



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT SMALL SCALE AMENDMENT

BCC ADOPTION PUBLIC HEARING, DECEMBER 4, 2014

I. General Data

Project Name: Glades Underlying Dominguez (SCA 2015-008)
County Initiated Corrective Amendment

Request: IND to IND/8

Acres: 2.51 acres

Location: West of NW 16th Street and north of NW Avenue L

Project Manager: Erin Fitzhugh Sita, Senior Planner

Applicant: Palm Beach County

Staff Recommendation: Staff recommends **approval** of the proposed amendment based upon the findings and conclusions contained within this report.

II. Site Data

Current Future Land Use

Current FLU: Industrial (IND)

Existing Land Use: Residential, Agriculture and Vacant

Current Zoning: Agricultural Residential (AR)

Current Dev. Potential Max: Industrial

Proposed Future Land Use Change

Proposed FLU: Industrial with an underlying 8 units per acre (IND/8)

Proposed Zoning: Agricultural Residential (AR)

Dev. Potential Max/Conditioned: Industrial or Residential

General Area Information for Site

Tier/Tier Change: Glades Urban Suburban Tier – No Change

Utility Service: Glade Utility Authority

Overlay/Study: Glades Economic Development Overlay

Comm. District: Commissioner Santamaria, District 6

III. Hearing History

Local Planning Agency: **Approval**, motion by Judy Daversa, seconded by Roberta Levitt-Moccia, passed in an 14-0 vote at the November 14, 2014 hearing. The Commission discussion included questions regarding annexation and the supply of industrial lands. Staff stated that there were no annexations pending and that the amendment would not hinder property owners from converting their parcels to industrial uses. There was no public comment.

Board of County Commissioners:

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Future Land Use Atlas Amendment
 Glades Underlying Dominguez (SCA 2015-008)



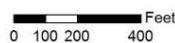
Site Data

Size: 2.51 acres
 Existing Use: Residential, Agriculture and Vacant
 Proposed Use: Residential, Agriculture, and Industrial
 Current FLU: IND
 Proposed FLU: IND/8

Future Land Use Designations

HR-8 High Residential, 8 units per acre
 CH/IND Commercial High, underlying Industrial
 IND Industrial

Date: 10/7/2014
 Contact: Planning
 Filename: T:\Plan\AMEND\15-SCA\Sites\Glades Underlying
 Note: Map is not official, for presentation purposes only



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



IV. Background/History

This is a corrective amendment to assign an underlying density to two parcels totaling 2.21 acres with an Industrial Future Land Use Designation in order to allow the existing residential development to continue. The subject site is part of a 14.53 acre enclave surrounded by the City of Belle Glades in the Glades Urban/Suburban Tier. The property owner is seeking approval of a single family home building permit which cannot be processed until the underlying residential density is assigned through the amendment process. This enclave properties have Agricultural Residential (AR) zoning and have been built with 37 dwelling units, all of which were constructed prior to 1989 under the Low to Medium Residential (3 to 8 units per acre) designation. These parcels were assigned an Industrial Future Land Use Designation in 1989 to spur economic development. The assignment of the IND FLU was not intended to prohibit homeowners from improving or building homes on existing lots, but rather to provide opportunities for investment and redevelopment over time. As a result, the Planning Division initiated this amendment to add an underlying residential future land use designation to allow for the existing residential uses to be conforming and allowed.

V. Intent of the Amendment

The purpose of the amendment is to correct the future land use designation by adding an underlying HR-8 designation to the subject area. This would allow the homeowner to make improvements or build new homes while retaining the potential to convert to industrial uses in the future. (see Exhibit 1).

VI. Data and Analysis Summary

This section of the report examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

A. Consistency with the Comprehensive Plan

This is a corrective amendment to remedy an omission created with the adoption of the 1989 Comprehensive Plan. This amendment would allow the existing residential use to continue as a legal conforming use, but still retain the potential to convert to industrial uses without additional regulatory hurdles. The HR-8 Future Land Use designation was selected as the underlying residential based on an analysis of the density of the parcels in the enclave area and the surrounding residential densities within the City of Belle Glade. The Dominguez parcels have a built density of less than one units per acre. The densities of the surrounding parcels are detailed below in the compatibility section of this report and range from vacant to approximately 8 units per acre. As the Comprehensive Plan permits underlying residential uses for the future land use designation of Industrial, there are no consistency issues with the proposed underlying HR-8.

C. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use. The purpose of the compatibility for this amendment is to analyze surrounding future land use designations to ensure that the proposed underlying residential density is compatible with the surrounding built environment and the Belle Glade future land use designations.

Surrounding Land Uses: Immediately abutting the unincorporated area where the Dominguez parcel is located are the following:

North: The property on the north side of NW Avenue P, which is the northern boundary of the amendment area, is a vacant 37.54 acre parcel owned by the Palm Beach County School District. It is located within the boundaries of the City of Belle Glade and has a future land designation of Residential, which allows for institutional uses like schools. The current zoning district is R1, which allows for single family residential development up to 6 units per acre .

