

	DEVELOPMENT & NEIGHBORHOOD SERVICES STAFF REPORT AND RECOMMENDATION
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Subject/Agenda Item:

Ordinance 2024-06: ZC-24-03 4901 and 4977 S. 56th Terr. (City Hall Annex)

Recommendation to City Council: A City-initiated request for a Zoning Change approval for two (2) parcels totaling approximately 8.7 acres, located at 4901 and 4977 S. 56th Terrace from Palm Beach County Agricultural Residential (AR) zoning designation to City of Greenacres Government Use (GU).

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

<p>Originating Department: Planning & Engineering</p> <p>Project Manager</p> <p>_____</p> <p>Gionni Gallier, Senior Planner</p>	<p>Reviewed By:</p> <p>Director of Development & Neighborhood Services (DNS)</p> <p>_____</p> <p>Denise Malone, AICP, Director DNS</p>
<p>Approved By:</p> <p>City Manager</p> <p>_____</p> <p>Andrea McCue</p>	<p>Public Notice:</p> <p><input checked="" type="checkbox"/> Required</p> <p><input type="checkbox"/> Not Required</p> <p>Dates: 1/25/24, 2/22/24, 3/7/24</p> <p>Paper: Lake Worth Herald</p> <p><input checked="" type="checkbox"/> Required</p> <p><input type="checkbox"/> Not Required</p> <p>Notice Distance: _ 300'</p>

<p>Attachments:</p> <ul style="list-style-type: none"> Ordinance 2024-06 Aerial Map Existing and Proposed Zoning Map 	<p>City Council Action:</p> <p><input checked="" type="checkbox"/> Approval</p> <p><input type="checkbox"/> Approve with conditions</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> Continued to: _____</p>
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I. Executive Summary

A City initiated request for zoning change from PBC Agricultural Residential (AR) to City Government Use (GU). The subject property is being concurrently annexed into the City (ANX-23-03) through Ordinance 2023-18 and a small-scale future land use amendment (CPA-24-03).

II. Site Data:

Existing Use:	Two single-family home with accessory buildings
Proposed Use:	City Government services
Parcel Control Numbers:	00-42-44-26-00-000-7100; 00-42-44-26-00-000-7040;
Parcel Size:	8.7 acres
Existing Future Land Use Designation:	PBC LR-1, Low Residential, 1 unit per acre
Proposed Future Land Use Designation:	City Public Institutional (PI)
Existing Zoning District:	PBC Agricultural Residential (AR)
Proposed Zoning District:	Government Use (GU)

Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:			
Direction	Existing Land Use	Future Land Use	Zoning District
<i>North</i>	Harvest Pines Residential Development	City Residential Low Density (RS-LD)	City Residential Low – 3 Density (City RL-3)
<i>South</i>	Nautica Isles	City Residential Low Density (RS-LD)	City Residential Low – 3 Density (City RL-3)
<i>East</i>	Unincorporated Residential development	PBC Residential Low 1 (PBC LR-1)	PBC Agricultural Use (City AR)
<i>West</i>	Greenacres City Hall	Public Institutional (City PI)	City Government Use (City GU)

III. Annexation/Zoning History:

The proposed Zoning Change or Rezoning (ZC-24-03) involves two parcels, totaling approximately 8.7 acres, recently annexed into the City boundary through voluntary annexation (ANX-24-03). The City purchased two (2) of the properties on November 18, 2022, which are directly adjacent to City Hall and will allow for the expansion of the existing site in the future to address future demands of the City. In addition, the City contacted the Lake Worth Drainage District (LWDD) who gave consent to voluntarily annex the adjacent Right of Way which is adjacent to the City's properties and extends east along the canal 14 right-of-way to Haverhill Road.

The first City-owned parcel, located at 4901 South 56th Terrace, is developed with a 4,356 square foot single family home including a 936 square foot detached garage. The second parcel, located at 4977 South 56th Terrace, is developed with a 3,329 square foot single-family home with a 725 square foot detached garage. The parcels are accessed via S. 56th Terrace that is an access easement across the rear properties of three

single-family lots with frontage on Misty Pines Trail in unincorporated PBC. The two (2) properties are directly adjacent to the existing Greenacres City Hall.

