

ORDINANCE NO. 2024-02

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING A ZONING CHANGE AND OFFICIAL ZONING MAP AMENDMENT FOR A PARCEL OF LAND TOTALING APPROXIMATELY 0.0143 ACRES, LOCATED AT 6297 LAKE WORTH ROAD FROM A PALM BEACH COUNTY GENERAL COMMERCIAL (CG) TO CITY OF GREENACRES COMMERCIAL GENERAL (CG), AS REQUESTED BY THE DEVELOPMENT & NEIGHBORHOOD SERVICES DEPARTMENT, AGENT FOR THE OWNER PALM BEACH COUNTY; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Greenacres Development & Neighborhood Services Department is herein known as the "Petitioner" for the herein described property; and

WHEREAS, the Petitioner is requesting a rezoning of one (1) parcel of land totaling approximately 0.0143 acres more or less, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial General (CG); and

WHEREAS, the Planning Commission has held a duly advertised public hearing on February 8, 2024 and reviewed the application for compliance with the staff findings relevant to the criteria for a Zoning Change as detailed in the Land Development Staff Report and Recommendation, Exhibit "A", dated February 2, 2024, as revised; and

WHEREAS, the City Council of the City of Greenacres has conducted a duly advertised public hearing on March 4, 2024 and has considered all comments received concerning the proposed amendment to the Official Zoning Map as required by state law and local ordinance; and

WHEREAS, the City Council finds that the proposed zoning change ordinance is consistent with the City's Comprehensive Plan, said Plan being adopted pursuant to the Local

Ordinance No. 2024-02 | PBC Utility Parcel

Page No. 2

Government Comprehensive Planning and Land Development Regulation Act and certified by the State of Florida Division of Community Development; and

WHEREAS, the City Council of the City of Greenacres further finds that, in accordance with Exhibit “A”, “Land Development Staff Report and Recommendation”, dated February 2, 2024, as revised (attached), the proposed amendment changing the zoning district of one (1) parcel of land totaling approximately 0.0143 acres more or less, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial General (CG); is in the best interest of the citizens of the City of Greenacres.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as true and correct findings of the City Council of the City of Greenacres.

Section 2. Zoning Change and Zoning Map Amendment.

The request by the Petitioner to change the zoning designation for one (1) parcel of land totaling approximately 0.0143 acres more or less, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial General (CG), is hereby granted for the property located at 6297 Lake Worth Road, legally described as follows:

PCN: 00-42-44-22-00-000-5270

22-44-42, S 25 FT OF E 25 FT OF W 347 FT OF SE 1/4 OF SW 1/4 OF SE 1/4 LYGN OF & ADJ TO LAKE WORTH RD R/W K/A LIFT STATION #238

Being a portion of:

The Southeast one-quarter of the Southwest one-quarter of the Southeast one-quarter less the West 320' thereof of Section 22, Township 44 South, Range 42 East, Palm Beach County, Florida.

Less however, that part lying within the right-of-way for Lake Worth road (SR 802) as recorded in road book 5, pages 125-138, inclusive, public records, Palm Beach County, Florida.

Said lands situate, lying, and being Palm Beach County, Florida. Containing 4.78 acres more or less.

Commence at the Southwest corner of said property; thence due East (on an assumed bearing) along the Northerly right-of-way line of Lake Worth Road, for 2.00 feet to the point of beginning of this description; thence continue due East for 25.00 feet; thence due North for 25.00 feet; thence due West for 25.00 feet; thence due South for 25.00 feet to the point of beginning.

The right-of-way adjacent thereto.

CONTAINING A TOTAL OF 0.0143 ACRES MORE OR LESS.

Section 3. Authorization to Make Changes.

That the Planning, GIS, and Engineering Division is further directed to make the necessary changes to the City of Greenacres Official Zoning Map to reflect the changes authorized by this Ordinance.

Section 4. Repeal of Conflicting Ordinances.

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 5. Severability

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held

inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 6. Effective Date

The provisions of this Ordinance shall become effective consistent with the effective date of Ordinance No. 2024-01, which is the companion small scale comprehensive plan amendment ordinance (changing the Future Land Use designation for the property).

[The Remainder of this Page Intentionally Left Blank.]

Passed on the first reading this 4th day of March, 2024.

PASSED AND ADOPTED on the second reading this 18th day of March, 2024.

Joel Flores, Mayor

Attest:

Quintella Moorer, City Clerk

Voted:
John Tharp, Council Member, *District I*

Voted:
Peter Noble, Deputy Mayor

Voted:
Judith Dugo, Council Member, *District III*

Voted:
Susy Diaz, Council Member, *District IV*

Voted:
Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney