

ORDINANCE NO. 2023-06

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN, TO CHANGE THE FUTURE LAND USE DESIGNATION OF ONE PARCEL OF LAND TOTALING APPROXIMATELY 4.993 ACRES, LOCATED AT 6645 CHICKASAW ROAD FROM A CITY OF GREENACRES DESIGNATION RESIDENTIAL MEDIUM DENSITY (RS-RM) TO A CITY OF GREENACRES DESIGNATION OF RESIDENTIAL HIGH DENSITY (RS-RH) AS REQUESTED BY COTLEUR & HEARING AGENT FOR THE OWNER, MF ASSOCIATES GREENACRES LLC; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, TRANSMITTAL, INCLUSION IN THE COMPREHENSIVE PLAN; AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Greenacres, pursuant to the Community Planning Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan which has been certified by the State of Florida; and

WHEREAS, Cotleur & Hearing, agent for the property owner MF Associates Greenacres LLC, is herein known as the "Petitioner" for the herein described property; and

WHEREAS, the Petitioner is requesting to change the land use designation for the subject property from a City of Greenacres future land use designation of Residential Medium Density (RS-RM) to a City of Greenacres future land use designation of Residential High Density (RS-RH) and include the new designation on the City's Future Land Use Map; and

WHEREAS, the Local Planning Agency for the City of Greenacres has held a duly advertised public hearing on May 11, 2023, and has recommended approval of the Petitioner's request (petition CPA-23-02) to amend the City's Comprehensive Plan, Future Land Use Element's Future Land Use Map; and

WHEREAS, the City Council of the City of Greenacres has conducted a duly advertised public hearing to receive comments on CPA-23-02 concerning the proposed amendment to the Comprehensive Plan and has considered all comments received as required by state law and local ordinance; and

WHEREAS, the City Council finds that the proposed amendment to the City's Comprehensive Plan is consistent with the City's goals and objectives in the Comprehensive Plan and 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. The foregoing recitals are incorporated into this Ordinance as true and correct finds of the City Council of the City of Greenacres.

Section 2. Future Land Use Map Designation

The Future Land Use Map in the City's Comprehensive Plan is hereby amended to change the designation of the subject property from a City of Greenacres future land use designation of Residential Medium Density (RS-RM) to a City of Greenacres future land use designation of Residential High Density (RS-RH) for the Property, which is legally described as follows:

Legal Description

6645 Chickasaw Road (PCN: 18-42-43-27-05-022-0360)

TRACT 36, BLOCK 22, "PALM BEACH FARMS COMPANYS PLAT NO. 3" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

SAID LANDS SITUATED IN THE CITY OF GREENACRES, PALM BEACH COUNTY, FLORIDA AND CONTAIN 4.993 ACRES, MORE OR LESS.

MAP



Section 3. Authorization to Make Changes.

The Planning, GIS, and Engineering Division is authorized to make the necessary Future Land Use map change to the Comprehensive Plan to reflect the change 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. Transmittal to the DEO.

The Planning, GIS and Engineering Division shall send copies of this Ordinance, all supporting documentation and the future land use map amendment to the Treasure Coast Regional Planning Council (TCRPC) and the State Land Planning Agency (Department of Economic Opportunity) (DEO).

Section 7. Inclusion in the Comprehensive Plan.

It is the intention of the City Council, entered as hereby ordained, that the Comprehensive Plan of the City of Greenacres, Florida, shall be amended to include the amendment to the Future Land Use Map as stated herein.

Section 8. Effective Date

The effective date of this Comprehensive Plan amendment shall be thirty-one (31) days following the adoption of this Ordinance in accordance with the provisions of Chapter 163.3187(5)(c), Florida Statutes.

Passed on the first reading this 5th day of June, 2023.

PASSED AND ADOPTED on the second reading this ____ day of _____, 2023.

Voted:

Joel Flores, Mayor

John Tharp, Council Member, *District I*

Attest:

Voted:

Quintella Moorer, City Clerk

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