The parcels have a Palm Beach County (PBC) Land Use designation of LR-1, Low Residential, 1 unit per acre and a PBC zoning designation of Agricultural Residential (AR). This application is a request for a zoning change from PBC Agricultural Residential (AR) to COG Government Use (GU). Future planning applications for this parcel, including a small-scale Future Land Use Map Amendment (CPA-24-03), will be considered and processed concurrent with the Annexation (ANX-23-03) of the parcel.

IV. Applicable Comprehensive Plan Provisions:

The Comprehensive Plan includes the following planning objectives and policies related to this proposed zoning change request:

1. Future Land Use Element

Objective 8, Policy c)

Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for residential densities and commercial intensities as indicated below:

** * * (1 through 14 and 16 omitted for brevity) * * **

(15) Public/Institutional Land Use – 0.10-0.35 FAR

Objective 11, Policies a, b, & c)

The City shall discourage the proliferation of urban sprawl by following established land use patterns, promoting appropriate infill and designating future land use densities based upon levels of services and the availability of services and facilities.

Policy a)

Urban Sprawl will be discouraged by permitting only development that is consistent and compatible with the established land use pattern. “Consistent and compatible with the established land use pattern” shall mean:

- (1) Only uses permitted within the Plan's land use designation and the implementing zoning district shall be approved.
- (2) Only development within the designated density range and intensity regulations of the implementing zoning district will be approved.
- (3) Adequate facilities and services shall be available and concurrent to accommodate the proposed development.

Policy b)

Infill development shall be promoted within existing areas to discourage the harmful effects of leapfrog development.

Policy c)

Future timing of appropriate land use densities and intensities will be determined by the established levels of services and the availability of services and facilities to meet the established levels.

V. Applicable City Code Provisions:

Section 16-153(a)(1) of the Code relating to rezoning of property states that the proposed zoning change should not be contrary to the future land use map, and it should not have an adverse effect on the Comprehensive Plan.

Division 12. Government Use (GU) (Section 16-525 through 16-536)

The government use (GU) district is intended to provide a district essentially for mapping purposes which will identify real property presently owned and used by any governmental entity, including local, state or federal government units. This district is not intended to be applied to land that is used by governmental entities on an easement or leased basis if title to the land is in private ownership. It is not the intent to classify all lands owned by government into this district but only those lands particularly and peculiarly related to the public welfare.

VI. Staff Analysis:

Land Development Staff Comments:

The petition was informally reviewed by the Development Review Committee (DRC).

Planning and Engineering:	Incorporated into report
Building:	No objections
Public Works:	No objections
Fire Rescue:	No objections
PBSO District #16:	No objections

Change Criteria and Findings of Fact:

Section 16-153. Planning and Development Commission Report: The Planning, Zoning and Appeals Board shall submit a report to the City Council which shows that the Commission has studied and considered the proposed amendment for rezoning of property and change to the official zoning map in relation to the following, where applicable:

Specific Criteria Findings:

- (1) Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the Comprehensive Plan.**

Finding: The proposed Government Use (GU) zoning district will be consistent with the property's proposed Public Institutional (PI) future land use designation. The GU district is intended for real property presently owned and used by any governmental entity, including local, state or federal government units and those lands related to the public welfare; permitted uses and special

exceptions within this designation require land areas and locations convenient to automotive traffic and accessible by the population. The zoning designation allows for a large range of government uses in support of the Goals, Objectives, and Policies of the Comprehensive Plan directing the city to provide support services for city residents.

(2) The existing land use pattern.

Finding: The proposed Government Uses (GU) zoning designation is consistent with the existing land use pattern in the area. The Government Use designation and uses which surround the site to the east, north, and south are within a residential area that provides a location for servicing the adjacent residential community. The proposed zoning designation is consistent with the adjacent property located within the City of Greenacres to the west and compatible with the character of the parcels to the west, north and south with Palm Beach County and Greenacres residential zoning designations.

