



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT AMENDMENT ROUND 19-A

BCC ADOPTION PUBLIC HEARING, JANUARY 28, 2019

A. Application Summary

I. General

| | |
|------------------------------|--|
| Project Name: | Canal Point Corrective (LGA 2019-007 to 010) |
| Request: | Revise the future land use designation to correct errors |
| Acres: | 9.04 total acres |
| Project Manager: | Lisa Amara, Principal Planner |
| Owners: | Various |
| Applicant: | Palm Beach County |
| Staff Recommendation: | Staff recommends <i>approval</i> based upon the findings and conclusions contained within this report. |

II. Assessment & Conclusion

This is a County Initiated Corrective amendment to correct errors on the Future Land Use Atlas (FLUA) for properties located within the unincorporated neighborhood called Canal Point located in the Glades Urban Suburban Tier, immediately north of Pahokee. The amendment proposes to modify the future land use designation for 23 parcels on 9.04 total acres of land for consistency with existing zoning districts and uses. The amendment will ensure that the future land use and zoning is consistent. During the course of this amendment all of the property owners were contacted, and as of the printing of this report the County has not received negative feedback from the affected property owners.

The proposed amendment will resolve current inconsistencies between the adopted zoning and the future land use designations, and will allow current uses to continue as conforming uses. There are no negative issues associated with this amendment, and the amendment is consistent with the Comprehensive Plan.

III. Hearing History

Local Planning Agency: *Approval*, motion by Lori Vinikoor, seconded by Angella Vann, passed in a 10-0 vote at the October 12, 2018 public hearing. Under discussion, Commission members questioned the code enforcement issues that would be resolved if the amendment is adopted, and one commissioner requested that staff reach out to the Canal Point Community Development Association and Pahokee Chamber of Commerce prior to the BCC hearing. Staff indicated that they would reach out to the identified groups and provide a second property owner notice prior to the adoption hearing. One member of the public representing a property affected by the amendment spoke in support.

Board of County Commissioners Transmittal Public Hearing: *Transmit*, motion by Comm. Burdick, seconded by Comm. Berger, passed in a 7 to 0 vote at the October 31st public hearing. Under Board discussion, the upcoming meeting with area residents was mentioned. A property owner of one of the properties affected by the amendment spoke in support.

State Review Agency Comments: The State Land Planning Agency issued a letter dated December 7, 2018 for this amendment round called 19-01 ESR stating the department had not comment on the proposed amendment. There were no other state agency comments received regarding this amendment.

Board of County Commissioners Adoption Public Hearing: *January 28, 2019*

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B. Petition Summary

I. Site Data

| | |
|---------------------------------|---|
| Site A: LGA-2019-007 | From High Residential, 12 units per acre (HR-12) to Industrial with an underlying 12 units per acre (IND/12) 6.44 acres located on the south side of Lakeshore Drive, south of Okeechobee Avenue. These 17 parcels have Light Industrial (IL) zoning. |
| Site B: LGA-2019-008 | From Institutional and Public Facilities (INST) to High Residential, 12 units per acre (HR-12) 0.30 acres located on E. Beach Street, south of Everglades Street. These 2 parcels have RM Zoning. |
| Site C: LGA-2019-009 | From High Residential, 12 units per acre (HR-12) and Commercial High with an underlying 12 units per acre (CH/12) to Industrial with an underlying 12 units per acre (IND/12) 1.30 acres on either side of Lakeshore Drive, north of Palmetto Avenue. These 3 parcels have Light Industrial Zoning (IL) |
| Site D: LGA-2019-010 | From Industrial (IND) to CH/IND and IND/12 0.67 acres on the south side of Lakeshore Drive, south of Okeechobee Avenue. This parcel has Commercial General (CG) and Light Industrial Zoning (IL) |

III. General Area Information





| | |
|--------------------------|---|
| Tier/Tier Change: | Glades Tier/Urban Suburban Tier – No Change |
| Overlay/Study: | Canal Point |
| Annexation Area: | Pahokee |
| Comm. District: | Honorable Melissa McKinlay, District 6 |

Future Land Use Atlas Amendment

Canal Point Corrective (LGA 2019-007)



Amendment Sites

-  Site A
-  Site B
-  Site C
-  Site D

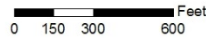
Site Data

Size: 9.41 acres

Future Land Use Designations

- HR-12 High Residential, 12 units per acre
- CH/12 Commercial High/12 units per acre
- IND Industrial
- INST Institutional and Public Facilities
- PARK Parks and Recreation
- AP Agricultural Production

Date: 9/13/2018
 Contact: Planning
 Filename: Planning\AMEND\19-A\Site\19-07
 Note: Map is not official, for presentation purposes only



Planning, Zoning & Building
 2300 N. Jog Rd, WPB, FL 33411
 Phone (561) 233-5300



C. Introduction & Review

I. Intent of the Amendment

This is a County Initiated Corrective amendment to correct errors on the Future Land Use Atlas (FLUA) for properties located within the unincorporated neighborhood called Canal Point located in the Glades Urban Suburban Tier, immediately north of Pahokee. The amendment proposes to modify the future land use designation for 23 parcels on 9.04 total acres of land for consistency with existing zoning districts and uses. The amendment will ensure that the future land use and zoning is consistency. The specific corrections detailed in Exhibit 1 and summarized in the Petition Summary.

II. Data and Analysis Summary

This section of the report summarized the basis of the amendment and consistency of the amendment with the County's Comprehensive Plan. The specific discussion each of the three sites is presented in Exhibit 2, and additional details regarding the preparation of the 1989 Future Land Use Atlas is provided in Exhibit 3.

The County's Future Land Use Map in effect from 1980 to 1989 established broad residential density, agricultural, and conservation future land use designations. There was no future land use designation for commercial or recreation land uses, and the only industrial designation was assigned to the United Technologies Overlay. The Comprehensive Plan assigned areas that qualified to apply for commercial and industrial zoning by identifying these areas in the text of the Comprehensive Plan and by hatching the areas on the future land use map. The protocol for the preparation of the 1989 Future Land Use Map was to assign a non-residential future land use designation on properties with a non-residential use and/or non-residential zoning in order to ensure that non-conforming uses were created. However, due to the lack of digital mapping techniques at the time, and the magnitude of the project, at times errors were made. Planning staff brings forward County Initiated Corrective amendments to the future land use designations as errors are identified.

