zoning Text Amendment Criteria:

- A. *The need and justification for these changes:*

The principal intent of these proposed text amendments to the Zoning Code is to update the development review process and adopt terminology which is more recognizable in the development field to avoid confusion.

- B. *The relationship of the proposed amendments to the purpose and objectives of the City's Comprehensive Plan, and whether the proposed change will further the purposes of the City's Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.*

The proposed amendments are consistent with the City's Comprehensive Plan and will further the purposes of the City's Zoning Code regulations and other City codes.

IV. Staff Recommendation:

The Land Development Staff met on October 14, 2021, to discuss the proposed amendment. No objections were received.

Approval of ZTA- 21-03 through the adoption of Ordinance 2021-19.

PLANNING COMMISSION ACTION – November 17, 2021

The Planning Commission on a motion made by Commissioner Roberts and seconded by Commissioner Neustein, by a vote of six (6) to zero (0) recommended approval of Zoning Text Amendment ***ZTA-21-03 (DRC)*** as presented by staff.

CITY COUNCIL ACTION First Reading – December 13, 2021

The City Council on a motion made by Councilmember Pearce and seconded by Vice Mayor Tharp, by a vote of five (5) to zero (0) recommended approval of Zoning Text Amendment ***ZTA-21-03 (DRC)*** on first reading as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – January 3, 2022