(3) The possible creation of an isolated district unrelated to adjacent and nearby districts.

Finding: This proposed zoning change will not create an isolated zoning district. The parcels are located adjacent to the existing Greenacres city hall site with the same land use and zoning designation.

(4) The population density pattern and possible increase or overtaxing of the land on public facilities such as schools, utilities, etc.

Finding: The site will not be developed and require an increase in services. It will be set aside to provide opportunities to meet level of service demands in the community by the City of Greenacres.

(5) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Finding: The properties were previously annexed into the City and therefore require an appropriate City zoning designation.

(6) Whether changed or changing conditions make the passage of the proposed amendment necessary.

Finding: The properties are being concurrently annexed into the City and therefore requires an appropriate City zoning designation.

(7) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Finding: The proposed change will provide opportunities for meeting the city's level of service demands on city-owned properties, thus traffic and public safety will not be negatively impacted. Furthermore, any redevelopment must satisfy Traffic Performance Standards as part of the site plan approval process, including government uses.

(8) Whether the proposed change will adversely influence living conditions in the neighborhood.

Finding: The proposed zoning change will not adversely affect living conditions in the area. The parcel is currently developed and is expected to continue in the current use until the city determines future development needs; any future projects will be required to include adequate landscaping, setbacks, and buffering in accordance with the City Zoning Code.

- (9) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.**

Finding: The property was previously annexed into the City and therefore require an appropriate City zoning designation.

- (10) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.**

Finding: As evidenced by the findings above, the proposed zoning change does not constitute a special privilege for the property owners because the change is consistent with existing land use patterns, the property's proposed future land use, the surrounding zoning designations.

VII. Staff Recommendation:

Approval of ZC-24-03 through the adoption of Ordinance 2024-06.

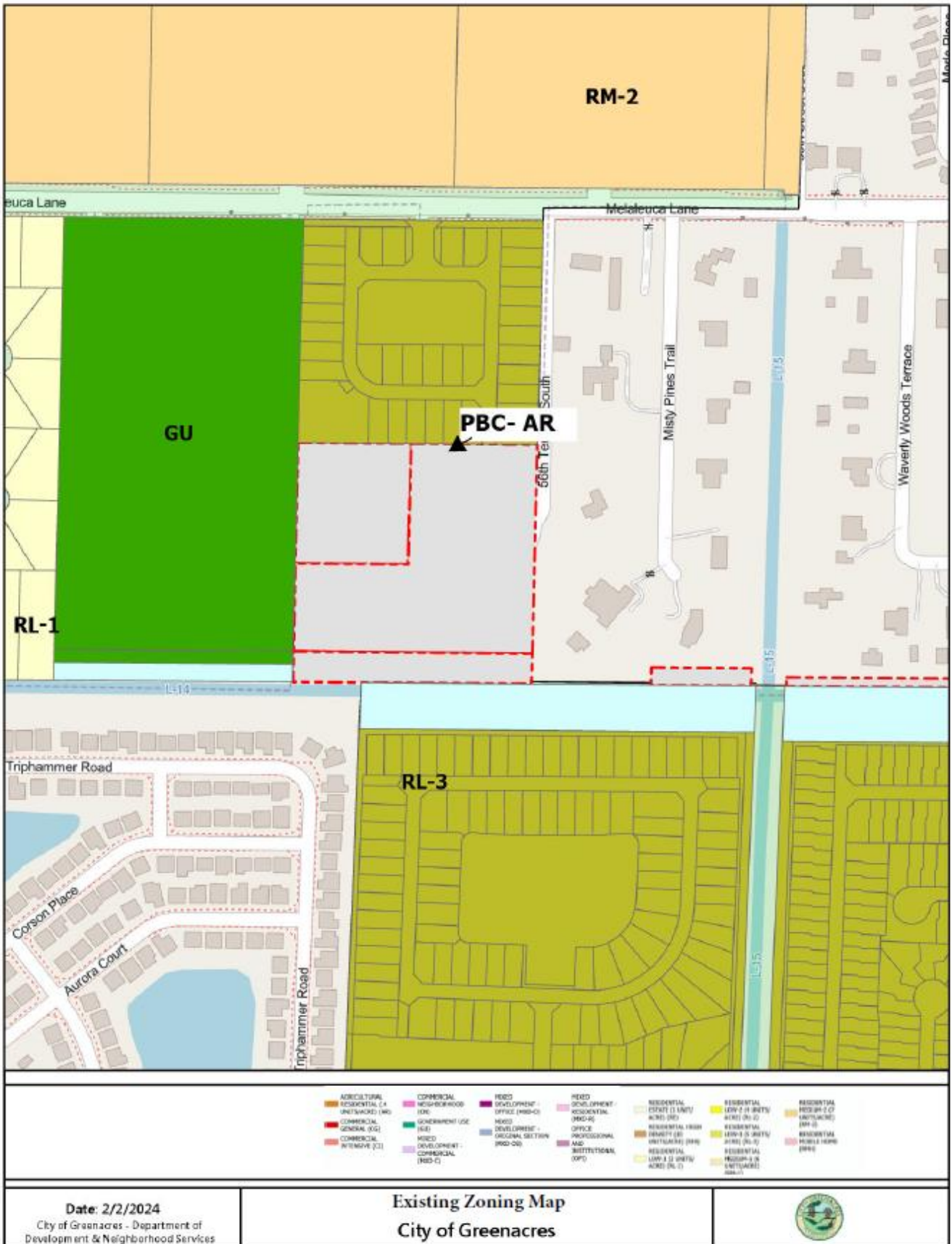
PLANNING COMMISSION RECOMMENDATION - February 8, 2024