In the case of the subject amendments, there are several errors on the Future Land Use Atlas that have been in place since the adoption of the 1989 Plan where the assigned future land use designation does not correctly reflect the use and/or zoning. The result is that these parcels cannot be brought into conformance with the land development regulations unless the future land use designations are corrected. The County began this corrective effort initially in 2005 with the adoption of Ordinance 2005-59 that corrected the future land use map for 8 parcels on 5.17 acres for only those parcels with Industrial uses at the time. This amendment proposes to assign the correct future land use designations on all of the remaining parcels with future land use map errors to reflect the zoning and current use of these properties, and alleviate any issues with code violations or other concerns.

II. Public and Municipal Review

The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *"Palm Beach County will continue to ensure coordination between the County's Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities..."*

- A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on September 26, 2018 To date, no comments have been received.
- B.** Public notice by letter was mailed to the owners of properties on September 12, 2018. To date, no correspondence has been received. Letters received are added to the Exhibits during the course of the amendment process.

| Exhibits | Page |
|--|-------------|
| 1. Exhibit 1 – Future Land Use Map Amendments for adoption | E-1 |
| 2. Exhibit 2 - Site Area Analysis | E-5 |
| 3. Exhibit 3 – 1989 Future Land Use Map Data | E-10 |

Exhibit 1-A

| | | | |
|----------------------|--|--|--|
| Amendment No: | Canal Point Corrective - Industrial - Site A (LGA 2019-007) | | |
| FLUA Page No: | 119 | | |
| Amendment: | From High Residential, 12 units per acre (HR-12) to Industrial with an underlying 12 units per acre (IND/12) | | |
| Location: | East and west sides of Lakeshore Drive, south of Okeechobee Avenue | | |
| Size: | 6.44 total acres | | |
| PCN: | 00-37-41-33-03-012-0011; 00-37-41-33-03-012-0012; 00-37-41-33-03-012-0014; 00-37-41-33-03-012-0015; 00-37-41-33-03-012-0021; 00-37-41-33-03-012-0022; 00-37-41-33-03-012-0023; | 00-37-41-33-03-012-0024; 00-37-41-33-03-012-0032; 00-37-41-33-03-013-0013; 00-37-41-33-03-013-0014; 00-37-41-33-03-013-0020; 00-37-41-33-03-013-0031; | 00-37-41-33-03-013-0033; 00-37-41-33-03-013-0040; 00-37-41-33-03-014-0041; 00-37-41-33-04-012-0021; |

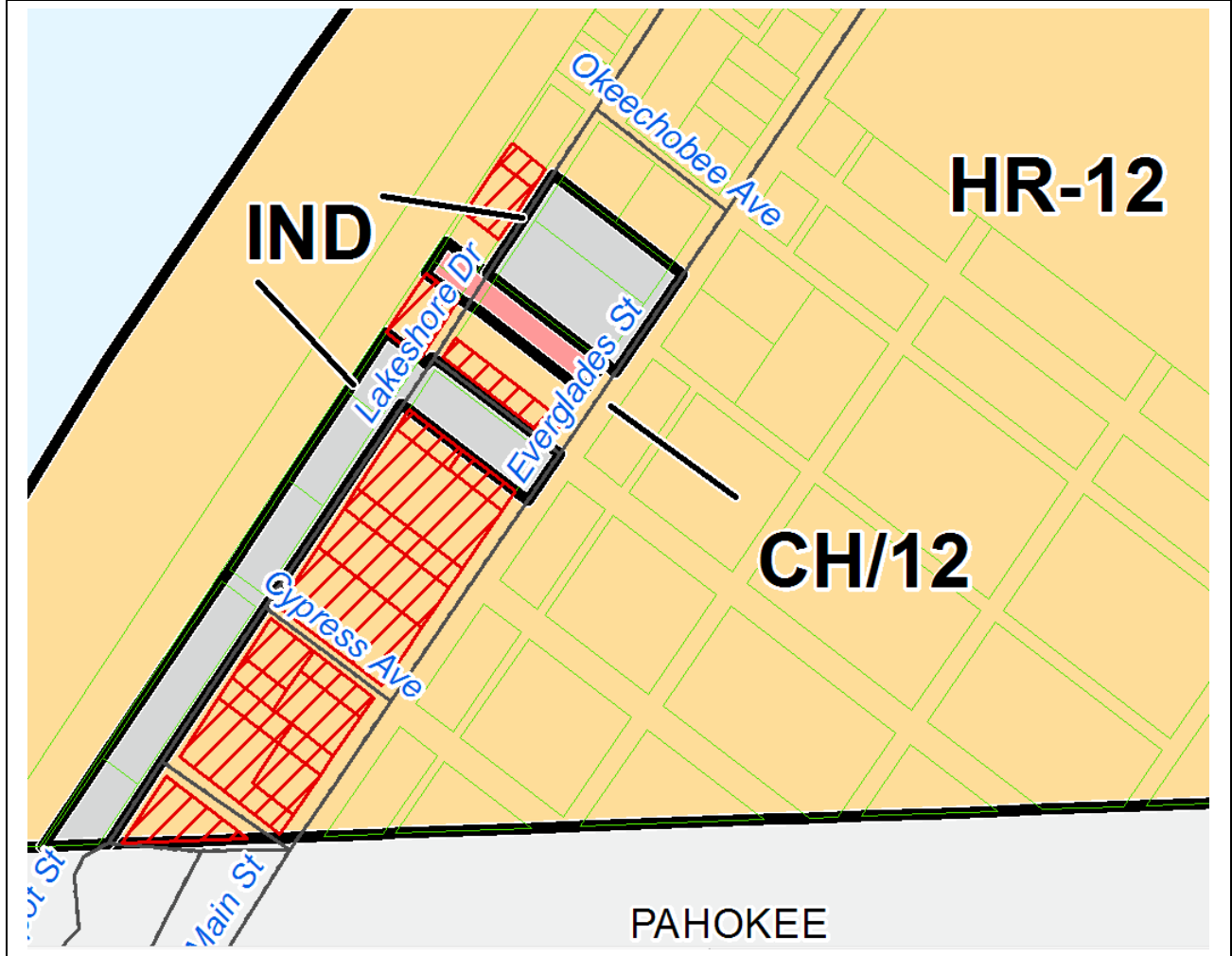


Exhibit 1-B

| | |
|----------------------|--|
| Amendment No: | Canal Point Corrective – Residential - Site B (LGA 2019-008) |
| FLUA Page No: | 119 |
| Amendment: | From Institutional and Public Facilities (INST) to High Residential with an underlying 12 units per acre (HR-12) |
| Location: | North side of East Beach Street, east of Everglades Street |
| Size: | 0.30 acres total |
| PCN: | 00-37-41-33-03-026-0250; 00-37-41-33-03-026-0271 |

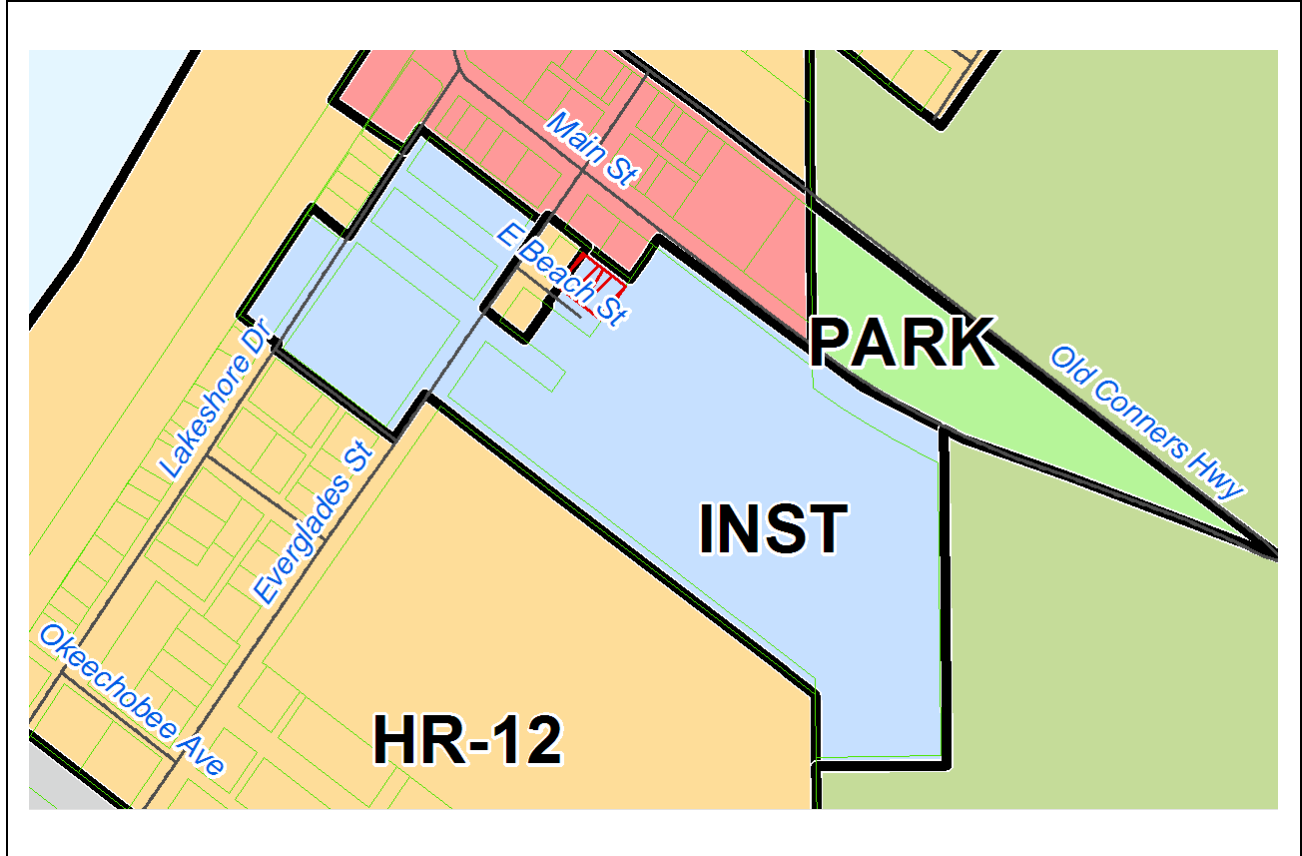


Exhibit 1-C

| | |
|----------------------|---|
| Amendment No: | Canal Point Corrective - Site C (LGA 2019-009) |
| FLUA Page No: | 119 |
| Amendment: | From High Residential, 12 units per acre (HR-12) and Commercial High with an underlying 12 units per acre (CH/12) to Industrial with an underlying 12 units per acre (IND/12) |
| Location: | West and east sides of Lakeshore Drive, north of Palmetto Avenue |
| Size: | 1.30 total acres |
| PCN: | 00-37-41-33-03-014-0031; 00-37-41-33-03-047-0070; 00-37-41-33-04-012-0011 |

