

# STAFF REPORT REGULAR MEETING

**AGENDA DATE:** June 20, 2023

**DEPARTMENT:** Community Sustainability

**TITLE:**

Ordinance 2023-11 - Second Reading - A City-initiated Zoning Map amendment from Multi-Family Residential (MF-20) to Transit Oriented Development (TOD-E) for the properties located east of I-95, south of 2nd Avenue North, west of North A Street, and north of Lake Worth Road

**SUMMARY:**

The proposed City-initiated rezoning request would amend the zoning district on the subject properties from Multi-Family Residential (MF-20) to Transit Oriented Development (TOD-E). The proposed map amendments would be consistent with the current Future Land Use designation of Transit Oriented Development (TOD), and better reflect the historic mix of uses of the properties in this area. The rezoning includes the following properties located at: 1776 Lake Worth Rd, 1760 Lake Worth Rd, 1744 Lake Worth Rd, 1736 Lake Worth Rd, 1710 Lake Worth Rd, 1702 Lake Worth Rd, 115 N A St, 119 N A St, 125 N A St, 127 N A St, 129 N A St, 1743 2nd Ave N, 1753 2nd Ave N, 1757 2nd Ave N, & 1761 2nd Ave N 1.

**BACKGROUND AND JUSTIFICATION:**

The proposed Zoning Map amendment includes 15 parcels with a total acreage of approximately 8.96 acres. The area is identified in the City's Comprehensive Plan as the appropriate location for the TOD-E zoning district as consistent with Future Land Use Element Policy 1.1.2.10 (Locational Criteria for the Transit Oriented Development Designation). The amendment would reduce the non-conformities of use in the subject area, and is supported by and is consistent with the Comprehensive Plan and City Strategic Plan as described the attached advisory board staff report.

**Non-conformities of use:** Multiple properties in the subject area are currently non-conforming with regard to use and density. For example, office uses are not permitted in the MF-20- zoning district, and there are two existing non-conforming office/commercial buildings in the subject area. In these buildings, only business licenses for new businesses with the exact same use as previous tenants are able to be legally processed at this time. If the rezoning is adopted, then these office/commercial buildings would no longer be non-conforming, and applications for administrative and conditional uses permits consistent with the TOD-E zoning district could be legally processed. Further, approximately 4.63-acres of the 8.936-acre amendment area have existing multi-family residential development that exceeds the maximum density under the current MF-20 zoning district. This amendment would correct these non-conformities.

The **Planning & Zoning Board (PZB)** unanimously recommended approval of the rezoning at their May 24, 2023 meeting.

The **City Commission** unanimously voted to approve the rezoning on first reading and to schedule second reading for June 20, 2023 at their June 6, 2023 meeting.

**MOTION:**

Move to approve/disapprove Ordinance 2023-11 on second reading.

**ATTACHMENT(S):**

Ordinance 2023-11  
PZB Staff Report