East: To the east of the subject site is a large parcel (70.66 acres) owned by the Belle Glade Housing Authority. It is located within the boundaries of the City of Belle Glade, has a future land designation of Residential and zoning district of R2, which allows for single and multi-family housing (duplex, triplex, quadruplex). The property was built with multi-family housing at a density of 4.20 dwelling units per acre.

West: The two parcels to the west of the enclave are built with mobile home parks with built densities of 7.8 (35 units / 4.9 acres) and 2.9 (28 units / 9.59 acres) units per acre respectively. Both parcels are located within the boundaries of the City of Belle Glade, have a future land designation of Residential and are zoned Mobile Home Park.

South: Eleven small parcels ranging from 0.05 acres - 0.8964 acres are directly adjacent to the amendment area to the south. These parcels are located within the boundaries of the City of Belle Glade, have a future land designation of Commercial and have the Zoning District B-2 Commercial. There are wide variety of uses on these parcels, including daycare, vacant, automotive repair and storage.

D. Consistency with County Overlays, Plans, and Studies

- 1. Overlays – FLUE Policy 2.1-k** states *“Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.”*

Staff Analysis: The subject site is located in the Glades Economic Development Overlay (GEDO). The purpose of this overlay is to promote economic diversification, cultural preservation, greenways planning, local revitalization and redevelopment, area beautification and coordinated future land use planning.. FLUE Policy 1.6.1-b for this Overlay states that the County should provide flexibility in the range of uses that will increase job opportunities and improve economic vitality of the area. The Industrial future land use designation meets that policy objective; therefore, it is being retained on the parcels in the enclave. The addition of an underlying residential future land use designation will not diminish the policies of this Overlay and would allow for the redevelopment of residential uses. Therefore, the proposed amendment is consistent with the GEDO.

- 2. Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *“The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval.....”*

Staff Analysis: The subject site is not located within a neighborhood plan.

E. Public Facilities and Services Impacts

- 1. Facilities and Services – FLUE Policy 2.1-a:** *The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

Staff Analysis: The proposed amendment has been distributed to the County service departments for review and there are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. Staff sent a request for departmental review of the proposed amendment to various County departments and external agencies for review of public facility impacts. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Dept.), Environmental (Environmental Resource Management), Land Development (Engineering), Historic Resources (PBC Archeologist), Parks and Recreation, Office of Community Revitalization (OCR), ULDC (Zoning), School Board, Health (PBC Dept. of Health), Fire Rescue, Lake Worth Drainage District.

F. Florida Statutes (FS)

1. **Data and Analysis Applicable to Florida Statutes:** Section 163.3177(6)(a), Florida Statutes, require that local governments future land use plans be based on a number of factors, including population projections, the character of undeveloped land, availability of public services, and other planning objectives.

Staff Analysis: This is a corrective amendment to assign an underlying future land designation to reflect existing development and the intent of the BCC. The amendment reflects the residential development currently built and originally anticipated for the area. Any resulting population increase would be minimal, and less intense than industrial development. Therefore, it will not impact public services, planning objectives and the other factor identified in 163.3177(60(a)).

2. **Data and Analysis Applicable to Florida Statutes - Consistency with Urban Sprawl:** The proposed amendment is not considered sprawl as it is within the Urban/Suburban Tier and within the Urban Service Boundary and provides an array of urban services and public facilities. This Tier is also the target of the County's redevelopment and revitalization strategies with the purpose of redirecting growth to older unincorporated areas, promoting mixed use development concepts, transit oriented developments, where feasible, all with the explicit purpose of reducing sprawl.

VII. 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 October 15, 2014. To date, no objections through the IPARC process to this amendment have been received. In addition, a notice was sent on October 10, 2014, to the City of Belle Glade. To date, no comments have been received.
- B. **Other Notice:** Public notice by letter was mailed to owners of the 20 properties and property owners within 500' of the perimeter of the site on October 10, 2014. Several phone calls were received requesting additional information about the amendment. To date no letters have been received.

VIII. Conclusions and Recommendation

The proposed amendment corrective amendment to remedy an omission created with the adoption of the 1989 Comprehensive Plan. This amendment would allow the existing residential use to be legal a conforming use, but still retain the potential to convert to industrial uses in the future.

As such, staff recommends **approval** of the proposed corrective amendment.

Exhibits	Page
1. Future Land Use Map & Legal Description	E-1

Exhibit 1

Amendment No:	Glades Underlying Dominguez (SCA 2015-008)
FLUA Page No:	134
Amendment:	From Industrial (IND) to Industrial with an underlying 8 units per acre (IND/8)
Location:	West side of NW 13th Street, north of NW Avenue L
Size:	2.51 acres approximately
Property No:	00374330000007450; 7470
Conditions:	None