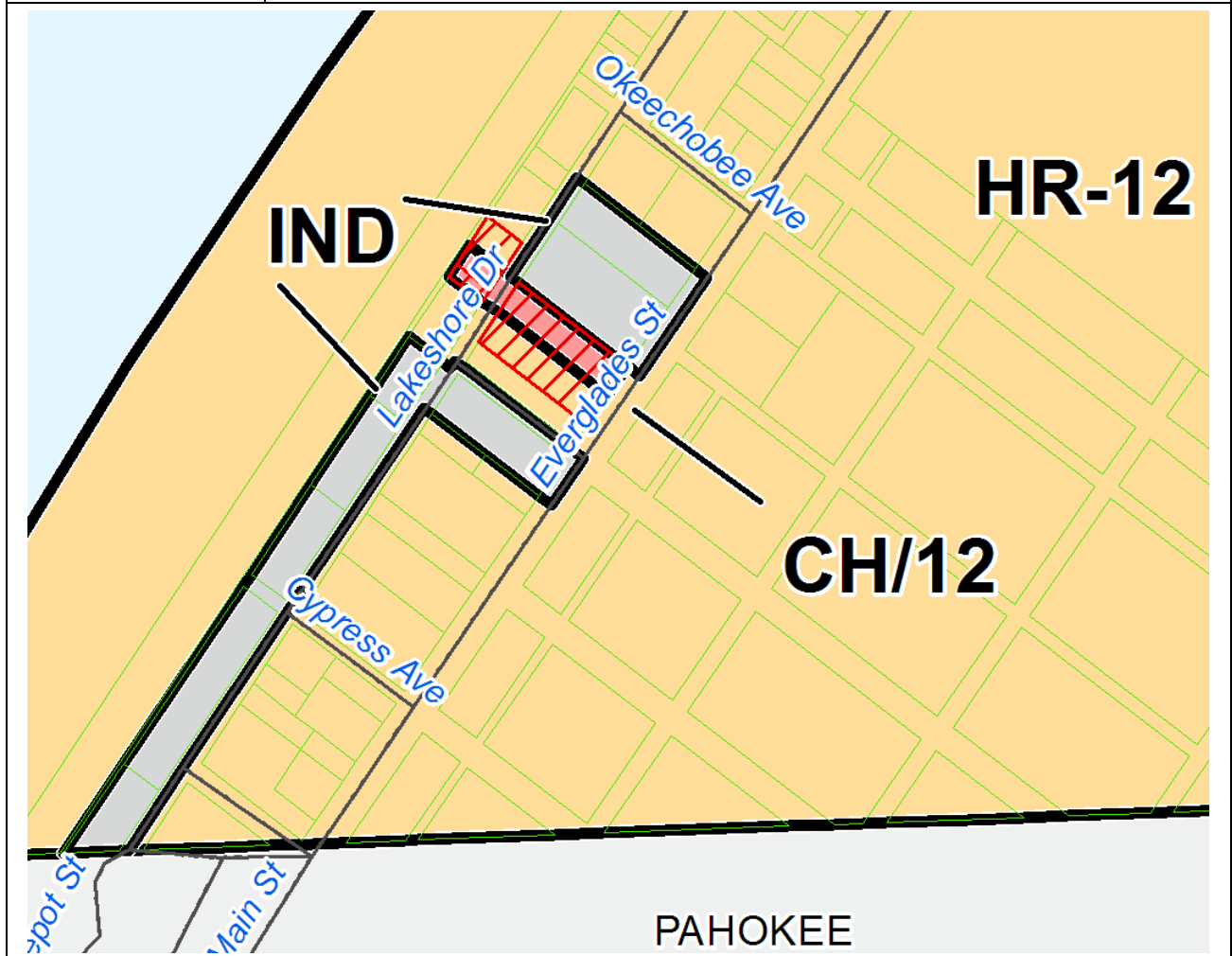


Exhibit 1-D

| | |
|----------------------|--|
| Amendment No: | Canal Point Corrective - Site D (LGA 2019-010) |
| FLUA Page No: | 119 |
| Amendment: | From Industrial (IND) to Commercial High with an underlying Industrial (CH/IND) and Industrial with an underlying 12 units per acre (IND/12) |
| Location: | West side of Lakeshore Drive |
| Size: | 1.00 total acres |
| PCN: | 00-37-41-33-03-014-0022 |