The Planning and Zoning Board of Appeals on a motion made by Board Member Edmundson and seconded by Board Member Fitzgerald, voting five (5) to zero (0), ***recommended approval*** of Zoning Change ZC-24-03, as presented by staff.

CITY COUNCIL ACTION First Reading - April 15, 2024

The City Council on a motion made by Council Member Dugo and seconded by Council Member Tharp, voting four (4) to zero (0), ***approved*** zoning change ZC-24-03 (4901 and 4977 S. 56th Terr/LWDD), on first reading, through ***Ordinance 2024-06***, as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – May 6, 2024





<ul style="list-style-type: none"> AGRICULTURAL RESIDENTIAL L4 UNITS/ACRE (L4U) COMMERCIAL GENERAL (CG) COMMERCIAL INTENSIVE (CI) 	<ul style="list-style-type: none"> COMMERCIAL NEIGHBORHOOD (CN) GOVERNMENT USE (GU) MIXED DEVELOPMENT - COMMERCIAL (MDC-C) 	<ul style="list-style-type: none"> MIXED DEVELOPMENT - OFFICE (MDO-C) MIXED DEVELOPMENT - REGIONAL SECTION (MDO-RS) 	<ul style="list-style-type: none"> MIXED DEVELOPMENT - RESIDENTIAL (MDO-R) OFFICE PROFESSIONAL AND INSTITUTIONAL (OPI) 	<ul style="list-style-type: none"> RESIDENTIAL ESTATE (1 UNIT/ACRE) (RE1) RESIDENTIAL FARM (RE-F) RESIDENTIAL GEMINITY (RE-G) RESIDENTIAL LUMP (2 UNITS/ACRE) (RE-L) 	<ul style="list-style-type: none"> RESIDENTIAL LUMP 2 (4 UNITS/ACRE) (RE-L2) RESIDENTIAL LUMP 3 (4 UNITS/ACRE) (RE-L3) RESIDENTIAL LUMP 4 (4 UNITS/ACRE) (RE-L4) 	<ul style="list-style-type: none"> RESIDENTIAL HOUSING OVER 2.0 ACRES (RE-H) RESIDENTIAL HOUSING OVER 2.0 ACRES (RE-H) RESIDENTIAL HOUSING OVER 2.0 ACRES (RE-H)
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