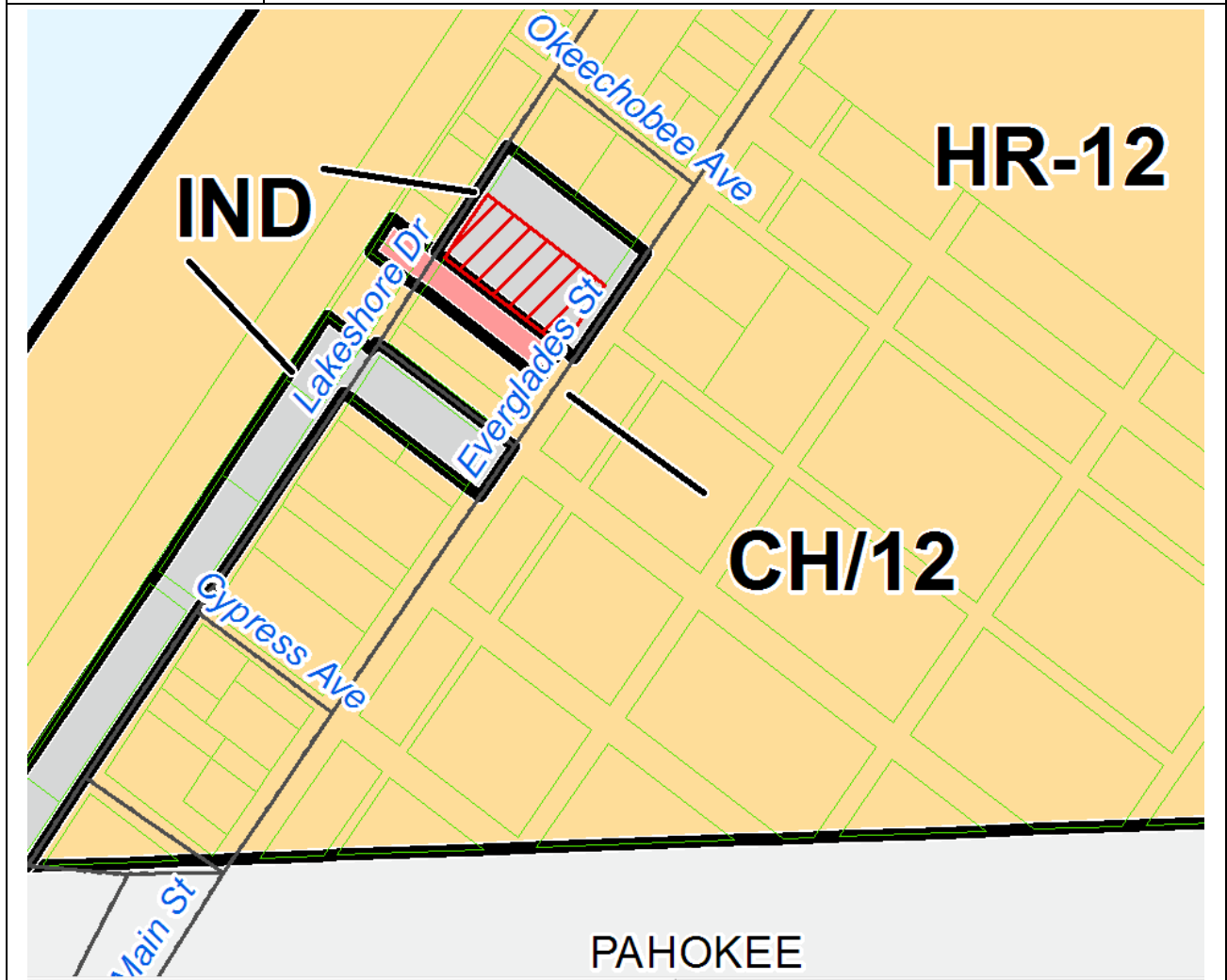
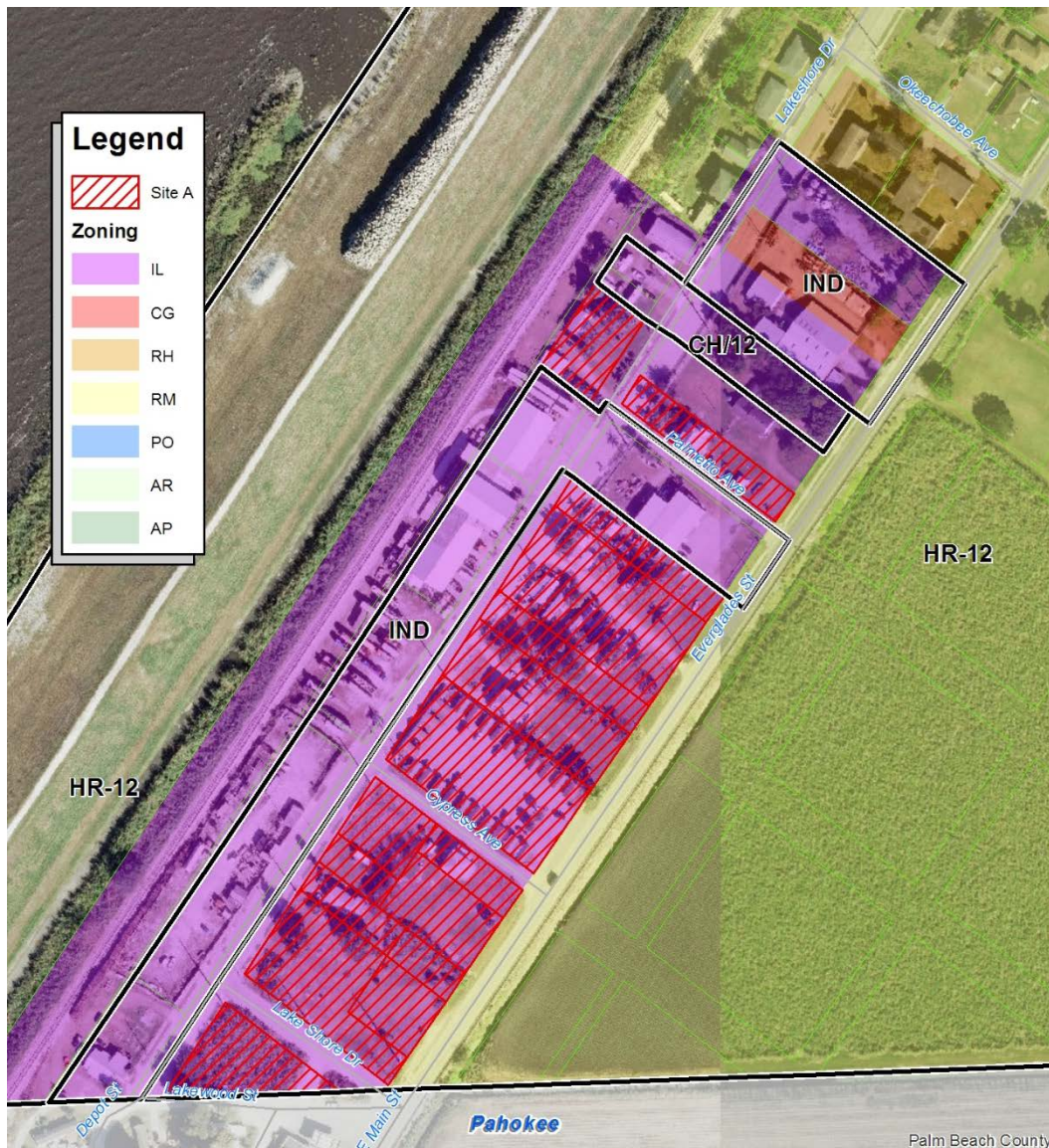


Exhibit 3 Site Area Analysis

A. Site A

This site is comprised of 17 parcels totaling 6.44 acres located on between Lakeshore Drive and Everglades Street that are currently developed with residential and industrial uses. The parcels are shown with cross hatch in the map below. The boundaries of the adopted future land use i black outline, and the zoning is the fill detailed in the legend. This amendment proposes to correct the High Residential, 12 units per acre (HR-12) future land use designation that was assigned on the properties in 1989, and to replace with an Industrial designation, retaining the 12 units per acre as an underlying density (IND/12). These parcels were identified for Industrial potential by the text of the 1989 Plan and have Light Industrial zoning.



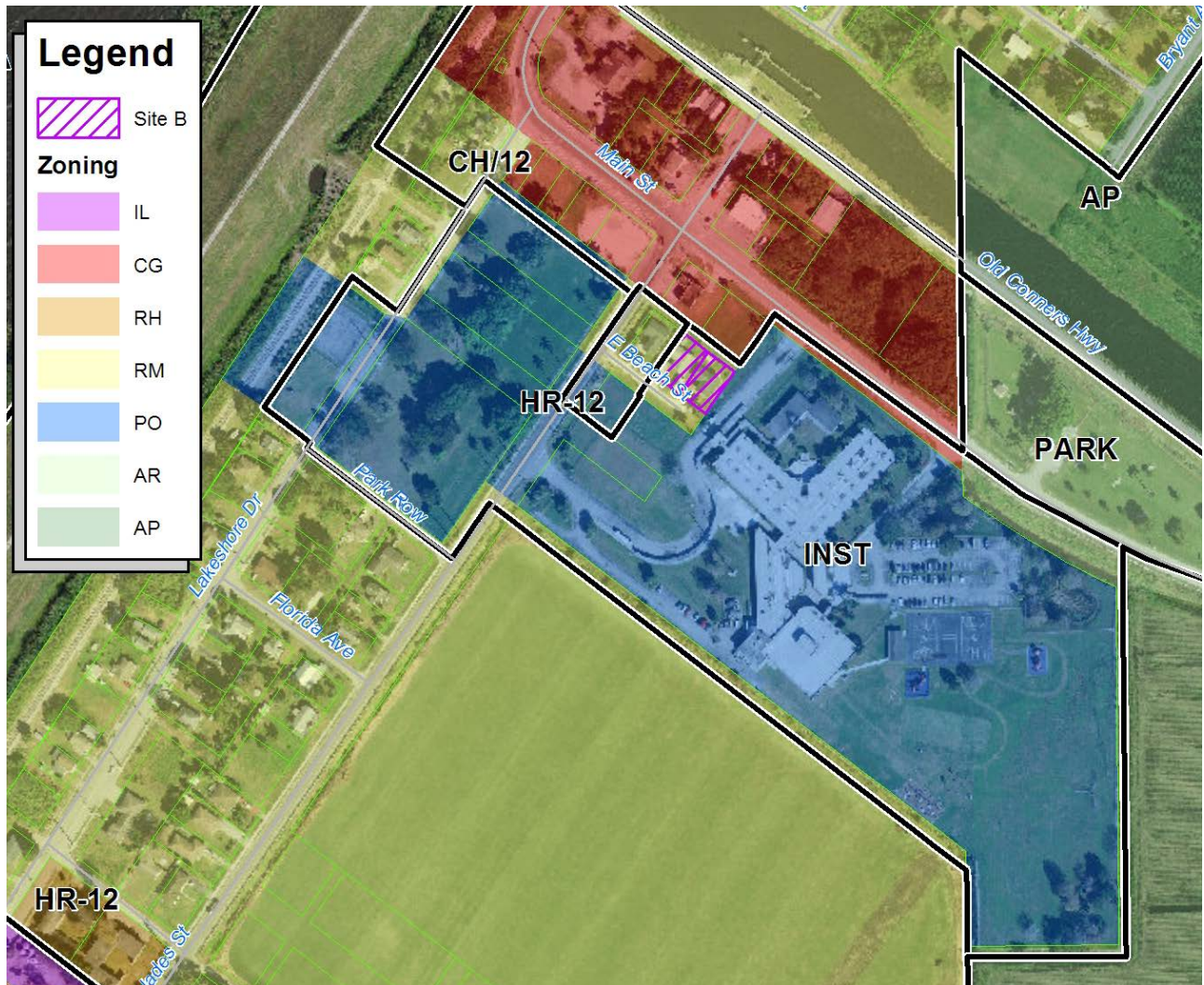
These parcels are primarily utilized for industrial purposes. The amendment will allow industrial or residential uses.

| PCN | Acres | Address | Property Use | Owner Name |
|-------------------|-------|-----------------------|--------------------------|-----------------------------|
| 00374133030120011 | 0.26 | 12084 LAKESHORE DR | VACANT INDUSTRIAL | FERGUSON MICHAEL |
| 00374133030120012 | 0.13 | 12074 LAKESHORE DR | VACANT INDUSTRIAL | LTA INC |
| 00374133030120014 | 0.18 | 37414 CYPRESS AVE | SINGLE FAMILY-IND ZONING | MCDONALD ISABELLE & KENNETH |
| 00374133030120015 | 0.37 | 12065 EVERGLADES ST | VACANT INDUSTRIAL | JONES MARY F |
| 00374133030120021 | 0.19 | 12064 LAKESHORE DR | SINGLE FAMILY-IND ZONING | THOMPSON HELEN P |
| 00374133030120022 | 0.13 | 12063 EVERGLADES ST | VACANT INDUSTRIAL | HENDRY NEMMIE R |
| 00374133030120023 | 0.25 | 12051 EVERGLADES ST | VACANT INDUSTRIAL | RGSG INC |
| 00374133030120024 | 0.68 | 12044 LAKESHORE DR | VACANT INDUSTRIAL | RGSG INC |
| 00374133030120032 | 0.42 | 12002 LAKESHORE DR | VACANT INDUSTRIAL | BESSENROTH MARGRIT |
| 00374133030130013 | 0.16 | 507 LAKESHORE DR | OPEN STORAGE | JONES JAMES G & LASONDA |
| 00374133030130014 | 0.16 | EVERGLADES ST | OPEN STORAGE | JONES JAMES G & LASONDA |
| 00374133030130020 | 0.97 | 12133 EVERGLADES ST | PKG LT / MH PK | GRIFFIS PALM BEACH LLC |
| 00374133030130031 | 0.64 | 12144 LAKESHORE DR | SINGLE FAMILY-IND ZONING | COMRIE DENTON & SHARON |
| 00374133030130033 | 0.32 | LAKESHORE DR | PKG LT / MH PK | GRIFFIS PALM BEACH LLC |
| 00374133030130040 | 0.95 | 12101 EVERGLADES ST 1 | MISC RESIDENCE SFR | LOPEZ NELSON |
| 00374133030140041 | 0.33 | 12184 LAKESHORE DR | SINGLE FAMILY-IND ZONING | GRIFFIS PALM BEACH LLC |
| 00374133040120021 | 0.31 | 12185 LAKESHORE DR | SINGLE FAMILY-IND ZONING | CALDERON RODOLFO & IDANIZ |

B. Site B

This site is comprised of two residential parcels totaling .30 acres located on East Beach Avenue that are privately owned and developed with single family homes. The parcels are shown with cross hatch in the map below. The boundaries of the adopted future land use designations are in black outline, and the zoning is the fill detailed in the legend. This amendment proposes to correct the Institutional and Public Facilities (INST) future land use designation that was assigned on the properties, and to replace with a High Residential, 12 units per acre (HR-2) future land use designation that will match the use of the property and the Residential Multifamily (RM) zoning district. These parcels incorreccted mapped on the zoning quads as Public Ownership (PO) zoning following approval of Resolution 1986-113 for property owned by the School District. The 1989 FLUA map carried forward this error.

| PCN | Acres | Address | Property Use | Owner Name |
|-------------------|-------|------------------|---------------|------------------------------------|
| 00374133030260250 | 0.15 | 37041 E BEACH ST | SINGLE FAMILY | PARDO MIGUEL P & PANIAGUA MARLEM P |
| 00374133030260271 | 0.15 | 37055 E BEACH ST | SINGLE FAMILY | WELLS RAY A & ALMA G |



C. Site C

This site is comprised of three parcels totaling 1.30 acres located on Lakeshore Avenue developed with residential and industrial uses. The parcels are shown with cross hatch in the map below. The boundaries of the adopted future land use in black outline, and the zoning is the fill detailed in the legend. This amendment proposes to correct the Commercial High (CH/12) future land use designation that was assigned on the properties, and to replace within an Industrial with underlying 12 units per acre (IND/12).

These parcels were identified for Industrial potential by the text of the 1989 Plan and have Light Industrial zoning. However, the 1989 FLUA map incorrectly assigned CH/12 designation on portions or all of these properties due to a mapping error for Commercial General Zoning (see Site D). The CH/12 designation should have been placed on Site D. These properties include residential and industrial uses, and this uses will be conforming under the proposed Industrial with an underlying 12 (IND/12) future land use designation.

| PCN | Acres | Address | Property Use | Owner Name |
|-------------------|-------|---------------------|--------------------------|--------------------|
| 00374133030140031 | 0.99 | 12161 EVERGLADES ST | SINGLE FAMILY-IND ZONING | JONES JAMES G |
| 00374133030470070 | 0.25 | 12209 LAKESHORE DR | WAREH/DIST TERM | THOMAS SEIVRIGHT A |
| 00374133040120011 | 0.06 | LAKESHORE DR | OPEN STORAGE | THOMAS SEIVRIGHT A |



C. Site D

This site is comprised of one parcel totaling 0.67 acres located between Lakeshore Drive and Everglades Street (Hwy 98) that is developed with industrial uses. The amendment proposes to assign an Industrial (IND/12) designation on a portion of the site, and Commercial High with an underlying Industrial designation (CH/IND) on the portion with commercial zoning on the site.

This parcel was identified for Industrial potential by the text of the 1989 Plan and had been granted General Commercial (CG) zoning on the northwesterly 50 feet by Resolution 3-U-67 on November 2, 1967. The legal description for the resolution applies to Lot 2, Block 14 of the amended plat of Nemaha. The 1989 FLUA map incorrectly assigned the Commercial High (CH/12) future land use to Lot 3, Block 14 (PCN 00-37-41-33-03-014-0031, part of Site C). This amendment proposes to correctly identify the CH/12 designation on the area with CG zoning identified in red. The remainder of the parcel has Light Industrial (IL) zoning. This parcel is owned by the same property owner as the 0.67 acre parcel to the north (00374133030140021) that is used for storage. That parcel has an Industrial designation.

| PCN | Acres | Address | Property Use | Owner Name |
|-------------------|-------|---------------------|-----------------|------------|
| 00374133030140022 | 1.00 | 12181 EVERGLADES ST | WAREH/DIST TERM | JOTO LLC |



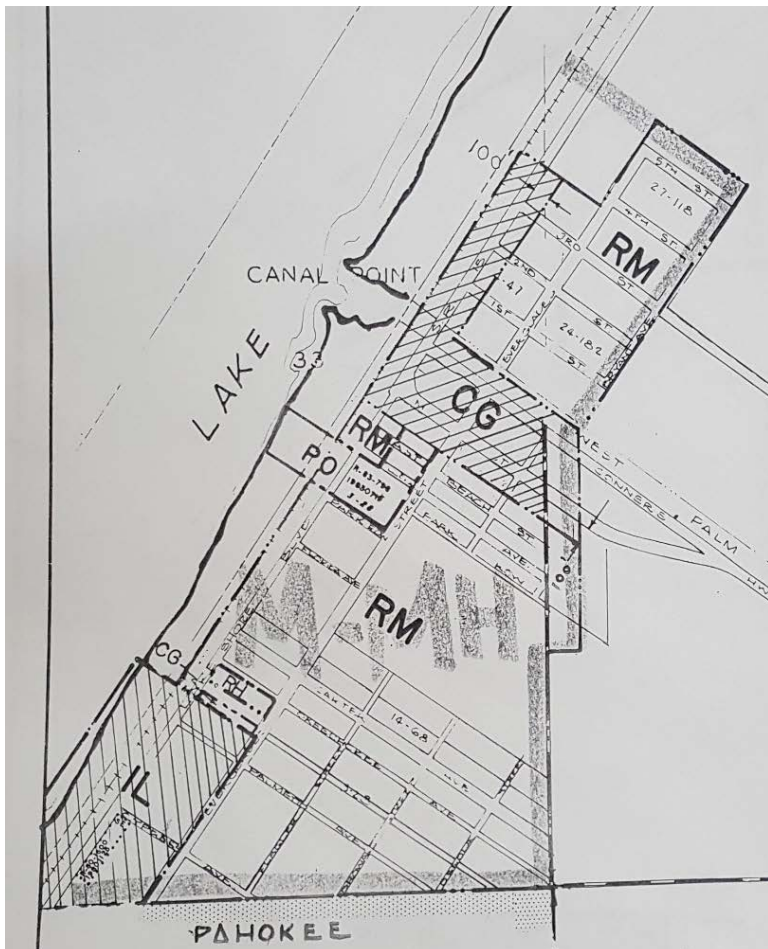
Exhibit 3

1989 Future Land Use Atlas Data

1980 Future Land Use Map

The County's Future Land Use Map in effect from 1980 to 1989 established broad residential density, agricultural, and conservation future land use designations. There was no future land use designation for commercial or recreation land uses, and the only industrial designation was assigned to the United Technologies Overlay. The Comprehensive Plan assigned areas that qualified to apply for commercial and industrial zoning by identifying these areas in the text of the Comprehensive Plan and by hatching the areas on the future land use map.

For Canal Point, the 1980 Plan highlighted both the adopted zoning districts and the 1980 future land use in the graphic below. The areas with commercial or industrial zoning potential were identified with cross hatched lines as shown below. This area was identified as "Area 25" in the text of the Plan to the right. All of the land with commercial or industrial potential had a commercial or industrial zoning district.



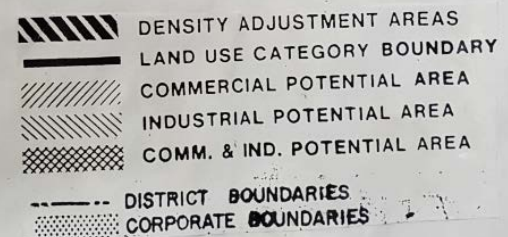
AREA 25

COMMERCIAL

1. In Canal Point, primarily around the intersection of Highways 98 and 441.
2. On the west side of S.R. 15 to a depth of 250' for a distance of 3,500' south of the Pahokee city limits.
3. On Garden Street immediately south of the Pahokee city limits.
4. Airport and related facilities between S.R. 715 and Lake Okeechobee south of the Pahokee city limits.
5. Adjacent to S.R. 715 between Glades Airport and the south edge of Section 36, T42S, R36E.

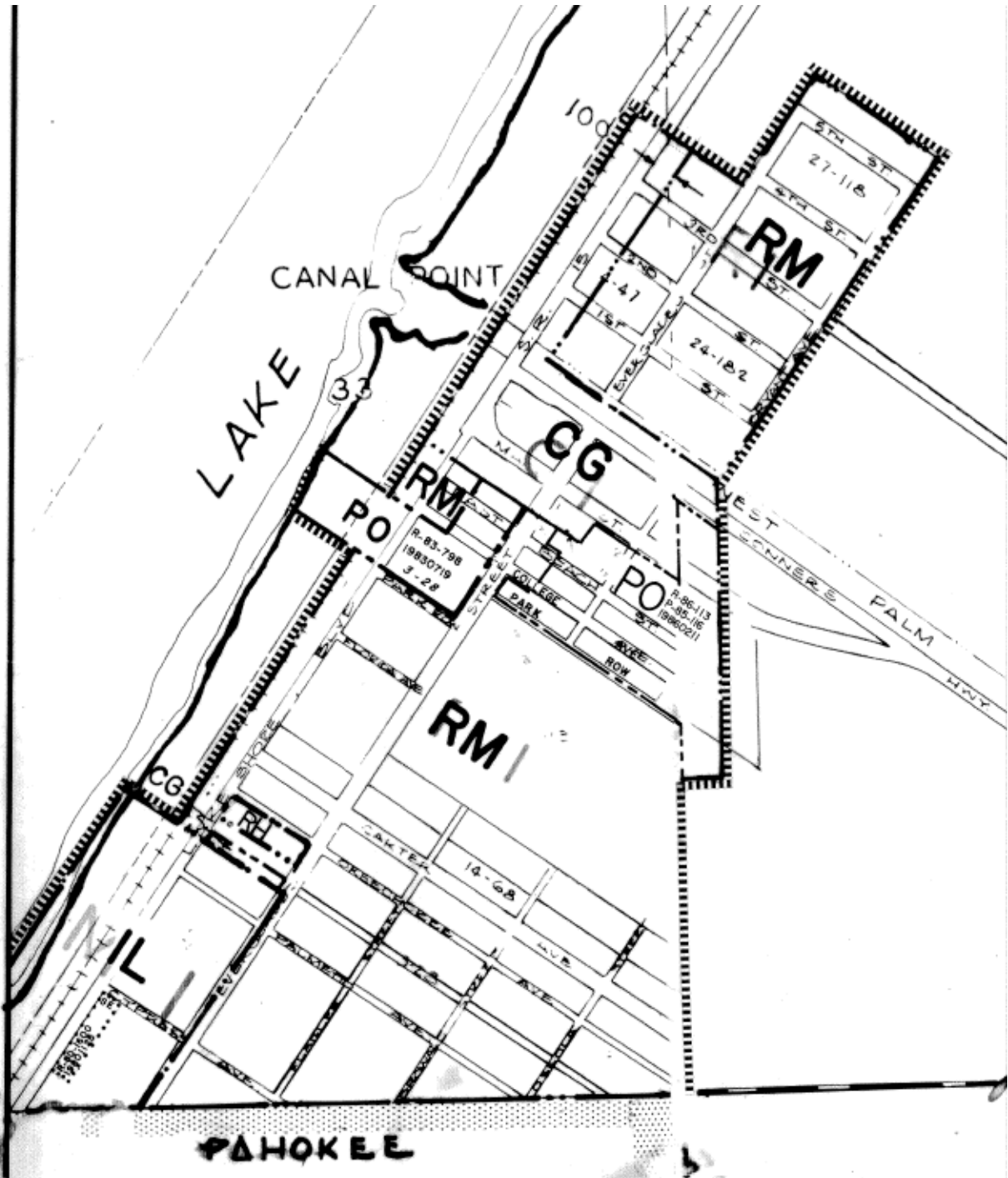
INDUSTRIAL

1. From the Pahokee city limits north to Okeechobee Avenue west of Everglades Street.
2. Along S.R. 15 from the south Pahokee city limits to Jefferson Street.
3. East of Garden Street adjacent to the Pahokee city limits.



1989 Zoning Quads

By 1989, the County had adopted two zoning resolutions to change some properties to the Public Ownership (PO) zoning that were owned by the School District of Palm Beach County. This graphic reflects the zoning in place in 1989 through the creation of the digital zoning quads in 2004.



1989 Future Land Use Atlas

In the late 1980s, the Board of County Commissioners directed staff to prepare a new future land use map that would provide much greater specificity with the future land use designations and densities. Staff prepared the new map based upon the 1980 Plan, the current zoning designations assigned at the time, and existing land uses and densities. The intent was to assign a designation consistent with the current Plan, zoning, and use. The Plan was adopted by the Board in 1989. Since air photography was limited at the time, and GIS technology was not available, in some instances staff assigned an incorrect future land use designation.

The adopted 1989 future land use map for Canal Point (shown below) did not accurately assign commercial or industrial future land use designations for all of the properties with commercial or industrial zoning. In addition, the map attempted to assign all of the School District property with a PO zoning district the Institutional future land use designation, but made some errors as well. This amendment proposes to correct these areas specific to Canal Point.

